



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

Vol. 147

WASHINGTON, MONDAY, JULY 16, 2001

No. 98

House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. MILLER of Florida).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 16, 2001.

I hereby appoint the Honorable DAN MILLER 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: Praise the Lord, as servants of the Lord, let us praise the name of the Lord together.

From the rising of the Sun in the east to its setting in the west may praise of the Lord for blessings be heard from coast to coast. Our God, who is above all the nations of the Earth does not overlook the most lowly or the most unfortunate in this world.

The Lord's greatness does not distance the Lord from His people. Our God is to be found always in their midst.

None is like the Lord in love and concern. That is why the Lord is the model and the guide of the Members of this House and all public servants everywhere.

The Lord lifts up the weak to confront the proud-hearted and raises the poor to equal status with the powerful.

The Lord is mindful always that parents are the most powerful on Earth over their children, yet all are one in His sight.

For all the great deeds of mercy, let us praise the name of the Lord 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 1, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore 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.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2217. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2217) "An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes" requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD, Mr. LEAHY, Mr. HOLLINGS, Mr. REID, Mr. DORGAN, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. INOUE, Mr. BURNS, Mr. STEVENS, Mr. COCHRAN, Mr. DOMENICI, Mr. BENNETT, Mr. GREGG, and Mr. CAMPBELL to be the conferees on the part of the Senate.

ANNOUNCEMENT OF OFFICIAL OBJECTORS FOR THE PRIVATE CALENDAR FOR THE 107TH CONGRESS

The SPEAKER pro tempore. On behalf of the majority and minority leaderships, the Chair announces that the official objectors for the Private Calendar for the 107th Congress are as follows:

For the majority:
Mr. COBLE, North Carolina;
Mr. BARR, Georgia;
Mr. CHABOT, Ohio.
For the minority:
Mr. BOUCHER, Virginia;
Ms. DELAURO, Connecticut.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12, rule I, the House will stand in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 5 minutes p.m.) the House stood in recess subject to the call of the Chair.

□ 1906

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. Goss) at 7 o'clock and 6 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2500, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 107-141) on the resolution (H. Res. 192) providing for consideration of the bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal

□ 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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year ending September 30, 2002, which was referred to the House Calendar and ordered to be printed prior to the filing of the rule. The clerk will report the title.

ADJOURNMENT

Mr. LINDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 7 minutes p.m.), under its previous order, the House adjourned until tomorrow, July 17, 2001, at 9 a.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2894. A letter from the Deputy Secretary of Defense, Department of Defense, transmitting the Department's Assessment of Fiscal Year 1998 Sexual Harassment Complaints and Sexual Misconduct; to the Committee on Armed Services.

2895. A letter from the Chief, Division of General and International Law, Department of Transportation, transmitting the Department's final rule—Service Obligation Reporting Requirements for United States Merchant Marine Academy and State Maritime School Graduates [Docket No. MARAD-2000-xxxx] received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2896. A communication from the President of the United States, transmitting a report on United States military personnel and United States civilians retained as contractors in Colombia in support of Plan Colombia; to the Committee on Armed Services.

2897. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the annual report of the Office of Juvenile Justice and Delinquency Prevention for Fiscal Year 2000, pursuant to 42 U.S.C. 5617; to the Committee on Education and the Workforce.

2898. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans: Alabama: Nitrogen Oxides Budget and Allowance Trading Program [AL-057-200116; FRL-7012-1] received July 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2899. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Regulation of Fuel and Fuel Additives: Reformulated Gasoline Adjustment [FRL-7011-2] (RIN: 2060-A198) received July 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2900. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plan for Texas: Transportation Control Measures Rule [TX-57-1-7183a; FRL-7010-9] received July 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2901. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Texas; Houston/

Galveston Volatile Organic Compound Reasonably Available Control Technology Revision [TX-133-1-7493a; FRL-7011-6] received July 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2902. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semicheical Pulp Mills [AD-FRL-6997-8] (RIN: 2060-A134) received July 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2903. A letter from the Clerk, United States Court of Appeals, transmitting an opinion of the court; to the Committee on Energy and Commerce.

2904. A communication from the President of the United States, transmitting notification that the national emergency declared with respect to the Taliban, is to continue in effect beyond July 4, 2001, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 107-99); to the Committee on International Relations and ordered to be printed.

2905. A communication from the President of the United States, transmitting a 6-month periodic report on the national emergency with respect to the Taliban in Afghanistan that was declared in Executive Order 13129 of July 4, 1999, pursuant to 50 U.S.C. 1703(c); (H. Doc. No. 107-100); to the Committee on International Relations and ordered to be printed.

2906. A communication from the President of the United States, transmitting a 6-month periodic report on the national emergency with respect to Libya that was declared in Executive Order 12543 of January 7, 1986, pursuant to 50 U.S.C. 1641(c); (H. Doc. No. 107-101); to the Committee on International Relations and ordered to be printed.

2907. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting the Department of the Navy's proposed lease of defense articles to Turkey (Transmittal No. 07-01), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

2908. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Singapore for defense articles and services (Transmittal No. 01-21), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2909. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Turkey for defense articles and services (Transmittal No. 01-13), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2910. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Technical Assistance Agreement with France [Transmittal No. DTC 071-01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2911. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-78, "New York Avenue Metro Special Assessment Authorization Temporary Act of 2001" received July 13, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

2912. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-79, "Consecutive Term Limitation Amendment Act of 2001" received July 13, 2001, pursuant to D.C. Code section

1-233(c)(1); to the Committee on Government Reform.

2913. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-87, "Ward Redistricting Amendment Act of 2001" received July 13, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

2914. A letter from the Auditor, District of Columbia, transmitting a report entitled, "Comparative Analysis of Actual Cash Collections to Revenue Estimates for the 2nd Quarter of Fiscal Year 2001"; to the Committee on Government Reform.

2915. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2916. A letter from the Clerk, United States Court of Appeals, transmitting an opinion of the court; to the Committee on Resources.

2917. A letter from the Director, National Legislative Commission, The American Legion, transmitting a copy of the Legion's financial statements as of December 31, 2000, pursuant to 36 U.S.C. 1101(4) and 1103; to the Committee on the Judiciary.

2918. A letter from the Secretary, Department of Transportation, transmitting the Department's annual report entitled, "Report to Congress on Transportation Security" for Calendar Year 1999, pursuant to Public Law 101-604, section 102(a) (104 Stat. 3068); to the Committee on Transportation and Infrastructure.

2919. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-120 Series Airplanes [Docket No. 2001-NM-190-AD; Amendment 39-12295; AD 2001-13-14] (RIN: 2120-AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2920. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 and EMB-145 Series Airplanes [Docket No. 2000-NM-319-AD; Amendment 39-12268; AD 2001-12-13] (RIN: 2120-AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2921. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737-300, 737-400, 737-500, 737-600, 737-700, 737-800, 757-200, 757-200PF, 757-200CB, and 757-300 Series Airplanes [Docket No. 2000-NM-308-AD; Amendment 39-12287; AD 2001-13-07] (RIN: 2120-AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2922. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747-100, -200, -300, and 747SP Series Airplanes [Docket No. 2000-NM-250-AD; Amendment 39-12286; AD 2001-13-06] (RIN: 2120-AA64) received July 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2923. A communication from the President of the United States, transmitting notification concerning a waiver of Jackson-Vanik Amendment for the Republic of Belarus, pursuant to 19 U.S.C. 2432(c) and (d); (H. Doc. No. 107-97); to the Committee on Ways and Means and ordered to be printed.

2924. A communication from the President of the United States, transmitting an updated report concerning the emigration laws

and policies of Armenia, Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, Turkmenistan, Ukraine and Uzbekistan, pursuant to 19 U.S.C. 2432(b); (H. Doc. No. 107-98); to the Committee on Ways and Means and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on July 12, 2001 the following report was filed on July 13, 2001]

Mr. WOLF: Committee on Appropriations. H.R. 2500. A bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107-139). Referred to the Committee of the Whole House on the State of the Union.

[Submitted July 16, 2001]

Mr. THOMAS: Committee on Ways and Means. H.R. 1954. A bill to extend the authorities of the Iran and Libya Sanctions Act of 1996 until 2006; with amendments (Rept. 107-107 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. H.R. 7. A bill to provide incentives for charitable contributions by individuals and businesses, to improve the effectiveness and efficiency of government program delivery to individuals and families in need, and to enhance the ability of low-income Americans to gain financial security by building assets; with an amendment (Rept. 107-138 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 617. A bill to express the policy of the United States regarding the United States' relationship with Native Hawaiians, to provide a process for the reorganization of a Native Hawaiian government and the recognition by the United States of the Native Hawaiian government, and for other purposes; with an amendment (Rept. 107-140). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINDER: Committee on Rules. House Resolution 192. Resolution providing for consideration of the bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107-141). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committees on Financial Services and Government Reform discharged from further consideration. H.R. 1954 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[The following action occurred on July 13, 2001]

H.R. 1954. Referral to the Committees on Financial Services, Ways and Means, and Government Reform extended for a period ending not later than July 16, 2001.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

[Omitted from the Record of July 12, 2001]

By Mr. SKELTON (for himself, Mr. BRADY of Pennsylvania, Mr. MCINTYRE, Mr. UNDERWOOD, Mr. LANGEVIN, Mr. REYES, Mr. ANDREWS, Mr. ANDREWS, Mr. TURNER, Mr. EVANS, Mr. TAYLOR of Mississippi, Mr. ORTIZ, Mr. SNYDER, Mrs. TAUSCHER, Mr. SMITH of Washington, Mr. ABERCROMBIE, and Mr. MALONEY of Connecticut):

H.R. 2494. A bill to provide an additional 2.3 percent increase in the rates of military basic pay for members of the uniformed services above the pay increase proposed by the Department of Defense so as to ensure at least a minimum pay increase of 7.3 percent for each member; to the Committee on Armed Services.

[Submitted July 16, 2001]

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. LATOURETTE, and Mr. COSTELLO):

H.R. 2501. A bill to reauthorize the Appalachian Regional Development Act of 1965; to the Committee on Transportation and Infrastructure.

By Mr. HORN (for himself, Mr. WATKINS, Mr. PETERSON of Pennsylvania, Mr. WATTS of Oklahoma, Mr. DOOLITTLE, Mr. DOOLEY of California, Mr. INSLER, Mr. DICKS, Mr. MCINNIS, and Mr. ENGLISH):

H.R. 2502. A bill to amend the Internal Revenue Code of 1986 to assist small business refiners in complying with Environmental Protection Agency sulfur regulations; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 2503. A bill to provide for nuclear disarmament and economic conversion in accordance with District of Columbia Initiative Measure Number 37 of 1992; to the Committee on Armed Services, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROHRBACHER (for himself, Ms. HARMAN, and Mr. CALVERT):

H.R. 2504. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for investing in companies involved in space-related activities; to the Committee on Ways and Means.

By Mr. WELDON of Florida (for himself, Mr. STUPAK, Mr. KERNS, and Mr. KUCINICH):

H.R. 2505. A bill to amend title 18, United States Code, to prohibit human cloning; to the Committee on the Judiciary.

By Mr. AKIN (for himself, Mr. BLAGOJEVICH, Mr. DIAZ-BALART, Mr. GONZALEZ, Mr. KUCINICH, Mrs. LOWEY, Mrs. MEEK of Florida, Mr. NADLER, Ms. ROS-LEHTINEN, and Ms. ROYBAL-ALLARD):

H. Con. Res. 185. Concurrent resolution expressing deep regret for the refusal of the United States to provide political asylum to the Jewish refugees aboard the S.S. ST. LOUIS in May and June of 1939; to the Committee on the Judiciary.

By Ms. KAPTUR:

H. Con. Res. 186. Concurrent resolution expressing the sense of Congress regarding the establishment of a Parents Week to recognize and support parents who actively participate in the lives of their children; to the Committee on Government Reform.

By Mr. STUPAK (for himself, Mr. WELDON of Pennsylvania, Mr.

HOEFFEL, Mr. WU, Mr. GILMAN, Mrs. CAPPAS, Mrs. MCCARTHY of New York, Mr. HOLDEN, Mr. DOYLE, Mr. STRICKLAND, Mr. ETHERIDGE, Mr. MCNULTY, Mr. WAXMAN, Mr. GREEN of Texas, Mr. KING, Mr. WAMP, Mr. WYNN, Mr. LARGENT, Mr. MALONEY of Connecticut, Mr. CAPUANO, Mr. FROST, Ms. KAPTUR, Mr. PASCRELL, Mr. LUTHER, Mr. GREENWOOD, Mr. DELAHUNT, Mr. SMITH of Washington, Mr. CROWLEY, Mr. FARR of California, Mr. MCINTYRE, Mr. HOYER, Mr. RAMSTAD, Mr. QUINN, Mrs. NAPOLITANO, Mr. BRADY of Pennsylvania, Mr. ANDREWS, Mrs. TAUSCHER, Ms. JACKSON-LEE of Texas, Mr. BROWN of Ohio, Mr. SUNUNU, Mr. KANJORSKI, Mr. DEUTSCH, Mr. BARRETT, Mr. BALDACCIO, Mr. PETRI, Mr. FILNER, Mr. BOEHLERT, Ms. ESHOO, Mr. HORN, Mr. OWENS, Mr. BONIOR, Mr. OXLEY, Mr. COSTELLO, Ms. SOLIS, Mr. GONZALEZ, Mr. LANTOS, Mr. TERRY, Mr. ROTHMAN, Ms. CARSON of Indiana, and Ms. ROYBAL-ALLARD):

H. Res. 193. A resolution requesting that the President focus appropriate attention on the issues of neighborhood crime prevention, community policing, and reduction of school crime by delivering speeches, convening meetings, and directing his Administration to make reducing crime an important priority, and for other purposes; to the Committee on the Judiciary.

By Mr. WYNN (for himself, Ms. JACKSON-LEE of Texas, Mr. LEWIS of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TOWNS, Mr. CAPUANO, Mr. CLAY, Ms. WATERS, Mr. THOMPSON of Mississippi, Mr. MEEKS of New York, Ms. MCKINNEY, Mr. FILNER, and Mr. KUCINICH):

H. Res. 194. A resolution concerning the establishment of a permanent United Nations security force; to the Committee on International Relations.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

148. The SPEAKER presented a memorial of the General Assembly of the State of Vermont, relative to Joint Senate Resolution No. 157 memorializing the United States Congress to increase federal special education funding immediately to 40 percent, the level to which Congress previously committed the federal government; to the Committee on Education and the Workforce.

149. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Resolution No. 128 memorializing the United States Congress and the President to institute and enforce legislation and diplomatic action toward the eradication of child slavery internationally; to the Committee on International Relations.

150. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 116 memorializing the United States Congress to enact the Detroit River International Wildlife Refuge Establishment Act; to the Committee on Resources.

151. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Resolution No. 149 memorializing the United States Congress to direct the Mineral Management Service to develop a plan for impact mitigation relative to the OSC oil and gas lease sales in the Gulf of Mexico; to the Committee on Resources.

152. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Resolution No. 114 memorializing the United States Congress to express

its desire to the National Marine Fisheries Service that the pending charter boat moratorium in the Gulf of Mexico not be implemented; to the Committee on Resources.

153. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 198 memorializing the United States Congress to support, with funding, the expeditious implementation of the proposed Bayou Lafourche restoration and diversion project from the Mississippi River; to the Committee on Transportation and Infrastructure.

154. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 54 memorializing the United States Congress to consider the removal of trade, financial, and travel restrictions relating to Cuba; jointly to the Committees on International Relations and Ways and Means.

155. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 25 memorializing the United States Congress and the President, in light of the proposed change in federal policy that will further open the border areas to Mexican truck travel, to recognize the unique planning, capacity, and infrastructure needs of Texas' border ports of entry and the high-priority transportation corridors; jointly to the Committees on Transportation and Infrastructure and the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 7: Mr. SHOWS, Mr. LATHAN, and Mr. CAMP.

H.R. 17: Ms. NORTON.

H.R. 510: Mrs. CAPPS and Mr. HONDA.

H.R. 612: Mr. ROGERS of Kentucky.

H.R. 663: Mr. EVANS.

H.R. 1163: Mr. SOUDER and Mr. PENCE.

H.R. 1164: Mr. HONDA.

H.R. 1202: Mr. NADLER, Mr. OXLEY, Mr. BLAGOJEVICH, and Mr. PALLONE.

H.R. 1216: Ms. CARSON of Indiana, Mr. FILNER, Mr. GONZALEZ, Mr. MEEKS of New York, Ms. MCKINNEY, Mr. SERRANO, Ms. VELAZQUEZ, Mr. BALDACCIO, Ms. JACKSON-LEE of Texas, Mr. MCGOVERN, Mr. FROST, and Mr. ORTIZ.

H.R. 1294: Mr. BRADY of Texas, Mr. GUTIERREZ, and Mr. SIMMONS.

H.R. 1425: Mr. ABERCROMBIE, Mr. ACEVEDO-VILA, Mr. BALDACCIO, Mr. BRADY of Pennsylvania, Mrs. CLAYTON, Mr. DAVIS of Illinois, Mr. FARR of California, Mr. FORD, Mr. HOYER, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. MCKINNEY, Mrs. MINK of Hawaii, Mrs. MORELLA, Mr. OSE, Mr. PAYNE, Mr. REYES, Mr. RUSH, and Mr. TOWNS.

H.R. 1434: Mr. BOSWELL.

H.R. 1460: Mr. BACA, Mr. WAMP, Mr. STENHOLM, Mr. WELDON of Florida, and Mr. BURTON of Indiana.

H.R. 1488: Ms. DELAURO.

H.R. 1517: Mr. BLAGOJEVICH, Mr. SMITH of New Jersey, Mr. BONIOR, Mr. RILEY, Mr. CRAMER, Ms. RIVERS, Mr. LEVIN, and Mr. HILLIARD.

H.R. 1602: Mr. PENCE.

H.R. 1745: Mr. MORAN of Virginia.

H.R. 1804: Mr. KILDEE.

H.R. 1891: Mr. ETHERIDGE and Mr. PICKERING.

H.R. 1896: Mr. MCGOVERN.

H.R. 1911: Mr. SESSIONS.

H.R. 1927: Mr. KILDEE.

H.R. 1975: Mr. NETHERCUTT.

H.R. 1983: Mrs. WILSON and Mr. REHBERG.

H.R. 1990: Mr. FILNER, Mr. MALONEY of Connecticut, Mrs. MINK of Hawaii, Mr.

BLAGOJEVICH, Mr. CONYERS, and Ms. WOOLSEY.

H.R. 2099: Mr. MCDERMOTT and Mr. BLUMENAUER.

H.R. 2108: Mrs. CHRISTENSEN.

H.R. 2149: Mr. LEACH.

H.R. 2175: Mr. CUNNINGHAM, Mr. STENHOLM, and Mr. BARR of Georgia.

H.R. 2219: Mr. MEEKS of New York and Mr. HINCHEY.

H.R. 2221: Mr. LANTOS.

H.R. 2310: Mr. VISLOSKEY, Mr. MCGOVERN, Ms. MCKINNEY, Mr. KUCINICH, Mr. PASTOR, Ms. KAPTUR, Mr. PRICE of North Carolina, Ms. NORTON, and Ms. SOLIS.

H.R. 2343: Ms. SOLIS.

H.R. 2358: Mr. OSE.

H.R. 2365: Mr. JOHNSON of Illinois.

H.R. 2387: Mr. GEORGE MILLER of California, Mr. BECERRA, Ms. ROYBAL-ALLARD, Mr. BERMAN, Mr. MATSUI, Mr. SCHIFF, Mr. GALLEGLY, Mr. THOMAS, Mr. FARR of California, Mr. CALVERT, Mrs. NAPOLITANO, Mrs. EMERSON, Mr. DOOLEY of California, and Mr. BACA.

H.R. 2392: Ms. WOOLSEY.

H.R. 2413: Mr. PASTOR.

H.R. 2442: Mr. FROST.

H. Con. Res. 17: Mrs. DAVIS of California.

H. Con. Res. 152: Mr. KILDEE and Mr. ENGLISH.

H. Con. Res. 162: Mrs. RIVERS and Mr. HINCHEY.

H. Con. Res. 178: Mr. HOFFEL.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 7

OFFERED BY: Mr. SENSENBRENNER

AMENDMENT NO. 1: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Community Solutions Act of 2001".

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

Sec. 1. Short title; table of contents.

TITLE I—CHARITABLE GIVING INCENTIVES PACKAGE

Sec. 101. Deduction for portion of charitable contributions to be allowed to individuals who do not itemize deductions.

Sec. 102. Tax-free distributions from individual retirement accounts for charitable purposes.

Sec. 103. Increase in cap on corporate charitable contributions.

Sec. 104. Charitable deduction for contributions of food inventory.

Sec. 105. Reform of excise tax on net investment income of private foundations.

Sec. 106. Excise tax on unrelated business taxable income of charitable remainder trusts.

Sec. 107. Expansion of charitable contribution allowed for scientific property used for research and for computer technology and equipment used for educational purposes.

Sec. 108. Adjustment to basis of S corporation stock for certain charitable contributions.

TITLE II—EXPANSION OF CHARITABLE CHOICE

Sec. 201. Provision of assistance under government programs by religious and community organizations.

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Sec. 301. Additional qualified entities eligible to conduct projects under the Assets for Independence Act.

Sec. 302. Increase in limitation on net worth.

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Sec. 305. Extension of program.

Sec. 306. Conforming amendments.

Sec. 307. Applicability.

TITLE IV—CHARITABLE DONATIONS LIABILITY REFORM FOR IN-KIND CORPORATE CONTRIBUTIONS

Sec. 401. Charitable donations liability reform for in-kind corporate contributions.

TITLE I—CHARITABLE GIVING INCENTIVES PACKAGE

SEC. 101. DEDUCTION FOR PORTION OF CHARITABLE CONTRIBUTIONS TO BE ALLOWED TO INDIVIDUALS WHO DO NOT ITEMIZE DEDUCTIONS.

(a) IN GENERAL.—Section 170 of the Internal Revenue Code of 1986 (relating to charitable, etc., contributions and gifts) is amended by redesignating subsection (m) as subsection (n) and by inserting after subsection (l) the following new subsection:

“(m) DEDUCTION FOR INDIVIDUALS NOT ITEMIZING DEDUCTIONS.—

“(1) IN GENERAL.—In the case of an individual who does not itemize his deductions for the taxable year, there shall be taken into account as a direct charitable deduction under section 63 an amount equal to the lesser of—

“(A) the amount allowable under subsection (a) for the taxable year for cash contributions, or

“(B) the applicable amount.

“(2) APPLICABLE AMOUNT.—For purposes of paragraph (1), the applicable amount shall be determined as follows:

For taxable years beginning in:	The applicable amount is:
2002 and 2003	\$25
2004, 2005, 2006	\$50
2007, 2008, 2009	\$75
2010 and thereafter	\$100.

In the case of a joint return, the applicable amount is twice the applicable amount determined under the preceding table.”.

(b) DIRECT CHARITABLE DEDUCTION.—

(1) IN GENERAL.—Subsection (b) of section 63 of such Code is amended by striking “and” at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting “, and”, and by adding at the end thereof the following new paragraph:

“(3) the direct charitable deduction.”.

(2) DEFINITION.—Section 63 of such Code is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

“(g) DIRECT CHARITABLE DEDUCTION.—For purposes of this section, the term ‘direct charitable deduction’ means that portion of the amount allowable under section 170(a) which is taken as a direct charitable deduction for the taxable year under section 170(m).”.

(3) CONFORMING AMENDMENT.—Subsection (d) of section 63 of such Code is amended by striking “and” at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting “, and”, and by adding at the end thereof the following new paragraph:

“(3) the direct charitable deduction.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 102. TAX-FREE DISTRIBUTIONS FROM INDIVIDUAL RETIREMENT ACCOUNTS FOR CHARITABLE PURPOSES.

(a) IN GENERAL.—Subsection (d) of section 408 of the Internal Revenue Code of 1986 (relating to individual retirement accounts) is amended by adding at the end the following new paragraph:

“(8) DISTRIBUTIONS FOR CHARITABLE PURPOSES.—

“(A) IN GENERAL.—No amount shall be includible in gross income by reason of a qualified charitable distribution.

“(B) QUALIFIED CHARITABLE DISTRIBUTION.—For purposes of this paragraph, the term ‘qualified charitable distribution’ means any distribution from an individual retirement account—

“(i) which is made on or after the date that the individual for whose benefit the account is maintained has attained age 70½, and

“(ii) which is made directly by the trustee—

“(I) to an organization described in section 170(c), or

“(II) to a split-interest entity.

A distribution shall be treated as a qualified charitable distribution only to the extent that the distribution would be includible in gross income without regard to subparagraph (A) and, in the case of a distribution to a split-interest entity, only if no person holds an income interest in the amounts in the split-interest entity attributable to such distribution other than one or more of the following: the individual for whose benefit such account is maintained, the spouse of such individual, or any organization described in section 170(c).

“(C) CONTRIBUTIONS MUST BE OTHERWISE DEDUCTIBLE.—For purposes of this paragraph—

“(i) DIRECT CONTRIBUTIONS.—A distribution to an organization described in section 170(c) shall be treated as a qualified charitable distribution only if a deduction for the entire distribution would be allowable under section 170 (determined without regard to subsection (b) thereof and this paragraph).

“(ii) SPLIT-INTEREST GIFTS.—A distribution to a split-interest entity shall be treated as a qualified charitable distribution only if a deduction for the entire value of the interest in the distribution for the use of an organization described in section 170(c) would be allowable under section 170 (determined without regard to subsection (b) thereof and this paragraph).

“(D) APPLICATION OF SECTION 72.—Notwithstanding section 72, in determining the extent to which a distribution is a qualified charitable distribution, the entire amount of the distribution shall be treated as includible in gross income without regard to subparagraph (A) to the extent that such amount does not exceed the aggregate amount which would be so includible if all amounts were distributed from all individual retirement accounts otherwise taken into account in determining the inclusion on such distribution under section 72. Proper adjustments shall be made in applying section 72 to other distributions in such taxable year and subsequent taxable years.

“(E) SPECIAL RULES FOR SPLIT-INTEREST ENTITIES.—

“(i) CHARITABLE REMAINDER TRUSTS.—Distributions made from an individual retirement account to a trust described in subparagraph (G)(ii)(I) shall be treated as income described in section 664(b)(1) except to the extent that the beneficiary of the individual retirement account notifies the trustee of the trust of the amount which is not allocable to income under subparagraph (D).

“(ii) POOLED INCOME FUNDS.—No amount shall be includible in the gross income of a pooled income fund (as defined in subpara-

graph (G)(ii)(II)) by reason of a qualified charitable distribution to such fund.

“(iii) CHARITABLE GIFT ANNUITIES.—Qualified charitable distributions made for a charitable gift annuity shall not be treated as an investment in the contract.

“(F) DENIAL OF DEDUCTION.—Qualified charitable distributions shall not be taken into account in determining the deduction under section 170.

“(G) SPLIT-INTEREST ENTITY DEFINED.—For purposes of this paragraph, the term ‘split-interest entity’ means—

“(i) a charitable remainder annuity trust or a charitable remainder unitrust (as such terms are defined in section 664(d)),

“(ii) a pooled income fund (as defined in section 642(c)(5)), and

“(iii) a charitable gift annuity (as defined in section 501(m)(5)).”

(b) MODIFICATIONS RELATING TO INFORMATION RETURNS BY CERTAIN TRUSTS.—

(1) RETURNS.—Section 6034 of such Code (relating to returns by trusts described in section 4947(a)(2) or claiming charitable deductions under section 642(c)) is amended to read as follows:

“SEC. 6034. RETURNS BY TRUSTS DESCRIBED IN SECTION 4947(a)(2) OR CLAIMING CHARITABLE DEDUCTIONS UNDER SECTION 642(c).

“(a) TRUSTS DESCRIBED IN SECTION 4947(a)(2).—Every trust described in section 4947(a)(2) shall furnish such information with respect to the taxable year as the Secretary may by forms or regulations require.

“(b) TRUSTS CLAIMING A CHARITABLE DEDUCTION UNDER SECTION 642(c).—

“(1) IN GENERAL.—Every trust not required to file a return under subsection (a) but claiming a charitable, etc., deduction under section 642(c) for the taxable year shall furnish such information with respect to such taxable year as the Secretary may by forms or regulations prescribe, including:

“(A) the amount of the charitable, etc., deduction taken under section 642(c) within such year,

“(B) the amount paid out within such year which represents amounts for which charitable, etc., deductions under section 642(c) have been taken in prior years,

“(C) the amount for which charitable, etc., deductions have been taken in prior years but which has not been paid out at the beginning of such year,

“(D) the amount paid out of principal in the current and prior years for charitable, etc., purposes,

“(E) the total income of the trust within such year and the expenses attributable thereto, and

“(F) a balance sheet showing the assets, liabilities, and net worth of the trust as of the beginning of such year.

“(2) EXCEPTIONS.—Paragraph (1) shall not apply in the case of a taxable year if all the net income for such year, determined under the applicable principles of the law of trusts, is required to be distributed currently to the beneficiaries. Paragraph (1) shall not apply in the case of a trust described in section 4947(a)(1).”

(2) INCREASE IN PENALTY RELATING TO FILING OF INFORMATION RETURN BY SPLIT-INTEREST TRUSTS.—Paragraph (2) of section 6652(c) of such Code (relating to returns by exempt organizations and by certain trusts) is amended by adding at the end the following new subparagraph:

“(C) SPLIT-INTEREST TRUSTS.—In the case of a trust which is required to file a return under section 6034(a), subparagraphs (A) and (B) of this paragraph shall not apply and paragraph (1) shall apply in the same manner as if such return were required under section 6033, except that—

“(i) the 5 percent limitation in the second sentence of paragraph (1)(A) shall not apply,

“(ii) in the case of any trust with gross income in excess of \$250,000, the first sentence of paragraph (1)(A) shall be applied by substituting ‘\$100’ for ‘\$20’, and the second sentence thereof shall be applied by substituting ‘\$50,000’ for ‘\$10,000’, and

“(iii) the third sentence of paragraph (1)(A) shall be disregarded.

If the person required to file such return knowingly fails to file the return, such person shall be personally liable for the penalty imposed pursuant to this subparagraph.”

(3) CONFIDENTIALITY OF NONCHARITABLE BENEFICIARIES.—Subsection (b) of section 6104 of such Code (relating to inspection of annual information returns) is amended by adding at the end the following new sentence: “In the case of a trust which is required to file a return under section 6034(a), this subsection shall not apply to information regarding beneficiaries which are not organizations described in section 170(c).”

(c) EFFECTIVE DATES.—

(1) SUBSECTION (a).—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

(2) SUBSECTION (b).—The amendments made by subsection (b) shall apply to returns for taxable years beginning after December 31, 2001.

SEC. 103. INCREASE IN CAP ON CORPORATE CHARITABLE CONTRIBUTIONS.

(a) IN GENERAL.—Paragraph (2) of section 170(b) of the Internal Revenue Code of 1986 (relating to corporations) is amended by striking “10 percent” and inserting “the applicable percentage”.

(b) APPLICABLE PERCENTAGE.—Subsection (b) of section 170 of such Code is amended by adding at the end the following new paragraph:

“(3) APPLICABLE PERCENTAGE DEFINED.—For purposes of paragraph (2), the applicable percentage shall be determined in accordance with the following table:

“For taxable years beginning in calendar year—	The applicable percentage is—
2002 through 2007	11
2008	12
2009	13
2010 and thereafter	15.”.

(c) CONFORMING AMENDMENTS.—

(1) Sections 512(b)(10) and 805(b)(2)(A) of such Code are each amended by striking “10 percent” each place it occurs and inserting “the applicable percentage (determined under section 170(b)(3))”.

(2) Sections 545(b)(2) and 556(b)(2) of such Code are each amended by striking “10-percent limitation” and inserting “applicable percentage limitation”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 104. CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF FOOD INVENTORY.

(a) IN GENERAL.—Paragraph (3) of section 170(e) of the Internal Revenue Code of 1986 (relating to special rule for certain contributions of inventory and other property) is amended by redesignating subparagraph (C) as subparagraph (D) and by inserting after subparagraph (B) the following new subparagraph:

“(C) SPECIAL RULE FOR CONTRIBUTIONS OF FOOD INVENTORY.—

“(i) GENERAL RULE.—In the case of a charitable contribution of food, this paragraph shall be applied—

“(I) without regard to whether the contribution is made by a C corporation, and

“(II) only for food that is apparently wholesome food.

“(ii) DETERMINATION OF FAIR MARKET VALUE.—In the case of a qualified contribution of apparently wholesome food to which this paragraph applies and which, solely by reason of internal standards of the taxpayer or lack of market, cannot or will not be sold, the fair market value of such food shall be determined by taking into account the price at which the same or similar food items are sold by the taxpayer at the time of the contribution (or, if not so sold at such time, in the recent past).

“(iii) APPARENTLY WHOLESOME FOOD.—For purposes of this subparagraph, the term ‘apparently wholesome food’ shall have the meaning given to such term by section 22(b)(2) of the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791(b)(2)), as in effect on the date of the enactment of this subparagraph.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 105. REFORM OF EXCISE TAX ON NET INVESTMENT INCOME OF PRIVATE FOUNDATIONS.

(a) IN GENERAL.—Subsection (a) of section 4940 of the Internal Revenue Code of 1986 (relating to excise tax based on investment income) is amended by striking “2 percent” and inserting “1 percent”.

(b) REPEAL OF REDUCTION IN TAX WHERE PRIVATE FOUNDATION MEETS CERTAIN DISTRIBUTION REQUIREMENTS.—Section 4940 of such Code is amended by striking subsection (e).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 106. EXCISE TAX ON UNRELATED BUSINESS TAXABLE INCOME OF CHARITABLE REMAINDER TRUSTS.

(a) IN GENERAL.—Subsection (c) of section 664 of the Internal Revenue Code of 1986 (relating to exemption from income taxes) is amended to read as follows:

“(c) TAXATION OF TRUSTS.—

“(1) INCOME TAX.—A charitable remainder annuity trust and a charitable remainder unitrust shall, for any taxable year, not be subject to any tax imposed by this subtitle.

“(2) EXCISE TAX.—

“(A) IN GENERAL.—In the case of a charitable remainder annuity trust or a charitable remainder unitrust that has unrelated business taxable income (within the meaning of section 512, determined as if part III of subchapter F applied to such trust) for a taxable year, there is hereby imposed on such trust or unitrust an excise tax equal to the amount of such unrelated business taxable income.

“(B) CERTAIN RULES TO APPLY.—The tax imposed by subparagraph (A) shall be treated as imposed by chapter 42 for purposes of this title other than subchapter E of chapter 42.

“(C) CHARACTER OF DISTRIBUTIONS AND COORDINATION WITH DISTRIBUTION REQUIREMENTS.—The amounts taken into account in determining unrelated business taxable income (as defined in subparagraph (A)) shall not be taken into account for purposes of—

“(i) subsection (b),

“(ii) determining the value of trust assets under subsection (d)(2), and

“(iii) determining income under subsection (d)(3).

“(D) TAX COURT PROCEEDINGS.—For purposes of this paragraph, the references in section 6212(c)(1) to section 4940 shall be deemed to include references to this paragraph.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

SEC. 107. EXPANSION OF CHARITABLE CONTRIBUTION ALLOWED FOR SCIENTIFIC PROPERTY USED FOR RESEARCH AND FOR COMPUTER TECHNOLOGY AND EQUIPMENT USED FOR EDUCATIONAL PURPOSES.

(a) SCIENTIFIC PROPERTY USED FOR RESEARCH.—Clause (ii) of section 170(e)(4)(B) of the Internal Revenue Code of 1986 (defining qualified research contributions) is amended by inserting “or assembled” after “constructed”.

(b) COMPUTER TECHNOLOGY AND EQUIPMENT FOR EDUCATIONAL PURPOSES.—Clause (ii) of section 170(e)(6)(B) of such Code is amended by inserting “or assembled” after “constructed” and “or assembling” after “construction”.

(c) CONFORMING AMENDMENT.—Subparagraph (D) of section 170(e)(6) of such Code is amended by inserting “or assembled” after “constructed” and “or assembling” after “construction”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 108. ADJUSTMENT TO BASIS OF S CORPORATION STOCK FOR CERTAIN CHARITABLE CONTRIBUTIONS.

(a) IN GENERAL.—Paragraph (1) of section 1367(a) of such Code (relating to adjustments to basis of stock of shareholders, etc.) is amended by striking “and” at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting “, and”, and by adding at the end the following new subparagraph:

“(D) the excess of the amount of the shareholder’s deduction for any charitable contribution made by the S corporation over the shareholder’s proportionate share of the adjusted basis of the property contributed.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2001.

TITLE II—EXPANSION OF CHARITABLE CHOICE

SEC. 201. PROVISION OF ASSISTANCE UNDER GOVERNMENT PROGRAMS BY RELIGIOUS AND COMMUNITY ORGANIZATIONS.

Title XXIV of the Revised Statutes of the United States is amended by inserting after section 1990 (42 U.S.C. 1994) the following:

“SEC. 1991. CHARITABLE CHOICE.

“(a) SHORT TITLE.—This section may be cited as the ‘Charitable Choice Act of 2001’.

“(b) PURPOSES.—The purposes of this section are—

“(1) to enable assistance to be provided to individuals and families in need in the most effective and efficient manner;

“(2) to supplement the Nation’s social service capacity by facilitating the entry of new, and the expansion of existing, efforts by religious and other community organizations in the administration and distribution of government assistance under the government programs described in subsection (c)(4);

“(3) to prohibit discrimination against religious organizations on the basis of religion in the administration and distribution of government assistance under such programs;

“(4) to allow religious organizations to participate in the administration and distribution of such assistance without impairing the religious character and autonomy of such organizations; and

“(5) to protect the religious freedom of individuals and families in need who are eligible for government assistance, including expanding the possibility of their being able to choose to receive services from a religious organization providing such assistance.

“(c) RELIGIOUS ORGANIZATIONS INCLUDED AS PROVIDERS; DISCLAIMERS.—

“(1) IN GENERAL.—

“(A) INCLUSION.—For any program described in paragraph (4) that is carried out

by the Federal Government, or by a State or local government with Federal funds, the government shall consider, on the same basis as other nongovernmental organizations, religious organizations to provide the assistance under the program, and the program shall be implemented in a manner that is consistent with the establishment clause and the free exercise clause of the first amendment to the Constitution.

“(B) DISCRIMINATION PROHIBITED.—Neither the Federal Government, nor a State or local government receiving funds under a program described in paragraph (4), shall discriminate against an organization that provides assistance under, or applies to provide assistance under, such program on the basis that the organization is religious or has a religious character.

“(2) FUNDS NOT AID TO RELIGION.—Federal, State, or local government funds or other assistance that is received by a religious organization for the provision of services under this section constitutes aid to individuals and families in need, the ultimate beneficiaries of such services, and not support for religion or the organization’s religious beliefs or practices. Notwithstanding the provisions in this paragraph, title VI of the Civil Rights Act of 1964 (42 USC 2000d et seq.) shall apply to organizations receiving assistance funded under any program described in subsection (c)(4).

“(3) FUNDS NOT ENDORSEMENT OF RELIGION.—The receipt by a religious organization of Federal, State, or local government funds or other assistance under this section is not an endorsement by the government of religion or of the organization’s religious beliefs or practices.

“(4) PROGRAMS.—For purposes of this section, a program is described in this paragraph—

“(A) if it involves activities carried out using Federal funds—

“(i) related to the prevention and treatment of juvenile delinquency and the improvement of the juvenile justice system, including programs funded under the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.);

“(ii) related to the prevention of crime and assistance to crime victims and offenders’ families, including programs funded under title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3701 et seq.);

“(iii) related to the provision of assistance under Federal housing statutes, including the Community Development Block Grant Program established under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.);

“(iv) under subtitle B or D of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.);

“(v) under the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.);

“(vi) related to the intervention in and prevention of domestic violence, including programs under the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.) or the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.);

“(vii) related to hunger relief activities; or

“(viii) under the Job Access and Reverse Commute grant program established under section 3037 of the Federal Transit Act of 1998 (49 U.S.C. 5309 note); or

“(B)(i) if it involves activities to assist students in obtaining the recognized equivalents of secondary school diplomas and activities relating to nonschool hours programs, including programs under—

“(I) chapter 3 of subtitle A of title II of the Workforce Investment Act of 1998 (Public Law 105-220); or

“(II) part I of title X of the Elementary and Secondary Education Act (20 U.S.C. 6301 et seq.); and

“(ii) except as provided in subparagraph (A) and clause (1), does not include activities carried out under Federal programs providing education to children eligible to attend elementary schools or secondary schools, as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

“(d) ORGANIZATIONAL CHARACTER AND AUTONOMY.—

“(1) IN GENERAL.—A religious organization that provides assistance under a program described in subsection (c)(4) shall have the right to retain its autonomy from Federal, State, and local governments, including such organization's control over the definition, development, practice, and expression of its religious beliefs.

“(2) ADDITIONAL SAFEGUARDS.—Neither the Federal Government, nor a State or local government with Federal funds, shall require a religious organization, in order to be eligible to provide assistance under a program described in subsection (c)(4), to—

“(A) alter its form of internal governance or provisions in its charter documents; or

“(B) remove religious art, icons, scripture, or other symbols, or to change its name, because such symbols or names are of a religious character.

“(e) EMPLOYMENT PRACTICES.—A religious organization's exemption provided under section 702 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-1) regarding employment practices shall not be affected by its participation in, or receipt of funds from, programs described in subsection (c)(4), and any provision in such programs that is inconsistent with or would diminish the exercise of an organization's autonomy recognized in section 702 or in this section shall have no effect. Nothing in this section alters the duty of a religious organization to comply with the nondiscrimination provisions of title VII of the Civil Rights Act of 1964 in the use of funds from programs described in subsection (c)(4).

“(f) EFFECT ON OTHER LAWS.—Nothing in this section shall alter the duty of a religious organization receiving assistance or providing services under any program described in subsection (c)(4) to comply with the nondiscrimination provisions in title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) (prohibiting discrimination on the basis of race, color, and national origin), title IX of the Education Amendments of 1972 (20 U.S.C. 1681-1688) (prohibiting discrimination in education programs or activities on the basis of sex and visual impairment), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) (prohibiting discrimination against otherwise qualified disabled individuals), and the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107) (prohibiting discrimination on the basis of age).

“(g) RIGHTS OF BENEFICIARIES OF ASSISTANCE.—

“(1) IN GENERAL.—If an individual described in paragraph (3) has an objection to the religious character of the organization from which the individual receives, or would receive, assistance funded under any program described in subsection (c)(4), the appropriate Federal, State, or local governmental entity shall provide to such individual (if otherwise eligible for such assistance) within a reasonable period of time after the date of such objection, assistance that—

“(A) is an alternative that is accessible to the individual and unobjectionable to the individual on religious grounds; and

“(B) has a value that is not less than the value of the assistance that the individual would have received from such organization.

“(2) NOTICE.—The appropriate Federal, State, or local governmental entity shall guarantee that notice is provided to the individuals described in paragraph (3) of the rights of such individuals under this section.

“(3) INDIVIDUAL DESCRIBED.—An individual described in this paragraph is an individual who receives or applies for assistance under a program described in subsection (c)(4).

“(h) NONDISCRIMINATION AGAINST BENEFICIARIES.—

“(1) GRANTS AND COOPERATIVE AGREEMENTS.—A religious organization providing assistance through a grant or cooperative agreement under a program described in subsection (c)(4) shall not discriminate in carrying out the program against an individual described in subsection (g)(3) on the basis of religion, a religious belief, or a refusal to hold a religious belief.

“(2) INDIRECT FORMS OF ASSISTANCE.—A religious organization providing assistance through a voucher, certificate, or other form of indirect assistance under a program described in subsection (c)(4) shall not deny an individual described in subsection (g)(3) admission into such program on the basis of religion, a religious belief, or a refusal to hold a religious belief.

“(i) ACCOUNTABILITY.—

“(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), a religious organization providing assistance under any program described in subsection (c)(4) shall be subject to the same regulations as other nongovernmental organizations to account in accord with generally accepted accounting principles for the use of such funds and its performance of such programs.

“(2) LIMITED AUDIT.—

“(A) GRANTS AND COOPERATIVE AGREEMENTS.—A religious organization providing assistance through a grant or cooperative agreement under a program described in subsection (c)(4) shall segregate government funds provided under such program into a separate account or accounts. Only the separate accounts consisting of funds from the government shall be subject to audit by the government.

“(B) INDIRECT FORMS OF ASSISTANCE.—A religious organization providing assistance through a voucher, certificate, or other form of indirect assistance under a program described in subsection (c)(4) may segregate government funds provided under such program into a separate account or accounts. If such funds are so segregated, then only the separate accounts consisting of funds from the government shall be subject to audit by the government.

“(3) SELF AUDIT.—A religious organization providing services under any program described in subsection (c)(4) shall conduct annually a self audit for compliance with its duties under this section and submit a copy of the self audit to the appropriate Federal, State, or local government agency, along with a plan to timely correct variances, if any, identified in the self audit.

“(j) LIMITATIONS ON USE OF FUNDS; VOLUNTARINESS.—No funds provided through a grant or cooperative agreement to a religious organization to provide assistance under any program described in subsection (c)(4) shall be expended for sectarian instruction, worship, or proselytization. If the religious organization offers such an activity, it shall be voluntary for the individuals receiving services and offered separate from the program funded under subsection (c)(4). A certificate shall be separately signed by religious organizations, and filed with the government agency that disburses the funds, certifying that the organization is aware of and will comply with this subsection.

“(k) EFFECT ON STATE AND LOCAL FUNDS.—If a State or local government contributes

State or local funds to carry out a program described in subsection (c)(4), the State or local government may segregate the State or local funds from the Federal funds provided to carry out the program or may commingle the State or local funds with the Federal funds. If the State or local government commingles the State or local funds, the provisions of this section shall apply to the commingled funds in the same manner, and to the same extent, as the provisions apply to the Federal funds.

“(l) INDIRECT ASSISTANCE.—When consistent with the purpose of a program described in subsection (c)(4), the Secretary of the department administering the program may direct the disbursement of some or all of the funds, if determined by the Secretary to be feasible and efficient, in the form of indirect assistance. For purposes of this section, ‘indirect assistance’ constitutes assistance in which an organization receiving funds through a voucher, certificate, or other form of disbursement under this section receives such funding only as a result of the private choices of individual beneficiaries and no government endorsement of any particular religion, or of religion generally, occurs.

“(m) TREATMENT OF INTERMEDIATE GRANTORS.—If a nongovernmental organization (referred to in this subsection as an ‘intermediate grantor’), acting under a grant or other agreement with the Federal Government, or a State or local government with Federal funds, is given the authority under the agreement to select nongovernmental organizations to provide assistance under the programs described in subsection (c)(4), the intermediate grantor shall have the same duties under this section as the government when selecting or otherwise dealing with subgrantors, but the intermediate grantor, if it is a religious organization, shall retain all other rights of a religious organization under this section.

“(n) COMPLIANCE.—A party alleging that the rights of the party under this section have been violated by a State or local government may bring a civil action for injunctive relief pursuant to section 1979 against the State official or local government agency that has allegedly committed such violation. A party alleging that the rights of the party under this section have been violated by the Federal Government may bring a civil action for injunctive relief in Federal district court against the official or government agency that has allegedly committed such violation.

“(o) TRAINING AND TECHNICAL ASSISTANCE FOR SMALL NONGOVERNMENTAL ORGANIZATIONS.—

“(1) IN GENERAL.—From amounts made available to carry out the purposes of the Office of Justice Programs (including any component or unit thereof, including the Office of Community Oriented Policing Services), funds are authorized to provide training and technical assistance, directly or through grants or other arrangements, in procedures relating to potential application and participation in programs identified in subsection (c)(4) to small nongovernmental organizations, as determined by the Attorney General, including religious organizations, in an amount not to exceed \$50 million annually.

“(2) TYPES OF ASSISTANCE.—Such assistance may include—

“(A) assistance and information relative to creating an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 to operate identified programs;

“(B) granting writing assistance which may include workshops and reasonable guidance;

“(C) information and referrals to other nongovernmental organizations that provide

expertise in accounting, legal issues, tax issues, program development, and a variety of other organizational areas; and

“(D) information and guidance on how to comply with Federal nondiscrimination provisions including, but not limited to, title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), the Fair Housing Act, as amended (42 U.S.C. 3601 et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681–1688), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 694), and the Age Discrimination Act of 1975 (42 U.S.C. 6101–6107).

“(3) RESERVATION OF FUNDS.—An amount of no less than \$5,000,000 shall be reserved under this section. Small nongovernmental organizations may apply for these funds to be used for assistance in providing full and equal integrated access to individuals with disabilities in programs under this title.

“(4) PRIORITY.—In giving out the assistance described in this subsection, priority shall be given to small nongovernmental organizations serving urban and rural communities.”.

TITLE III—INDIVIDUAL DEVELOPMENT ACCOUNTS

SEC. 301. ADDITIONAL QUALIFIED ENTITIES ELIGIBLE TO CONDUCT PROJECTS UNDER THE ASSETS FOR INDEPENDENCE ACT.

Section 404(7)(A)(iii)(I)(aa) of the Assets for Independence Act (42 U.S.C. 604 note) is amended to read as follows:

“(aa) a federally insured credit union; or”.

SEC. 302. INCREASE IN LIMITATION ON NET WORTH.

Section 408(a)(2)(A) of the Assets for Independence Act (42 U.S.C. 604 note) is amended by striking “\$10,000” and inserting “\$20,000”.

SEC. 303. CHANGE IN LIMITATION ON DEPOSITS FOR AN INDIVIDUAL.

Section 410(b) of the Assets for Independence Act (42 U.S.C. 604 note) is amended to read as follows:

“(b) LIMITATION ON DEPOSITS FOR AN INDIVIDUAL.—Not more than \$500 from a grant made under section 406(b) shall be provided per year to any one individual during the project.”.

SEC. 304. ELIMINATION OF LIMITATION ON DEPOSITS FOR A HOUSEHOLD.

Section 410 of the Assets for Independence Act (42 U.S.C. 604 note) is amended by striking subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 305. EXTENSION OF PROGRAM.

Section 416 of the Assets for Independence Act (42 U.S.C. 604 note) is amended by striking “2001, 2002, and 2003” and inserting “and 2001, and \$50,000,000 for each of fiscal years 2002 through 2008”.

SEC. 306. CONFORMING AMENDMENTS.

(a) AMENDMENTS TO TEXT.—The text of each of the following provisions of the Assets for Independence Act (42 U.S.C. 604 note) is amended by striking “demonstration” each place it appears:

- (1) Section 403.
- (2) Section 404(2).
- (3) Section 405(a).
- (4) Section 405(b).
- (5) Section 405(c).
- (6) Section 405(d).
- (7) Section 405(e).
- (8) Section 405(g).
- (9) Section 406(a).
- (10) Section 406(b).
- (11) Section 407(b)(1)(A).
- (12) Section 407(c)(1)(A).
- (13) Section 407(c)(1)(B).
- (14) Section 407(c)(1)(C).
- (15) Section 407(c)(1)(D).
- (16) Section 407(d).

- (17) Section 408(a).
- (18) Section 408(b).
- (19) Section 409.
- (20) Section 410(e).
- (21) Section 411.
- (22) Section 412(a).
- (23) Section 412(b)(2).
- (24) Section 412(c).
- (25) Section 413(a).
- (26) Section 413(b).
- (27) Section 414(a).
- (28) Section 414(b).
- (29) Section 414(c).
- (30) Section 414(d)(1).
- (31) Section 414(d)(2).

(b) AMENDMENTS TO SUBSECTION HEADINGS.—The heading of each of the following provisions of the Assets for Independence Act (42 U.S.C. 604 note) is amended by striking “DEMONSTRATION”:

- (1) Section 405(a).
- (2) Section 406(a).
- (3) Section 413(a).

(c) AMENDMENTS TO SECTION HEADINGS.—The headings of sections 406 and 411 of the Assets for Independence Act (42 U.S.C. 604 note) are amended by striking “DEMONSTRATION”.

SEC. 307. APPLICABILITY.

(a) IN GENERAL.—The amendments made by this title shall apply to funds provided before, on or after the date of the enactment of this Act.

(b) PRIOR AMENDMENTS.—The amendments made by title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106-554) shall apply to funds provided before, on or after the date of the enactment of such Act.

TITLE IV—CHARITABLE DONATIONS LIABILITY REFORM FOR IN-KIND CORPORATE CONTRIBUTIONS

SEC. 401. CHARITABLE DONATIONS LIABILITY REFORM FOR IN-KIND CORPORATE CONTRIBUTIONS.

(a) DEFINITIONS.—For purposes of this section:

(1) AIRCRAFT.—The term “aircraft” has the meaning provided that term in section 40102(6) of title 49, United States Code.

(2) BUSINESS ENTITY.—The term “business entity” means a firm, corporation, association, partnership, consortium, joint venture, or other form of enterprise.

(3) EQUIPMENT.—The term “equipment” includes mechanical equipment, electronic equipment, and office equipment.

(4) FACILITY.—The term “facility” means any real property, including any building, improvement, or appurtenance.

(5) GROSS NEGLIGENCE.—The term “gross negligence” means voluntary and conscious conduct by a person with knowledge (at the time of the conduct) that the conduct is likely to be harmful to the health or well-being of another person.

(6) INTENTIONAL MISCONDUCT.—The term “intentional misconduct” means conduct by a person with knowledge (at the time of the conduct) that the conduct is harmful to the health or well-being of another person.

(7) MOTOR VEHICLE.—The term “motor vehicle” has the meaning provided that term in section 30102(6) of title 49, United States Code.

(8) NONPROFIT ORGANIZATION.—The term “nonprofit organization” means—

(A) any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; or

(B) any not-for-profit organization organized and conducted for public benefit and operated primarily for charitable, civic, educational, religious, welfare, or health purposes.

(9) STATE.—The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory, or possession.

(b) LIABILITY.—

(1) LIABILITY OF BUSINESS ENTITIES THAT DONATE EQUIPMENT TO NONPROFIT ORGANIZATIONS.—

(A) IN GENERAL.—Subject to subsection (c), a business entity shall not be subject to civil liability relating to any injury or death that results from the use of equipment donated by a business entity to a nonprofit organization.

(B) APPLICATION.—This paragraph shall apply with respect to civil liability under Federal and State law.

(2) LIABILITY OF BUSINESS ENTITIES PROVIDING USE OF FACILITIES TO NONPROFIT ORGANIZATIONS.—

(A) IN GENERAL.—Subject to subsection (c), a business entity shall not be subject to civil liability relating to any injury or death occurring at a facility of the business entity in connection with a use of such facility by a nonprofit organization, if—

(i) the use occurs outside of the scope of business of the business entity;

(ii) such injury or death occurs during a period that such facility is used by the nonprofit organization; and

(iii) the business entity authorized the use of such facility by the nonprofit organization.

(B) APPLICATION.—This paragraph shall apply—

(i) with respect to civil liability under Federal and State law; and

(ii) regardless of whether a nonprofit organization pays for the use of a facility.

(3) LIABILITY OF BUSINESS ENTITIES PROVIDING USE OF A MOTOR VEHICLE OR AIRCRAFT.—

(A) IN GENERAL.—Subject to subsection (c), a business entity shall not be subject to civil liability relating to any injury or death occurring as a result of the operation of aircraft or a motor vehicle of a business entity loaned to a nonprofit organization for use outside of the scope of business of the business entity, if—

(i) such injury or death occurs during a period that such motor vehicle or aircraft is used by a nonprofit organization; and

(ii) the business entity authorized the use by the nonprofit organization of motor vehicle or aircraft that resulted in the injury or death.

(B) APPLICATION.—This paragraph shall apply—

(i) with respect to civil liability under Federal and State law; and

(ii) regardless of whether a nonprofit organization pays for the use of the aircraft or motor vehicle.

(c) EXCEPTIONS.—Subsection (b) shall not apply to an injury or death that results from an act or omission of a business entity that constitutes gross negligence or intentional misconduct.

(d) SUPERSEDING PROVISION.—

(1) IN GENERAL.—Subject to paragraph (2) and subsection (e), this title preempts the laws of any State to the extent that such laws are inconsistent with this title, except that this title shall not preempt any State law that provides additional protection for a business entity for an injury or death described in a paragraph of subsection (b) with respect to which the conditions specified in such paragraph apply.

(2) LIMITATION.—Nothing in this title shall be construed to supersede any Federal or State health or safety law.

(e) ELECTION OF STATE REGARDING NON-APPLICABILITY.—A provision of this title shall not apply to any civil action in a State court against a business entity in which all parties are citizens of the State if such State enacts a statute—

- (1) citing the authority of this section;
- (2) declaring the election of such State that such provision shall not apply to such civil action in the State; and
- (3) containing no other provisions.

(f) EFFECTIVE DATE.—This section shall apply to injuries (and deaths resulting therefrom) occurring on or after the date of the enactment of this Act.

H.R. 2500

OFFERED BY: MR. HERGER

AMENDMENT No. 1: Page 63, after line 9, insert the following:

**TITLE IIA—DEPARTMENT OF JUSTICE
KLAMATH PROJECT WATER RIGHTS
COMPENSATION**

For just compensation for private property taken for public use, as required by the 5th Amendment to the Constitution of the United States, for payment by the Attorney General to the water users of the Klamath Project for the Federal taking of water rights pursuant to the Klamath Reclamation Project 2001 Annual Operations Plan, which provides for the delivery of no water to most of the lands served by the Klamath Reclamation Project, and instead implements an alternative plan developed pursuant to the Endangered Species Act of 1973; and the amount otherwise provided in this Act for “National Oceanic And Atmospheric Administration—Operations, Research, and Facilities” (and the amounts specified under such heading for direct obligations, appropriation from the General Fund, and the National Marine Fisheries Service) are hereby reduced by; \$200,000,000.

H.R. 2500

OFFERED BY: MR. HINCHEY

AMENDMENT No. 2: In title I, in the item relating to “FEDERAL PRISON SYSTEM—BUILDINGS AND FACILITIES”, after the aggregate dollar amount, insert the following: “(reduced by \$73,000,000)”.

In title II, in the item relating to “ECONOMIC DEVELOPMENT ADMINISTRATION—ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS”, after the aggregate dollar amount, insert the following: “(increased by \$73,000,000)”.

H.R. 2500

OFFERED BY: MR. HINCHEY

AMENDMENT No. 3: At the end of the bill (before the short title), insert the following:

**TITLE VIII—ADDITIONAL GENERAL
PROVISIONS**

SEC. 801. None of the funds made available in this Act to the Department of Justice may be used to prevent the States of Alaska, Arizona, California, Colorado, Hawaii, Maine, Nevada, Oregon, or Washington from implementing State laws authorizing the use of medical marijuana in those States.

H.R. 2500

OFFERED BY: MR. KERNS

AMENDMENT No. 4: At the end of the bill, insert after the last section (preceding the short title) the following new title:

**TITLE VIII—ADDITIONAL GENERAL
PROVISIONS**

SEC. 801. None of the funds made available in this Act may be used in connection with any system to conduct background checks on persons purchasing a firearm that does not provide for the immediate destruction of all information submitted under the system by, or on behalf of, each person determined under such system not to be prohibited from receiving a firearm.

H.R. 2500

OFFERED BY: MR. MANZULLO

AMENDMENT No. 5: Page 96, line 10, strike “\$4,100,000,000” and insert the following:

the levels established by section 20(h)(1)(C) of the Small Business Act (15 U.S.C. 631 note)

H.R. 2500

OFFERED BY: MR. PAUL

AMENDMENT No. 6: Page 108, after line 22, insert the following:

**TITLE VIII—ADDITIONAL GENERAL
PROVISIONS**

SEC. 801. None of the funds appropriated in this Act may be used for any United States contribution to the United Nations or any affiliated agency of the United Nations.

H.R. 2500

OFFERED BY: MR. PAUL

AMENDMENT No. 7: Page 108, after line 22, insert the following:

**TITLE VIII—ADDITIONAL GENERAL
PROVISIONS**

SEC. 801. None of the funds appropriated in this Act may be used for any United States contribution for United Nations peace-keeping operations.

H.R. 2500

OFFERED BY: MR. ROEMER

AMENDMENT No. 8: Page 70, after line 7, insert the following:

SEC. 305. (a) The Federal building located at 10th Street and Constitution Avenue, NW, in Washington, DC, and known as the Department of Justice Building, shall be designated and known as the “Robert F. Kennedy Department of Justice Building”.

(b) Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in subsection (a) shall be deemed to be a reference to the “Robert F. Kennedy Department of Justice Building”.

H.R. 2500

OFFERED BY: MR. WALDEN OF OREGON

AMENDMENT No. 9: Page 108, after line 22, insert the following new title:

**TITLE VIII—LIMITATION ON USE OF
FUNDS**

SEC. 801. None of the funds made available in this Act may be used to implement or to plan to implement any of the recommendations in the Phase I Report or the Phase II Report on the study that was commissioned by the United States and led by Dr. Thomas Hardy on the relationship between the Klamath River flow levels and the health of salmon and steelhead in that river.

H.R. 2500

OFFERED BY: MS. WATERS

AMENDMENT No. 10: Page 108, after line 22, insert the following:

**TITLE VIII—ADDITIONAL GENERAL
PROVISIONS**

SEC. 801. None of the funds appropriated in this Act under the heading “OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE—SALARIES AND EXPENSES” may be used to initiate a proceeding in the World Trade Organization (WTO) challenging any law or policy of a developing country that promotes access to HIV/AIDS pharmaceuticals or medical technologies to the population of the country.

(b) In this section, the term “developing country” means a country that has a per capita income which does not exceed that of an upper middle income country, as defined in the World Development Report published by the International Bank for Reconstruction and Development.

H.R. 2500

OFFERED BY: MS. WATERS

AMENDMENT No. 11: Page 108, after line 22, insert the following:

**TITLE VIII—ADDITIONAL GENERAL
PROVISIONS**

SEC. 801. None of the funds appropriated in this Act under the heading “OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE—SALARIES AND EXPENSES” may be used to initiate a proceeding in the World Trade Organization (WTO) pursuant to any provision of the Agreement on Trade-Related Aspects of Intellectual Property Rights (as described in section 101(d)(15) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(15))) challenging any law of a country that is not a member of the Organization for Economic Cooperation and Development (OECD) relating to HIV/AIDS pharmaceuticals.

H.R. 2500

OFFERED BY: MS. WATERS

AMENDMENT No. 12: Page 108, after line 22, insert the following:

**TITLE VIII—ADDITIONAL GENERAL
PROVISIONS**

SEC. 801. None of the funds appropriated in this Act under the heading “OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE—SALARIES AND EXPENSES” may be used to initiate a proceeding in the World Trade Organization (WTO) pursuant to any provision of the Agreement on Trade-Related Aspects of Intellectual Property Rights (as described in section 101(d)(15) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(15))) challenging any law of a country that is not a member of the Organization for Economic Cooperation and Development (OECD).

H.R. 2500

OFFERED BY: MS. WATERS

AMENDMENT No. 13: Page 108, after line 22, insert the following:

**TITLE VIII—ADDITIONAL GENERAL
PROVISIONS**

SEC. 801. None of the funds appropriated in this Act under the heading “OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE—SALARIES AND EXPENSES” may be used to initiate a proceeding in the World Trade Organization (WTO) pursuant to any provision of the Agreement on Trade-Related Aspects of Intellectual Property Rights (as described in section 101(d)(15) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(15))).