

But we should also be urging the Republican Leadership to pass this essential legislation that would allow these criminals to be prosecuted with the full arm of the Federal law. Federal hate crime legislation is essential in the goal to eliminate crimes motivated by prejudice.

In June, the Nation was horrified by the tragic death of James Byrd. This event sparked concern and debate about hate crimes across our Nation. But sadly it wasn't enough. Now another tragedy has occurred. We cannot pass up the opportunity to make this crucial legislation a reality.

There are some who have said this bill will give special protection to certain groups. To that I say that this bill is in response to the hate that people have in our society towards gay men and women. The perpetrators in this crime did not choose their victim randomly, they chose him because he was gay.

If we stay silent, the bigots win.

I believe this legislation is a crucial part of our answer to hate crimes.

This is not about "special preferences," nor is this about some theoretical identity-politics agenda. This is about combating the very real threat of violence faced by too many Americans.

Every hate crime is an offense against the most basic values of American society. Sadly it takes tragedy to galvanize America's attention. We have to seize the moment and pass a tougher law, or else the brutal deaths of Matthew Shepard and James Byrd will have been in vain.

There are those who fail to believe that this legislation would be a deterrent to these horrific crimes. I am still hopeful that the Republican leadership will endorse our effort. We need to pledge to ourselves that we will pass this legislation. When we do pass it, and I do believe we will pass it, it must be before another horrible crime is committed. We must act now.

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

The SPEAKER pro tempore (Mr. RIGGS). The question is on the motion offered by the gentlewoman from Wyoming (Mrs. CUBIN) that the House suspend the rules and agree to the resolution, House Resolution 597.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

DENIAL OF FOOD STAMPS FOR DECEASED INDIVIDUALS

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1733) to amend the Food Stamp Act of 1977 to require food stamp State agencies to take certain actions to ensure that food stamp coupons are not issued for deceased individuals, to require the Secretary of Agriculture to conduct a study of options for the design, development, implementation, and operation of a national database to track participation in Federal means-tested public assistance programs, and for other purposes.

The Clerk read as follows:

S. 1733

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

SECTION 1. DENIAL OF FOOD STAMPS FOR DECEASED INDIVIDUALS.

(a) IN GENERAL.—Section 11 of the Food Stamp Act of 1977 (7 U.S.C. 2020) is amended by adding at the end the following:

“(r) DENIAL OF FOOD STAMPS FOR DECEASED INDIVIDUALS.—Each State agency shall—

“(1) enter into a cooperative arrangement with the Commissioner of Social Security, pursuant to the authority of the Commissioner under section 205(r)(3) of the Social Security Act (42 U.S.C. 405(r)(3)), to obtain information on individuals who are deceased; and

“(2) use the information to verify and otherwise ensure that benefits are not issued to individuals who are deceased.”

(b) REPORT.—Not later than September 1, 2000, the Secretary of Agriculture shall submit a report regarding the progress and effectiveness of the cooperative arrangements entered into by State agencies under section 11(r) of the Food Stamp Act of 1977 (7 U.S.C. 2020(r)) (as added by subsection (a)) to—

(1) the Committee on Agriculture of the House of Representatives;

(2) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(3) the Committee on Ways and Means of the House of Representatives;

(4) the Committee on Finance of the Senate; and

(5) the Secretary of the Treasury.

(c) EFFECTIVE DATE.—This section and the amendments made by this section take effect on June 1, 2000.

SEC. 2. STUDY OF NATIONAL DATABASE FOR FEDERAL MEANS-TESTED PUBLIC ASSISTANCE PROGRAMS.

(a) IN GENERAL.—The Secretary of Agriculture shall conduct a study of options for the design, development, implementation, and operation of a national database to track participation in Federal means-tested public assistance programs.

(b) ADMINISTRATION.—In conducting the study, the Secretary shall—

(1) analyze available data to determine—

(A) whether the data have addressed the needs of the food stamp program established under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);

(B) whether additional or unique data need to be developed to address the needs of the food stamp program; and

(C) the feasibility and cost-benefit ratio of each available option for a national database;

(2) survey the States to determine how the States are enforcing the prohibition on recipients receiving assistance in more than 1 State under Federal means-tested public assistance programs;

(3) determine the functional requirements of each available option for a national database; and

(4) ensure that all options provide safeguards to protect against the unauthorized use or disclosure of information in the national database.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report on the results of the study conducted under this section.

(d) FUNDING.—Out of any moneys in the Treasury not otherwise appropriated, the Secretary of the Treasury shall provide to the Secretary of Agriculture \$500,000 to carry out this section. The Secretary shall be entitled to receive the funds and shall accept the funds, without further appropriation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Virginia (Mr. GOODLATTE) and the gentleman from Texas (Mr. STENHOLM) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. GOODLATTE).

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

Mr. Speaker, the purpose of this legislation is to ensure that deceased people do not receive food stamp benefits. In February of this year, the General Accounting Office published an audit of four large States that account for 35 percent of the Nation's participants in the food stamp program. They found that nearly 26,000 deceased individuals were included in households receiving food stamps. These households improperly collected an estimated \$8.5 million in food stamp benefits. This outrageous waste, fraud and abuse cannot be tolerated. While there may be differences of opinion on how this money should be spent, I believe that we can all agree that the nutritional needs of deceased individuals are substantially less than the needs of the living, and this abuse must end.

Under food stamp rules, households must notify their welfare office of any change in the makeup of the household within 10 days. The GAO report titled "Food Stamp Overpayments: Thousands of Deceased Individuals are Being Counted as Household Members" shows that the names of the deceased individuals it found were counted in the food stamp households for an average of 4 months, and in a few instances the deceased persons were counted for the full 2 years of the review.

I introduced H.R. 4366, the Food Stamp Verification Act of 1998, in response to this report. This bill requires food stamp State agencies to enter into a cooperative agreement with the Commissioner of Social Security to obtain information on individuals who are deceased. The bill we consider today, S. 1733, is the Senate version of H.R. 4366. It allows the Social Security Administration to share all of its information on deceased individuals with State agencies administering food stamps. This would enable States to use the most comprehensive information available on deceased persons and cross-check it with their food stamp rolls.

S. 1733 also requires the Secretary of Agriculture to conduct a study of options for the design, development, implementation and operation of a national database to track participation in the food stamp program. This study should address the feasibility and cost-benefit ratio of every available option for a national database.

Mr. Speaker, this is simple, common-sense legislation. The CBO estimates that it will save American taxpayers \$17 million plus it allows States to administer their programs more efficiently. Welfare programs with lives of their own that continue into the after-life are not acceptable. This problem should have been corrected long ago

and the solution is only a matter of requiring cooperation between government agencies.

I want to thank the gentleman from Texas (Mr. STENHOLM) the ranking member of the Committee on Agriculture and the gentlewoman from North Carolina (Mrs. CLAYTON) for their support for this legislation as well. I urge support of S. 1733 and request its quick passage by the House of Representatives.

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

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

Mr. Speaker, I rise in strong support of S. 1733, a bill that will require that food stamp State agencies take steps necessary to ensure that food stamp coupons are not issued to deceased individuals.

As the gentleman from Virginia has explained, this is a rather common-sense bill today, something that needs to be done and in my judgment is another step in a series of steps that the House Agriculture Committee has taken in cooperation with our various States to see that the food stamp program works better to ensure that the food gets to the people that need the food and that waste and fraud and sometimes plainly mistakes, many of those, where we cannot be in a perfect world we can in fact ensure that we make the least amount of mistakes. That is what this bill is about.

I commend the gentleman from Virginia (Mr. GOODLATTE), the chairman of the Subcommittee on Department Operations, Nutrition, and Foreign Agriculture for holding a hearing on this issue. Far too few hearings have been held this year on matters of substance within the Committee on Agriculture. This is one of them in which substance was worked on and a desired result occurs now today. I want to thank him for his diligence and work in continuing to work to ferret out this kind of issues and present to the full House this bill today which will result in a savings, as has already been pointed out, \$1 million savings over the period of 1999 to 2002 and \$17 million over a period of 1999 to 2008.

This is a good bill, I commend its support to all of my colleagues, I support this legislation and urge its passage.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, I thank the gentleman from Texas for yielding me this time, and I thank the chairman of the subcommittee for introducing this bill and want to join with him in strong support of this legislation which indeed removes deceased persons from the rolls and from receiving food stamps.

The food stamp program is the Nation's best and strongest program for providing nutrition to American persons who need food. Certainly we should do everything to remove fraud

from it. This is a common-sense measure. It is one I agree with the ranking member should have been done. I am delighted it is now being done. It is a step in the right direction. It will save moneys for food for the needy, those who need America's resources. It is indeed as a result of the 1996 welfare reform which gave the Agriculture Department the authority to move forward and I think they have moved in a number of ways. I want to say parenthetically having relationship with the States, showing that there is greater monitoring of the process, also there are greater penalties for failure to do that. So as this bill is introduced, there is the capacity for making sure that we have the penalties and the resources and technical assistance of coordinating with various States. More importantly, there is the mechanism that this particular bill gives for the coordination between the Social Security Administration and monitoring those persons who are deceased with the food stamp programs so there can be a collaboration of that information.

I would say, also, the ability to now have food stamps electronically the way we transfer adds again to the efficiency for monitoring food stamps. All of these things combined, I think, adds to the efficiency and, therefore, for the greater utilization of American moneys and resources for those who need food.

I join with my colleagues and urge all of us to support this worthwhile legislation.

Mr. SMITH of Oregon. Mr. Speaker, I rise in support of the bill S. 1733. I congratulate the Chairman of the Subcommittee on Department Operations, Nutrition, and Foreign Agriculture for his hard work on this subject. He introduced a similar bill, H.R. 4366, and has held several hearings on the subject of the administration of the food stamp program.

S. 1733 amends the Food Stamp Act of 1977 to provide for the sharing of death and other information between state food stamp agencies and the Social Security Administration. The purpose is to ensure that food stamp benefits are not issued for deceased individuals. Each state is required to establish a cooperative relationship with the Social Security Administration to obtain information on deceased individuals and then use that information to make sure food stamp benefits are not issued on their behalf.

Additionally, the Secretary of Agriculture is required to study options for design of a system to track participation in Federal means-tested programs to ensure, among other things, that people do not receive food stamp benefits in more than one state at a time.

The General Accounting Office has conducted several reviews of the operation of the food stamp program and most recently identified areas in which computer matching can reduce fraud and abuse in that program. In a February 1998 report, the GAO identified nearly 26,000 deceased individuals in four states who were included in households improperly collected \$8.5 million in benefits over a two-year period.

In an August 1998 report, the GAO found that, in four widely separated states, over 20,000 individuals were identified who were

potentially improperly included in food stamp households in at least two of the four states at the same time.

Based on the identification of these problems by the GAO, S. 1733 was passed by the Senate and I urge my colleagues to support this bill.

Mr. Speaker, I want to include in the RECORD letters that have been exchanged between the Committee on Agriculture and the Committee on Ways and Means. I appreciate the assistance of the Chairman and the Ranking Members of the Committee on Ways and Means and the Subcommittee on Social Security and I thank them for their cooperation.

COMMITTEE ON AGRICULTURE,
Washington, DC, October 10, 1998.

Hon. BILL ARCHER,
Chairman, Committee on Ways and Means,
Longworth HOB, Washington, DC.

DEAR MR. CHAIRMAN: I am writing with regard to S. 1733, as amended, a bill that amends the Food Stamp Act of 1977 to provide for the sharing of death and other information between State food stamp agencies and the Social Security Administration for the purpose of ensuring that food stamp benefits are not issued for deceased individuals. This bill is similar to H.R. 4366 which was primarily referred to the Committee on Agriculture and additionally to the Committee on Ways and Means. Please find the enclosed copy of S. 1733. In the event that the Senate passes S. 1733, I am requesting that you waive your Committee's jurisdiction over S. 1733 in order to allow the timely consideration by the entire House of Representatives during the remaining period in the 105th Congress.

In the unlikely event that this bill or a similar measure should go to conference, I will support your Committee's representation on the conference committee. I understand that such an action is not intended to waive your Committee's jurisdiction over this matter or any similar legislation.

I thank you for your attention to this legislation.

Sincerely,

ROBERT F. (BOB) SMITH,
Chairman.

COMMITTEE ON WAYS AND MEANS,
Washington, DC, October 14, 1998.

Hon. ROBERT F. SMITH,
Chairman, Committee on Agriculture, Longworth House Office Building, House of Representatives, Washington, DC.

DEAR BOB: Thank you for your letter regarding S. 1733, a bill to require the Commissioner of Social Security and food stamp State agencies to take certain actions to ensure that food stamp coupons are not issued for deceased individuals. The bill contains provisions within the jurisdiction of the Committee on Ways and Means similar to those in H.R. 4366, which was referred to the Committee on Agriculture and in addition to the Committee on Ways and Means.

I understand that you will seek shortly to consider the bill in the House under suspension of the rules following passage by the Senate. Accordingly, in order to expedite consideration of this noncontroversial legislation, I do not believe that a markup by the Committee on Ways and Means will be necessary. However, this is being done only with the understanding that you will bring the bill to the House floor for a vote under suspension of the rules, and that you have agreed to accept no additional changes on matters of concern to this Committee during further consideration of this legislation. In addition, this action is being done with the understanding that it does not in any way

prejudice the Committee's jurisdictional prerogatives on these measures or any other similar legislation, and it should not be considered as precedent for consideration of matters of jurisdictional interest to the Committee in the future.

Thank you again for your letter confirming this understanding, and I would ask that a copy of our exchange of letters on this matter be included in the Record during floor consideration. Thank you for your cooperation and assistance on this matter. With best personal regards, I am

Sincerely,

BILL ARCHER,
Chairman.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of S. 1733, which asks the Social Security Administration (SSA) and the states to work together to avoid waste in the administration of the Food Stamps program.

This bill takes a common sense approach to a sizable problem. Recently the General Accounting Office (GAO) released a study that found that due to a lack of communication between the states and the SSA, over 26,000 dead people in four states, including my home state of Texas, were erroneously issued food stamps. The cost of that oversight to the Food Stamps Program totalled over \$8.6 million—a sizable amount of money that could be better used elsewhere.

The bill fixes this problem simply by requiring that the SSA and state agencies that help administrate the program, share information about the people that receive food stamp benefits. That information sharing should all but eliminate the erroneous issuance of food stamps to people that have deceased. In addition, the bill requires that the SSA submit reports to Congress on the progress that they have made on this issue, and on the savings that the bill produces.

Food stamps area matter of life and death for many people throughout the United States, including children. As the Founder and chair of the Congressional Childrens Caucus, I know that food stamps are often the lifeline for families that are trying to stay afloat in an turbulent and difficult economy. Many of those families reside in my district and in the State of Texas, where a study a few years ago concluded that Food Stamps and Aid for Families with Dependent Children (AFDC) contribute over \$675 million to the local economy.

We must do what we can to improve this important and vital program, and I believe that this bill is a step in the right direction. Furthermore, I look forward to working with all of you next year to make sure that the savings we have realized from this bill are funneled back into the Food Stamps program.

I urge all of my colleagues to support this bill, and to work with me in supporting food Stamps every year.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the Senate bill, S. 1733.

The question was taken.

Mr. GOODLATTE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

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GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 1733.

The SPEAKER pro tempore (Mr. RIGGS). Is there objection to the request of the gentleman from Virginia? There was no objection.

PROTECTING SANCTITY OF CONTRACTS AND LEASES ENTERED INTO BY SURFACE PATENT HOLDERS WITH RESPECT TO COALBED METHANE GAS

Mrs. CUBIN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2500) to protect the sanctity of contracts and leases entered into by surface patent holders with respect to coalbed methane gas.

The Clerk read as follows:

S. 2500

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

SECTION 1. PROTECTION OF SANCTITY OF CONTRACTS AND LEASES OF SURFACE PATENT HOLDERS WITH RESPECT TO COALBED METHANE GAS.

(a) IN GENERAL.—Subject to subsection (b), the United States shall recognize as not infringing upon any ownership rights of the United States to coalbed methane any—

(1) contract or lease covering any land that was conveyed by the United States under the Act entitled “An Act for the protection of surface rights of entrymen”, approved March 3, 1909 (30 U.S.C. 81), or the Act entitled “An Act to provide for agricultural entries on coal lands”, approved June 22, 1910 (30 U.S.C. 83 et seq.), that was—

(A) entered into by a person who has title to said land derived under said Acts, and

(B) that conveys rights to explore for, extract, and sell coalbed methane from said land; or

(2) coalbed methane production from the lands described in subsection (a)(1) by a person who has title to said land and who, on or before the date of enactment of this Act, has filed an application with the State oil and gas regulating agency for a permit to drill an oil and gas well to a completion target located in a coal formation.

(b) APPLICATION.—Subsection (a)—

(1) shall apply only to a valid contract or lease described in subsection (a) that is in effect on the date of enactment of this Act;

(2) shall not otherwise change the terms or conditions of, or affect the rights or obligations of any person under such a contract or lease;

(3) shall apply only to land with respect to which the United States is the owner of coal reserved to the United States in a patent issued under the Act of March 3, 1909 (30 U.S.C. 81), or the Act of June 22, 1910 (30 U.S.C. 83 et seq.), the position of the United States as the owner of the coal not having passed to a third party by deed, patent or other conveyance by the United States;

(4) shall not apply to any interest in coal or land conveyed, restored, or transferred by the United States to a federally recognized Indian tribe, including any conveyance, restoration, or transfer made pursuant to the Indian Reorganization Act, June 18, 1934 (c. 576, 48 Stat. 984, as amended); the Act of June 28, 1938 (c. 776, 52 Stat. 1209 as implemented by the order of September 14, 1938, 3 Fed. Reg. 1425); and including the area described in section 3 of Public Law 98-290; or any executive order;

(5) shall not be construed to constitute a waiver of any rights of the United States with respect to coalbed methane production that is not subject to subsection (a); and

(6) shall not limit the right of any person who entered into a contract or lease before the date of enactment of this Act, or enters into a contract or lease on or after the date of enactment of this Act, for coal owned by the United States, to mine and remove the coal and to release coalbed methane without liability to any person referred to in subsection (a)(1)(A) or (a)(2).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Wyoming (Mrs. CUBIN) and the gentleman from California (Mr. MILLER) each will control 20 minutes.

The Chair recognizes the gentlewoman from Wyoming (Mrs. CUBIN).

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

Mr. Speaker, I rise in strong support of S. 2500 which, as passed by the other body, is identical to my bill, H.R. 4598. This bill is a bipartisan response to the vexing question of the rightful ownership of methane gas which resides in the voids of coal seams; in other words, their coal will be so many feet deep, and then there will be space where methane gas exists, and beneath that will be another seam of coal.

S. 2500 takes the position that where the United States has patented the surface estate together with all minerals except coal under the authority of either the 1909 or 1910 Coal Lands Act that the methane molecules belong to the patentee or his successor or interest. The bill excludes all interests where the United States has transferred its reserved coal interest to the third parties such as the Southern Ute Tribe in southwest Colorado.

Mr. Speaker, this bill is necessary because of a recent Tenth Circuit Court decision concerning the aforementioned tribe and an oil company producing coalbed methane from the private lands within the Southern Utes' reservation. Again though, this bill has no effect whatsoever upon that court case for which we expect the United States Supreme Court will grant a writ of certiorari and decide the ownership question for those situations where the U.S. has granted its reserve coal rights to third parties. In the meantime, however, S. 2500 will allow patentholders to be secure in the knowledge that whatever leases or contracts that they have already entered into with coalbed methane producers are valid. Without such relief, these landowners would be left in a legal conundrum not of their own making.

A Solicitor's opinion issued in 1981 appeared to settle the ownership question. My constituents in the Powder