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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 8, 2004.

I hereby appoint the Honorable LEE TERRY 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:

Lord God, may Your grace and peace permeate this Chamber. Let the atmosphere of this fall session encourage lively debate, but always with mutual respect. May everyone's work reveal gracious manners and a manifest personal kindness. Fill this place with spoken wisdom and attentive listening.

May daily work, various conversations and structured meetings bring personal satisfaction, prove productive for the American people, and give You glory, now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms. SOLIS) come forward and lead the House in the Pledge of Allegiance.

Ms. SOLIS 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.

TV AFFECTS SEXUAL BEHAVIOR OF TEENS

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

Mr. PITTS. Mr. Speaker, the programs that teenagers watch on television affect their behavior. Advertisers have known this for years and have cashed in on it.

This week, we have a better idea of how television takes hold of our young people. A Rand Corporation study recently found that children who watch a lot of TV with sexual content are twice as likely to be sexually active as those with little exposure to televised sexual behavior.

Sexuality is pervasive on television, present in more than two-thirds of all programming from innuendoes to actual depictions. Kids become absorbed with the characters in their favorite shows and begin to model their behavior. They are simply doing what their role models do. Sadly, the study found that doing what their favorite characters do results in regret, and they cited television as a factor in influencing their behavior.

In a culture increasingly devoid of positive role models, television is filling the void; and many parents are dropping the ball. Excessive exposure to television hurts our kids. Parents need to turn off the TV before more damage is done to our Nation's kids.

DISGRACEFUL STATEMENTS BY VICE PRESIDENT

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

Mr. PASCRELL. Mr. Speaker, Divider, Chapter 1: Yesterday, the Vice President of the United States said, ''It is absolutely essential that 8 weeks from today on November 2 we make the right choice, because if we make the wrong choice, then the danger is that we will get hit again.''

Besides being outrageous, the Vice President mocked the word ''sensitive'' used by Senator KERRY several weeks ago. He took it out of context. Measuring, he is going to tell us what toughness is. He is the evaluator of what ''toughness'' means. If that is not the biggest joke.

The choices we are making here in this body will determine the safety and the security of the American people, not partisan, political rhetoric on the campaign trail. And that is why we need to act now together, not divided, to implement the recommendations of the 9/11 Commission. Campaigns are no excuse for questioning the patriotism or the motivations of the other side. In campaigns you are supposed to air what you feel about a particular subject.

This is a disgraceful act. I did not serve in the service to listen to this garbage.

HOMEOWNERSHIP AT AN ALL-TIME HIGH

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

Mr. WILSON of South Carolina. Mr. Speaker, today, homeownership in America is at an all-time high. Republicans should be proud of this achievement, as we have worked along with President George W. Bush to make it easier for all families to afford their own home.

We passed tax cuts for all Americans allowing them to keep more of their own money. We passed the American

Printed on recycled paper.

Dream Down Payment Act to help thousands of low-income families make the down payment on their first home. Minority homeownership has climbed to record levels of over 50 percent. Housing starts in 2003 were at the highest level in 25 years, and home sales were the highest ever.

As a former real estate attorney, I know firsthand the joy of buyers and sellers. I know the jobs created for the construction workers, landscapers, and suppliers. I appreciate the success of Realtors, and this builds the local tax base for better schools.

While Democrats continue to try to talk down the economy with pessimism, American families living in their own home know that our economy is strong and growing.

In conclusion, may God bless our troops, and we will never forget September 11.

PROVIDE PROTECTION BEFORE DISASTERS OCCUR

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

Mr. BLUMENAUER. Mr. Speaker, last night the House approved disaster assistance for citizens in Florida. Our hearts go out, for it is appropriate for us to step in and do what we can. But we need to do more. There is a big difference in loss from storms, floods and wildfires, depending on what people do in advance to protect themselves.

It is time for the Federal Government to add assistance to do it right, in planning, zoning and building codes, if we create the right balance of policy so fewer people are at risk, we are also kinder to the taxpayers. We know what to do.

I hope we do not have any more supplementals where we do not provide assistance to help people protect themselves to avoid these problems in the first place.

PRESIDENT AN OUTSTANDING LEADER IN WAR ON TERROR

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Mr. Speaker, Senator JOHN KERRY is campaigning to be President by saying that he will use diplomacy to fight a ''more sensitive'' war on terror. But how does Senator KERRY's diplomatic effort show up on the campaign trail? He refers to the 30-plus nations that have joined our efforts to bring freedom to the people of Iraq as ''the coerced and bribed.'' He constantly belittles the efforts of allies who fight and bleed along with our soldiers in the effort to fight terror and to spread freedom. How can someone who belittles our allies expect to gather more allies?

President Bush has been an outstanding leader in successfully prosecuting the war on terror. He has led the fight to bring freedom to 50 million people in Afghanistan and Iraq. Under his leadership, our forces toppled the Taliban and Saddam Hussein. They have also captured or killed two-thirds of the top leadership of the al Qaeda. Our forces are on the offensive on the war on terror, and because of the outstanding leadership of President George W. Bush, we are spreading freedom, spreading hope and making America a safer place.

THE ECONOMY, UNEMPLOYMENT, AND MEDICARE PREMIUMS

(Ms. SOLIS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SOLIS. Mr. Speaker, let us clear the air. As President Bush crisscrosses the country touting the state of our economy, it is time for a reality check: 1.7 million jobs have been lost under this President's watch; 1.4 million people lost their health insurance last year; and 4.3 million people, 4.3 million people, have slipped into poverty.

In my district in East Los Angeles and the San Gabriel Valley, 30,000 people are looking for work, 24,000 people are now living in poverty, and one out of every three residents lacks health insurance in my district. Eight million Americans are looking for work.

Now the Bush administration has announced an $11.60 increase in Medicare premiums. For seniors in my district, that makes a difference. That means they may not be able to afford food and clothing; $11 is a big deal for people in my district.

Democrats have a plan to cut taxes for middle-class families, protect overtime, and provide incentives for businesses. It is time for us to change the President.

PAYING TRIBUTE TO OUR TROOPS

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

Mr. STEARNS. Mr. Speaker, I rise again to pay tribute and support to our troops, particularly in Afghanistan. We should be reminded that there is a lot of inordinate negative press and that Americans have been apprised of the situation in Iraq, and I think there is a lot of good things happening also in Afghanistan.

Just one of the accomplishments is they are continuing to attack the narcotics trade to prevent proceeds from being used to fund terrorists and insurgents. We are helping the Afghans provide for their own security and rebuilding provinces shattered by more than 20 years of war, tribal fighting, and Taliban oppression. Afghanistan's presidential and parliamentary elections are slated for October 2004 and 2005, respectively.

Those are just a few of the accomplishments of our troops engaged in Operation Enduring Freedom in Afghanistan. But there is one other thing: one of the accomplishments, obviously, is that their actions overseas and in Iraq have prevented another terrorist attack here in the United States.

So I am proud of our courageous troops defending our Nation, and encourage my colleagues to join me in singing their praises also.

CALLING UPON THE VICE PRESIDENT TO APOLOGIZE

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

Mr. STRICKLAND. Mr. Speaker, if it were permissible under the rules of this House, I would call upon the Vice President to apologize to the American people for making the following outrageous statement. Yesterday he said, ''It is absolutely essential that 8 weeks from today on November 2 we make the right choice, because if we make the wrong choice, the danger is we will get hit again.''

Does the Vice President not understand that we have parents with sons and daughters fighting in Iraq who are members of the Democratic Party and who support Senator KERRY for President? Does he not understand that at this very moment and at the moment he spoke, there were Democratic soldiers in Iraq fighting for his freedom, as well as the freedom of all of us?

It is shameful, shameful, that the Vice President would interject such a divisive bit of rhetoric into the public discourse in this country. Has he no shame?

HONORING CARLY PATTERSON

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, last month, Carly Patterson captured the gold medal and the hearts of the world when she won the all-around competition in gymnastics. Her come-from-behind victory will always have a place in the all-time best moments in the Athens Olympics. It is a tremendous honor to recognize America's sweetheart for her hard work. Carly also won a silver medal in the team competition and an individual silver in the balance beam.

Just this past weekend, Allen, Texas, gave her a hero's welcome-back parade. Thousands lined the street to congratulate her on a job well done.

Carly Patterson is a shining example for America to countless young people about all that you can accomplish when you put your mind to it. Carly made Allen and America proud with her good sportsmanship and her heart of a champion.

Great job, Carly Patterson. We are proud of you. God bless you. We all salute you.

BEING LESS CRITICAL OF THE PRESIDENT

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

Mr. INSLEE. Mr. Speaker, sometimes I think Democrats are a little too critical of President Bush. Now, it is true that he took a huge surplus and turned it into the largest fiscal deficit in American history; that is true. It is true that he promised Americans that he would protect seniors, and the next day gave Americans the largest Medicare premium increase, essentially a tax increase, in American history, of 17 percent. It is true that he has the largest loss of jobs, over 2.5 million jobs, since Herbert Hoover.

But now some Democrats have even criticized the President for refusing to take his physical and thereby squandering $1 million of flight training when he served in the National Guard. I think we need to put that in context. If he continued to fly, he may have crashed the plane.

We need to be a little less critical of this President.

EXPRESSING ALARM ABOUT AMERICA'S SHRINKING FLEET

(Mrs. JO ANN DAVIS of Virginia asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I rise today with grave concerns about our country's security. A report from the American Shipbuilding Association, the ASA, was recently released that gives alarming figures about our Navy's shrinking fleet and our vulnerability to China.

□ 1015

The report shows that by 2010, China will have twice as many submarines as the United States. And that is not all. Assuming that we build six ships a year, the Chinese fleet will surpass the size of the U.S. fleet by 2015.

Further, a Chinese general was quoted as saying the Chinese Navy is being designed with the direct objective of being able to ''neutralize'' a U.S. aircraft carrier.

China's threat is real. And yet, just last month, the Navy submitted a proposal to the Secretary of Defense that dramatically reduces our shipbuilding program.

Mr. Speaker, this is unacceptable. Further cuts will not only be devastating to our shipbuilding industry, they will make us vulnerable to threats like China.

ASA's report says it best: ''Ignoring the Navy's requirement will serve as the precursor to the end of America's reign as a sovereign superpower.''

DEMANDING THE TRUTH

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

Mr. McDERMOTT. Mr. Speaker, The New York Times today says: ''U.S. Conceding Rebels Control of Regions of Iraq. Pentagon is not certain when central areas can be secured.''

Iraq has come to that. From the day the President launched his crusade, we feared that casualties would mount, and they have. One thousand brave Americans have died.

The marker somehow brings it more in focus for the American people. As if 999 would not, or if even one death in this war is not tragic enough.

One thousand soldiers killed in Iraq, over 6,000 wounded and maimed, tens of thousands of Iraqis killed and injured; and the American people still do not know why.

The President has changed his reasons for going to war so often that we have lost sight of another casualty. The truth has fallen alongside of those brave U.S. soldiers.

We cannot bring them back, but we can honor them by demanding the truth on the 2nd of November. It is coming, Mr. President.

2005 REPUBLICAN FREEDOM CALENDAR CELEBRATING THE 150TH ANNIVERSARY OF REPUBLICAN PARTY

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

Mr. COX. Mr. Speaker, what we are fighting for in Iraq is what we have always fought for here in America. We are fighting for freedom.

This year is the 150th anniversary of the founding of the Republican Party. Over a century and a half, from the abolition of slavery to the establishment of women's suffrage, to the freeing of millions of people from slavery and the Soviet Empire, Afghanistan, and in Iraq, the Republican Party has been the most effective political organization in the history of the world in advancing the cause of freedom.

So that all of us can learn more about the civil rights achievements of this distinguished American institution in its 150th anniversary year, the House Republican Policy Committee has produced this 2005 Republican Freedom Calendar. Each day of the year the calendar lists an important milestone in the Republican Party's history of advancing freedom.

Thirty-five years ago yesterday, America mourned the death of one of the world's greatest civil rights champions, Senate Republican Leader Everett Dirksen. It was he who authored the 1960 Civil Rights Act, and it was he more than any other person who was responsible for passage of the 1964 Civil Rights Act, including defeating a 14-hour Democrat filibuster in the Senate.

The 2005 Freedom Calendar is available both in published and electronic form on the Internet at policy.house.gov.

BUSH ECONOMIC POLICIES NOT WORKING

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

Mr. DeFAZIO. Mr. Speaker, $422 billion: a new record deficit for the United States of America, yet another record for the Bush administration, eclipsing last year's record of $375 billion. But only inside the Washington Beltway or inside the Bush White House is this considered proof positive that his economic policies are working.

Working how? We are going to spend every penny of the Social Security surplus and replace it with IOUs. We are going to finance the entire Government of the United States outside the Department of Defense with borrowed money. We are going to add 10 percent to the national debt in one year, indebting another generation and a generation after that to work to pay off this profligate spending.

They say their policies are working. Working how? For whom? The very few wealthy people who have reaped the benefit of the huge tax cuts, while the rest of America is being given the tab.

ELECTION OF MEMBER TO COMMITTEE ON ARMED SERVICES

Mr. MENENDEZ. Mr. Speaker, by direction of the House Democratic Caucus, I offer a privileged resolution, (H. Res. 756) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 756

Resolved, That the following named Member be and is hereby elected to the following standing committee of the House of Representatives:

COMMITTEE ON ARMED SERVICES: Mr. Stenholm.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HONORING OLYMPIC GOLD MEDALIST ANDRE WARD

(Ms. LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LEE. Mr. Speaker, I rise today with a deep sense of pride to honor the outstanding achievements of Olympic boxer Andre Ward of Oakland, California. Andre won the gold medal in the light heavyweight boxing final in the 2004 Summer Olympic Games in Athens, Greece, making him Oakland's first Olympic gold medalist since 1968.

Andre began boxing at the age of 9. After learning the basics of boxing from his father, Andre began training with his godfather and current coach, Virgil Hunter. Within one year, Andre won his first tournament, and at age 14 began a winning streak that spanned 6 years and roughly 90 fights. During

that time, Andre would go on to win two U.S. national championships along with several other major national tournaments.

The residents of the Ninth Congressional District of California, the entire State of California, and our Nation commend Andre Ward, not only for these extraordinary achievements, but also for the dedication and the perseverance he has demonstrated in working towards his goals. His commitment and determination have made it possible for him to realize this dream of winning an Olympic gold medal, and his success is truly an inspiration to all of us. We salute this phenomenal young man.

ECONOMY SUFFERING UNDER BUSH ADMINISTRATION

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, George Bush is running for reelection on a platform that our economy is in good shape. Well, this is a sham.

Today, 8 million Americans are looking for work; 8 million Americans are looking for work. The unemployment rate is 30 percent higher than it was when he took office.

So what is he doing about it? He continues to encourage and reward sending good jobs overseas, while creating low-paying jobs right here at home and, at the same time, changes overtime policies to cheat millions of workers out of overtime pay.

What he ought to be doing is investing in our infrastructure, making sure that our Nation gets roads, highways, bridges, sewer systems, waste water treatment plants; our clean water systems are upgraded, are enlarged, are made better. Because, I say to my colleagues, those jobs pay a livable wage. Those jobs leave behind improvements for our communities and our country. That would increase the jobs in this country.

BUSH ADMINISTRATION UNDERFUNDS HOMELAND SECURITY

(Ms. BERKLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BERKLEY. Mr. Speaker, it has been 3 years since the 9/11 attack on our Nation. Are we safer than we were before 9/11? Are we safe enough? The 9/11 Commission has done its job; now it is time for Congress to do ours.

Homeland security is still pitifully underfunded. Our police and firefighters are struggling to cope with the dual responsibilities of homeland security and traditional public safety in law enforcement.

The Bush administration has foolishly underfunded first responders and port security. The administration has failed to include a single dollar in its budget for rail or transit security.

First responders in southern Nevada tell me that we must direct more resources to those on the frontline on our war against terrorism: police, firefighters, hospital personnel. Given the President's plan to transport thousands of shipments of deadly radioactive nuclear waste across the country, it is imperative that the President plan to protect these proposed mobile Chernobyls from the possibility of a terrorist attack. Yet we have done nothing to ensure that our rail lines are safe.

Republican leadership has failed to come forward with a meaningful homeland security plan. They failed to address the recommendations of the 9/11 Commission, and they failed to provide for the needs of our first responders.

This Congress needs to act now in order to protect the people of this great Nation.

HEARTFELT SYMPATHY AND CONDOLENCES FOR RUSSIA

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

Mr. BAIRD. Mr. Speaker, we have a lot to do today in the House of Representatives, as we do every day; and we will undoubtedly talk about a number of matters of great importance. But as we do, we should not forget that thousands of miles from here, thousands of families are mourning the loss of their children, their husbands and wives in Russia to a brutal and horrible terrorist attack.

I would ask this House to think about that as we go about our business, to extend our heartfelt sympathies and condolences, and our steadfast determination to assist our friends in stamping out this horrific kind of attack. Whatever the political grievance, whatever the disagreement there can be, there must be no excuse for this sort of barbarity.

Our hearts go out to our friends, and we share in their profound sadness in Russia.

POLITICS OF HOPE VERSUS POLITICS OF FEAR FOR AMERICA

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

Mr. LEWIS of Georgia. Mr. Speaker, the Vice President of the United States said yesterday, ''It is absolutely essential that 8 weeks from today on November 2nd, we make the right choice, because if we make the wrong choice, then the danger is that we'll get hit again.'' The words of the Vice President, Vice President CHENEY.

That is absolutely outrageous. It is unreal. It is unbelievable.

My fellow Americans, I want you to know that this administration will say anything, even do anything to stay in power. They will deceive, they will mislead, and they will steal. They will not tell the truth. There should be a sense of righteous indignation all across America, in the American media.

The Vice President of the United States is preaching the politics of fear. He is trying to scare the American people. We can do better, much better, with the politics of hope. For we are one people, one America, one family, one House. The American family. The American House. Shame on you, Mr. Vice President.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TERRY). Members should not address the Vice President in personally offensive terms.

EXPRESSING INDIGNATION RESULTING FROM COMMENTS OF VICE PRESIDENT

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would make one announcement this morning before I begin my 1-minute and ask for the leadership of consciousness and fairness of this House, the Republicans, to bring the extension of the assault weapons ban to the floor of the House and allow democracy to prevail.

I too offer my sympathy to the people of Russia for the loss of their loved ones. That is why I stand this morning to claim outrageously my indignation over a most hateful comment, if you will, that has been offered by the second-in-command of the United States of America. To suggest that the American people will make a choice, and if they make a different choice from the present leadership of this government, then we are sure to have a terrorist hit, is something beyond my comprehension. It is beyond my comprehension to debase the very serious issue of lives lost on 9/11, now some few days away; to suggest that by voting that you are going to bring about a hit on the innocent American people.

I would hope that in the course of this debate, the American people will make the right choice, and that choice is to recognize that people who have dignity and respect for the Constitution, JOHN KERRY and JOHN EDWARDS, are really the ones that should be elected; and anyone who wants to play in the field of divisiveness suggesting that we be hit because you make an election choice should be unelected.

ARE WE SAFER NOW THAN 4 YEARS AGO?

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

Mr. SHERMAN. Mr. Speaker, are we safer now than we were 4 years ago? We have spent billions and 1,000 of our best have died in Iraq. But spending blood and treasure without wisdom will not necessarily make us safer. And while we have as a unified Nation dealt with al Qaeda and Afghanistan, we have ignored the nuclear weapons programs of Iran and North Korea. Our policy toward those two greatest threats has been ''hear no evil, see no evil.''

□ 1030

The administration's idea on how to make us safe from those nuclear weapons as to North Korea is to beg and as to Iran is to beg the Europeans to beg on our behalf.

The Bush administration refuses to use economic sanctions on Iran and those who subsidize North Korea because they do not want to inconvenience corporate America. Our invasion of Iraq is as if in the wake of Pearl Harbor we invaded Fascist Spain while ignoring Imperial Japan and Nazi Germany.

VICE PRESIDENT CHENEY'S SCARE TACTICS

(Mr. MEEKS of New York asked and was given permission to address the House for 1 minute.)

Mr. MEEKS of New York. Mr. Speaker, I rise this morning to denounce Vice President CHENEY's disgusting and inappropriate remarks yesterday while campaigning. The Vice President's consistent attacks have reached an all-time low, even for him, and that is saying a lot for the most polarizing, divisive Vice President in the history of the United States.

We were not attacked because we were Democrats. We were not attacked because we were Republicans. We were attacked because we were Americans, and the question is where is this administration leading us? Mr. CHENEY criticizes Mr. KERRY while he was defending this country, and he took five deferments.

To exploit 9/11 and play on the public fears of terrorism is an affirmation by this administration that their record is too dismal to stand on its own. Americans should be fearful, fearful of the Bush-Cheney policies that have recruited more terrorists who want to destroy us, fearful that the hatred for America is at an all-time high, thanks to the policies of Bush-Cheney.

Time and time again this administration has made the wrong choices for America. JOHN KERRY and JOHN EDWARDS will take America in a new direction. He will make America stronger at home and more respected around the world.

VICE PRESIDENT CHENEY REACHED A NEW LOW

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute.)

Mr. MCGOVERN. Mr. Speaker, yesterday Vice President CHENEY reached a new low. The Vice President has a history of saying outrageous things, but yesterday takes the cake.

I hope everyone realizes what the Vice President is up to. He is desperately trying to change the subject from the tragic milestone of 1,000 American fatalities in Iraq.

Today we mourn with the families who have lost their loved ones.

He can try to change the subject, Mr. Speaker, but he cannot change the fact that over and over and over again this administration has made the wrong choices in Iraq. Here we are, no weapons of mass destruction, 1,000 American fatalities, thousands and thousands of wounded and $200 billion later.

Imagine what we could have done with $200 billion. We could have invested that in jobs, in health care, in education and veterans programs, and in ensuring that our military is the best-equipped, best-trained and best-housed in the world. Those should be our priorities, Mr. Speaker, and it is sad that after 4 years in office, DICK CHENEY still does not get it.

OUTRAGE OVER INCREASE IN MEDICARE PART B PREMIUMS

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, I just want to reiterate again my sense of outrage over this 17 percent increase in Medicare Part B premiums, which is basically $11 a month for America's seniors that is soon to go into effect.

President Bush said, well, this is because health care costs have gone up, but what he does not say is it is actually the result of Republican policies. The Republicans passed their so-called Medicare prescription drug bill, which we know is a sham, does not even go into effect until the year 2006, but what that bill did was to give a lot more money to insurers, and, as a result, the cost of Medicare premiums are going up.

The fact of the matter is that this 17 percent increase that is unaffordable for many seniors is a direct result of Republican policy and the Bush administration's policy, and it has to stop.

We need a change of administration. We need a President, JOHN KERRY, who is going to worry about senior citizens, address their needs, address the rising costs of health care, address the Medicare concerns, provide a true prescription drug benefit.

This premium increase is just an indication of what we would see over the next 2-years if the Republicans continue in power in this House. It has got to stop. Seniors should wake up and see the result of the Bush policies and what it means for their Medicare program.

LOSS OF SOLDIERS' LIVES

(Ms. SLAUGHTER asked and was given permission to address the House for 1 minute.)

Ms. SLAUGHTER. Mr. Speaker, I rise this morning to discuss the issue of having lost 1,000 of our soldiers. How heart-breaking this is when we look at the ages and the numbers of those young people, many of them barely 19 years old, whose dreams for their lives and hopes for their future are gone, and our hearts break for them and for their families.

One statistic that we have not heard much about, and frankly I think have not been given the truth about, are the number of those who have been wounded and maimed. Again, 18, 19, 20, 21 years old.

We are told that the casualty statistics of people wounded amounts to 7,000, but we found out last week in my office, because I was curious about that number, that the Pentagon has sent home over 15,800. These are young people coming back to the United States whose lives are changed forever, many of them amputees. Many of them lost their eyesight, many of them again changed and future gone, coming back to an America where the Veterans Administration has been so decimated by the Bush administration that they will have to wait 6 or 8 months even to see a doctor at the VA.

The resources, the health care that they need, that they counted on and that we made a contract with them is not there. What a sad commentary on this country, with its wealth and its riches and where people go on living their lives, that we would allow our young people and a large part of our future to be maimed and to be killed for a war with no end.

PROVIDING FOR CONSIDERATION OF H.R. 5006, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 754 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 754

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5006) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be

considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except: sections 219(b), 221, and 506. Where points of order are waived against part of a section, points of order against a provision in another part of such section may be made only against such provision and not against the entire section. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. TERRY). The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 754 is an open rule which provides for 1 hour of general debate equally divided between the gentleman from Ohio and the gentleman from Wisconsin on H.R. 5006, the fiscal year 2005 Labor, Health and Human Services, and Education and Related Agencies appropriations bill.

The rule waives all points of order against consideration of the bill and against provisions in the bill except as specified in this resolution.

After general debate, any Member wishing to offer an amendment may do so as long as it complies with the regular rules of the House.

The bill shall be read for amendment by paragraph, and the rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

Finally, the rule permits the minority to offer a motion to recommit with or without instructions.

Mr. Speaker, we have before us today a funding package that fulfills our promises to hard-working Americans and their families. Before I summarize the main components of this package, it is worth taking a big-picture view of the context in which we consider this incredibly important legislation today.

Mr. Speaker, my colleagues in this Chamber and all Americans listening to this debate today need no reminder that the world has changed dramatically since the terrorist attacks on our Nation. While we hang our flags a little higher and wear our stars and stripes a little more often these days, we do so in part as a response to the tragedy that took place on our soil on September 11.

The war against terror has brought us many new challenges; namely, how best to protect our homeland and keep it safe from future acts of terrorism. That is not an easy job. Yet each day that goes by without an act of terror in America's neighborhoods offers us reassurance that we are doing what is necessary to protect our Nation from harm, and each day monumental steps are being taken an ocean away in Iraq, Afghanistan and elsewhere to nab terrorist cells and offer citizens of these nations new opportunities to live their lives free of fear and full of promise.

Mr. Speaker, as I see it, we cannot have a discussion about domestic priorities without taking a look at the bigger picture, without recognizing up front that we do, in fact, live in a different world today, and that we have sizable commitments to fulfill that we did not have a few years ago.

Like so many of my colleagues, I hear quite a bit from my constituents back home about the need to balance spending priorities. In fact, many of the candidate surveys I filled out this year for reelection specifically asked, ''If elected, how do you intend to balance domestic priorities with fighting the war on terror and protecting the homeland?'' In 100 words or less, I might add. Now, that is a tall order.

But really, that is a very fair question and one that we in Congress, especially Members who sit on our Committee on Appropriations, must take very seriously.

So my purpose here today is to assure the American people that while we have incredible demands, expectations and commitments to fulfill as we continue to fight the war on terror and protect our homeland, we remain equally determined to fund critical initiatives here in the United States in a fiscally responsible manner.

Today I am privileged to be the first to give my colleagues the lay of the land as to how this Congress intends to fulfill its promises to Americans across the country in the areas of education, health and labor.

I am proud to report that the gentleman from Florida, the gentleman from Ohio and their colleagues on the Committee on Appropriations have produced a funding plan that reflects our priorities, meets our goals, and, most importantly, places the greatest amount of funding in the areas where we need it most.

Since the beginning of the 108th Congress, we have made tremendous progress in strengthening our Nation's education system. This House has moved forward measures to ensure our schools have the tools they need to meet President Bush's call for high standards and accountability, and while making remarkable progress, our work is not yet done.

The legislation before us today recognizes the important role education programs play in the lives of children with special needs by funding special education grants at the highest level in history, at over $11 billion. My friends watching in my home State of Ohio will be pleased to know that since fiscal year 2003, money directed to our State for special education programs has increased by 25 percent.

This legislation also recognizes the critical role that teachers play in the education of our Nation's students. We all remember those teachers who inspired us to learn and to succeed. We want to give every teacher tools to inspire their students. That is why this bill provides nearly $3 billion for grants to States to administer professional development programs for their teachers.

Of course, educating our Nation's children is a shared responsibility, at a Federal, State and a local level.

□ 1045

And I think my colleagues would agree with me that the Federal Government is fulfilling its role in dedicating funds to strengthen our Nation's education system.

When we talk about education, often our first thoughts are about the millions of American children who deserve to have good teachers, small classrooms, up-to-date textbooks, and a safe environment in which to learn. And while we can give our children the best of each of those things, if the child does not have his health, these things mean nothing. Same goes for adults who go to work every day to provide for their families. Without their health, productivity decreases, paychecks stop coming, and families struggle.

Good health is really the backbone to living a quality life. The Federal Government, through partnerships with State, local, and private entities, have made significant investments in medical research and health programs for years now. A few years ago, Congress fulfilled its commitment to doubling the budget of the National Institutes of Health, the medical research arm of the Federal Government. This truly was a remarkable goal and an even more remarkable achievement to meet such a goal. Since then, Congress has not rested on its laurels. We continue to provide significant increases in funding for NIH, as indicated by the $700 million increase in funds over last year's level. This brings NIH funding to a record high of $28.5 billion.

We all know that investments in research yield new treatments, but those treatments are only meaningful if they are accessible to those who need them. The legislation before us today recognizes the unique role that community health centers play in neighborhoods across America. These centers help ensure that the neediest in our communities have access to health care services.

President Bush and this Congress are committed to increasing Federal support for community health centers.

This bill expands the President's Community Health Center initiative to increase the role of community health centers in our neighborhoods by funding the program at $1.8 billion, an increase of $200 million over last year.

Mr. Speaker, I also want to take a moment to highlight one other critical health-related program included in this package. That is the Children's Hospital Graduate Medical Education program. This program, funded at $303 million, helps our Nation's children's hospitals train future pediatricians. It is a wonderful program that has been increased significantly in funding based on annual evaluations since its very inception. I want to give a special thanks to both the chairman and the ranking member for supporting this critical program again this year.

Last but not least, this legislation makes clear Congress' support for job training programs and assistance for dislocated workers. The worker-training portion of the bill restores funding for core job training to over $1.5 billion and provides another $1.5 billion to assist displaced workers. Mr. Speaker, the best part of this package is that it recognizes that we have limited resources to spend, yet still meets America's needs with those resources. It demonstrates that funding America's priorities can be both generous and responsible.

Before closing, I would like to once again express my appreciation to the gentleman from Ohio (Mr. REGULA) and the gentleman from Florida (Mr. YOUNG) for their tremendous leadership as they have worked tirelessly this year to assure that Congress spends generously but wisely. I urge my colleagues to support this rule and approve the underlying bill.

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentlewoman from Ohio for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, appropriation bills are the truest expression of Congress' priorities. All year long we may claim to support after-school programs and child care assistance or provide expanded job-search assistance to the 1.2 million unemployed Americans. All year long we may have expressed opposition to the new Labor Department overtime rules. Today is the day we match the deeds to words.

Mr. Speaker, the bill before us, H.R. 5006, the fiscal year 2005 Appropriations Act for the Department of Labor, Health and Human Services, and Education, shortchanges a wide range of programs important to the people we serve.

Now, why are these programs being shortchanged? To meet our homeland security or our defense needs? To pay down our historic $422 billion deficit? No. Programs are being shortchanged to pay for tax cuts that the Congressional Budget Office found go disproportionately to the wealthiest Americans.

Schools are shortchanged under H.R. 5006. And those who supported the No Child Left Behind Act should have a problem with the fact that this measure shortchanges our schools to the tune of $9.5 billion.

The promises made when No Child Left Behind was signed into law over 2½ years ago may be a faint memory to those who supported the bill, but let me assure you that school superintendents, principals, teachers, and parents have not forgotten.

While I was pleased to see the bill raises funding levels for special education and title I funding by $1 billion each, this is a far cry from what has been promised.

The elimination of 22 education programs under H.R. 5006 warrants attention. Among them are the Dropout Prevention Program, Teaching American History grants, Foreign Language assistance, and the Arts in Education program, which encourages the integration of arts into classroom instruction.

There is a human toll to cutting these programs. A 60 percent cut to the Perkins loan program will result in 53,000 students losing college assistance. A freeze in the level of Federal support for after-school programs may force communities to close their centers. In my district, this year, the Rochester school board had to make the painful decision to cut their budget by over $7 million. The children in Rochester did not have the option this summer to take summer school, and now their after-school programs are in jeopardy.

Turning to the Health and Human Services section of the bill, I am troubled by cuts to public health and our critical health care safety net programs. The bill terminates the Healthy Communities Access program, which is a vital grant program supporting local efforts that take care of the health of the uninsured. It is wrong to eliminate this important program, especially given the fact that, according to the new census figures, the number of uninsured Americans has swelled to 45 million.

Mr. Speaker, I submit herewith for the RECORD a report issued by the U.S. Census Bureau which provides further details regarding this issue:

Estimates derived from SIPP data answer such questions as: What percentage of households move up or down the income distribution over times? How many people remain in poverty over time? How long do people without health insurance tend to remain uninsured?

INCOME IN THE UNITED STATES

HIGHLIGHTS

Real median household money income remained unchanged between 2002 and 2003 at a level of $43,318, following two consecutive years of decline. Median income remained unchanged for all types of family and non-family households (such as married-couple household and single individuals) between 2002 and 2003.

Real median household income remained unchanged for non-Hispanic White, Black, and Asian households between 2002 and 2003. Households with Hispanic householders (who can be of any race) experienced a real decline in median income of 2.6 percent between 2002 and 2003.

The most commonly used measure of household income inequality, the Gini index, did not change between 2002 and 2003. The share of aggregate income received by the lowest quintile declined from 3.5 percent to 3.4 percent, as did the real income level delineating the 20th percentile of household income, from $18,326 to $17,984 (a 1.9 percent decline in real terms). The 80th percentile of household income increased 1.1 percent, from $85,941 to $86,867 in real terms.

The real median earnings of men who worked full-time, year-round remained unchanged between 2002 and 2003 at $40,668. The real median earnings of the comparable group of women declined by 0.6 percent to $30,724. Reflecting the fall in the earnings of women, the female-to-male earnings ratio declined from 0.77 to 0.76 between 2002 and 2003. The last time the female-to-male earnings ratio experienced an annual decline was between 1998 and 1999.

Compared with 1967, the first year for which household income statistics are available, real median household income is up 30 percent. Over this period, median income tended to rise and fall along with the business cycle. median income peaked in 1999, was unchanged in 2000, declined over the next 2 years (by a cumulative 3.3 percent), and was unchanged in 2003.

RACE AND HISPANIC ORIGIN

Real median household income remained unchanged for most race groups between 2002 and 2003. For example, the median incomes of non-Hispanic White households, Black households, and Asian households remained unchanged. Hispanic households experienced a decline in median income of 2.6 percent.

Black households had the lowest median income. Their 2003 median money income was about $30,000, which was 62 percent of the median for non-Hispanic White households (about $48,000).

Median money income for Hispanic households was about $33,000 in 2003, which was 69 percent of the median for non-Hispanic White households.

Asian households had the highest median income among the race groups. Their 2003 median money income was about $55,000. 117 percent of the median for non-Hispanic White households.

AMERICAN INDIAN AND ALASKA NATIVE POPULATION

Because of the relatively small population of this racial group, the sampling variability of their income data is larger than for the other racial groups and may cause single-year estimates to fluctuate more widely. To reduce the chances of misinterpreting changes in income or comparisons of income with other groups, the Census Bureau uses 2-year-average medians for measuring changes in the income of American Indians and Alaska Natives over time, and 3-year-average medians when comparing the income of this group with other racial groups.

The 3-year-average (2001–2003) median income for American Indian and Alaska Native households was higher than the median for Black households; not different from the median for Hispanic households; and lower than the medians for non-Hispanic White households and Asian households.

Comparison of 2-year moving averages (2001–2002 and 2002–2003) shows that the median income for American Indian and Alaska

Native households who chose that race alone or in combination with another increased by 4.0 percent over that period for single-race American Indian and Alaska Native households, median income remained statistically unchanged.

NATIVITY

Native households had a real median income in 2003 ($44,347) that was not different from that in 2002. Foreign-born households experienced a real decline of 3.5 percent to $37,499. Households maintained by a foreign-born house-holder who was not a citizen of the United States experienced their third consecutive annual decline in real median household income, down 5.6 percent from 2002 to $32,806. The real median income of households maintained by a foreign-born householder who was a naturalized citizen remained unchanged at $46,049.

Median income was $44,347 for native households, 18 percent higher than the median for all foreign-born households ($37,499), and 35 percent higher than for noncitizen foreign-born households ($32,806).

REGION

Real median money income of house-holds did not change between 2002 and 2003 in three of the four regions, while income in the South declined 1.5 percent to $39,823. the South had the lowest income of any region. In 2003, the median income of households in the Northeast was $46,742; in the Midwest, it was $44,73; and in the West, it was $46,820.

RESIDENCE

Real median income remained unchanged between 2002 and 2003 for households inside metropolitan areas overall and outside metropolitan areas, while the real median income of households in central cities of metropolitan areas declined by 1.4 percent of $37,174. This is the third consecutive year that households in central cities of metropolitan area experienced a decline.

INCOME INEQUALITY

The Gini index indicated no change in household income inequality between 2002 and 2003. The 2003 Gini index (0.464) was higher than in 1995 although the individual annual changes in that period were not statistically significant.

Between 2002 and 2003, the real income of the household at the 20th income percentile (that is, the income percentile (that is, the income delineating the lowest 20 percent of households) declined 1.9 percent from $18,326 to $17,984, and the income of the household at the 80th income percentile increased 1.1 percent from $85,941 to $86,867 (the income levels denoting the 40th and 60th percentiles did not change). In addition, the share of aggregate income received by the lowest household income quintile declined from 3.5 percent to 3.4 percent. The shares of all other quintiles were unchanged—in 2003, the second quintile received 8.7 percent, the third quintile 14.8 percent, the fourth quintile 23.4 percent, and the fifth quintile 49.8 percent.

WORK EXPERIENCE AND EARNINGS

Of the 80.6 million men aged 15 and over who worked in 2003, 73.0 percent worked full-time, year-round, unchanged from 2002. Of the 71.4 million women in the same age group who worked in 2003, 58.7 percent worked full-time, year-round, also unchanged from 2002.

The real median earnings of men who worked full-time, year-round in 2003 ($40,668) did not change from 2002, while those of their female counter-parts declined by 0.6 percent, to $30,724. The decline in women's real earnings between 2002 and 2003 was the first since 1995. Reflecting the decline in the real earnings of women, the female-to-male earnings ratio for full-time, year-round workers fell from 0.77 to 0.76 between 2002 and 2003. The last time the female-to-mail earnings ratio experienced an annual decline was between 1998 and 1999.

HEALTH INSURANCE COVERAGE IN THE UNITED STATES

HIGHLIGHTS

The number of people with health insurance coverage increased by 1.0 million in 2003, to 243.3 million (84.4 percent of the population).

An estimated 15.6 percent of the population or 45.0 million people, were without health insurance coverage in 2003, up from 15.2 percent and 43.6 million people in 2002.

The percentage and number of people covered by employment-based health insurance fell between 2002 and 2003, from 61.3 percent and 175.3 million to 60.4 percent and 174.0 million.

The percentage and number of people covered by government health insurance programs increased between 2002 and 2003, from 25.7 percent and 73.6 million to 26.6 percent and 76.8 million, driven by increases in the percentage and number of people covered by Medicaid (from 11.6 percent and 33.2 million to 12.4 percent and 35.6 million) and Medicare (from 13.4 percent and 38.4 million to 13.7 percent and 39.5 million).

The proportion of children who were without health insurance did not change, remaining at 11.4 percent of all children, or 8.4 million, in 2003. With an uninsured rate at 19.2 percent, children in poverty were more likely to be uninsured than all children.

The uninsured rate and number of uninsured increased from 2002 to 2003 for non-Hispanic Whites (from 10.7 percent and 20.8 million to 11.1 percent and 21.6 million), but not for Blacks or Asians. Although the number of uninsured increased for Hispanics (from 12.8 million to 13.2 million), their uninsured rate was unchanged at 32.7 percent.

The historical record is marked by a 12-year period from 1987 to 1998 when the uninsured rate (12.9 percent in 1987) either increased or was unchanged from on year to the next. After peaking at 16.3 percent in 1998, the rate fell for two years in a row to 14.2 percent in 2000, before the latest period of annual increases to 15.6 percent in 2003.

TYPE OF COVERAGE

Most people (60.4 percent) were covered by a health insurance plan related to employment for some or all of 2003, but the proportion declined from the previous year. This decline essentially explains the fall in total private health insurance coverage, from 69.6 percent in 2002 to 68.6 percent in 2003.

The percentage of people covered by health insurance provided by the government increased between 2002 and 2003. Medicaid coverage rose by 0.7 percentage points to 12.4 percent in 2003. Medicare coverage also rose in 2003, by 0.2 percentage points to 13.7 percent. Among the entire population, 26.6 percent had government insurance, including Medicare, Medicaid, and military health care (3.5 percent).

RACE AND HISPANIC ORIGIN

In 2003, the uninsured rate for Blacks was unchanged at about 19.5 percent, and the rate for Asians unchanged at about 18.7 percent. The uninsured rate rose for non-Hispanic Whites—from 10.7 percent to 11.1 percent. Among Hispanics, the uninsured rate was unchanged at 32.7 percent, whereas the number of Hispanics without coverage increased from 12.8 million to 13.2 million in 2003.

The 3-year averages of the uninsured rates by race and Hispanic origin (2001–2003) show that people who reported American Indian and Alaska Native had an uninsured rate that was lower than the uninsured rate for Hispanics (32.8 percent) but higher than those of the other race groups. Comparison of 2-year moving averages (2001–2002 and 2002–2003) shows that the uninsured rate for American Indians and Alaska Natives did not change.

NATIVITY

The uninsured rate increased in 2003, from 12.8 percent to 13.0 percent for the native population, and from 33.4 percent to 34.5 percent for the foreign-born population. Among the foreign born, the uninsured rate for noncitizens also increased, from 43.3 percent to 45.3 percent, while the uninsured rate for naturalized citizens was unchanged at 17.1 percent. The proportion of the foreign-born population without health insurance (34.5 percent) was about two and a half times that of the native population (13.0 percent) in 2003. Among the foreign born, noncitizens were more likely than naturalized citizens to lack coverage—45.3 percent compared with 17.1 percent.

ECONOMIC STATUS

The likelihood of being covered by health insurance rises with income. Among people in households with annual incomes of less than $25,000 in 2003, 75.8 percent had health insurance; the level increased with income up to 91.8 percent for those with incomes of $75,000 or more. Compared with 2002, the coverage rate was unchanged for those with household incomes more than $75,000, whereas rates fell for those in each lower category of household income.

Of those 18 to 64 years old in 2003, full-time workers were more likely to be covered by health insurance (82.5 percent) than part-time workers (76.2 percent) or nonworkers (74.0 percent). The uninsured rate for those working full-time increased from 16.8 percent in 2002 to 17.5 percent in 2003. The comparable rates for those working part-time or not working did not change.

CHILDREN'S HEALTH INSURANCE COVERAGE

The percentage and number of children (people under 18 years old) without health insurance did not change between 2002 and 2003, at 11.4 percent and 8.4 million, respectively. The likelihood of health insurance coverage varied among children by poverty status, age, race, and Hispanic origin. Children in poverty were more likely to be uninsured than the population of all children in 2003—19.2 percent compared with 11.4 percent.

Children 12 to 17 years old were more likely to be uninsured than those under 12—12.7 percent compared with 10.6 percent. While 21.0 percent of Hispanic children did not have any health insurance in 2003, the comparable rates among children for whom a single race was reported were 7.4 percent for non-Hispanic White children, 14.5 percent for Black children, and 12.4 percent for Asian children.

REGION

The South was the only region to show an increase in the percentage of people without health insurance in 2003, up from 17.5 percent in 2002 to 18.0 percent. The uninsured rates for other regions did not change in 2003—12.9 percent for the Northeast, 12.0 percent for the Midwest, and 17.6 percent for the West.

RESIDENCE

The uninsured rates increased between 2002 and 2003 inside metropolitan areas overall (from 15.3 percent to 15.6 percent) and for people living in the suburbs (from 13.1 percent to 13.5 percent), while the uninsured rates for people in central cities of metropolitan areas (19.5 percent) and outside metropolitan areas (15.5 percent) did not change in 2003.

Mr. Speaker, it is also wrong to freeze funding for Title X Family Planning services or for prenatal care for mothers and medical treatment for uninsured children, which this bill does.

Most importantly, this bill does nothing to address the recently announced, just last week, over the holiday, the 17 percent hike to Medicare premiums, which is the largest premium increase in the 40-year history of Medicare. For seniors living on fixed incomes, there is no room in their budgets to pay another $11.60 for doctors' visits per month.

At a time when seniors in Medicare are preoccupied with questions of the prescription drug law, the news of a premium increase only compounds their concern and frustration with the Medicare program. Medicare is not being reformed; it is being eviscerated.

Another troubling aspect of the bill is the inclusion of a provision offered by the gentleman from Pennsylvania (Mr. WELDON) that could have a devastating effect on women's ability to receive the full range of reproductive health services, including abortion care and even simple information about their medical options. Talk about unconstitutional.

Under the Weldon amendment, health care companies are granted the right to exempt themselves from any Federal, State, or local law that assures women have access to abortion services and information. This is another gag rule. This sweeping ''refusal'' policy, otherwise known as a ''backdoor gag rule on doctors,'' is not restricted to just the actual abortion services, but also would allow companies not to pay for abortions, or even referrals for patients to see another doctor.

Once again, we are asking professionals not to be able to give to their patients the information they deserve and they need. It not only undermines the rights of women but also bestows power on insurance companies to choose whether or not to comply with the law. This is a precedent that should worry all of us and one that we have seen before that has been struck down. I know that this provision will be struck in conference and, if not, certainly in the courts.

It also says that should that information be given, the community can lose all of its Federal money. I do not know exactly how extensive that is. Does that mean all Medicare, Medicaid, nutrition money, highway money, school money, everything else that comes in from the Federal Government to the community will be cut off because a woman has been told her rights? Surely nobody in this House would want that.

Now, let me address some unfinished business from last year's appropriation debate: unemployment and overtime. This is really a tragedy, Mr. Speaker, for the millions of unemployed who are losing their homes, their cars, and are unable to keep their children in college. Millions of unemployed Americans today lost their jobs because of trade policies or outsourcing or the stalled economy, and they have not found replacement jobs. They have had to survive without the unemployment assistance for a year, something this country has never done before.

The news that 144,000 jobs were created in August was no solace, since our economy is still 1.2 million jobs short of where it was in 2000. At this rate, the current administration will be the first in our history to see fewer non-farm jobs created at the end of 4 years.

A 10 percent cut to farm offices is certainly not helpful. And funding Job Corps at a paltry $1.5 billion and providing only $25 million for community college training initiatives are also troubling decisions.

In addition to training, today's unemployed, over a fifth of whom are the long-term unemployed, need Congress to extend the unemployment insurance. I have constituents, as do all of my colleagues, who have exhausted all their regular and extended unemployment and still have not been able to secure a job. Unemployment insurance, which expired last November, must be extended and more needs to be done for America's dislocated workers.

Finally, I want to turn to a subject of keen interest to working Americans, access to overtime compensation. This week, for the 122nd year, Americans came together to commemorate Labor Day, a day when we celebrate the contributions that workers have made to the strength and the prosperity of our country. Alas, this year there is no cause for celebration for America's workers.

Today, they are simply struggling to support their families on wages that have not kept pace with inflation. They strain to cover exploding health care premiums, and they try to avoid joining the ranks of the 1.4 million workers who lost coverage last year alone. And they worry that their jobs are the next to be shipped off to Mexico or China. Now, with the enactment of the Labor Department's new overtime rules, they have a whole new source of stress. Today, they worry they are among the 6 million workers who stand to lose access to overtime pay under the new rules.

My colleague, the gentleman from Wisconsin (Mr. OBEY), will offer an amendment to block enforcement of the final overtime rule with one exception. It would allow an increase to the salary threshold for low-wage workers from $8,060 to $23,600. Last year, this body approved, by a vote of 221 to 203, a similar measure that would have stopped the Department of Labor from rolling back the 40-hour workweek. As we all know, at the insistence of this administration, that provision was stripped out from the final fiscal year 2004 omnibus appropriations bill, even though it had passed both Houses.

Mr. Speaker, I submit for the CONGRESSIONAL RECORD a list of people who are losing their overtime work, which include firefighters, police sergeants, nurses, licensed practical nurses, nursery school teachers, oil and gas pipeline workers, steel workers, teachers, and on and on.

THE REPUBLICAN-LED SENATE VOTED 99:0 TO PROTECT OVERTIME RIGHTS FOR WORKERS IN 55 JOB CATEGORIES BECAUSE THEY HAD NO CONFIDENCE IN THE ADMINISTRATION'S CLAIMS

Any work paid on an hourly basis
Blue collar workers
Any work provided overtime under a collective bargaining agreement
Team Leaders
Computer programmers
Registered Nurses
Licensed practical nurses
Nurse midwives
Nursery school teachers
Oil and gas pipeline workers
Oil and gas platform workers
Refinery workers
Steel workers
Shipyard and ship scrapping workers
Teachers
Technicians
Journalists
Chefs
Cooks
Police Officers
Firefighters
Fire sergeants
Police sergeants
Emergency medical technicians
Paramedics
Waste disposal workers
Day care workers
Maintenance employees
Production line employees
Construction employees
Carpenters
Mechanics
Plumbers
Iron Workers
Craftsmen
Operating engineers
Laborers
Painters
Cements masons
Stone and brick masons
Sheet metal workers
Utility workers
Longshoremen
Stationary engineers
Welders
Boilermakers
Funeral directors
Athletic trainers
Outside sales employees
Inside sales employees
Grocery store managers
Financial services industry workers
Route drivers
Assistant retails managers

Mr. Speaker, we do not do enough in this bill, and we really must.

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

Ms. PRYCE of Ohio. Mr. Speaker, I am very pleased to yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, I rise to support the rule. There is a campaign of disinformation that is being waged against the overtime pay reforms put in place by the Department of Labor late last month, and I would like to speak to that.

The administration has guaranteed overtime protection for 6.7 million working Americans, and it is a reform that was needed and it was overdue. We have not seen millions of workers lose their overtime pay. In fact, we have watched as 1.3 million additional Americans have gained their right to claim overtime pay.

The previous system was outdated, it was unfair, and the Bush administration deserves credit for reforming the system, even though they knew the political interests aligned against the President would try to frame it as a negative.

The old status quo was a 54-year-old regulation. That is what the critics are claiming was fair. Under that regulation, someone earning as little as $8,060 would be classified as a white collar employee and prevented, prevented, from receiving overtime pay. No more, Mr. Speaker. This new policy is worker-friendly, it is fair, and I support the rule.

□ 1100

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, a few minutes ago we heard one of the speakers on the majority side of the aisle talk about this bill in terms of being a bill which meets our promises. I am not quite sure what bill she was referring to, but it certainly could not have been this one because this bill is a monument to broken promises and is an embarrassment to the institution, in my view, if this institution pretends that it cares about making the long-term investments in our economy and in our kids that are necessary.

If you take a look at what this bill does not produce, this bill falls $9.5 billion below the promises in the No Child Left Behind Act of just 3 years ago for Title I alone, which is the major program by which we attack poor education systems for disadvantaged children. For Title I alone, this bill is $7 billion short of the promises laid out in the No Child Left Behind Act.

Special education: Both political parties posed for political holy pictures in terms of how much we are going to try to do for handicapped children, and yet this bill provides $2.5 billion less than the Republicans promised in their own budget of just 1 year ago.

Then if we look at Pell grants, I was so flabbergasted, I practically fell onto the floor when I saw the President of the United States speak to the Republican convention and talk about his determination to increase Pell grants, when, in fact, the majority has frozen Pell grants for 2 years in a row, and this bill is part of that freezing process. So Pell grants have been frozen while tuition has gone up at the average 4-year university by almost 17 percent in that same time period.

In the Department of Labor, we have almost a million and a half fewer private sector jobs than we had 4 years ago, and yet this legislation cuts help for people making a job search through State agencies by 10 percent.

The Community Access Program, which attempts to provide access to decent health care for poor people, is eliminated. The After School Center Program, which is an effort to see to it that kids do not go home to an empty nest after they finish the school day and can still receive some meaningful instruction, that program is frozen. NIH, National Institutes of Health, which do the basic research on all disease: smallest increase in 19 years. Now these cuts are not necessitated, as was indicated on the majority side, because we are at war; these cuts are necessitated because the majority has decided that their top priority is to provide people who make a million dollars a year with a $127,000 tax cut next year. That is why these squeezes are made necessary.

So, Mr. Speaker, I am going to ask the House to vote against the previous question on the rule so that we can offer an amendment that would shave those tax cuts for millionaires from $127,000 to a mere $89,000. I do not know how they will be able to get along with a mere $89,000 tax cut, the poor devils, but they are just going to have to do it. We are going to try to shave that tax cut for the most well-off people in this society so we can continue to meet our obligation to the least well-off people in our society.

What is at stake, in my view, is whether or not this Congress is willing to slowly shred the safety net for the middle class, or whether we are going to continue to build that safety net. I want to be able to offer an amendment which will restore $5.5 billion more to education, which will invest $200 million more in workforce training, invest an additional $1.6 billion to provide more assistance to the 45 million people without health care, and make a series of other adjustments that will make this a far more progressive and humane bill. The only way we can do that is if we defeat the motion on the previous question on the rule. I would urge the House to do just that when the opportunity comes in just a few moments.

Ms. PRYCE of Ohio. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. REGULA), the dean of the delegation from the great State of Ohio and the chairman of the Subcommittee on Labor, Health and Human Services, Education and Related Agencies.

Mr. REGULA. Mr. Speaker, I thank the gentlewoman for yielding me this time. I want to highlight some of the positive things about this bill.

This bill distributes over $142.5 billion, and it does things for people. It is aimed at helping people, and I think we can be proud as a Congress for what we are doing here. It funds over 500 discretionary programs, and every one of those programs is important to people in this Nation. But, importantly, also, it stays within the subcommittee's 302(b) allocation and the constraints that were established in the budget resolution. It would be easy to go over because these programs are something that are very sensitive, but I think we have tried very hard, and we had a bipartisan effort in the subcommittee, to meet the needs and aspirations without exceeding the budget.

We did this with a lot of hearings, 23 days of hearings. We heard from 33 different agencies, and we had over 100 public witnesses. One of the things that we have done in our subcommittee is give the public an opportunity to be heard on how these programs affect them and what is important to them.

The bill only goes up a little over 2 percent above last year's level, and obviously we had to make some very tough priority choices in order to stay within the constraints of the budget resolution which gave us a little bit over 2 percent.

A policy decision we made was to focus on education, and we put $342 million more into education programs than was requested in the President's budget. The bill reflects the priorities of Members of the House. For example, the original budget proposed to cut vocational education State grants by $200 million. We not only restored the $200 million, but added $20 million above last year because we recognized that vocational education is extremely important as people need to have training and retraining. We think of vocational education as only at the high school level, but we have a lot of adult education programs that give individuals an opportunity to get skills for new job opportunities that come their way.

We increase the funding for student aid in higher education in certain areas not requested by the administration, and we restored other programs that were proposed for termination. I think overall the bill reflects the priorities of the Members of this House on both sides of the aisle in the field of education. Obviously, it would be nice to have a lot more, but we have to work within the constraints of the budget.

An area of great interest to our Members is special education, IDEA, and we added a billion dollars to this program above last year that brings the total to over $11 billion. In Title I, we added a billion dollars over last year for a total of $13.3 billion. In addition to aid to education, this bill expands funding for training and adjustment services for workers that are dislocated due to plant closures and mass layoffs. It reflects the fact that we have somewhat of a changing mix of the employment opportunities in our society.

This bill also provides $50 million for the President's new Community College/Community-Based Job Training Initiative. These types of institutions, because they are sort of a hands-on opportunity, have provided a lot of great help to people. I know in my own district we have a vocational or trade school that is post-high school 2 years. It offers skills in about 45 different curricula offerings, and enrollments just leaped to a very high level, and the important thing is that they have an excellent record in placing their graduates, their 2-year graduates, in jobs. So we want to support that type of thing in this bill.

Another area that is of interest to people are the community health centers, because it keeps people out of

emergency rooms that really need that access. It provides medical help to the people that are without means. I think expansion of the community health center service is very important. We support the proposal of the President in his budget.

Through NIH, we support medical research. This is an agency that gives hope to people, hope that there will be a cure. I think the measure of the success is testimony by Dr. Zerhouni that every 5 years life expectancy goes up a year in the United States. That is a tremendous record. We try to continue the support. We have more than doubled NIH in the last 5 years, and we added $700 million to this year's bill.

Also we recognize that preparedness is very important in today's world of terrorism and uncertainty, so we have given the Federal, State and local public health officials the ability to respond to terrorism, to meet whatever emergencies arise in the public health system. One of the things that has been our goal is to make the whole public health system seamless, starting with the Centers for Disease Control and with the State public health and the local public health, so the ability to communicate when there is an emergency is done almost instantly. Secretary Thompson has given great leadership, I think, in focusing an information center in HHS that allows a quick response whenever there is a critical problem. Because of the importance of all this, we added $188 million above the 2004 level.

We added $398 million to the Centers for Disease Control. Because we have a freer flow of people around the world: SARS, the West Nile virus, hepatitis, influenza, and other emerging global disease threats. And the watchdog, the protection for all of us, is done effectively by the Centers for Disease Control. They are on the cutting edge. Recognizing that, we put an increase in $29 million over 2004 to deal with some of these threats to all of us.

I could say a lot more about the bill and will in the general debate, but I think overall the bill, given the constraints that we had in terms of the allocation, we have done a fair job. I think fair in the sense that it reflects not a partisan outlook, but reflects the feeling of the members of the subcommittee and the full committee and the Members of this House, many of whom testified on various things. We tried to make a balanced bill that would give the best possible service to the American people in terms of their education, in terms of their health, job retraining, and basically I suppose one could describe this bill as the epitome of hope. It gives hope that there will be cures found by NIH, hope that people will get new skills so they can be reemployed, and hope that their children will have better education opportunities than they have, and we have tried to respond to that desire on the part of the American people.

I urge Members to support this rule and to support the bill when we get to it. I think it is a fair and balanced approach to the challenges that confronted our subcommittee.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

□ 1115

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentlewoman for yielding me this time, and I thank the chairman and ranking member of this committee for the work that they have done, as well as the full committee, because I know that they have worked, as we would say, against all odds. But I think when we come to the floor of the House, it is appropriate to tell the truth and to really acknowledge why this bill does not deserve in its present form the support of those of us who believe in comprehensive health care and recognizing the valiant work of Americans who work every day to make the engine of this country run.

First of all, this bill suffers because this administration and this Congress have made a decision that those who make a million dollars, those who make millions of dollars a year, are far more important with giving them, the 1 percent richest of America, the biggest tax cut that they will ever have. In fact, part of the reason why we are suffering in this legislation is because there is this idea that we should make these tax cuts permanent, permanent in the light of soaring costs in the Iraq and Afghanistan wars, young men and women losing their lives and not having the resources that they need in health care and jobs when they come home, those who do come home, and then those families whose young ones have lost their lives not having the resources in order to survive.

This is a bill that suffers a lot. First of all, it immediately squeezes the middle class. How does it do that? By eliminating for the first time in history the rights to overtime. Overtime has been somewhat of a sacred understanding that when you go the extra mile, you are paid in many instances. This bill does not affirm that because, of course, it affirms the Labor Department's regulations. I hope that we all will support the Obey-Miller amendment in order to restore the rights of overtime.

This bill does not affirm what we call access to health care by minorities. Hispanic males and African American females were in the highest obesity at-risk groups when data was evaluated by race and gender. African American men are at least 50 percent more likely to develop lung cancer than white men. African American men are twice as likely to be diagnosed for prostate cancer as white men. We have a problem in the lack of access to health care and disparity in health care. None of the resources in this bill focus particularly on that concern. In fact, the Centers for Disease Control loses money.

Job-training programs lose money. But more importantly, the whole idea of promoting good health care for the uninsured loses its momentum in this legislation. For example, the NIH gets its smallest increase over the years. The NIH is involved in research that helps improve health conditions. And, of course, we have a problem with respect to community health centers in promoting more of those in our community. Access to health care is a key to good health care, particularly for those who are uninsured.

I will offer two amendments that deal with the inequities in health care in particular, adding dollars to lupus research and also adding dollars for research in hepatitis C, which impacts minorities and veterans to a high degree.

I would say that this legislation is lacking in a lot of ways. It is lacking in its caring attitude. It is lacking in the recognition that there are great needs among populations that have been underserved. It is lacking in the fullest amount of funding to allow the utilization, to close the gap between health care. And, of course, it is lacking in the understanding of the 44 million that are uninsured. I would hope that we would come to grips with the fact that health care is very much a part of the American dream. It is a part of equality and justice. Until we have justice in health care, until we have justice in labor rights, our country is not meeting its promise.

I hope that my colleagues will vote enthusiastically for the Obey-Miller amendment to restore overtime rights, and I hope they will support my amendments on adding additional funds for lupus research and as well as adding additional funds to find the cure and do research in hepatitis C.

Ms. PRYCE of Ohio. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Delaware (Mr. CASTLE), a champion and leader in the area of education.

Mr. CASTLE. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I rise in support of the underlying legislation and the rule which is before us because it includes many things which I support, community health centers, the Ryan White AIDS program, and programs and activities at the CDC and the NIH, but mostly because the bill reflects our priority for the schools and students across the country. In the past 9 years, this Congress has provided record increases to our Nation's education programs, more than doubling discretionary spending to the U.S. Department of Education. As we all know, in recent years these increases have been coupled with widespread reforms that will ensure that every child in the classroom is learning.

In January of 2001, the No Child Left Behind Act was signed into law, and we are now beginning to see the benefits of these bold policies. In the past couple of months, many States have reported

the number of schools in need of improvement is actually decreasing. In fact, in my home State of Delaware, 128 of our 173 schools have met adequate yearly progress, up from 75 in the last school year. This is remarkable news, and educators across the country are to be commended for their dedication to meeting the rigors of No Child Left Behind.

No Child Left Behind provides the road map for reform, and our past appropriations acts have given the funding to help make it possible. Title I alone has increased over $3 billion in the past 3 years and programs encompassed by the No Child Left Behind Act have nearly doubled over the same time period. Today's bill builds upon our impressive record by providing increases to IDEA, State assessments, teacher quality, Impact Aid and the Institution of Education Sciences, to name only a few.

As time progresses, the facts grow clearer that No Child Left Behind is the right thing for our students and that the Federal Government is providing the resources needed. There is no evidence to show that the law is an unfunded mandate, and we should all stand proud on our record of supporting all education programs.

I would be remiss if I did not take time here today to discuss embryonic stem cell research as well. As many of my colleagues know, I have been leading the House effort with my colleague from Colorado (Ms. DEGETTE) to expand the current Federal policy in order to realize the true hope that science holds for millions of patients who suffer nationwide. We have organized letters, met with the Nation's premier scientists, visited the Harvard Stem Cell Institute and Children's Hospital in Boston where leading research is taking place, and have introduced bipartisan legislation that would expand the policy while remaining consistent with the President's ethical concerns.

Times have changed and science has moved forward from the President's thoughtful decision, and there are now over 150 new stem cell lines nationwide that have been derived with improved technology and are genetically diverse. We must reevaluate this policy. Unfortunately, now is not the time to do so. This issue must be decided on science, not politics. We must have a thorough debate in the House and in the U.S. Senate on the state of the research and how to move the policy forward while ensuring that research is conducted ethically.

Mr. Speaker, I plan to press forward with this issue in the coming months. It is too important to ignore.

Ms. SLAUGHTER. Mr. Speaker, I yield myself the balance of my time. I want to call a vote for the previous question and urge a ''no'' vote.

If the previous question is defeated, I will offer an amendment to the rule that will make in order an amendment that was submitted to the Rules Committee yesterday by the gentleman from Wisconsin (Ranking Member OBEY) but, sadly, was rejected. The amendment would increase funding for a number of vital programs and services that are insufficiently funded in the bill.

The programs and services provided in H.R. 5006 touch the lives of almost every American. The bill funds activities ranging from education for preschoolers from low-income families, to college tuition assistance, and to home-delivered meals for the elderly. It also provides for job training, worker protection, and funding for medical research. But as critical as these programs are to our citizens, the leadership has drastically underfunded them. The Obey substitute will help restore funding to a number of the most important of these programs.

I want to point out that this amendment is fully paid for. It offsets the increased costs of the programs by slightly scaling back the 2001 and 2003 tax cuts for those with incomes above $1 million. Under this amendment, their average tax cut would go from $127,000 to $89,000, still a very substantial tax cut. I think most people making that kind of money are willing to accept this modest cut, especially since it will help improve the quality of life for so many less-privileged Americans and help America.

Mr. Speaker, all Members of this House need to be very concerned about the lack of adequate funding for the critical programs and services in this bill, whether it is health care, education, medical research, services for the elderly, low-income energy assistance. The list is long. The Obey amendment would help correct the funding deficiencies in the bill and would do so, as I said, with no additional cost to the deficit.

I urge Members on both sides of the aisle to vote ''no'' on the previous question so that we can vote on the Obey amendment. A ''no'' vote will not stop the House from taking up the Labor-HHS bill. It will not affect the open-amending process provided for in the rule. But a ''yes'' vote will prevent the House from considering this important amendment.

I urge a ''no'' vote on the previous question.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentlewoman from New York?

There was no objection.

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

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself the balance of my time.

Today we have a unique opportunity to tell the American people what their government is doing with their money. While this Congress remains fully committed to fighting the war on terror and protecting our homeland, we remain just as focused on meeting the needs of Americans here at home. That is what we are doing today.

This carefully crafted package reflects the Federal Government's commitment to ensuring that children with special needs and the teachers who inspire them to learn have the tools they need in school to succeed. This package also reflects the government's commitment to ensuring that critical agencies like the National Institutes of Health can conduct medical research to better treat illnesses and making certain that those treatments get into the hands of the Americans who need them. This package also reflects the government's commitment to seeing that men and women looking for new jobs receive the helping hand and training that they need to bring home a paycheck.

Mr. Speaker, the authors of this appropriations package, my good friend from Ohio (Mr. REGULA) and his committee, were asked to do a very tough job this year, to balance spending priorities. Once again, they have met this challenge by producing a carefully crafted product that provides considerable increases for vital programs and services while preserving our commitment to spending taxpayers' dollars wisely.

I urge my colleagues to support this rule and the underlying legislation.

The material previously referred to by Ms. SLAUGHTER is as follows:

PREVIOUS QUESTION FOR H.RES. 754—RULE ON H.R. 5006 FISCAL YEAR 2005 LABOR/HHS/EDUCATION APPROPRIATIONS

At the end of the resolution, add the following:

''Sec. 2. Notwithstanding any other provision of this resolution, the amendment printed in section 3 shall be in order without intervention of any point of order and before any other amendment if offered by Representative OBEY of Wisconsin or a designee. The amendment is not subject to amendment except for pro forma amendments or to a demand for a division of the question in the committee of the whole or in the House.

Sec. 3. The amendment referred to in section 2 is as follows:

In title I, under the heading ''Employment and Training Administration, Training and Employment Services'', after ''$2,649,728,000'' insert ''(increased by $125,858,000)'', after $1,642,442,000'' insert ''(increased by $125,858,000)'', and after ''$1,178,192,000'' insert ''(increased by $38,000,000)''.

In title I, under the heading ''State Unemployment Insurance and Employment Service Operations'', after each appearance of ''$141,934,000'' insert ''(decreased by $137,000)'', and after ''$3,440,914,000'' insert ''(increased by $87,995,000)''.

In title I, under the heading ''Departmental Management, Salaries and Expenses'', after ''$264,653,000'' insert ''(increased by $74,317,000)''.

In title II, under the heading ''Health Resources and Services Administration, Health Resources and Services'', after ''$6,305,333,000'' insert ''(increased by $403,000,000)'', after ''$32,500,000'' insert ''(increased by $7,500,000)'', and after ''$278,283,000'' insert ''(increased by $17,000,000)''.

In title II, under the heading ''Centers for Disease Control and Prevention, Disease

Control, Research, and Training'', after ''$4,228,778,000'' insert ''(increased by $100,000,000)''.

In title II, under the heading ''National Cancer Institute'', after''$4,870,025,000'' insert ''(increased by $63,486,000)''.

In title II, under the heading ''National Heart, and Blood Institute'', after ''$2,963,953,000'' insert ''(increased by $38,639,000)''.

In title II, under the heading ''National Institute of Dental and Craniofacial Research'', after ''$394,080,000'' insert ''(increased by $5,137,000)''.

In title II, under the heading ''National Institute of Diabetes and Digestive and Kidney Diseases'', after ''$1,726,196,000'' insert ''(increased by $22,503,000)''.

In title II, under the heading ''National Institute of Neurological Disorders and Stroke'', after ''$1,545,623,00 '' insert ''(increased by $20,149,000)''.

In title II, under the heading ''National Institute of Allergy and Infectious Diseases'', after ''$4,440,007,000'' insert ''(increased by $54,622,000)''.

In title II, under the heading ''National Institute of General Medical Sciences'', after ''$1,959,810,000'' insert ''(increased by $25,548,000)''.

In title II, under the heading ''National Institute of Child Health and Humane Development'', after ''$1,280,915,000'' insert ''(increased by $16,698,000)''.

In title II, under the heading ''National Eye Institute'', after ''$671,578,000'' insert ''(increased by $8,755,000)''.

In title II, under the heading ''National Institute of Environmental Health Sciences'', after ''$650,027,000'' insert ''(increased by $8,474,000)''.

In title II, under the heading ''National Institute on Aging'', after ''$1,055,666,000'' insert ''(increased by $13,762,000)''.

In title II, under the heading ''National Institute of Arthritis and Musculoskeletal and Skin Diseases'', after ''$515,378,000'' insert ''(increased by $6,719,000)''.

In title II, under the heading ''National Institute of Deafness and Other Communication Disorders'', after ''$393,507,000'' insert ''(increased by $5,130,000)''.

In title II, under the heading ''National Institute of Nursing Research'', after ''$139,198,000'' insert ''(increased by $1,815,000)''.

In title II, under the heading ''National Institute on Alcohol Abuse and Alcoholism'', after ''$441,911,000'' insert ''(increased by $5,761,000)''.

In title II, under the heading ''National Institute on Drug Abuse'', after ''$1,012,760,000'' insert ''(increased by $13,203,000)''.

In title II, under the heading ''National Institute of Mental Health'', after ''$1,420,609,000'' insert ''(increased by $18,519,000)''.

In title II, under the heading ''National Human Genome Research Institute'', after ''$492,670,000'' insert ''(increased by $6,423,000)''.

In title II, under the heading ''National Institute of Biomedical Imaging and Bioengineering'', after ''$297,647,000'' insert ''(increased by $3,880,000)''.

In title II, under the heading ''National Center for Research Resources'', after ''$1,094,141,000'' insert ''(increased by $136,907,000, of which $122,644,000 shall be for extramural facilities construction grants)''.

In title II, under the heading ''National Center for Complementary and Alternative Medicine'', after ''$121,116,000'' insert ''(increased by $1,579,000)''.

In title II, under the heading ''National Center on Minority Health Disparities'', after ''$196,780,000'' insert ''(increased by $2,565,000)''.

In title II, under the heading ''John E. Fogarty International Center'', after ''$67,182,000'' insert ''(increased by $876,000)''.

In title II, under the heading ''National Library of Medicine'', after ''$316,947,000'' insert ''(increased by $4,132,000)''.

In title II, under the heading ''Office of the Director'', after ''$359,645,000'' insert ''(increased by $14,719,000)''.

In title II, under the heading ''Substance Abuse and Mental Health Services Administration, Substance Abuse and Mental Health Services'', after ''$3,270,360,000'' insert ''(increased by $40,000,000)''.

In title II, under the heading ''Low-Income Home Energy Assistance'', after ''$200,000,000'', after ''$1,900,000,000'' insert ''(increased by $200,000,000)''.

In title II, under the heading ''Refugee and Entrant Assistance'', after ''$491,336,000'' insert ''(increased by $32,000,000)''.

In title II, under the heading ''Payments to States for the Child Care and Development Block Grant'', after ''$2,099,729,000'' insert ''(increased by $100,000,000)''.

In title II, under the heading ''Children and Families Services Programs'', after ''$8,985,663,000'' insert ''(increased by $110,000,000)'', after ''$6,898,580,000'' insert ''(increased by $80,000,000)'' and after ''$710,088,000'' insert ''(increased by $30,000,000)''.

In title II, under the heading ''Administration on Aging, Aging Services Programs'', after ''$1,403,479,000'' insert ''(increased by $70,000,000)''.

In title II, in the first paragraph under the heading ''Public Health and Social Services Emergency Fund'', after ''$1,842,247,000'' insert ''(increased by $16,000,000)'', and after ''$1,187,760,000'' insert ''(increased by $16,000,000)''.

In title II, in the third paragraph under the heading ''Public Health and Social Services Emergency Fund'', after ''$60,000,000'' insert ''(increased by $40,000,000)''.

In title II, under the heading ''Education for the Disadvantaged'', after ''$15,535,735,000'' insert ''(increased by $1,727,686,000)'', after ''$7,849,390,000'' insert ''(increased by $1,727,686,000)'' after ''$7,037,592,000'' insert ''(increased by $233,636,000)'', after each appearance of ''$2,469,843,000'' insert ''(increased by $633,182,000)'', and after ''$80,000,000'' insert ''(increased by $227,686,000)''.

In title II, under the heading ''School Improvement Programs'', after ''$5,641,401,000'', and after ''$4,031,016,000'' insert ''(increased by $425,000,000)''.

In title II, under the heading ''Special Education'', after ''$12,176,101,000'' insert ''(increased by $1,200,000,000)'', and after ''$6,560,447,000'' insert ''(increased by $1,200,000,000)''.

In title II, under the heading ''Student Financial Assistance'', after ''$14,755,794,000'' insert ''(increased by $2,200,000,000)'', and after ''$4,050'' insert ''(increased by $450)''.

At the end of the bill (before the short title), insert the following new section:

Sec. . In the case of taxpayers with adjusted gross income in excess of $1,000,000, for the tax year beginning in 2005 the amount of tax reduction resulting from enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001 and the Jobs and Growth Tax Relief Reconciliation Act of 2003 shall be reduced by 30 percent.

Mr. PRYCE of Ohio. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of the adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 209, nays 190, not voting 34, as follows:

[Roll No. 424]

YEAS—209

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
LaHood
Latham
LaTourette
Leach
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NAYS—190

Abercrombie
Ackerman
Allen
Baca
Baird
Baldwin

Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clyburn
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Harman
Hastings (FL)
Herseth
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—34

Andrews
Ballenger
Bilirakis
Boehlert
Brady (TX)
Cannon
Chandler
Clay
Conyers
Culberson
Engel
Flake
Grijalva
Hobson
John
Jones (OH)
Kleczka
Kolbe
Lampson
Lewis (CA)
McCarthy (NY)
McInnis
Mollohan
Nethercutt
Norwood
Owens
Payne
Putnam
Ryan (OH)
Schrock
Simmons
Tauzin
Udall (CO)
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1152

Mr. DOOLEY of California and Ms. CORRINE BROWN of Florida changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. REGULA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5006, and that I may include tabular material on the same.

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

There was no objection.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

The SPEAKER pro tempore. Pursuant to House Resolution 754 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5006.

□ 1152

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5006) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005, and for other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Ohio (Mr. REGULA) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to offer today the fiscal year 2005 appropriations bill for the Departments of Labor, Health and Human Services, Education and related agencies. By taking into consideration the priorities of the President and the Members, all the Members of this House, we have produced a bill that meets the needs of all Americans. This bill affects the lives, in one way or another, of every American.

We are appreciative of the efforts of the leaders of the House and the chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG), to provide a workable allocation for this bill. I am pleased to say that this bill was unanimously approved on a bipartisan basis in both the subcommittee and the full committee. I would also like to acknowledge the hard work, dedication, and expertise of my subcommittee staff, as well as the minority staff, in putting together this bill.

Mr. Chairman, this bill is about hope. It gives hope to every child seeking a good education, it gives hope to everyone searching for a good or better job than they have, and it gives hope to the ill seeking a cure.

This bill provides $142.5 billion—that is $500 for every person in the United States of America—a 2.2 percent increase over fiscal year 2004, for over 500 different discretionary programs. It is responsible, it is fair, and it is balanced.

Let me first talk about education. I would like to discuss what this bill provides for education. Education is essential to the preservation of democracy, and an investment in education is an investment in human capital and an investment in the future of this great Nation.

Mr. Chairman, Federal education spending has more than doubled since fiscal year 1996, from $23 billion to nearly $60 billion today. We have focused spending in this bill in the key areas that most directly improve our children's education.

First and foremost, I believe that no child will be left behind if he or she has a quality and dedicated teacher. Almost every teacher in our Nation's classrooms today is there for one reason: They love children and want to help them reach their full potential, and that should be their goal.

We applaud their hard work and dedication, and we support them in this bill by providing funding to encourage people to enter the field of teaching and to strengthen and maximize the skills of those already in the classroom.

I would urge young people that are thinking about a career to give consideration to being in a classroom, where they can touch the lives of children. Often when I speak to large groups out in the district, I say, how many of you had a teacher that has made a difference in your life? Almost every hand in the room goes up.

This bill also supports teachers and students by increasing funding for Title I by $1 billion. Title I provides the additional resources to low-income schools to help principals, teachers and students close education achievement gaps. At the school level, Title I helps provide additional staff, ongoing training and the latest research, computer equipment, books or new curricula offerings that, coupled with strong accountability efforts, helps disadvantaged children meet the same high standards as their more advantaged peers.

In addition to the funding increases in Title I, this bill also increases funding for scientifically based reading programs so that all children can read well by the end of the third grade. In 3 short years, funding for reading programs has tripled to over $1.3 billion, tripled, and importantly so. Reading is the key. This investment will assist parents, teachers and school districts in meeting the reading challenges of our children.

Mr. Chairman, many of my colleagues speak with me about the financial demands of special education on

their local school districts. We also hear from parents about the need to support adequate special education funding to ensure their special-needs children receive a quality and equal education opportunity.

In this bill, funding for special education totals over $11 billion, a nearly 380 percent increase since fiscal year 1996, and $1 billion more than last year.

Title III programs are designed to strengthen institutions of higher education that serve a high percentage of minority students and students from low-income backgrounds. I want to point out that in fiscal year 2005, funding to Title III programs is at $519 million, and this, combined with the funding for Howard University and other historically black colleges and universities financing programs, our commitment to minority serving institutions exceeds $975 million.

□ 1200

The sharp rise in college costs continues to be a barrier to many students. Pell grants help ensure access to postsecondary education for low and middle-income undergraduate students by providing grants that help meet college education needs. The bill continues to support a maximum Pell grant level of $4,050, while also including $12.9 billion for Pell grants, an increase of $823 million over last year.

Health and Human Services.

If you have good health, you have hope; and if you have hope, you have everything. Health care is a critical part of our Nation's economic development. To assist in protecting the health of all Americans, and to provide essential human services, the bill provides the Department of Health and Human Services over $62 billion for fiscal year 2005.

Mr. Chairman, similar to the Department of Education, we have more than doubled the funding for HHS since fiscal year 1996: $28.9 billion in fiscal year 1996 to $62.2 billion for fiscal year 2005. I think that is a tremendous increase under the circumstances, but will meet real needs.

At the forefront of new progress in medicine, the National Institutes of Health supports and conducts medical research to understand how the human body works and to gain insight into countless diseases and disorders. As a result of our commitment to NIH, our citizens are living longer and better lives. Life expectancy at birth was only 47 years in 1900. By 2000, it was almost 77 years, and my colleagues heard me say earlier that Dr. Zerhouni testified that every 5 years, life expectancy goes up a year.

In every state across the country, the NIH supports research at hospitals, universities, and medical schools. The 5-year doubling of the NIH budget completed in fiscal year 2003 has picked up the pace of discovery and heightened public expectations. We now expect NIH to carefully examine its portfolio and continue to be a good steward of the public's investment. Funding for NIH has increased by over $700 million, bringing its total budget to $28.5 billion. In that regard I might say that we looked at all the programs and said, is this producing results so that we could use the money as good stewards and as wisely as possible for the 280 million Americans.

All of the information and advances we have gained from NIH, however, will be useless if they do not make their way to health care providers and individuals, those most responsible for their own health. Thus, the work of the Centers for Disease Control and prevention is critical to protecting the health and safety of people at home and abroad.

Recognizing the tremendous challenges faced by CDC, we have provided over $915 million for the prevention and control of chronic diseases such as diabetes, cancer, heart disease, arthritis and tobacco use, and $640 million for immunizations. CDC's total allocation for fiscal year 2005 includes nearly $4.5 billion.

Mr. Chairman, health centers operating at the community level provide regular access to high-quality, family-oriented, comprehensive primary and preventive health care, regardless of ability to pay, and improves the health status of underserved populations living in inner city and rural areas. These funds provided in our bill, $1.8 billion, an increase of $218 million over last year, are expected to serve 14.8 million patients in fiscal year 2005—83 percent more than in fiscal year 1996. These are important to a lot of people. They are important to emergency rooms, because it gives people a place to go as an alternative.

Children's hospitals across the Nation are the training grounds for our pediatricians and pediatric specialists. Many of these hospitals are regional and national referral centers for very sick children, often serving as the only source of care for many critical pediatric services. The bill provides over $303 million to train these important caregivers who care for America's youngest population, its children.

The Ryan White AIDS Drug Assistance Program funding is increased by over $35 million, bringing its total to over $800 million. The increase in funding assists those infected with the virus and receiving vital medication through the drug assistance program. Overall, the Ryan White AIDS programs are funded at more than $2 billion.

The Centers for Medicare and Medicaid Services is the Federal agency responsible for overseeing Medicare, Medicaid, and the State Children's Health Insurance Program. CMS is the largest purchaser of health care in the world and second only to Social Security in the level of Federal spending. And while the mandatory funding for CMS programs comes through the Committee on Ways and Means, this bill provides the costs for their administrative functions. Funding for CMS is at $2.7 billion, an increase of more than $100 million. That is important, because it will speed up processing of claims for people in Medicare, Medicaid, and so on.

Infant mortality rates in certain segments of our population are at least 1½ times the national average. We have provided over $97 million for the Healthy Start Program, which uses community-designed and evidence-supported strategies aimed at reducing infant mortality.

Our commitment to a child's well-being does not rest with Healthy Start. We have provided nearly $6.9 billion for Head Start, a program designed primarily for preschoolers from low-income families.

The Adoption Incentive Program has been successful in contributing to substantial increases in adoptions in recent years. Between fiscal year 1998 and fiscal year 2002, a total of 236,000 children were adopted. Think what that means. They got a home. They got a family, Mr. Chairman. 236,000! While the overall number of children being adopted has grown dramatically, some children needing permanent homes remain less likely to be adopted. This bill provides $32 million for the Adoption Incentives Program so that States may continue their efforts to increase the number of children adopted by caring families.

Additional support for the President's initiatives in this bill include: $55 million for the Compassion Capital Fund, which helps faith-based and community organizations increase their effectiveness and enhance their ability to provide social services to those most in need. Mr. Chairman, $129 million for violent crime reduction programs; $110 million for abstinence education, an increase of nearly $35 million over the fiscal year 2004 level.

The Low Income Home Energy Assistance Program ensures that low-income households are not without heating or cooling and provides protection to our most vulnerable populations: the elderly, households with small children, and persons with disabilities. The funds are distributed to the States through a formula grant program, and we have provided $2 billion for fiscal year 2005, an increase of $110 million over the fiscal year 2004 level. In addition, $227 million is included for the weatherization program.

Mr. Chairman, our society is judged not only by the care we provide to our young, but also by how we treat the elderly. This bill provides over $1.4 billion to the Administration on Aging to enhance health care, nutrition, and social supports to seniors and their family caregivers.

In the labor area.

We ought to support the aspirations of people: good health, security, meaningful work, creative and intellectual pursuits. The Department of Labor plays a key role in many important worker-training and protection programs. Therefore, we have restored

funding to core job training and employment assistance programs.

A number of communities continue to experience plant closings and other layoffs, and we understand the need to support dislocated worker-training programs that can assist workers to return to gainful employment. In this bill, we restore funding for dislocated worker-assistance programs to nearly $1.5 billion, $25 million over fiscal year 2004, and an increase of over $96 million above the budget request.

This bill includes $19 million for a Homeless Veterans Reintegration program to operate employment programs that reach out to homeless veterans and help them become employed.

Worker-protection programs, including OSHA and MSHA, are funded at $462 million and $276 million, respectively.

The Social Security Administration receives its mandatory allocation through the Committee on Ways and Means; this bill provides the funding for their administrative costs. Effective administration of this agency ensures efficient services to recipients. We have included $485 million, an increase in the funding for the Social Security Administration to improve delivery of benefits and expedite the processing of disability claims. I am sure all of my colleagues have experienced this, where people very much need the funding and to get their disability claims taken care of, and we recognize that; and we have added money so that we can speed up the process.

Mr. Chairman, much more could be said about this bill which touches every American at some point in life. We are mindful of the fiscal limitations of our bill and have tried to use the allocation to fund our highest priorities.

The French philosopher de Touqueville came to America in the 1800s and wanted to see what makes this country different, and he observed, ''America is great because she is good. If America ceases to be good, America will cease to be great.''

This bill is about the goodness of America. This bill is a perfect example of how the taxpayers of this country are providing funds to help others. It is a perfect example of caring for each other, and I think that is very much a part of the goodness of America. As I stated earlier, this bill is about hope. Someone once said, ''Hope deferred makes the heart sick, but a desire fulfilled is a tree of life.'' We give hope to people who want better education. We give hope to people who want better health, and we give hope to those who are seeking retraining in order to get a job. This is very important in what this bill does for the people of this Nation. I think the people desire a good education, they desire meaningful jobs, and they desire good health.

Mr. Chairman, this bill does its best, within the constraints of what we had available, to meet the American people's needs. It is responsible, it is fair, and it is balanced. I ask my colleagues to support it.

Mr. Chairman, at this time I will submit a detailed table of the bill into the RECORD.

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
TITLE I - DEPARTMENT OF LABOR					
EMPLOYMENT AND TRAINING ADMINISTRATION					
TRAINING AND EMPLOYMENT SERVICES					
Grants to States:					
Adult Training, current year	186,891	188,000	188,000	+1,109	---
Advance from prior year	(707,799)	(712,000)	(712,000)	(+4,201)	---
FY 2006	712,000	712,000	712,000	---	---
Adult Training	898,891	900,000	900,000	+1,109	---
Youth Training	995,059	1,000,965	1,000,965	+5,906	---
Dislocated Worker Assistance, current year	330,192	251,669	330,192	---	+78,523
Advance from prior year	(842,997)	(848,000)	(848,000)	(+5,003)	---
FY 2006	848,000	848,000	848,000	---	---
Dislocated Worker Assistance	1,178,192	1,099,669	1,178,192	---	+78,523
Federally Administered Programs:					
Dislocated Worker Assistance National Reserve:					
Current year	64,227	71,371	89,227	+25,000	+17,856
Advance from prior year	(210,749)	(212,000)	(212,000)	(+1,251)	---
FY 2006	212,000	212,000	212,000	---	---
Dislocated Worker Assistance Nat'l Reserve	276,227	283,371	301,227	+25,000	+17,856
Total, Dislocated Worker Assistance	1,454,419	1,383,040	1,479,419	+25,000	+96,379
Native Americans	54,675	55,000	54,675	---	-325
Migrant and Seasonal Farmworkers	76,370	---	76,370	---	+76,370
Job Corps:					
Operations	820,114	859,966	845,000	+24,886	-14,966
Advance from prior year	(587,513)	(591,000)	(591,000)	(+3,487)	---
FY 2006	591,000	591,000	591,000	---	---
Construction and Renovation	30,038	6,321	6,321	-23,717	---
Advance from prior year	(99,410)	(100,000)	(100,000)	(+590)	---
FY 2006	100,000	100,000	100,000	---	---
Subtotal, Job Corps, program level	1,541,152	1,557,287	1,542,321	+1,169	-14,966
National Activities:					
Pilots, Demonstrations and Research	57,751	30,000	48,474	-9,277	+18,474
Responsible Reintegration of Youthful Offender	49,705	50,000	---	-49,705	-50,000
Evaluation	8,986	8,000	8,000	-986	---
Prisoner Re-entry	---	40,000	---	---	-40,000
Community College initiative	---	250,000	---	---	-250,000
Personal reemployment accounts	---	50,000	---	---	-50,000
Denali Commission	4,970	---	---	-4,970	---
Other	3,486	2,000	2,504	-982	+504
Subtotal, National activities	124,898	430,000	58,978	-65,920	-371,022
Subtotal, Federal activities	2,073,322	2,325,658	2,033,571	-39,751	-292,087
Current Year	1,170,322	1,422,658	1,130,571	-39,751	-292,087
FY 2006	903,000	903,000	903,000	---	---
Total, Training and Employment Services	5,145,464	5,326,292	5,112,728	-32,736	-213,564
Current Year	(2,682,464)	(2,863,292)	(2,649,728)	(-32,736)	(-213,564)
FY 2006	(2,463,000)	(2,463,000)	(2,463,000)	---	---
COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS	438,650	440,200	440,200	+1,550	---
FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES	1,338,200	1,057,300	1,057,300	-280,900	---

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS					
Unemployment Compensation:					
State Operations	2,608,653	2,700,714	2,690,714	+82,061	-10,000
National Activities	9,876	10,500	10,500	+624	---
Subtotal, Unemployment Compensation	2,618,529	2,711,214	2,701,214	+82,685	-10,000
Employment Service:					
Allotments to States:					
Federal Funds	23,163	23,300	23,300	+137	---
Trust Funds	763,724	672,700	672,700	-91,024	---
Subtotal	786,887	696,000	696,000	-90,887	---
ES National Activities	63,971	67,000	67,000	+3,029	---
Subtotal, Employment Service	850,858	763,000	763,000	-87,858	---
Federal Funds	23,163	23,300	23,300	+137	---
Trust Funds	827,695	739,700	739,700	-87,995	---
One-Stop Career Centers/Labor Market Information	98,764	99,350	98,764	---	-586
Work Incentives Grants	19,753	19,870	19,870	+117	---
Total, State Unemployment & Employment Srvcs	3,587,904	3,593,434	3,582,848	-5,056	-10,586
Federal Funds	141,680	142,520	141,934	+254	-586
Trust Funds	3,446,224	3,450,914	3,440,914	-5,310	-10,000
ADVANCES TO THE UI AND OTHER TRUST FUNDS 1/	467,000	517,000	517,000	+50,000	---
PROGRAM ADMINISTRATION					
Adult Employment and Training	38,382	39,380	38,382	---	-998
Trust Funds	6,814	6,980	6,814	---	-166
Youth Employment and Training	39,009	40,133	39,009	---	-1,124
Employment Security	5,948	6,146	5,948	---	-198
Trust Funds	48,624	55,722	48,624	---	-7,098
Apprenticeship Services	20,760	21,405	20,760	---	-645
Executive Direction	8,400	8,718	6,900	-1,500	-1,818
Trust Funds	2,041	2,158	2,041	---	-117
Welfare to Work	2,371	376	376	-1,995	---
Total, Program Administration	172,349	181,018	168,854	-3,495	-12,164
Federal Funds	114,870	116,158	111,375	-3,495	-4,783
Trust Funds	57,479	64,860	57,479	---	-7,381
Total, Employment and Training Administration	11,149,567	11,115,244	10,878,930	-270,637	-236,314
Federal Funds	7,645,864	7,599,470	7,380,537	-265,327	-218,933
Current Year	(5,182,864)	(5,136,470)	(4,917,537)	(-265,327)	(-218,933)
FY 2006	(2,463,000)	(2,463,000)	(2,463,000)	---	---
Trust Funds	3,503,703	3,515,774	3,498,393	-5,310	-17,381

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
EMPLOYEE BENEFITS SECURITY ADMINISTRATION					
Enforcement and Participant Assistance	102,730	110,330	110,330	+7,600	---
Policy and Compliance Assistance	16,907	17,497	17,497	+590	---
Executive Leadership, Program Oversight & Admin	4,403	4,518	4,518	+115	---
Total, EBSA	124,040	132,345	132,345	+8,305	---
PENSION BENEFIT GUARANTY CORPORATION					
Pension insurance activities	---	(12,211)	(12,211)	(+12,211)	---
Pension plan termination	---	(169,739)	(169,739)	(+169,739)	---
Operational support	---	(84,380)	(84,380)	(+84,380)	---
Program Adm. subject to limitation (TF)	20,553	---	---	-20,553	---
Termination services not subject to limitation (NA)	(212,219)	---	---	(-212,219)	---
Total, PBGC	20,553	---	---	-20,553	---
Total, PBGC (Program level)	(232,772)	(266,330)	(266,330)	(+33,558)	---
EMPLOYMENT STANDARDS ADMINISTRATION					
SALARIES AND EXPENSES					
Enforcement of Wage and Hour Standards	160,096	165,933	165,933	+5,837	---
Office of Labor-Management Standards	38,580	43,545	43,545	+4,965	---
Federal Contractor EEO Standards Enforcement	79,442	82,078	79,442	---	-2,636
Federal Programs for Workers' Compensation	96,754	99,528	96,754	---	-2,774
Trust Funds	2,021	2,058	2,021	---	-37
Program Direction and Support	15,123	16,152	15,123	---	-1,029
Total, ESA salaries and expenses	392,016	409,294	402,818	+10,802	-6,476
Federal Funds	389,995	407,236	400,797	+10,802	-6,439
Trust Funds	2,021	2,058	2,021	---	-37
SPECIAL BENEFITS					
Federal employees compensation benefits	160,000	230,000	230,000	+70,000	---
Longshore and harbor workers' benefits	3,000	3,000	3,000	---	---
Total, Special Benefits	163,000	233,000	233,000	+70,000	---
SPECIAL BENEFITS FOR DISABLED COAL MINERS					
Benefit payments	390,848	270,806	270,806	-120,042	---
Administration	6,143	5,194	5,194	-949	---
Subtotal, Black Lung, FY 2005 program level	396,991	276,000	276,000	-120,991	---
Less funds advanced in prior year	-97,000	-88,000	-88,000	+9,000	---
Total, Black Lung, current request, FY 2005	299,991	188,000	188,000	-111,991	---
New advances, 1st quarter FY 2006	88,000	81,000	81,000	-7,000	---
Total, Special Benefits for Disabled Coal Miners	387,991	269,000	269,000	-118,991	---
ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND					
Program Benefits	(221,000)	(221,000)	(221,000)	---	---
Administrative Expenses	51,651	40,821	40,821	-10,830	---
Total, Energy Emp Occupational Illness Comp Fund	51,651	40,821	40,821	-10,830	---

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
BLACK LUNG DISABILITY TRUST FUND					
Benefit payments and interest on advances	998,901	1,001,951	1,001,951	+3,050	---
Employment Standards Adm. S&E	32,004	32,646	32,646	+642	---
Departmental Management S&E	23,401	23,705	23,705	+304	---
Departmental Management, Inspector General	338	342	342	+4	---
Subtotal, Black Lung Disability	1,054,644	1,058,644	1,058,644	+4,000	---
Treasury Administrative Costs	356	356	356	---	---
Total, Black Lung Disability Trust Fund	1,055,000	1,059,000	1,059,000	+4,000	---
Total, Employment Standards Administration	2,049,658	2,011,115	2,004,639	-45,019	-6,476
Federal Funds	2,047,637	2,009,057	2,002,618	-45,019	-6,439
Current year	(1,959,637)	(1,928,057)	(1,921,618)	(-38,019)	(-6,439)
FY 2006	(88,000)	(81,000)	(81,000)	(-7,000)	---
Trust Funds	2,021	2,058	2,021	---	-37
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION					
SALARIES AND EXPENSES					
Safety and Health Standards	15,920	16,132	16,132	+212	---
Federal Enforcement	166,015	171,020	171,020	+5,005	---
State Programs	91,959	91,747	91,747	-212	---
Technical Support	21,593	20,909	20,909	-684	---
Compliance Assistance:					
Federal Assistance	67,049	71,430	71,430	+4,381	---
State Consultation Grants	52,211	53,792	53,792	+1,581	---
Training Grants	10,510	4,000	4,000	-6,510	---
Subtotal, Compliance Assistance	129,770	129,222	129,222	-548	---
Safety and Health Statistics	22,237	22,382	22,382	+145	---
Executive Direction and Administration	10,047	10,187	10,187	+140	---
Total, OSHA	457,541	461,599	461,599	+4,058	---

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
MINE SAFETY AND HEALTH ADMINISTRATION					
SALARIES AND EXPENSES					
Coal Enforcement	115,339	114,889	114,889	-450	---
Metal/Non-Metal Enforcement	65,985	66,782	66,782	+797	---
Standards Development	2,326	2,333	2,333	+7	---
Assessments	4,170	5,280	5,280	+1,110	---
Educational Policy and Development	30,356	31,507	31,507	+1,151	---
Technical Support	24,545	25,064	25,064	+519	---
Program evaluation and information resources (PEIR)	13,963	17,666	17,666	+3,703	---
Program Administration	12,173	12,046	12,046	-127	---
Total, Mine Safety and Health Administration	268,857	275,567	275,567	+6,710	---
BUREAU OF LABOR STATISTICS					
SALARIES AND EXPENSES					
Employment and Unemployment Statistics	160,431	164,026	164,026	+3,595	---
Labor Market Information (Trust Funds)	74,667	78,473	78,473	+3,806	---
Prices and Cost of Living	166,344	170,736	170,736	+4,392	---
Compensation and Working Conditions	77,614	79,827	79,827	+2,213	---
Productivity and Technology	10,294	10,588	10,588	+294	---
Executive Direction and Staff Services	29,146	29,868	29,868	+722	---
Total, Bureau of Labor Statistics	518,496	533,518	533,518	+15,022	---
Federal Funds	443,829	455,045	455,045	+11,216	---
Trust Funds	74,667	78,473	78,473	+3,806	---
OFFICE OF DISABILITY EMPLOYMENT POLICY					
Office of Disability Employment Policy	47,024	47,555	47,555	+531	---
DEPARTMENTAL MANAGEMENT					
SALARIES AND EXPENSES					
Executive Direction	27,084	33,206	27,084	---	-6,122
Departmental IT Crosscut	48,219	33,565	30,000	-18,219	-3,565
Departmental Management Crosscut	4,965	10,100	5,000	+35	-5,100
Legal Services	80,412	84,007	80,412	---	-3,595
Trust Funds	314	322	314	---	-8
International Labor Affairs	109,862	30,545	35,545	-74,317	+5,000
Administration and Management	33,153	32,675	32,675	-478	---
Frances Perkins building security enhancements	---	15,000	7,000	+7,000	-8,000
Adjudication	25,872	26,683	25,872	---	-811
Women's Bureau	9,201	9,554	9,554	+353	---
Civil Rights Activities	6,114	6,287	6,287	+173	---
Chief Financial Officer	5,123	5,224	5,224	+101	---
Total, Salaries and expenses	350,319	287,168	264,967	-85,352	-22,201
Federal Funds	350,005	286,846	264,653	-85,352	-22,193
Trust Funds	314	322	314	---	-8

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
VETERANS EMPLOYMENT AND TRAINING					
State administration, Grants	161,408	162,415	162,415	+1,007	---
Federal Administration	28,857	29,683	29,683	+826	---
National Veterans Training Institute	1,988	2,000	2,000	+12	---
Homeless Veterans Program	18,888	19,000	19,000	+112	---
Veterans Workforce Investment Programs	7,505	7,550	7,550	+45	---
Total, Veterans Employment and Training	218,646	220,648	220,648	+2,002	---
Federal Funds	26,393	26,550	26,550	+157	---
Trust Funds	192,253	194,098	194,098	+1,845	---
OFFICE OF THE INSPECTOR GENERAL					
Program Activities	59,643	64,029	64,029	+4,386	---
Trust Funds	5,696	5,561	5,561	-135	---
Total, Office of the Inspector General	65,339	69,590	69,590	+4,251	---
Federal funds	59,643	64,029	64,029	+4,386	---
Trust funds	5,696	5,561	5,561	-135	---
Total, Departmental Management	634,304	577,406	555,205	-79,099	-22,201
Federal Funds	436,041	377,425	355,232	-80,809	-22,193
Trust Funds	198,263	199,981	199,973	+1,710	-8
WORKING CAPITAL FUND					
Working capital fund	13,768	25,000	10,000	-3,768	-15,000
Total, Title I, Department of Labor	15,283,808	15,179,349	14,899,358	-384,450	-279,991
Federal Funds	11,484,601	11,383,063	11,120,498	-364,103	-262,565
Current Year	(8,933,601)	(8,839,063)	(8,576,498)	(-357,103)	(-262,565)
FY 2006	(2,551,000)	(2,544,000)	(2,544,000)	(-7,000)	---
Trust Funds	3,799,207	3,796,286	3,778,860	-20,347	-17,426

Title I Footnotes:
1/ Two year availability.

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(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES					
HEALTH RESOURCES AND SERVICES ADMINISTRATION					
HEALTH RESOURCES AND SERVICES					
Community health centers	1,617,381	1,835,925	1,835,925	+218,544	---
Free Clinics Medical Malpractice	4,821	4,821	---	-4,821	-4,821
National Health Service Corps:					
Field placements	45,506	45,735	45,506	---	-229
Recruitment	124,397	159,132	124,397	---	-34,735
Subtotal, National Health Service Corps	169,903	204,867	169,903	---	-34,964
Health Professions					
Training for Diversity:					
Centers of excellence	33,882	---	33,882	---	+33,882
Health careers opportunity program	35,935	---	35,935	---	+35,935
Faculty loan repayment	1,313	---	1,313	---	+1,313
Scholarships for disadvantaged students	47,510	9,897	47,510	---	+37,613
Subtotal, Training for Diversity	118,640	9,897	118,640	---	+108,743
Training in Primary Care Medicine and Dentistry	81,742	---	63,857	-17,885	+63,857
Interdisciplinary Community-Based Linkages:					
Area health education centers	29,206	---	29,206	---	+29,206
Health education and training centers	3,851	---	3,851	---	+3,851
Allied health and other disciplines	11,849	---	11,849	---	+11,849
Geriatric programs	31,805	---	31,805	---	+31,805
Quentin N. Burdick pgm for rural training	6,126	---	2,255	-3,871	+2,255
Subtotal, Interdisciplinary Comm. Linkages	82,837	---	78,966	-3,871	+78,966
Health Professions Workforce Info & Analysis	722	999	---	-722	-999
Public Health Workforce Development:					
Public health, preventive med. & dental pgms	9,170	---	6,970	-2,200	+6,970
Health administration programs	1,079	---	1,045	-34	+1,045
Subtotal, Public Health Workforce Development	10,249	---	8,015	-2,234	+8,015
Nursing Programs:					
Advanced Education Nursing	58,636	43,637	53,634	-5,002	+9,997
Nurse education, practice, and retention	31,768	41,765	36,765	+4,997	-5,000
Nursing workforce diversity	16,402	21,399	16,402	---	-4,997
Loan repayment and scholarship program	26,736	31,738	31,738	+5,002	---
Comprehensive geriatric education	3,478	3,478	3,478	---	---
Nursing faculty loan program	4,870	4,870	4,870	---	---
Subtotal, Nursing programs	141,890	146,887	146,887	+4,997	---
Subtotal, Health Professions	436,080	157,783	416,365	-19,715	+258,582
Other HRSA Programs:					
Hansen's Disease Services	17,413	17,413	17,413	---	---
Maternal & Child Health Block Grant	729,817	729,817	729,817	---	---
Healthy Start	97,751	97,751	97,751	---	---
Universal Newborn Hearing	9,872	---	9,872	---	+9,872
Organ Transplantation	24,632	24,632	24,632	---	---
Cord Blood Stem Cell Bank	9,941	9,941	---	-9,941	-9,941
Bone Marrow Program	22,662	22,662	25,662	+3,000	+3,000
Rural outreach grants	39,601	11,098	30,124	-9,477	+19,026
Rural Health Research	8,902	8,902	8,902	---	---
Telehealth	3,949	3,949	3,949	---	---
Rural Hospital Flexibility Grants	39,499	---	32,500	-6,999	+32,500
Rural and community access to emergency devices	10,933	2,015	5,000	-5,933	+2,985
Rural EMS	497	---	---	-497	---

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	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
State Offices of Rural Health	8,390	8,390	8,390	---	---
Denali Commission	34,793	22,000	---	-34,793	-22,000
Emergency medical services for children	19,860	19,860	19,860	---	---
Poison control	23,696	23,696	23,696	---	---
Traumatic Brain Injury	9,375	9,375	9,375	---	---
Black lung clinics	5,963	5,963	5,963	---	---
Trauma Care	3,449	---	3,449	---	+3,449
Payment to Hawaii, treatment of Hansen's	2,033	2,033	2,033	---	---
Other HRSA programs	1,123,028	1,019,497	1,058,388	-64,640	+38,891
Ryan White AIDS Programs:					
Emergency Assistance	615,023	615,023	615,023	---	---
Comprehensive Care Programs	1,105,900	1,120,900	1,140,900	+35,000	+20,000
AIDS Drug Assistance Program (ADAP) (NA)	(768,872)	(783,872)	(803,872)	(+35,000)	(+20,000)
Early Intervention Program	197,170	197,170	197,170	---	---
Pediatric HIV/AIDS	73,108	73,108	73,108	---	---
AIDS Dental Services	13,325	13,325	13,325	---	---
Education and Training Centers	35,335	35,335	35,335	---	---
Subtotal, Ryan White AIDS programs	2,039,861	2,054,861	2,074,861	+35,000	+20,000
Evaluation Tap Funding (NA)	(25,000)	(25,000)	(25,000)	---	---
Subtotal, Ryan White AIDs program level	2,064,861	2,079,861	2,099,861	+35,000	+20,000
Family Planning	278,283	278,283	278,283	---	---
Children's Hospitals Graduate Medical Education	303,170	303,258	303,258	+88	---
Health Care and Other Facilities	371,536	---	---	-371,536	---
Buildings and Facilities	249	249	249	---	---
Radiation Exposure Compensation Act	1,974	1,974	1,974	---	---
National Practitioner Data Bank	16,000	15,700	15,700	-300	---
User Fees	-16,000	-15,700	-15,700	+300	---
Health Care Integrity and Protection Data Bank	4,000	4,000	4,000	---	---
User Fees	-4,000	-4,000	-4,000	---	---
Community Access Program	83,674	9,998	---	-83,674	-9,998
State Planning Grants for Health Care Access	14,810	---	14,810	---	+14,810
Program Management	148,533	151,317	151,317	+2,784	---
Total, Health resources and services	6,593,303	6,022,833	6,305,333	-287,970	+282,500
Total, Health resources & services program level	(6,618,303)	(6,047,833)	(6,330,333)	(-287,970)	(+282,500)
Evaluation tap funding	(25,000)	(25,000)	(25,000)	---	---
HEALTH EDUCATION ASSISTANCE LOANS (HEAL) PROGRAM:					
Liquidating account	(25,000)	(4,000)	(4,000)	(-21,000)	---
Program management	3,353	3,270	3,270	-83	---
Total, HEAL	3,353	3,270	3,270	-83	---
VACCINE INJURY COMPENSATION PROGRAM TRUST FUND:					
Post-FY 1988 claims	66,000	66,000	66,000	---	---
HRSA administration	3,190	3,176	3,176	-14	---
Total, Vaccine Injury Compensation Trust Fund	69,190	69,176	69,176	-14	---
Total, Health Resources and Services Admin	6,665,846	6,095,279	6,377,779	-288,067	+282,500
Total, HRSA program level	(6,715,846)	(6,124,279)	(6,406,779)	(-309,067)	(+282,500)

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
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	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
CENTERS FOR DISEASE CONTROL AND PREVENTION					
Birth Defects/Developmental Disabilities/Disability and Health	112,743	112,972	119,214	+6,471	+6,242
Chronic Disease Prevention and Health Promotion	853,378	915,425	915,711	+62,333	+286
Environmental Health	183,212	183,795	186,113	+2,901	+2,318
Epidemic Services and Response	91,776	92,485	91,776	---	-709
Health Statistics	---	---	---	---	---
Evaluation Tap Funding	(127,634)	(149,600)	(149,600)	(+21,966)	---
Subtotal, Program level	127,634	149,600	149,600	+21,966	---
HIV/AIDS, STD and TB Prevention	1,141,661	1,143,299	1,149,330	+7,669	+6,031
Immunization	629,344	630,070	640,070	+10,726	+10,000
Evaluation Tap Funding	(14,000)	(14,000)	(14,000)	---	---
Subtotal, Program level	643,344	644,070	654,070	+10,726	+10,000
Infectious Disease Control	369,485	400,779	398,439	+28,954	-2,340
Injury Prevention and Control	153,591	153,879	155,591	+2,000	+1,712
Occupational Safety and Health 1/	235,088	236,687	236,687	+1,599	---
Evaluation Tap Funding	(41,900)	(41,900)	(41,900)	---	---
Subtotal, Program level	276,988	278,587	278,587	+1,599	---
Preventive Health and Health Services Block Grant	133,298	133,298	110,000	-23,298	-23,298
Public Health Improvement	143,962	69,692	85,174	-58,788	+15,482
Evaluation Tap Funding	(28,600)	(43,600)	(43,600)	(+15,000)	---
Subtotal, Program level	172,562	113,292	128,774	-43,788	+15,482
Buildings and Facilities	260,454	81,500	81,500	-178,954	---
Office of the Director	59,173	59,673	59,173	---	-500
Total, Centers for Disease Control	4,367,165	4,213,554	4,228,778	-138,387	+15,224
Evaluation Tap Funding (NA)	(212,134)	(249,100)	(249,100)	(+36,966)	---
Total, Centers for Disease Control program level	(4,579,299)	(4,462,654)	(4,477,878)	(-101,421)	(+15,224)
NATIONAL INSTITUTES OF HEALTH					
National Cancer Institute	4,739,255	4,870,025	4,870,025	+130,770	---
National Heart, Lung, and Blood Institute	2,878,691	2,963,953	2,963,953	+85,262	---
National Institute of Dental & Craniofacial Research	383,282	394,080	394,080	+10,798	---
National Institute of Diabetes and Digestive and Kidney Diseases	1,671,803	1,726,196	1,726,196	+54,393	---
Juvenile diabetes	(150,000)	(150,000)	(150,000)	---	---
Subtotal, NIDDK	1,821,803	1,876,196	1,876,196	+54,393	---
National Institute of Neurological Disorders & Stroke	1,501,207	1,545,623	1,545,623	+44,416	---
National Institute of Allergy and Infectious Diseases	4,155,447	4,340,007	4,340,007	+184,560	---
Global HIV/AIDS Fund Transfer	149,115	100,000	100,000	-49,115	---
Subtotal, NIAID	4,304,562	4,440,007	4,440,007	+135,445	---
National Institute of General Medical Sciences	1,904,838	1,959,810	1,959,810	+54,972	---
National Institute of Child Health & Human Development	1,242,361	1,280,915	1,280,915	+38,554	---
National Eye Institute	653,052	671,578	671,578	+18,526	---
National Institute of Environmental Health Sciences	632,392	650,027	650,027	+17,635	---
National Institute on Aging	1,024,754	1,055,666	1,055,666	+30,912	---
National Institute of Arthritis and Musculoskeletal and Skin Diseases	501,066	515,378	515,378	+14,312	---
National Institute on Deafness and Other Communication Disorders	382,053	393,507	393,507	+11,454	---
National Institute of Nursing Research	134,724	139,198	139,198	+4,474	---
National Institute on Alcohol Abuse and Alcoholism	428,669	441,911	441,911	+13,242	---
National Institute on Drug Abuse	990,953	1,012,760	1,012,760	+21,807	---
Evaluation tap funding	---	(6,300)	(6,300)	(+6,300)	---
National Institute of Mental Health	1,381,774	1,420,609	1,420,609	+38,835	---
National Human Genome Research Institute	479,073	492,670	492,670	+13,597	---

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	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
National Institute of Biomedical Imaging and Bioengineering	287,129	297,647	297,647	+10,518	---
National Center for Research Resources	1,179,058	1,094,141	1,094,141	-84,917	---
National Center for Complementary and Alternative Medicine	116,978	121,116	121,116	+4,138	---
National Center on Minority Health and Health Disparities	191,471	196,780	196,780	+5,309	---
John E. Fogarty International Center	65,382	67,182	67,182	+1,800	---
National Library of Medicine	309,045	316,947	316,947	+7,902	---
Evaluation Tap Funding	(8,200)	(8,200)	(8,200)	---	---
Subtotal, NLM	317,245	325,147	325,147	+7,902	---
Office of the Director	327,504	359,645	359,645	+32,141	---
Buildings and Facilities	88,972	99,500	99,500	+10,528	---
Total, N.I.H. appropriations	27,800,048	28,526,871	28,526,871	+726,823	---
Global HIV/AIDS Fund Transfer	-149,115	-100,000	-100,000	+49,115	---
Evaluation Tap Funding	(8,200)	(14,500)	(14,500)	(+6,300)	---
Total, N.I.H., Program Level	(27,659,133)	(28,441,371)	(28,441,371)	(+782,238)	---
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMIN.					
Mental Health:					
Programs of Regional and National Significance	240,796	270,548	257,420	+16,624	-13,128
Mental Health block grant	412,840	414,267	414,267	+1,427	---
Evaluation Tap Funding	(21,850)	(21,803)	(21,803)	(-47)	---
Children's Mental Health	102,354	106,013	106,013	+3,659	---
Grants to States for the Homeless (PATH)	49,760	55,251	55,251	+5,491	---
Samaritan initiative	---	10,000	---	---	-10,000
Protection and Advocacy	34,620	34,620	36,000	+1,380	+1,380
Subtotal, Mental Health	840,370	890,699	868,951	+28,581	-21,748
Substance Abuse Treatment:					
Programs of Regional and National Significance	419,219	512,732	414,919	-4,300	-97,813
Evaluation Tap Funding	---	(4,300)	(4,300)	(+4,300)	---
Substance Abuse block grant	1,699,946	1,753,035	1,710,035	+10,089	-43,000
Evaluation Tap Funding	(79,200)	(79,200)	(79,200)	---	---
Subtotal, Substance Abuse Treatment	2,119,165	2,265,767	2,124,954	+5,789	-140,813
Subtotal, Program level	2,198,365	2,349,267	2,208,454	+10,089	-140,813
Substance Abuse Prevention:					
Programs of Regional and National Significance	198,458	196,018	200,000	+1,542	+3,982
Program Management and Buildings and Facilities	75,915	76,455	76,455	+540	---
Evaluation Tap funding (NA)	(16,000)	(16,000)	(16,000)	---	---
Subtotal, Program level	91,915	92,455	92,455	+540	---
Total, Substance Abuse and Mental Health	3,233,908	3,428,939	3,270,360	+36,452	-158,579
Evaluation Tap funding	(117,050)	(121,303)	(121,303)	(+4,253)	---
Total, SAMHS program level	(3,350,958)	(3,550,242)	(3,391,663)	(+40,705)	(-158,579)

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY					
Research on Health Costs, Quality, and Outcomes:					
Evaluation Tap funding (NA)	(245,695)	(245,695)	(245,695)	---	---
Reducing medical errors (non-add)	(79,500)	(84,000)	(84,000)	(+4,500)	---
Subtotal (including Evaluation Tap funding)	(245,695)	(245,695)	(245,695)	---	---
Health Insurance and Expenditure Surveys:					
Evaluation Tap funding (NA)	(55,300)	(55,300)	(55,300)	---	---
Program Support:					
Evaluation Tap funding (NA)	(2,700)	(2,700)	(2,700)	---	---
Total, AHRQ Evaluation Tap funding (NA)	(303,695)	(303,695)	(303,695)	---	---
Total, Public Health Service appropriation	42,066,967	42,264,643	42,403,788	+336,821	+139,145
Total, Public Health Service program level	(42,608,931)	(42,882,241)	(43,021,386)	(+412,455)	(+139,145)
CENTERS FOR MEDICARE AND MEDICAID SERVICES					
GRANTS TO STATES FOR MEDICAID					
Medicaid current law benefits	172,706,067	167,013,865	167,013,865	-5,692,202	---
State and local administration	9,067,320	9,318,602	9,318,602	+251,282	---
Vaccines for Children	980,196	1,208,296	1,208,296	+228,100	---
Subtotal, Medicaid program level	182,753,583	177,540,763	177,540,763	-5,212,820	---
Less funds advanced in prior year	-51,861,386	-58,416,275	-58,416,275	-6,554,889	---
Total, Grants to States for medicaid	130,892,197	119,124,488	119,124,488	-11,767,709	---
New advance, 1st quarter	58,416,275	58,517,290	58,517,290	+101,015	---
PAYMENTS TO HEALTH CARE TRUST FUNDS					
Supplemental medical insurance	94,518,000	114,002,000	114,002,000	+19,484,000	---
Hospital insurance for the uninsured	197,000	87,000	87,000	-110,000	---
Federal uninsured payment	168,000	199,000	199,000	+31,000	---
Program management	201,100	215,000	215,000	+13,900	---
Prescription drug eligibility determinations	---	105,900	105,900	+105,900	---
Subtotal, Payments to Trust Funds, current law	95,084,100	114,608,900	114,608,900	+19,524,800	---
New Advance FY 2006	---	5,216,900	5,216,900	+5,216,900	---
Total, Payments to Trust Funds, current law	95,084,100	119,825,800	119,825,800	+24,741,700	---
PROGRAM MANAGEMENT					
Medicare reform funding 2/ 3/ 4/	(1,000,000)	(250,000)	(250,000)	(-750,000)	---
Research, Demonstration, Evaluation	77,791	68,274	68,400	-9,391	+126
Medicare Operations	1,701,038	1,793,879	1,793,879	+92,841	---
H.R. 3103 funding (NA)	(720,000)	(720,000)	(720,000)	---	---
Subtotal, Medicare Operations program level	(2,421,038)	(2,513,879)	(2,513,879)	(+92,841)	---
Revitalization plan	29,619	24,400	24,400	-5,219	---
State Survey and Certification	251,252	270,392	270,392	+19,140	---
Federal Administration	577,146	589,182	589,182	+12,036	---
Total, Program management, Limitation on new BA	2,636,846	2,746,127	2,746,253	+109,407	+126
Total, Program management, program level	(3,356,846)	(3,466,127)	(3,466,253)	(+109,407)	(+126)
Total, Center for Medicare and Medicaid Services	287,029,418	300,213,705	300,213,831	+13,184,413	+126
Federal funds	284,392,572	297,467,578	297,467,578	+13,075,006	---
Current year	(225,976,297)	(233,733,388)	(233,733,388)	(+7,757,091)	---
New advance, FY 2006	(58,416,275)	(63,734,190)	(63,734,190)	(+5,317,915)	---
Trust Funds	2,636,846	2,746,127	2,746,253	+109,407	+126

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
ADMINISTRATION FOR CHILDREN AND FAMILIES					
FAMILY SUPPORT PAYMENTS TO STATES					
Payments to territories	23,000	23,000	23,000	---	---
Repatriation	1,000	1,000	1,000	---	---
Subtotal, Welfare payments	24,000	24,000	24,000	---	---
Child Support Enforcement:					
State and local administration	3,897,674	3,940,698	3,940,698	+43,024	---
Federal incentive payments	454,000	446,000	446,000	-8,000	---
Access and visitation	10,000	12,000	12,000	+2,000	---
Subtotal, Child Support Enforcement	4,361,674	4,398,698	4,398,698	+37,024	---
Prior year AFDC payments	20,000	---	---	-20,000	---
Total, Family support payments program level	4,405,674	4,422,698	4,422,698	+17,024	---
Less funds advanced in previous years	-1,100,000	-1,200,000	-1,200,000	-100,000	---
Total, Family support payments, current request	3,305,674	3,222,698	3,222,698	-82,976	---
Plus New advance, 1st quarter, FY 2006	1,200,000	1,200,000	1,200,000	---	---
Total, Family support payments	4,505,674	4,422,698	4,422,698	-82,976	---
LOW INCOME HOME ENERGY ASSISTANCE					
Formula grants	1,789,380	1,800,500	1,900,000	+110,620	+99,500
Emergency allocation:					
Contingent emergency allocation	99,410	200,000	100,000	+590	-100,000
Department of Energy-Weatherization Assistance5/6/	227,166	291,200	227,000	-166	-64,200
Total, Low income home energy assistance	2,115,956	2,291,700	2,227,000	+111,044	-64,700
REFUGEE AND ENTRANT ASSISTANCE					
Transitional and Medical Services	168,975	193,577	193,577	+24,602	---
Victims of Trafficking	9,909	10,000	10,000	+91	---
Social Services	152,218	151,121	166,218	+14,000	+15,097
Preventive Health	4,792	4,835	4,835	+43	---
Targeted Assistance	49,025	49,477	49,477	+452	---
Unaccompanied minors	52,770	54,229	54,229	+1,459	---
Victims of Torture	9,909	10,000	13,000	+3,091	+3,000
Total, Refugee and entrant assistance	447,598	473,239	491,336	+43,738	+18,097
CHILD CARE AND DEVELOPMENT BLOCK GRANT	2,087,310	2,099,729	2,099,729	+12,419	---
SOCIAL SERVICES BLOCK GRANT (TITLE XX)	1,700,000	1,700,000	1,700,000	---	---
CHILDREN AND FAMILIES SERVICES PROGRAMS					
Programs for Children, Youth and Families:					
Head Start, current funded	5,383,108	5,543,580	5,498,580	+115,472	-45,000
Advance from prior year	(1,391,740)	(1,400,000)	(1,400,000)	(+8,260)	---
FY 2006	1,400,000	1,400,000	1,400,000	---	---
Subtotal, Head Start, program level	6,774,848	6,943,580	6,898,580	+123,732	-45,000
Consolidated Runaway, Homeless Youth Program	89,431	89,447	89,447	+16	---
Maternity Group Homes	---	10,000	---	---	-10,000
Prevention grants to reduce abuse of runaway youth	15,302	15,302	15,302	---	---
Child Abuse State Grants	21,883	42,013	28,484	+6,601	-13,529
Child Abuse Discretionary Activities	34,386	26,266	26,266	-8,120	---
Community based child abuse prevention	33,205	65,002	43,205	+10,000	-21,797
Abandoned Infants Assistance	12,052	12,086	12,086	+34	---

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
Child Welfare Services	289,320	291,986	291,986	+2,666	---
Child Welfare Training	7,411	7,470	7,470	+59	---
Adoption Opportunities	27,103	27,343	27,343	+240	---
Adoption Incentive (no cap adjustment)	7,456	32,103	32,103	+24,647	---
Adoption Awareness	12,785	12,906	12,906	+121	---
Compassion Capital Fund	47,702	100,000	55,000	+7,298	-45,000
Social Services and Income Maintenance Research	13,168	5,982	---	-13,168	-5,982
Evaluation tap funding	(6,000)	---	(5,982)	(-18)	(+5,982)
Subtotal, Program level	19,168	5,982	5,982	-13,186	---
Developmental Disabilities Program:					
State Councils	73,081	73,081	73,081	---	---
Protection and Advocacy	38,416	38,416	38,416	---	---
Voting access for individuals with disabilities	14,911	14,912	15,000	+89	+88
Developmental Disabilities Projects of National Significance	11,561	11,642	11,642	+81	---
University Centers for Excellence in Developmental Disabilities	26,803	26,803	26,803	---	---
Subtotal, Developmental disabilities	164,772	164,854	164,942	+170	+88
Native American Programs	45,157	45,155	45,155	-2	---
Community Services:					
Grants to States for Community Services	641,935	494,946	627,500	-14,435	+132,554
Community Initiative Program:					
Economic Development	32,338	32,492	32,492	+154	---
Individual Development Account Initiative	24,695	24,912	24,912	+217	---
Rural Community Facilities	7,184	---	7,184	---	+7,184
Subtotal, Community Initiative Program	64,217	57,404	64,588	+371	+7,184
National Youth Sports	17,894	---	18,000	+106	+18,000
Community Food and Nutrition	7,238	---	---	-7,238	---
Subtotal, Community Services	731,284	552,350	710,088	-21,196	+157,738
Domestic Violence Hotline	2,982	3,000	3,000	+18	---
Family Violence/Battered Women's Shelters	125,648	125,648	125,648	---	---
Early Learning Fund	33,580	---	---	-33,580	---
Faith-Based Center	1,386	1,400	1,400	+14	---
Mentoring Children of Prisoners	49,701	50,000	50,000	+299	---
Independent Living Training Vouchers	44,734	60,000	50,000	+5,266	-10,000
Promoting Responsible Fatherhood and healthy marriages	---	50,000	---	---	-50,000
Abstinence Education	70,049	181,926	105,046	+34,997	-76,880
Evaluation Tap Funding	(4,500)	(4,500)	(4,500)	---	---
Program Direction	177,894	190,206	190,206	+12,312	---
Total, Children and Families Services Programs	8,841,499	9,106,025	8,985,663	+144,164	-120,362
Current Year	(7,441,499)	(7,706,025)	(7,585,663)	(+144,164)	(-120,362)
FY 2006	(1,400,000)	(1,400,000)	(1,400,000)	---	---
Evaluation Tap funding	(10,500)	(4,500)	(10,482)	(-18)	(+5,982)
PROMOTING SAFE AND STABLE FAMILIES	305,000	305,000	305,000	---	---
Discretionary Funds	99,383	200,000	105,000	+5,617	-95,000

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION					
Foster Care	4,974,200	4,895,500	4,895,500	-78,700	---
Adoption Assistance	1,699,700	1,770,100	1,770,100	+70,400	---
Independent living	140,000	140,000	140,000	---	---
Total, Payments to States	6,813,900	6,805,600	6,805,600	-8,300	---
Less Advances from Prior Year	-1,745,600	-1,767,700	-1,767,700	-22,100	---
Total, payments, current request	5,068,300	5,037,900	5,037,900	-30,400	---
New Advance, 1st quarter	1,767,700	1,767,200	1,767,200	-500	---
Total, Administration for Children & Families	26,938,420	27,403,491	27,141,526	+203,106	-261,965
Current year	(22,570,720)	(23,036,291)	(22,774,326)	(+203,606)	(-261,965)
FY 2006	(4,367,700)	(4,367,200)	(4,367,200)	(-500)	---
ADMINISTRATION ON AGING					
Grants to States:					
Supportive Services and Centers	353,889	357,000	357,000	+3,111	---
Preventive Health	21,790	21,919	21,919	+129	---
Protection of vulnerable older americans-Title VII	19,444	18,559	18,559	-885	---
Family Caregivers	152,738	155,512	157,000	+4,262	+1,488
Native American Caregivers Support	6,318	6,355	6,355	+37	---
Subtotal, Caregivers	159,056	161,867	163,355	+4,299	+1,488
Nutrition:					
Congregate Meals	386,353	388,646	392,148	+5,795	+3,502
Home Delivered Meals	179,917	180,985	187,616	+7,699	+6,631
Nutrition Services Incentive Program	148,191	149,183	150,414	+2,223	+1,231
Subtotal, Nutrition	714,461	718,814	730,178	+15,717	+11,364
Subtotal, Grants to States	1,268,640	1,278,159	1,291,011	+22,371	+12,852
Grants for Native Americans	26,453	26,612	26,612	+159	---
Program Innovations	33,509	23,843	37,943	+4,434	+14,100
Aging Network Support Activities	13,294	13,373	13,373	+79	---
Alzheimer's Disease Demonstrations	11,883	11,500	11,500	-383	---
White House Conference on Aging	2,814	4,558	4,558	+1,744	---
Program Administration	17,324	18,482	18,482	+1,158	---
Total, Administration on Aging	1,373,917	1,376,527	1,403,479	+29,562	+26,952
OFFICE OF THE SECRETARY					
GENERAL DEPARTMENTAL MANAGEMENT:					
Federal Funds	174,811	180,045	180,045	+5,234	---
Trust Funds	5,816	5,851	5,851	+35	---
Subtotal	(180,627)	(185,896)	(185,896)	(+5,269)	---
Adolescent Family Life (Title XX)	30,946	54,349	31,229	+283	-23,120
Minority health	55,190	47,236	47,236	-7,954	---
Office of women's health	28,915	29,103	29,103	+188	---
Minority HIV/AIDS	49,544	52,838	52,838	+3,294	---
Health care information technology	---	50,000	25,000	+25,000	-25,000
IT Security and Innovation Fund	14,847	18,400	14,847	---	-3,553
Evaluation tap funding (ASPE) (NA)	(21,552)	(21,552)	(21,552)	---	---
Total, General Departmental Management	360,069	437,822	386,149	+26,080	-51,673
Federal Funds	354,253	431,971	380,298	+26,045	-51,673
Trust Funds	5,816	5,851	5,851	+35	---

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
OFFICE OF THE INSPECTOR GENERAL:					
Federal Funds	39,094	40,323	40,323	+1,229	---
HIPAA funding (NA)	(160,000)	(160,000)	(160,000)	---	---
Total, Inspector General program level	(199,094)	(200,323)	(200,323)	(+1,229)	---
OFFICE FOR CIVIL RIGHTS:					
Federal Funds	30,607	32,043	32,043	+1,436	---
Trust Funds	3,294	3,314	3,314	+20	---
Total, Office for Civil Rights	33,901	35,357	35,357	+1,456	---
POLICY RESEARCH:					
Federal Funds	---	---	---	---	---
Evaluation Tap funding (NA)	(20,750)	(28,750)	(20,750)	---	(-8,000)
Total, Policy Research	20,750	28,750	20,750	---	-8,000
MEDICAL BENEFITS FOR COMMISSIONED OFFICERS					
Retirement payments	228,064	241,294	241,294	+13,230	---
Survivors benefits	14,298	14,750	14,750	+452	---
Dependents' medical care	79,401	74,592	74,592	-4,809	---
Total,Medical benefits for Commissioned Officers	321,763	330,636	330,636	+8,873	---
PUBLIC HEALTH AND SOCIAL SERVICE EMERGENCY FUND					
HRSA Homeland security activities	542,649	503,649	542,649	---	+39,000
CDC Homeland security activities	1,507,211	1,509,571	1,637,760	+130,549	+128,189
NIH Homeland security activities	---	47,400	47,400	+47,400	---
Office of the Secretary Homeland sercurity activities.	64,438	64,438	64,438	---	---
Other PHSSEF Homeland security activities	49,705	100,000	60,000	+10,295	-40,000
Total, PHSSEF	2,164,003	2,225,058	2,352,247	+188,244	+127,189
Total, Office of the Secretary	2,918,830	3,069,196	3,144,712	+225,882	+75,516
Federal Funds	2,909,720	3,060,031	3,135,547	+225,827	+75,516
Trust Funds	9,110	9,165	9,165	+55	---
Total, Title II, Dept of Health & Human Services	360,327,552	374,327,562	374,307,336	+13,979,784	-20,226
Federal Funds	357,681,596	371,572,270	371,551,918	+13,870,322	-20,352
Current year	(294,897,621)	(303,470,880)	(303,450,528)	(+8,552,907)	(-20,352)
FY 2006	(62,783,975)	(68,101,390)	(68,101,390)	(+5,317,415)	---
Trust Funds	2,645,956	2,755,292	2,755,418	+109,462	+126

Title II Footnotes:
1/ Includes Mine Safety and Health.
2/ Funds provided in P.L. 108-173, the 2003 Medicare Prescription Drug, Improvement & Modernization Act
3/ $1 billion available for fiscal years 2004-2005.
4/ $250 million available for fiscal years 2005-2008.
5/ FY 2005 House jurisdiction change--account moved from Interior Appropriations.
6/ Weatherization assistance funds transferred to and administered by Department of Energy.

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
TITLE III - DEPARTMENT OF EDUCATION					
EDUCATION FOR THE DISADVANTAGED					
Grants to Local Educational Agencies (LEAs)					
Basic Grants					
Advance from prior year	(2,011,272)	(1,883,584)	(1,883,584)	(-127,688)	---
Forward funded	5,150,529	6,150,508	6,150,508	+999,979	---
Current funded	3,479	3,500	3,500	+21	---
Subtotal, Basic grants current year approp.	5,154,008	6,154,008	6,154,008	+1,000,000	---
Subtotal, Basic grants total funds available	(7,165,280)	(8,037,592)	(8,037,592)	(+872,312)	---
Basic Grants FY 2006 Advance	1,883,584	883,584	883,584	-1,000,000	---
Subtotal, Basic grants, program level	7,037,592	7,037,592	7,037,592	---	---
Concentration Grants					
Advance from prior year	(1,365,031)	(1,365,031)	(1,365,031)	---	---
FY 2006 Advance	1,365,031	1,365,031	1,365,031	---	---
Subtotal, Concentration Grants program level	1,365,031	1,365,031	1,365,031	---	---
Targeted Grants					
Advance from prior year	(1,670,239)	(1,969,843)	(1,969,843)	(+299,604)	---
FY 2006 Advance	1,969,843	4,146,187	2,469,843	+500,000	-1,676,344
Subtotal, Targeted Grants program level	1,969,843	4,146,187	2,469,843	+500,000	-1,676,344
Education Finance Incentive Grants					
Advance from prior year	(1,541,759)	(1,969,843)	(1,969,843)	(+428,084)	---
FY 2006 Advance	1,969,843	793,499	2,469,843	+500,000	+1,676,344
Subtotal, Education Finance Incentive Grants	1,969,843	793,499	2,469,843	+500,000	+1,676,344
Subtotal, Grants to LEAs, program level	12,342,309	13,342,309	13,342,309	+1,000,000	---
Even Start	246,910	---	246,910	---	+246,910
Reading First:					
State Grants (forward funded)	828,923	930,000	930,000	+101,077	---
Advance from prior year	(195,000)	(195,000)	(195,000)	---	---
FY 2006 Advance	195,000	195,000	195,000	---	---
Subtotal, Reading First State Grants	1,023,923	1,125,000	1,125,000	+101,077	---
Early Reading First	94,439	132,000	132,000	+37,561	---
Striving readers	---	100,000	100,000	+100,000	---
Literacy through School Libraries	19,842	19,842	19,842	---	---
State Agency Programs:					
Migrant	393,577	393,577	393,577	---	---
Neglected and Delinquent/High Risk Youth	48,395	48,395	48,395	---	---
Subtotal, State Agency programs	441,972	441,972	441,972	---	---
Evaluation	8,790	9,500	9,500	+710	---
Comprehensive School Reform Demonstration	233,613	---	80,000	-153,613	+80,000
Migrant Education:					
High School Equivalency Program	18,888	18,888	22,545	+3,657	+3,657
College Assistance Migrant Program	15,657	15,657	15,657	---	---
Subtotal, Migrant Education	34,545	34,545	38,202	+3,657	+3,657
Total, Education for the disadvantaged	14,446,343	15,205,168	15,535,735	+1,089,392	+330,567
Current Year	(7,063,042)	(7,821,867)	(8,152,434)	(+1,089,392)	(+330,567)
FY 2006	(7,383,301)	(7,383,301)	(7,383,301)	---	---
Subtotal, forward funded	(6,901,947)	(7,522,480)	(7,849,390)	(+947,443)	(+326,910)

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
IMPACT AID					
Basic Support Payments	1,063,687	1,063,687	1,083,687	+20,000	+20,000
Payments for Children with Disabilities	50,369	50,369	50,369	---	---
Facilities Maintenance (Sec. 8008)	7,901	7,901	7,901	---	---
Construction (Sec. 8007)	45,935	45,936	45,936	+1	---
Payments for Federal Property (Sec. 8002)	61,634	61,634	63,000	+1,366	+1,366
Total, Impact aid	1,229,526	1,229,527	1,250,893	+21,367	+21,366
SCHOOL IMPROVEMENT PROGRAMS					
State Grants for Improving Teacher Quality	1,495,126	1,495,126	1,515,000	+19,874	+19,874
Advance from prior year	(1,150,000)	(1,435,000)	(1,435,000)	(+285,000)	---
FY 2006	1,435,000	1,435,000	1,435,000	---	---
Subtotal, State Grants for Improving Teacher Quality, program level	2,930,126	2,930,126	2,950,000	+19,874	+19,874
Early Childhood Educator Professional Development	14,814	14,814	14,814	---	---
Mathematics and Science Partnerships	149,115	269,115	269,115	+120,000	---
State Grants for Innovative Education (Education Block Grant)	296,548	296,549	---	-296,548	-296,549
Advance from prior year	(285,000)	---	---	(-285,000)	---
FY 2006	---	---	---	---	---
Subtotal, Education Block Grant, program level	296,548	296,549	---	-296,548	-296,549
Educational Technology State Grants	691,841	691,841	600,000	-91,841	-91,841
Supplemental Education Grants	---	---	18,330	+18,330	+18,330
21st Century Community Learning Centers	999,070	999,070	999,070	---	---
State Assessments/Enhanced Assessment Instruments	390,000	410,000	410,000	+20,000	---
Javits gifted talented education	11,111	---	11,111	---	+11,111
Foreign language assistance	16,546	---	---	-16,546	---
Education for Homeless Children & Youth	59,646	59,646	70,000	+10,354	+10,354
Training and Advisory Services (Civil Rights)	7,243	7,243	7,243	---	---
Education for Native Hawaiians	33,302	33,302	33,302	---	---
Alaska Native Education Equity	33,302	33,302	33,302	---	---
Rural Education	167,831	167,831	167,831	---	---
Comprehensive Centers	57,283	27,654	57,283	---	+29,629
Total, School improvement programs	5,857,778	5,940,493	5,641,401	-216,377	-299,092
Current Year	(4,422,778)	(4,505,493)	(4,206,401)	(-216,377)	(-299,092)
FY 2006	(1,435,000)	(1,435,000)	(1,435,000)	---	---
Subtotal, forward funded	(4,249,177)	(4,389,178)	(4,031,016)	(-218,161)	(-358,162)
INDIAN EDUCATION					
Grants to Local Educational Agencies	95,933	95,933	95,933	---	---
Federal Programs:					
Special Programs for Indian Children	19,753	19,753	19,753	---	---
National Activities	5,170	5,170	5,170	---	---
Subtotal, Federal Programs	24,923	24,923	24,923	---	---
Total, Indian Education	120,856	120,856	120,856	---	---
INNOVATION AND IMPROVEMENT					
Troops-to-Teachers	14,911	14,912	14,912	+1	---
Transition to Teaching	45,295	45,295	45,295	---	---
National Writing Project	17,894	---	17,894	---	+17,894
Teaching of Traditional American History	119,292	119,292	---	-119,292	-119,292
School Leadership	12,346	---	15,000	+2,654	+15,000
Advanced Credentialing	18,391	7,000	18,391	---	+11,391
Charter Schools Grants	218,702	218,702	218,702	---	---
Credit Enhancement for Charter School Facilities	37,279	100,000	50,000	+12,721	-50,000
Voluntary Public School Choice	26,757	26,757	26,757	---	---
Magnet Schools Assistance	108,640	108,640	108,640	---	---

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
Fund for the Improvement of Education (FIE):					
Current funded	356,197	170,185	100,000	-256,197	-70,185
Forward funded	74,073	---	---	-74,073	---
Subtotal, FIE	430,270	170,185	100,000	-330,270	-70,185
Ready to Learn television	22,864	22,864	22,864	---	---
Dropout Prevention Programs	4,970	---	---	-4,970	---
Close Up Fellowships	1,481	---	1,481	---	+1,481
Advanced Placement	23,534	51,534	30,000	+6,466	-21,534
Total, Innovation and Improvement	1,102,626	885,181	669,936	-432,690	-215,245
Forward funded	(74,073)	---	---	(-74,073)	---
SAFE SCHOOLS AND CITIZENSHIP EDUCATION					
Safe and Drug Free Schools and Communities:					
State Grants, forward funded	440,908	440,908	440,908	---	---
Advance from prior year	(330,000)	---	---	(-330,000)	---
FY 2006	---	---	---	---	---
State Grants, program level	440,908	440,908	440,908	---	---
National Programs	153,767	175,069	153,767	---	-21,302
Alcohol Abuse Reduction	29,823	---	---	-29,823	---
Mentoring Programs	49,705	100,000	49,705	---	-50,295
Character education	24,691	24,691	24,961	+270	+270
Elementary and Secondary School Counseling	33,799	---	33,799	---	+33,799
Carol M. White Physical Education Program	69,587	69,587	69,587	---	---
Civic Education	28,642	28,642	28,642	---	---
State Grants for Incarcerated Youth Offenders	24,852	---	---	-24,852	---
Total, Safe Schools and Citizenship Education	855,774	838,897	801,369	-54,405	-37,528
Current Year	(855,774)	(838,897)	(801,369)	(-54,405)	(-37,528)
FY 2006	---	---	---	---	---
Subtotal, forward funded	(465,760)	(440,908)	(440,908)	(-24,852)	---
ENGLISH LANGUAGE ACQUISITION					
Current funded	124,220	85,500	85,500	-38,720	---
Forward funded	556,995	595,715	595,715	+38,720	---
Total, English Language Acquisition	681,215	681,215	681,215	---	---
SPECIAL EDUCATION					
State Grants:					
Grants to States Part B current year	4,655,106	5,655,106	5,655,106	+1,000,000	---
Part B advance from prior year	(5,672,000)	(5,413,000)	(5,413,000)	(-259,000)	---
Grants to States Part B (FY 2006)	5,413,000	5,413,000	5,413,000	---	---
Subtotal, Grants to States, program level	10,068,106	11,068,106	11,068,106	+1,000,000	---
Preschool Grants	387,699	387,699	387,699	---	---
Grants for Infants and Families	444,363	466,581	466,581	+22,218	---
Subtotal, State grants, program level	10,900,168	11,922,386	11,922,386	+1,022,218	---

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
IDEA National Activities (current funded):					
State Improvement	51,061	51,061	51,061	---	---
Technical Assistance and Dissemination	52,820	52,819	52,819	-1	---
Personnel Preparation	91,357	91,357	91,357	---	---
Parent Information Centers	26,173	26,173	26,173	---	---
Technology and Media Services	39,129	32,305	32,305	-6,824	---
Subtotal, IDEA special programs	260,540	253,715	253,715	-6,825	---
Total, Special education	11,160,708	12,176,101	12,176,101	+1,015,393	---
Current Year	(5,747,708)	(6,763,101)	(6,763,101)	(+1,015,393)	---
FY 2006	(5,413,000)	(5,413,000)	(5,413,000)	---	---
Subtotal, Forward funded	(5,538,229)	(6,560,447)	(6,560,447)	(+1,022,218)	---
REHABILITATION SERVICES AND DISABILITY RESEARCH					
Vocational Rehabilitation State Grants	2,584,162	2,635,845	2,635,845	+51,683	---
Vocational Rehabilitation Incentive Grants	---	61,800	---	---	-61,800
Client Assistance State grants	11,997	11,997	11,997	---	---
Training	39,139	39,139	39,139	---	---
Demonstration and training programs	24,286	18,784	18,784	-5,502	---
Migrant and seasonal farmworkers	2,321	---	2,321	---	+2,321
Recreational programs	2,564	---	2,564	---	+2,564
Protection and advocacy of individual rights (PAIR)	16,790	19,570	16,790	---	-2,780
Projects with industry	21,799	---	21,799	---	+21,799
Supported employment State grants	37,680	---	37,680	---	+37,680
Independent living:					
State grants	22,020	22,020	25,000	+2,980	+2,980
Centers	73,563	73,563	75,000	+1,437	+1,437
Services for older blind individuals	31,811	31,811	35,000	+3,189	+3,189
Subtotal, Independent living	127,394	127,394	135,000	+7,606	+7,606
Program Improvement	889	850	850	-39	---
Evaluation	988	1,500	1,500	+512	---
Helen Keller National Center for Deaf/Blind Youth and Adults	8,666	8,666	8,666	---	---
National Inst. Disability and Rehab. Research (NIDRR)	106,652	106,652	106,652	---	---
Assistive Technology	25,943	15,000	15,000	-10,943	---
Subtotal, discretionary programs	427,108	411,352	418,742	-8,366	+7,390
Total, Rehabilitation services	3,011,270	3,047,197	3,054,587	+43,317	+7,390
SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES					
AMERICAN PRINTING HOUSE FOR THE BLIND	16,403	16,403	17,000	+597	+597

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
NATIONAL TECHNICAL INSTITUTE FOR THE DEAF (NTID):					
Operations	53,118	53,118	54,105	+987	+987
Construction	365	685	1,685	+1,320	+1,000
Total, NTID	53,483	53,803	55,790	+2,307	+1,987
Gallaudet University	100,205	100,205	104,000	+3,795	+3,795
Total, Special Institutions for Persons with Disabilities	170,091	170,411	176,790	+6,699	+6,379
VOCATIONAL AND ADULT EDUCATION					
Vocational Education:					
Basic State Grants/Secondary & Technical Education					
State Grants, current funded	404,008	221,000	424,008	+20,000	+203,008
Advance from prior year	(791,000)	(791,000)	(791,000)	---	---
FY 2006	791,000	791,000	791,000	---	---
Subtotal, Basic State Grants, program level	1,195,008	1,012,000	1,215,008	+20,000	+203,008
Tech-Prep Education State Grants	106,665	---	106,665	---	+106,665
National Programs	11,852	---	11,852	---	+11,852
Tech-Prep Education Demonstration	4,939	---	---	-4,939	---
Occupational and Employment Information Program	9,382	---	---	-9,382	---
Subtotal, Vocational Education	1,327,846	1,012,000	1,333,525	+5,679	+321,525
Adult Education:					
State Grants/Adult basic and literacy education:					
State Grants, current funded	574,372	574,372	574,372	---	---
National Programs					
National Leadership Activities	9,169	9,169	9,169	---	---
National Institute for Literacy	6,692	6,692	6,692	---	---
Subtotal, National programs	15,861	15,861	15,861	---	---
Subtotal, Adult education	590,233	590,233	590,233	---	---
Smaller Learning Communities, current funded	8,698	---	5,085	-3,613	+5,085
Smaller Learning Communities, forward funded	165,269	---	96,613	-68,656	+96,613
Community Technology Centers	9,941	---	---	-9,941	---
Total, Vocational and adult education	2,101,987	1,602,233	2,025,456	-76,531	+423,223
Current Year	(1,310,987)	(811,233)	(1,234,456)	(-76,531)	(+423,223)
FY 2006	(791,000)	(791,000)	(791,000)	---	---
Subtotal, forward funded	(1,292,348)	(811,233)	(1,229,371)	(-62,977)	(+418,138)
STUDENT FINANCIAL ASSISTANCE					
Pell Grants -- maximum grant (NA)	(4,050)	(4,050)	(4,050)	---	---
Pell Grants -- Regular Program	12,006,738	12,830,000	12,830,000	+823,262	---
Enhanced Pell grants for State scholars	---	33,000	---	---	-33,000
Federal Supplemental Educational Opportunity Grants	770,455	770,455	794,455	+24,000	+24,000
Federal Work Study	998,502	998,502	998,502	---	---
Federal Perkins Loans:					
Capital Contributions	98,764	---	---	-98,764	---
Loan Cancellations	66,665	66,665	66,665	---	---
Subtotal, Federal Perkins loans	165,429	66,665	66,665	-98,764	---
LEAP program	66,172	---	66,172	---	+66,172
Total, Student Financial Assistance	14,007,296	14,698,622	14,755,794	+748,498	+57,172

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
STUDENT AID ADMINISTRATION					
Administrative Costs	116,727	934,639	120,247	+3,520	-814,392
Fed Direct Student Loan Reclassification (Leg prop)	---	-795,000	---	---	+795,000
HIGHER EDUCATION					
Aid for Institutional Development:					
Strengthening Institutions	80,986	80,986	80,986	---	---
Hispanic Serving Institutions	93,993	95,873	95,873	+1,880	---
Strengthening Historically Black Colleges (HBCUs)	222,764	240,500	240,500	+17,736	---
Strengthening historically black graduate insts	53,100	58,500	58,500	+5,400	---
Strengthening Alaska Native and Native Hawaiian-Serving Institutions	10,935	6,137	10,935	---	+4,798
Strengthening Tribal Colleges	23,287	23,753	23,753	+466	---
Subtotal, Aid for Institutional development	485,065	505,749	510,547	+25,482	+4,798
International Education and Foreign Language:					
Domestic Programs	89,211	89,211	93,211	+4,000	+4,000
Overseas Programs	12,840	12,840	12,840	---	---
Institute for International Public Policy	1,629	1,629	1,629	---	---
Subtotal, International Education & Foreign Lang	103,680	103,680	107,680	+4,000	+4,000
Fund for the Improvement of Postsec. Ed. (FIPSE)	157,700	32,011	32,011	-125,689	---
Minority Science and Engineering Improvement	8,889	8,889	8,889	---	---
Interest Subsidy Grants	1,988	1,500	1,500	-488	---
Tribally Controlled Postsec Voc/Tech Institutions	7,185	7,185	7,185	---	---
Federal TRIO Programs	832,559	832,559	842,559	+10,000	+10,000
GEAR UP	298,230	298,230	318,230	+20,000	+20,000
Byrd Honors Scholarships	40,758	40,758	---	-40,758	-40,758
Javits Fellowships	9,876	9,876	9,876	---	---
Graduate Assistance in Areas of National Need	30,616	30,616	30,616	---	---
Teacher Quality Enhancement Grants	88,887	88,888	88,888	+1	---
Child Care Access Means Parents in School	16,098	16,099	16,099	+1	---
Demonstration in Disabilities / Higher Education	6,913	---	---	-6,913	---
Underground Railroad Program	2,222	---	---	-2,222	---
GPRA data/HEA program evaluation	988	988	988	---	---
B.J. Stupak Olympic Scholarships	988	---	988	---	+988
Total, Higher education	2,092,642	1,977,028	1,976,056	-116,586	-972
HOWARD UNIVERSITY					
Academic Program	205,212	205,164	210,342	+5,130	+5,178
Endowment Program	3,552	3,600	3,552	---	-48
Howard University Hospital	29,999	29,999	29,999	---	---
Total, Howard University	238,763	238,763	243,893	+5,130	+5,130
College Housing and Academic Facilities Loans Program: (CHAFL)	769	578	578	-191	---
HBCU Capital Financing Program -- Federal Adm	209	212	212	+3	---

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
INSTITUTE OF EDUCATION SCIENCES					
Research, development and dissemination	165,518	185,000	165,518	---	-19,482
Statistics	91,664	91,664	91,664	---	---
Regional Educational Laboratories	66,665	---	66,665	---	+66,665
Research and innovation in special education	78,125	78,125	78,125	---	---
Statewide data systems	---	---	30,000	+30,000	+30,000
Assessment:					
National Assessment	89,703	89,703	89,703	---	---
National Assessment Governing Board	5,060	5,129	5,129	+69	---
Subtotal, Assessment	94,763	94,832	94,832	+69	---
Total, IES	496,735	449,621	526,804	+30,069	+77,183
DEPARTMENTAL MANAGEMENT					
PROGRAM ADMINISTRATION	420,379	429,778	421,055	+676	-8,723
OFFICE FOR CIVIL RIGHTS	88,305	92,801	90,248	+1,943	-2,553
OFFICE OF THE INSPECTOR GENERAL	46,624	50,576	47,790	+1,166	-2,786
Total, Departmental management	555,308	573,155	559,093	+3,785	-14,062
Total: Elementary and Secondary Education Act programs	24,478,026	24,901,337	24,803,103	+325,077	-98,234
Total, Title III, Department of Education	58,246,623	59,974,897	60,317,016	+2,070,393	+342,119
Current Year	(43,224,322)	(44,952,596)	(45,294,715)	(+2,070,393)	(+342,119)
FY 2006	(15,022,301)	(15,022,301)	(15,022,301)	---	---

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
TITLE IV - RELATED AGENCIES					
ARMED FORCES RETIREMENT HOME					
Operations and Maintenance	62,923	57,195	57,195	-5,728	---
Capital Program	1,971	4,000	4,000	+2,029	---
Total, AFRH	64,894	61,195	61,195	-3,699	---
COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED 1/	4,697	4,672	4,672	-25	---
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE 2/					
Volunteers in Service to America (VISTA)	93,731	96,428	93,731	---	-2,697
Volunteers in Homeland Security	9,876	15,000	5,000	-4,876	-10,000
National Senior Volunteer Corps:					
Foster Grandparents Program	110,121	106,700	112,323	+2,202	+5,623
Senior Companion Program	45,987	46,563	45,987	---	-576
Retired Senior Volunteer Program	58,156	69,884	58,156	---	-11,728
Senior Demonstration Program	---	1,397	---	---	-1,397
Subtotal, Senior Volunteers	214,264	224,544	216,466	+2,202	-8,078
Program Administration	36,469	39,363	38,000	+1,531	-1,363
Total, Domestic Volunteer Service Programs	354,340	375,335	353,197	-1,143	-22,138
CORPORATION FOR PUBLIC BROADCASTING:					
FY 2007 (current) with FY 2006 comparable	400,000	---	400,000	---	+400,000
FY 2006 advance with FY 2005 comparable (NA)	(390,000)	(400,000)	(400,000)	(+10,000)	---
FY 2005 advance with FY 2004 comparable (NA)	(377,758)	(390,000)	(390,000)	(+12,242)	---
Digitalization program, current funded 3/	49,705	---	---	-49,705	---
Funds provided in P.L. 107-116 4/	---	(20,000)	(20,000)	(+20,000)	---
Interconnection, current funded 3/	9,941	---	---	-9,941	---
Funds provided in P.L. 107-116 4/	---	(75,000)	(60,000)	(+60,000)	(-15,000)
Subtotal, FY 2005 appropriation	59,646	---	---	-59,646	---
Subtotal, FY 2005 comparable	(59,646)	(95,000)	(80,000)	(+20,354)	(-15,000)
FEDERAL MEDIATION AND CONCILIATION SERVICE	43,129	43,964	43,964	+835	---
FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION	7,728	7,813	7,813	+85	---
INSTITUTE OF MUSEUM AND LIBRARY SERVICES	262,240	261,743	261,743	-497	---
MEDICARE PAYMENT ADVISORY COMMISSION	9,245	9,905	9,905	+660	---
NATIONAL COMMISSION ON LIBRARIES AND INFO SCIENCE	994	1,000	1,000	+6	---
NATIONAL COUNCIL ON DISABILITY	3,021	2,873	2,873	-148	---
NATIONAL LABOR RELATIONS BOARD	242,633	248,785	248,785	+6,152	---
NATIONAL MEDIATION BOARD	11,354	11,635	11,635	+281	---
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION	9,805	10,516	10,516	+711	---

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
RAILROAD RETIREMENT BOARD					
Dual Benefits Payments Account	118,298	108,000	108,000	-10,298	---
Less Income Tax Receipts on Dual Benefits	-7,953	-8,000	-8,000	-47	---
Subtotal, Dual Benefits	110,345	100,000	100,000	-10,345	---
Federal Payment to the RR Retirement Account	150	150	150	---	---
Limitation on Administration	100,702	102,600	102,202	+1,500	-398
Inspector General	6,561	7,200	6,561	---	-639
SOCIAL SECURITY ADMINISTRATION					
Payments to Social Security Trust Funds	21,658	20,454	20,454	-1,204	---
SUPPLEMENTAL SECURITY INCOME					
Federal benefit payments	34,198,000	38,109,000	38,109,000	+3,911,000	---
Beneficiary services	100,000	45,929	45,929	-54,071	---
Research and demonstration	38,000	27,000	27,000	-11,000	---
Administration	2,973,300	3,017,000	2,986,900	+13,600	-30,100
Subtotal, SSI program level	37,309,300	41,198,929	41,168,829	+3,859,529	-30,100
Less funds advanced in prior year	-11,080,000	-12,590,000	-12,590,000	-1,510,000	---
Subtotal, regular SSI current year	26,229,300	28,608,929	28,578,829	+2,349,529	-30,100
Plus User Fee Activities	120,000	124,000	124,000	+4,000	---
Total, SSI, current request	26,349,300	28,732,929	28,702,829	+2,353,529	-30,100
New advance, 1st quarter, FY 2006	12,590,000	10,930,000	10,930,000	-1,660,000	---
Total, SSI program	38,939,300	39,662,929	39,632,829	+693,529	-30,100
LIMITATION ON ADMINISTRATIVE EXPENSES					
OASDI Trust Funds	4,070,369	4,454,000	4,412,700	+342,331	-41,300
HI/SMI Trust Funds	1,147,705	1,284,000	1,272,500	+124,795	-11,500
Social Security Advisory Board	1,800	2,000	2,000	+200	---
SSI	2,973,300	3,017,000	2,986,900	+13,600	-30,100
Subtotal, regular LAE	8,193,174	8,757,000	8,674,100	+480,926	-82,900
User Fee Activities (SSI)	120,000	124,000	124,000	+4,000	---
Total, Limitation on Administrative Expenses	8,313,174	8,881,000	8,798,100	+484,926	-82,900
MEDICARE REFORM FUNDING					
HI/SMI trust funds mandatory spending 5/ 6/	(500,000)	---	---	(-500,000)	---
Medicare reform contingency fund 7/	---	100,000	---	---	-100,000

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
OFFICE OF INSPECTOR GENERAL					
Federal Funds	24,355	26,000	25,748	+1,393	-252
Trust Funds	63,324	66,000	65,359	+2,035	-641
Total, Office of Inspector General	87,679	92,000	91,107	+3,428	-893
Adjustment: Trust fund transfers from general revenues	-3,093,300	-3,141,000	-3,110,900	-17,600	+30,100
Total, Social Security Administration	44,268,511	45,615,383	45,431,590	+1,163,079	-183,793
Federal funds	38,985,313	39,809,383	39,679,031	+693,718	-130,352
Current year	(26,395,313)	(28,879,383)	(28,749,031)	(+2,353,718)	(-130,352)
New advances, 1st quarter	(12,590,000)	(10,930,000)	(10,930,000)	(-1,660,000)	---
Trust funds	5,283,198	5,806,000	5,752,559	+469,361	-53,441
Total, Title IV, Related Agencies	45,959,995	46,864,769	47,057,801	+1,097,806	+193,032
Federal Funds	40,560,289	40,939,064	41,186,574	+626,285	+247,510
Current Year	(27,570,289)	(30,009,064)	(29,856,574)	(+2,286,285)	(-152,490)
FY 2006 Advance	(12,590,000)	(10,930,000)	(10,930,000)	(-1,660,000)	---
FY 2007 Advance	(400,000)	---	(400,000)	---	(+400,000)
Trust Funds	5,399,706	5,925,705	5,871,227	+471,521	-54,478

Title IV Footnotes:
1/ FY 2005 House jurisdiction change--account moved from Transportation-Treasury Appropriations.
2/ Appropriations for Americorps are provided in the VA-HUD bill.
3/ Current funded.
4/ Requested funds for these activities are from previously appropriated funds.
5/ Funds provided in P.L. 108-173, the 2003 Medicare Prescription Drug, Improvement & Modernization Act
6/ Available in fiscal years 2004 and 2005.
7/ Two-year availability. Funds may be transferred between CMS and SSA.

LABOR-HEALTH AND HUMAN SERVICES-EDUCATION--FY 2005 (H.R. 5006)
(Amounts in thousands)

	FY 2004 Comparable	FY 2005 Request	Bill	Bill vs. Comparable	Bill vs. Request
SUMMARY					
Federal Funds	467,973,109	483,869,294	484,176,006	+16,202,897	+306,712
Current year	(374,625,833)	(387,271,603)	(387,178,315)	(+12,552,482)	(-93,288)
2006 advance	(92,947,276)	(96,597,691)	(96,597,691)	(+3,650,415)	---
2006 advance	(400,000)	---	(400,000)	---	(+400,000)
Trust Funds	11,844,869	12,477,283	12,405,505	+560,636	-71,778
Grand Total	479,817,978	496,346,577	496,581,511	+16,763,533	+234,934
BUDGET ENFORCEMENT ACT RECAP					
Mandatory, total in bill	340,041,821	353,451,511	353,451,511	+13,409,690	---
Less advances for subsequent years	-74,061,975	-77,712,390	-77,712,390	-3,650,415	---
Plus advances provided in prior years	65,883,986	74,061,975	74,061,975	+8,177,989	---
Total, mandatory, current year	331,863,832	349,801,096	349,801,096	+17,937,264	---
Discretionary, total in bill	139,776,157	142,895,066	143,130,000	+3,353,843	+234,934
Less advances for subsequent years	-19,285,301	-18,885,301	-19,285,301	---	-400,000
Plus advances provided in prior years	19,229,267	19,275,301	19,275,301	+46,034	---
Scorekeeping adjustments:					
SSA User Fee Collection	-120,000	-124,000	-124,000	-4,000	---
Vaccines for children legislative proposal	---	-110,000	---	---	+110,000
Medicaid/Medicare offsetting proposals	---	-462,000	---	---	+462,000
HI/SMI user fees	---	-165,000	-155,000	-155,000	+10,000
Medicare Hospital loans	---	---	-200,000	-200,000	-200,000
CDC Management/IT Savings	---	---	-15,000	-15,000	-15,000
Welfare to Work rescission	-176,000	---	---	+176,000	---
H-1B rescission	---	-100,000	-100,000	-100,000	---
75 percent rule scoring	---	---	9,000	+9,000	+9,000
75 percent rule offset in CMS	---	---	-9,000	-9,000	-9,000
Across the board admin. expenses reduction	---	---	---	---	---
ESA Special benefits (offset. collections)	-54	---	---	+54	---
Total, discretionary	139,424,069	142,324,066	142,526,000	+3,101,931	+201,934
Adjustment to balance with 2004 enacted	-252,080	---	---	+252,080	---
Total, discretionary (FY 2004 enacted)	139,171,989	142,324,066	142,526,000	+3,354,011	+201,934
Grand total, current year (incl FY 2004 comparable)	471,287,901	492,125,162	492,327,096	+21,039,195	+201,934
Grand total, current year (incl FY 2004 enacted)	471,035,821	492,125,162	492,327,096	+21,291,275	+201,934

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

Mr. OBEY. Mr. Chairman, I yield myself 30 seconds.

I will include at this point in the debate the supplemental views that I and my Democratic colleagues wrote on this bill which lay out our concerns about this bill's shortcomings. I think they will be sufficient to explain why so many of us have such grave misgivings about this bill.

MINORITY VIEWS OF THE HONORABLE DAVID OBEY, STENY HOYER, NITA LOWEY, ROSA DELAURO, JESSE JACKSON, JR., PATRICK KENNEDY, AND LUCILLE ROYBAL-ALLARD

While this bill is a modest improvement over the President's budget request, it fails to meet America's needs in education, health care, medical research, and human services. The bill's inadequacies, however, are not the fault of the Committee or Chairman Regula. This bill's shortcomings are the direct and foreseeable result of the Majority's reckless FY 2005 budget resolution which, as with each of the budgets the Majority produced over the past three years, abandons fiscal discipline, mortgages our nation's future, and makes impossible critical investments that benefit all Americans. It is the product of the skewed priorities of the Majority, who value super-sized tax cuts for our wealthiest and most privileged citizens over honoring our commitments and protecting our most vulnerable citizens.

Even when provided with an opportunity to change course, the Majority held rigidly to its failed budget blueprint. Earlier this year, the Majority rejected a Democratic alternative to the FY 2005 budget that was fiscally responsible and allowed a greater investment in education, health care, and many other critical priorities. Then, on June 24, the Majority defeated a Democratic resolution to revise the budget resolution that would have made a greater investment in education, training, and health by modestly scaling back tax cuts for those with annual incomes of $1 million or more.

Given the Majority Party's misguided budgetary choices, shortfalls in appropriations are inevitable. In fact, the Labor-HHS-Education Subcommittee received a relatively good share of an inadequate total, allowing an increase of about $3 billion above the current year. That increase was largely allocated to a few areas: providing $1 billion increases for two high-priority education programs, keeping up with rising costs in the Pell Grant program, partially covering increased research costs at NIH, and funding the administrative expenses of the Social Security Administration.

After doing these things, the subcommittee had more than exhausted the additional funds it was allocated above the FY 2004 level. Consequently, other priorities in the bill had to be cut.

EDUCATION—NOT AT THE TOP OF THE CLASS

Next year, K–12 and higher education enrollments will again reach record levels. Nearly 55 million students will attend the nation's elementary and secondary schools—4 million more students than in 1995. Full-time college enrollment will reach 16.7 million students—14 percent more than a decade ago.

At the same time that schools are serving more students, the stakes are raised higher by the mandates of the No Child Left Behind Act (NCLB). During the 2005 school year, schools must actually test each student in grades 3–8 in reading and math or face federal sanctions. Student achievement must improve. And, every teacher of a core academic subject must become ''highly qualified.''

Against the backdrop of record school enrollments, unprecedented Federal education accountability requirements, and rising demand for college assistance, the Committee bill fails to match these growing demands with sufficient resources. The bill provides a $2.0 billion (3.6 percent) increase over FY 2004 for the Department of Education's discretionary programs, continuing a downward slide in new discretionary education investments under the Bush Administration.

No Child Left Behind

While all 50 states and 15,500 school districts are striving to address NCLB's worthy goals, money remains short in many schools. Nonetheless, the Committee bill actually *cuts* NCLB funding $120 million below the Administration's request, while providing only $328 million (1.3 percent) more than FY 2004. In total, the bill provides $9.5 billion less than the funding promised in NCLB.

Fully funding Title 1—which serves low-income children in schools with the greatest educational challenges—is the centerpiece of federal education reform efforts. Title 1 grants to school districts receive a $1 billion (8.1 percent) increase in the Committee bill, the same amount as the President's request. Despite this needed increase, Title 1 appropriations in FY 2005 would still fall $7.2 billion short of the NCLB funding promise—accounting for most of the total $9.5 billion NCLB shortfall in the Committee bill.

A key concept in NCLB is that students who are falling behind are able to receive tutoring and a broad array of enrichment services in school and community-based after school centers. Yet the Committee bill freezes funding for 21st Century Community Learning Centers at $999 million—only half of the $2.0 billion authorized by NCLB. At the $2.0 billion level, an additional 1.3 million children could be served in such communities as Davenport, Iowa, Columbus, Ohio, Greenville, South Carolina, and Salt Lake City, Utah, all of which are struggling to keep existing after school centers open to serve children in working families.

The Committee bill freezes funding at last year's levels for several programs that are important to the success of NCLB. For example, English language learning assistance for more than 5 million children who must learn to read and speak English is frozen at $681 million, the second year in a row—even while these children must meet the same rigorous academic standards as all other children. About 6,500 rural school districts will see their Rural Educational Achievement Program grants level funded at $168 million, in the aggregate; despite the difficulty they face in recruiting and retaining teachers. In addition, investments in school violence prevention, substance abuse prevention and school safety activities are frozen at $595 million, nearly 10 percent less than the safe and drug-free schools funding level three years ago.

The Committee bill makes only modest investments in a few areas. For example, it provides a $63 million net increase for teacher training in math and science instruction (after accounting for an offsetting reduction in NSF support). It provides 1,300 school districts located on or near military bases and other federal facilities a $21 million (1.7 percent) increase under the Impact Aid program. Further, it rejects the Administration's proposal to cut vocational and career education by $316 million and, instead, provides an increase to offset inflation.

These modest increases, however, are offset by deep reductions in other education initiatives, including the outright elimination of 22 programs. For example, the Committee bill wipes out the Title VI education block grant, although the Administration proposed to continue its flexible funding of nearly $300 million to help the nation's school districts pay for locally identified needs, such as up-to-date instructional materials, counseling services, and parental involvement activities. Moreover, arts education, teacher training to improve American history instruction, drop out prevention, K–12 foreign language assistance, and community technology centers to bridge the digital divide in low-income communities—all priority activities reauthorized in NCLB—are terminated. Because of budget constraints, the bill even denies over $100 million in education initiatives requested by the President.

Special Education

President Bush's Commission on Excellence in Special Education concluded, ''children with disabilities remain those most at risk of being left behind.'' The Committee bill makes progress in fulfilling federal commitments in special education by providing a $1 billion (9.9 percent) increase over FY 2004 for IDEA Part B State Grants, the same amount as the President's request. Under the Committee bill, the federal contribution toward special education costs incurred by the nation's schools will increase from 18.7 percent in FY 2004 to 19.8 percent in FY 2005. Nonetheless, the Committee bill falls $2.5 billion short of the $13.6 billion promised last year by the Majority party when it passed H.R. 1350, the IDEA reauthorization bill.

College Assistance

In today's increasingly technological society, a college education is essential for a good-paying job. For low- and moderate-income families, however, the task of sending a child to college—which has never been easy—is now a daunting challenge, given an average 26 percent tuition increase in the last two years at 4-year public colleges and universities.

The Committee bill, however, makes little progress in making college more affordable for disadvantaged students. The bill freezes the maximum Pell Grant for low-income college students at $4,050 for the second year in a row, freezes College Work Study assistance, and cuts Perkins Loans by $99 million below last year's level.

College students will receive help with dramatically rising tuition bills only through a $24 million (3.1 percent) increase for Supplemental Educational Opportunity Grants (SEOGs), and a restoration of the $66 million LEAP grants for state need-based student financial assistance programs, which the Administration sought to eliminate.

INVESTING LESS IN AMERICA'S LABOR FORCE

For the Department of Labor's employment and training assistance programs for unemployed Americans, the Committee bill invests $236 million *less* than the Administration's request and $40 million *less* than last year, despite a loss of 1.8 million private sector jobs since President Bush took office.

While the Committee bill provides a $25 million (1.7 percent) increase over FY 2004 to assist dislocated workers affected by mass layoffs, it denies 80 percent of the Administration's $250 million request for the Community College technical training initiative and eliminates the $90 million prisoner reentry initiative due to budget constraints. The bill shaves the Administration's proposed 2.8 percent increase for salaries and other operating costs for Job Corps, the highly successful initiative that helps hard-core disadvantaged and unemployed youth, to a 1.8 percent increase over FY 2004.

Unemployment remains unacceptably high with 8.0 million Americans out of work; however, the Committee bill actually cuts assistance for individuals seeking jobs through the Employment Service, a building block for the nation's one-stop employment services delivery system. State Employment Service funding is cut to $696 million, a 10 percent reduction below FY 2004 and the lowest level in more than 10 years. The Committee bill also rescinds $100 million in prior funding, as requested by the Administration, for the H–1B training grants that help train Americans in high-skill, high-wage jobs and reduce the nation's reliance on foreign workers.

Further, funding to promote international labor standards and combat abusive child labor will be eviscerated with a 68 percent cut in the Committee bill, which adds only $5 million to the Administration's request. The $35.5 million provided in the bill includes only $16 million for child labor projects compared with the $82 million allocated in FY 2004.

FALLING SHORT OF THE PROMISE OF A SAFE AND HEALTHY NATION

For the health-related programs of the Department of HHS, the Committee's bill falls short of what is needed to maintain the health care safety net, protect the public health, and advance medical research.

The measure does substantially increase funding for Community Health Centers, expand a Global Disease Detection initiative at CDC, and provide modest increases for AIDS drug assistance and chronic disease prevention programs. In some respects it is an improvement over the President's budget—it rejects the Administration's proposal to cut bio-terrorism preparedness assistance to health departments and hospitals, and reduces the President's proposed cuts in rural health and health professions programs.

However, a number of health programs are still cut below the current-year level by the Committee bill. Examples include the Healthy Communities Access Program, several rural health programs, some health professions training programs (especially those related to primary care and public health), and block grants for public health services. A large number of other programs have their funding frozen, often for the second or third year in a row. These freezes, while health care costs and the number of people needing assistance are continuing to increase, mean real erosion in the health care safety net and public health protection.

• The Committee bill terminates the Healthy Communities Access Program (HCAP), which makes grants to local consortia of hospitals, health centers, and other providers to build better integrated systems of care for the uninsured. This means that roughly 70 communities will lose their existing three-year grants and about 35 new grants will not be made.

• Rural Health Outreach Grants—which support primary health care, dental health, mental health, and telemedicine projects—are cut by 24 percent. Grants to improve small rural hospitals are cut in half, funding to help rural communities acquire the defibrillators that can save the lives of heart attack victims are cut by more than half, and a small new program to help improve emergency medical services in rural areas is eliminated.

• Apart from grants to Health Centers, the bill continues to slow erosion of most other health care programs. The Maternal and Child Health Block Grant is funded slightly *below* its level of three years earlier, with no increase for rising health care costs, population or anything else. These grants help support prenatal care and health and dental services for low-income children, and assist children with disabilities and other special health care needs. The National Health Service Corps—which helps bring doctors and dentists into under-served areas—receives a bit less than in FY 2003. The Ryan White AIDS Care programs (other than drug assistance) is also slightly under its FY 2003 level (while the number of AIDS patients has been rising by about 7 percent per year), and the Title X family planning program is just 1.8 percent above FY 2003.

• Support for training in primary care medicine and dentisty—which is targeted to increasing the number of doctors and dentists in rural and other underserved areas—is cut 22 percent below the current year by the bill. Support for training in public health and preventive medicine is cut 24 percent, despite the difficulties that public health departments are having recruiting and retaining qualified professionals.

• The Committee bill does include a small, $5 million (3.5 percent) increase for nurse education and training programs. While a step in the right direction, it pales in comparison to the national commitment envisioned under the Nurse Reinvestment Act, which was aimed at stemming the looming nursing shortage.

• CDC's childhood immunization program receives a small but welcome $11 million increase in the Committee bill. However, the bill's FY 2005 level is just 3.4 percent above FY 2002 while the cost to immunize a child with all recommended vaccines will have increased 18.5 percent.

• Also in CDC, although the bill roughly doubles an important Global Disease Detection initiative, funding for ongoing domestic activities to control and respond to infectious diseases like West Nile Virus, SARS and the flu are increased by just 1.1 percent.

• The Committee bill makes a 17.5 percent cut in basic support to state and local health departments through the Preventive Health and Health Services Block Grant. This funding is used for a range of priorities, from health screening to immunization to control of chronic diseases like diabetes and asthma to basic epidemiological investigations and public health laboratory operations.

For the National Institutes of Health, the Committee bill is identical to the Administration's budget request. It provides an increase of 2.6 percent—which is the smallest in 19 years and significantly less than the 3.5 percent needed to cover estimated inflation in biomedical research costs. Although the Administration says that its budget (and hence the Committee bill) would produce a small increase in the number of new and recompeting research project grants—reversing a decrease that is occurring in FY 2004—it achieves that result only by assuming unusually tight limits on the average size of research grants, including cuts to ongoing research projects below previously committed levels. If grant amounts were instead allowed to increase at normal rates, the number of new grants would decrease for the second year in a row. Many Members have been circulating letters to the Committee urging additional funding to accelerate research into diseases like Parkinson's or Alzheimer's or cancer. Many of the Members of Congress who have signed such letters in fact voted for the Republican budget resolution which has made it impossible for the committee to provide funding levels requested in such letters. At the funding level in the Committee bill, such increases simply are not possible.

HELPING AMERICA'S MOST VULNERABLE CITIZENS

For the human services side of the Department of HHS, the Committee bill includes increases for Low-Income Home Energy Assistance (LIHEAP), Refugee Assistance, Head Start, Abstinence-only Sex Education, and some programs of the Administration on Aging. It also rejects most (but not all) of the cut in the Community Services Block Grant proposed by the President. On the whole, however, the bill's human services appropriations fall short of what is needed.

For LIHEAP, the Committee added $111 million above FY 2004, as proposed by the President. However, this barely does more than reverse a decrease that occurred last year. Sharply higher energy prices combined with cold winters have increased the need for LIHEAP. These same conditions have also led to growing need for the Energy Department's Weatherization Assistance Program (which was recently transferred to the Labor-HHS bill). However, the bill includes no increase at all for Weatherization, rejecting the $64 million addition proposed by the President.

The Child Care Block Grant has its funding essentially frozen for the third year in a row under the Committee's bill, meaning a real reduction in help for working families. Appropriations for Head Start are $45 million less than the amount proposed by the President. Overall funding for the Administration on Aging is up by 2.2 percent. However, this follows two years of even smaller increases, leaving the FY 2005 figure just 4.0 percent above its level three years earlier.

THE DEMOCRATIC ALTERNATIVE

The demands of the war on terrorism, the conflict in Iraq, homeland security needs, and a sluggish economy require a pragmatic and responsible approach to America's budget. Yet, even with all these competing needs and challenges, this bill's shortcomings were not fated.

The budget alternatives that Democrats offered earlier this year—including the package of budget resolution revisions that the House considered on June 24—would have allowed this Committee to make a greater investment in education, health care, medical research, and other pressing needs. Our budget alternatives were also fiscally responsible; they would have provided for these national needs and reduced the deficit by modestly reducing tax cuts for those with annual incomes above $1 million.

When this bill was considered by subcommittee and by the full Appropriations Committee, amendments were offered mirroring the Labor-HHS-Education portion of the Democratic budget proposal. These amendments would have added $7.4 billion to the bill, paid for by 30 percent reduction in the 2005 tax cuts for people with incomes over $1 million. Instead of tax cuts averaging about $127,000, this top-income group would have their tax cuts reduced to an average of $89,000. Regrettably, these amendments were defeated on party line votes. Had they been adopted, we could:

• Invest $1.5 billion more in Title I instruction to help an additional 500,000 low-income and minority children in the poorest communities succeed in school;

• Invest $200 million more in after school centers so that an additional 267,000 children, who are responsible for taking care of themselves after school each day, have a safe and nurturing place to go after school;

• Invest $1.2 billion more to subsidize the high costs of educating 6.9 million children with disabilities;

• Provide a $450 increase in the maximum Pell Grant for students with the greatest financial need, and begin to restore its purchasing power for more than 5 million low-income students;

• Assist an additional 51,000 teachers improve their instructional skills to become highly qualified under NCLB; and

• Ensure that 2,500 low-performing schools receive the assistance they were promised to implement effective, comprehensive reforms to raise their academic performance.

In the area of workforce training, the Democratic amendment would have provided an additional $200 million to support training and job placement services for more jobless Americans. And, it would have fully restored funding to combat child labor and promote workers' rights around the world, which in turn would have helped workers here at home.

On the health and human services side, the Democratic amendment would have allowed us to provide more help to the 45 million people without health care, maintain momentum in biomedical research, and restore some of the lost purchasing power in key human services programs. For example, the amendment would do the following:

• Maintain the Healthy Communities Access Program, rather than terminating it as under the Committee bill, and add some funds to make up for lost ground in programs like the Maternal and Child Health Block Grant, Family Planning, and Community Mental Health Block Grant.

• Avoid any cuts in health professions training programs, add $20 million to the National Health Service Corps to get more doctors and dentists into underserved rural and inner city areas, and add $35 million to Nurse Reinvestment Act programs to help stem the nursing shortage by providing more scholarships for nursing students and more support for nursing schools.

• Eliminate the proposed cuts in rural health programs, and add an additional $19 million to better support rural health clinics, hospitals and emergency services.

• Provide $50 million to help meet some of the most urgent unmet needs for dental care, through grants for rural dental clinics, scholarships and student loan repayment arrangements for dentists who locate in underserved areas, and grants and low-interest loans to help dentists who agree to participate in Medicaid establish and expand practices in areas with dental shortages.

• Add $500 million to the budget of the National Institutes of Health—enough to provide a full inflation adjustment, renew all ongoing research grants, and restore the number of new grants to the FY 2003 level. This would help maintain momentum in research to find better treatments for diseases like cancer, Parkinson's disease, and Alzheimer's.

• Provide $50 million more for child immunization, to help catch up with rising vaccine costs, and also add $50 million to other infectious disease control efforts at CDC (including those aimed at HIV/AIDS, tuberculosis, and sexually transmitted diseases).

• Add $200 million to the Low-Income Home Energy Assistance Program to help keep up with rising needs. Between the 2002 and 2004 winter heating seasons, average home heating costs rose 50 percent for natural gas users and 54 percent for users of fuel oil. As energy prices rise and the economy remains weak, the number of households seeking assistance is rising, but the program still serves only about 14 percent of the eligible population.

Provide an additional $70 million for senior citizens' programs of the Administration on Aging, including Meals on Wheels and other nutrition programs.

Budgets are as much about America's values are they are about dollars and cents. By prioritizing massive tax cuts for the wealthiest among us, House Republicans have once again rejected traditional American values of shared sacrifice in difficult times and equal opportunity for all Americans. The Majority's priorities will mean less opportunity through education and job training, decreased access to health care in rural and other underserved areas, and a nation that is less caring toward its most vulnerable children, families, and senior citizens.

The decisions that have led to this unhappy situation have, in fact, already been made by the Republican majority members who have voted for the Republican budget resolution and against our efforts to modify it. This bill is the inevitable unhappy result of those decisions. The only way to achieve a more favorable final outcome is for this bill to move to conference with the Senate and be greatly altered to produce a more responsible result.

DAVID OBEY.
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Democratic Amendment to FY 2005 Labor-HHS-Education Appropriations

	Increase Above Committee Bill *Dollars in millions*
Education	
Providing Title 1 reading and math instruction to 500,000 additional low-income children	1,500
Helping 267,000 additional children in working families to benefit from after-school learning opportunities	200
Increasing assistance to local communities for special education	1,200
Helping to put a highly qualified teacher in every classroom	225
Increasing the maximum Pell Grant by $450 to $4,500 to begin to restore the lost purchasing power of Pell Grants	2,200
Supporting effective school improvement through comprehensive school reforms at an additional 2,500 schools	228
Total, Department of Education	*$5,553*
Employment and Training	
Investing in training and job placement assistance for unemployed Americans	126
Promoting international labor standards and workers' rights	74
Total, Department of Labor	*$200*
Health and Human Services	
Keeping up with costs of childhood immunization, and improving control of infectious diseases (including TB, STDs & AIDS)	100

	Increase Above Committee Bill *Dollars in millions*
Preserving critical investments in medical research at NIH	500
Maintaining core health care "safety net" programs, especially for children and rural residents (including Community Access Program, Family Planning, etc).	333
Improving critical dental services for children and others lacking access to care	50
Helping to alleviate the shortage of nurses	35
Training doctors, dentists and other health professionals, especially for rural and underserved areas	25
Improving public health preparedness for bio-terrorism & epidemics	56
Helping low-income families with energy costs through LIHEAP	200
Maintaining access to child care and Head Start	180
Improving economic opportunity and community services (CSBG)	30
Assisting communities with refugee resettlement	32
Meals-on Wheels, Senior Centers, Family Caregiver Assistance and other help for older Americans	70
Total, Department of HHS	*$1,611*
TOTAL	**$7,364**

Offset

The cost of these additions would be offset through a 30 percent reduction in the tax cuts received by people with annual incomes above $1 million as a result of the 2001 and 2003 tax legislation. Instead of annual tax cuts averaging $127,000, this group would receive tax cuts averaging $89,000.

DEMOCRATIC AMENDMENT TO FULL COMMITTEE PRINT
FY 2005 LABOR-HHS-EDUCATION APPROPRIATIONS
Program Level, $ in millions

	FY 2004 Comparable	FY 2005 Request	FY 2005 Committee	FY 2005 Democrats	Democratic Amendment Compared To: Committee Dollars	Committee Percent	FY 2004 Dollars	FY 2004 Percent
Education Investments								
Title 1 Grants to School Districts	$12,342	$13,342	$13,342	$14,842	$1,500	11.2%	$2,500	20.3%
21st Century After School Centers	$999	$999	$999	$1,199	$200	20.0%	$200	20.0%
IDEA Part B State Grants	$10,068	$11,068	$11,068	$12,268	$1,200	10.8%	$2,200	21.9%
Federal Contribution	*18.6%*	*19.7%*	*19.7%*	*22.0%*	*$0*	*11.7%*	*$0*	*18.3%*
Teacher Quality State Grants	$2,930	$2,930	$2,950	$3,175	$225	7.6%	$245	8.4%
Pell Grants	$12,007	$12,830	$12,830	$15,030	$2,200	17.1%	$3,023	25.2%
Maximum Award	*$4,050*	*$4,050*	*$4,050*	*$4,500*	*$450*	*11.1%*	*$450*	*11.1%*
Comprehensive School Reform	$308	$0	$80	$308	$228	284.6%	$0	0.0%
Subtotal, Department of Education					$5,553		$8,168	
Employment and Training Investments								
Dislocated Worker Assistance	$1,454	$1,383	$1,479	$1,517	$38	2.6%	$63	4.3%
Formula	*$1,178*	*$1,100*	*$1,178*	*$1,216*	*$38*	*3.2%*	*$38*	*3.2%*
National Reserve	*$276*	*$283*	*$301*	*$301*	*$0*	*0.0%*	*$25*	*9.1%*
Employment Service	$851	$763	$763	$851	$88	11.5%	$0	0.0%
International Labor Affairs	$110	$31	$36	$110	$74	209.1%	$0	0.0%
Subtotal, Department of Labor					$200		$63	
Health & Human Services Investments								
Centers for Disease Control:								
HIV/AIDS, STD and TB Control	$1,142	$1,143	$1,149	$1,184	$35	3.0%	$43	3.7%
Immunization	$643	$644	$654	$704	$50	7.6%	$61	9.4%
Infectious Disease Control	$369	$401	$401	$416	$15	3.7%	$47	12.6%
National Institutes of Health	$27,808	$28,541	$28,541	$29,041	$500	1.8%	$1,233	4.4%
Community Health Centers	$1,617	$1,836	$1,836	$1,867	$31	1.7%	$250	15.5%
National Health Service Corps	$170	$205	$170	$190	$20	11.8%	$20	11.8%
Community Access Program	$104	$10	$0	$104	$104	n.a.	$0	0.0%
Maternal and Child Health Block Grant	$730	$730	$730	$770	$40	5.5%	$40	5.5%
Healthy Start	$98	$98	$98	$108	$10	10.2%	$10	10.2%
Family Planning	$278	$278	$278	$295	$17	6.1%	$17	6.1%
Ryan White AIDS CARE Act	$2,065	$2,080	$2,100	$2,130	$30	1.4%	$65	3.1%

DEMOCRATIC AMENDMENT TO FULL COMMITTEE PRINT
FY 2005 LABOR-HHS-EDUCATION APPROPRIATIONS
Program Level, $ in millions

	FY 2004 Comparable	FY 2005 Request	FY 2005 Committee	FY 2005 Democrats	Democratic Amendment Compared To: Committee Dollars	Committee Percent	FY 2004 Dollars	FY 2004 Percent
Rural Health and Telemedicine	$111	$34	$88	$129	$41	47.2%	$19	16.8%
(Above line restores all programs to FY 2004 level, plus $10 million for Rural Health Outreach, $5 million for Telemedicine, and $4 million for Rural EMS).								
Substance Abuse and Mental Health Services	$3,351	$3,550	$3,392	$3,432	$40	1.2%	$81	2.4%
Dental Care Initiative				$50	$50	n.a.	$50	n.a.
(Above line adds $10 million to National Health Service Corps, $10 million to Rural Health Outreach and $6 million to Health Professions, all for dental care, plus $24 million for Dental Shortage Area Grants under PHSA sec. 340G)								
Nurse Education	$142	$147	$147	$182	$35	23.8%	$40	28.2%
(Above line adds $15 million to scholarship & loan repayments, $5 million each to advanced education nursing and diversity, $4 million each to education-practice-retention and faculty loan repayments, and $3 millon to geriatric nursing.)								
Health Professions Education	$294	$11	$269	$294	$25	9.2%	$0	0.0%
Public Health Emergency Fund	$2,164	$2,225	$2,369	$2,425	$56	2.4%	$261	12.1%
Low-Income Home Energy Assistance	$1,889	$2,001	$2,000	$2,200	$200	10.0%	$311	16.5%
Child Care Development Block Grant	$2,087	$2,100	$2,100	$2,200	$100	4.8%	$113	5.4%
Head Start	$6,783	$6,944	$6,899	$6,979	$80	1.2%	$195	2.9%
Community Services Block Grant	$642	$495	$628	$650	$23	3.6%	$8	1.3%
Community Services discretionary programs	$89	$57	$83	$90	$7	8.8%	$0	0.5%
Refugee & Entrant Assistance	$448	$473	$491	$523	$32	6.5%	$76	16.9%
Older Americans Act programs	$1,374	$1,377	$1,403	$1,473	$70	5.0%	$100	7.2%
(Above line adds $20 million to Supportive Services, $25 million to Nutrition, $10 million to Family Caregivers and $2 million to Native American Caregivers, $4 million each to Native Americans and Protection of Vulnerable Older Americans and $5 million to Alzheimer's Disease grants.)								
Subtotal, Department of Health and Human Services					$1,611		$3,039	
Total					**$7,364**		**$11,269**	

SUMMARY OF STATE EDUCATION FORMULA ALLOCATIONS
DEMOCRATIC AMENDMENT COMPARED TO COMMITTEE BILL

(Estimates, dollars rounded to nearest $000; amounts may not sum to totals)

	Title 1	After School	IDEA Part B	Teacher Quality	Pell Grants	Total
Alabama	+$25,610,000	+$2,927,000	+$19,470,000	+$3,700,000	+$41,736,000	+$93,443,000
Alaska	+$4,027,000	+$980,000	+$3,631,000	+$1,108,000	+$1,716,000	+$11,462,000
Arizona	+$27,864,000	+$3,619,000	+$18,163,000	+$4,647,000	+$44,464,000	+$98,757,000
Arkansas	+$18,102,000	+$1,823,000	+$12,075,000	+$2,324,000	+$23,051,000	+$57,375,000
California	+$187,447,000	+$27,678,000	+$133,993,000	+$30,073,000	+$197,728,000	+$576,919,000
Colorado	+$15,473,000	+$1,762,000	+$15,382,000	+$2,639,000	+$24,202,000	+$59,458,000
Connecticut	+$13,794,000	+$1,617,000	+$13,699,000	+$1,853,000	+$11,572,000	+$42,535,000
Delaware	+$4,117,000	+$980,000	+$3,327,000	+$1,108,000	+$3,299,000	+$12,831,000
District of Columbia	+$5,235,000	+$980,000	+$1,673,000	+$1,108,000	+$5,906,000	+$14,902,000
Florida	+$62,613,000	+$9,152,000	+$68,360,000	+$11,462,000	+$108,565,000	+$260,152,000
Georgia	+$48,534,000	+$5,986,000	+$31,929,000	+$6,688,000	+$51,107,000	+$144,244,000
Hawaii	+$5,339,000	+$980,000	+$4,197,000	+$1,108,000	+$5,472,000	+$17,096,000
Idaho	+$5,361,000	+$980,000	+$5,712,000	+$1,108,000	+$11,559,000	+$24,720,000
Illinois	+$50,377,000	+$8,197,000	+$53,266,000	+$8,541,000	+$76,262,000	+$196,643,000
Indiana	+$27,895,000	+$2,542,000	+$26,842,000	+$3,601,000	+$35,923,000	+$96,803,000
Iowa	+$11,507,000	+$980,000	+$12,287,000	+$1,513,000	+$21,923,000	+$48,210,000
Kansas	+$13,770,000	+$1,235,000	+$11,500,000	+$1,583,000	+$18,402,000	+$46,490,000
Kentucky	+$25,154,000	+$2,642,000	+$15,714,000	+$3,078,000	+$30,709,000	+$77,297,000
Louisiana	+$33,963,000	+$4,237,000	+$19,525,000	+$4,588,000	+$40,562,000	+$102,875,000
Maine	+$5,862,000	+$980,000	+$5,507,000	+$1,108,000	+$7,067,000	+$20,524,000
Maryland	+$19,042,000	+$2,602,000	+$21,014,000	+$3,003,000	+$25,430,000	+$71,091,000
Massachusetts	+$26,580,000	+$3,304,000	+$28,570,000	+$3,489,000	+$29,523,000	+$91,466,000
Michigan	+$54,136,000	+$6,220,000	+$43,983,000	+$6,478,000	+$57,125,000	+$167,942,000
Minnesota	+$14,893,000	+$1,488,000	+$20,008,000	+$2,444,000	+$27,174,000	+$66,007,000
Mississippi	+$20,970,000	+$2,461,000	+$13,145,000	+$2,962,000	+$32,644,000	+$72,182,000
Missouri	+$24,977,000	+$2,814,000	+$22,863,000	+$3,700,000	+$35,980,000	+$90,334,000
Montana	+$5,039,000	+$980,000	+$4,000,000	+$1,108,000	+$7,819,000	+$18,946,000
Nebraska	+$7,456,000	+$980,000	+$7,516,000	+$1,108,000	+$10,990,000	+$28,050,000
Nevada	+$6,610,000	+$1,027,000	+$6,830,000	+$1,438,000	+$6,997,000	+$22,902,000
New Hampshire	+$4,234,000	+$980,000	+$4,776,000	+$1,108,000	+$4,913,000	+$16,011,000

SUMMARY OF STATE EDUCATION FORMULA ALLOCATIONS
DEMOCRATIC AMENDMENT COMPARED TO COMMITTEE BILL

(Estimates, dollars rounded to nearest $000; amounts may not sum to totals)

	Title 1	After School	IDEA Part B	Teacher Quality	Pell Grants	Total
New Jersey	+$38,083,000	+$4,012,000	+$36,380,000	+$4,676,000	+$39,909,000	+$123,060,000
New Mexico	+$15,676,000	+$1,836,000	+$9,600,000	+$2,011,000	+$16,075,000	+$45,198,000
New York	+$109,210,000	+$19,493,000	+$77,511,000	+$15,198,000	+$149,927,000	+$371,339,000
North Carolina	+$36,827,000	+$4,264,000	+$33,389,000	+$5,754,000	+$51,779,000	+$132,013,000
North Dakota	+$3,986,000	+$980,000	+$2,702,000	+$1,108,000	+$6,214,000	+$14,990,000
Ohio	+$58,614,000	+$6,240,000	+$50,213,000	+$7,074,000	+$68,552,000	+$190,693,000
Oklahoma	+$19,662,000	+$2,184,000	+$16,170,000	+$2,804,000	+$29,482,000	+$70,302,000
Oregon	+$21,693,000	+$2,077,000	+$14,341,000	+$2,297,000	+$22,828,000	+$63,236,000
Pennsylvania	+$59,457,000	+$6,595,000	+$47,480,000	+$7,052,000	+$70,915,000	+$191,499,000
Puerto Rico	+$58,352,000	+$7,240,000	+$11,102,000	+$8,446,000	+$80,026,000	+$165,166,000
Rhode Island	+$6,640,000	+$980,000	+$4,402,000	+$1,108,000	+$7,982,000	+$21,112,000
South Carolina	+$24,387,000	+$2,606,000	+$18,338,000	+$3,068,000	+$27,780,000	+$76,179,000
South Dakota	+$4,589,000	+$980,000	+$3,219,000	+$1,108,000	+$6,674,000	+$16,570,000
Tennessee	+$27,048,000	+$3,164,000	+$24,995,000	+$4,127,000	+$37,513,000	+$96,847,000
Texas	+$126,201,000	+$17,610,000	+$99,459,000	+$20,053,000	+$139,937,000	+$403,260,000
Utah	+$8,060,000	+$980,000	+$12,058,000	+$1,477,000	+$21,598,000	+$44,173,000
Vermont	+$3,763,000	+$980,000	+$2,605,000	+$1,108,000	+$3,452,000	+$11,908,000
Virginia	+$26,950,000	+$3,065,000	+$29,659,000	+$4,192,000	+$36,975,000	+$100,841,000
Washington	+$25,650,000	+$2,656,000	+$25,032,000	+$3,681,000	+$32,436,000	+$89,455,000
West Virginia	+$14,604,000	+$1,470,000	+$7,644,000	+$1,408,000	+$15,180,000	+$40,306,000
Wisconsin	+$25,618,000	+$2,477,000	+$22,012,000	+$3,001,000	+$24,620,000	+$77,728,000
Wyoming	+$3,847,000	+$980,000	+$2,734,000	+$1,108,000	+$3,361,000	+$12,030,000
TOTAL APPROPRIATION	+$1,500,000,000	+$200,000,000	+$1,200,000,000	+$225,000,000	+$2,200,000,000	+$5,325,000,000

Note: Title 1, After School, IDEA Part B, and Teacher Quality estimates from the Congressional Research Service based on data provided by the U.S. Department of Education. Pell Grant estimates from American Council on Education based on data provided by the U.S. Department of Education.

Mr. Chairman, I yield 4 minutes to the distinguished gentlewoman from New York (Mrs. LOWEY), a member of the subcommittee.

□ 1215

Mrs. LOWEY. Mr. Chairman, I rise in support of the fiscal year 2005 Labor-HHS bill, and I first want to express my appreciation to the gentleman from Ohio (Chairman REGULA) and the gentleman from Wisconsin (Ranking Member OBEY). They are men of principle, great fairness and determination. It is a pleasure serving with them.

I also want to take a moment to convey my admiration for the gentleman from Florida (Chairman YOUNG). After years of leading the Committee on Appropriations in a fair, bipartisan manner, my good friend is leaving the chairmanship at the end of the year, and while I look forward to continuing to work with the gentleman from Florida (Mr. YOUNG) in the future, I want him to know how much his leadership will be missed.

I also want to thank the staff on both sides of the aisle who continue to be so very helpful.

My colleagues, the programs funded in the Labor-HHS bill are critical, as we heard discussed by the gentleman from Ohio (Mr. REGULA). We provide the children of working parents with safe places to go after school. We lead the world in biomedical research. We recruit young professionals into nursing, a profession with a looming shortage that will affect all Americans who seek health services.

We allocate resources to State and local health departments, as well as hospitals, so they are equipped to respond to a mass incident, for which most are only modestly better prepared than they were on September 11.

We prevent our most vulnerable from having to choose between food and heat. We help put kids through college, a pinnacle of the American dream.

These activities benefit every member of our society. However, because of the limited allocation provided by the Committee on the Budget, many important needs will remain underfunded.

For example, last year Congress did not fulfill its obligation to fully fund the Title I program which serves the poorest children in America, and because of that, more than half our Nation's school districts from Kansas to Minnesota, North Dakota to Pennsylvania, Missouri to Yonkers, New York, in my district, received less Title I from one year to the next. We can expect similar funding cuts for schools across the country in fiscal year 2005 because the bill falls $7.2 billion short on the amount authorized under the No Child Left Behind Act.

Despite a 26 percent tuition increase in the last 2 years, the bill freezes the maximum Pell grant for low-income college students for the second year in a row and cuts Perkins loans by $99 million below last year's level.

Even though every school administrator and teacher I talked to pleads for additional special education funding to meet the growing demands, the bill falls $2.5 billion below the Republican promise made last year in the IDEA reauthorization bill.

At a time when our Nation is desperate for additional nurses and schools of nursing cannot accommodate the increased number of applicants, an additional $5 million for nurse education and training will help only a fraction of the 18,000 candidates denied admission last year because there are not enough instructors to teach them.

Earlier this year this administration circulated a memorandum indicating that the 2006 spending cuts outlined in this year's budget will be implemented. That means huge reductions in spending on health, education, and labor are just around the corner.

Mr. Chairman, in closing, I also want to express my continued concern with the Weldon refusal clause provision. For over 30 years, there have been Federal laws that allow doctors, nurses and hospitals to refuse to provide abortion services because of their religious beliefs, as it should be. However, just as the law protects religious or moral objections, it protects the rights of patients, ensuring that women have access to accurate and complete medical information when making decisions about their own health. The Weldon provision would unravel these protections, gutting the patient protections included in the Title X family planning program, which require that all legal options are presented to a woman. It is my hope that this provision will be stripped from the final Labor-HHS spending bill.

Mr. Speaker, although I did discuss some significant flaws, I will support final passage, and I have said many times that I am truly honored to be a member of the Subcommittee on Labor, Health and Human Services, Education and Related Agencies. I believe that we have tried to work as a team and make the most of the inadequate allocation provided to us by the leadership.

I also continue to hope that through floor consideration today, Senate consideration and during conference we will continue to work together as a team to make additional improvements to the bill.

Mr. REGULA. Mr. Chairman, I yield 3 minutes to the gentleman from Mississippi (Mr. WICKER), a very valued member of our subcommittee.

Mr. WICKER. Mr. Chairman, as usual, the next 2 days of debate on the Labor-HHS education bill will be instructive.

First, the basics. We will authorize in this bill spending of $142 billion plus for health, for education and for the American workers of this country in three major departments. This amounts to $3 billion more than we spent last year, Mr. Chairman, an increase in the discretionary spending in these 3 areas of 2.4 percent. At the same time, we are keeping it within the subcommittee allocation and the limits of the budget resolution, and I think the chairman is to be commended for that.

I have enormous respect for the leadership of this subcommittee on both sides of the aisle, certainly for the chairman, but also for my friend on the Democratic side who just spoke and for the ranking minority member.

What we will hear today amounts to sincerely held views and what it really comes down to, in the long run, is a difference in philosophy.

I have been on this subcommittee for 10 years now, the 10 years that the Republicans have been in the majority in this Congress. And each year when this bill comes up, the majority puts forward a bill that spends an amount of money over and above the last year, and our friends on the Democratic side of the aisle object to the bill based on the fact that they would like to spend more money and tax more.

When they object to the bill, Mr. Chairman, they will often say that it is not really the fault of the leadership of this committee, not the fault of the chairman of the full committee or the subcommittee; that it is the underlying budget we adopted earlier which is at fault. What they really mean when they say this is that they wish a budget had been adopted so that taxes could be higher and that Federal spending could be higher, and indeed, that is the basic difference in philosophy on the two sides of the aisle.

Beginning in 2001, when we realized we were coming into a recession, and then certainly after 9/11 and the tragedy and the cost of that event, this majority on the Republican side decided to reduce the tax burden on Americans, reduce the tax burden on families with children, reduce the tax burden on married couples by eliminating the marriage penalty, reduce the tax burden on lower income workers and on every American who pays income tax, and, yes, to reduce taxes on the job creators.

What has that gotten us during this time? What it has gotten us, according to Chairman Greenspan's testimony before the Committee on the Budget just this morning? Chairman Greenspan said, We are in a period of moderate to excellent economic growth and the shallowest recession in postwar history.

I would submit that this is the program we need, and is why we have adopted the budget and why we should adopt the bill today.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, of all the appropriations bill this body considers every year, it is the Labor-HHS and Education appropriations bill that best represents our Nation's investment in the future. Education, health care, medical research, job training, these are the things that bind us as a

society and play formative roles in determining the course of this country.

So the choices that we make in this bill can help to expand opportunity for generations to come, making Americans live longer, healthier, more productive lives. That is the power of this bill.

At a time when so many families are faced with the rising costs of health care and college tuitions, a sluggish economy and falling wages, this bill has the opportunity to strengthen the economic, health and retirement security for every citizen in this country for generations to come.

Unfortunately, this bill provides $9.5 billion less than the funding promised in the No Child Left Behind Act, and most of the shortfall is in Title I, which serves low-income children and schools with the greatest educational challenges. With an average 26 percent tuition increase in the last 2 years at 4-year public colleges and universities, this bill misses a real opportunity to impact families' lives. It freezes the Pell grant and college work study assistance program and cuts the Perkins loan program.

With a hesitant economic recovery that is creating too few jobs, jobs that generally pay $9,000 less than the ones lost, we should be giving our 8 million unemployed workers the tools that they need to retrain for this new and changing economy. Instead, this bill invests $236 million less than the administration's own request for employment and training assistance programs, including a devastating cut of $88 million to the Employment Service, almost 10 percent, the building block for the Nation's one-stop employment centers.

The shortfalls continue with appropriations for the Departments of Health and Human Services in the area of the National Institutes of Health. A few years ago, we were actually making good on the commitment to double that budget, but now we are barely keeping up with inflation. What that means is medical researchers, racing for lifesaving cures to diseases like cancer, Alzheimer's, diabetes, find themselves having to cut corners so that they can complete their research. NIH's ability to continue its support for clinical trials will be endangered.

I was someone who was diagnosed with the deadliest of all gynecological cancers, ovarian, more than 18 years ago. I know firsthand how this research can save lives. It changed and it saved my life. That is the power of the NIH.

I have said it before. For all their virtues, tax cuts do not save lives. Now, with our Nation at war, our economy failing millions of families, we are seeing the price all Americans have paid for these tax cuts. Child care funding is back to where it was 3 years ago. Home energy assistance is budgeted where we were 2 years ago, and Head Start, which can only serve half the eligible children, is cut in real dollar terms. Tax cuts are quite literally mortgaging the future we pass on to our children and our children's children.

No appropriations bill touches the American family like this. I believe we have a moral responsibility to do better for the people of this country with this bill than we are.

Mr. REGULA. Mr. Chairman, for the moment, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Chairman, I would like to thank my ranking member, also the chairman of the committee, for bringing this bill up today.

I rise to highlight an important program that this bill fails to fund. The Congress has supported and funded the Community Access Program since its inception in 2000. The CAP program, the Community Access Program, has provided communities with much-needed grant funding to provide both preventive and primary care to their uninsured populations.

In communities like mine in Houston, and literally hundreds across the country, we utilize this funding to put together the necessary consortium or groups to help solve our health care access problems. For-profit, nonprofit and public health agencies coordinate services using CAP funds.

Unfortunately, this bill completely eliminates the CAP program at a time when the level of uninsured individuals in this country has reached 44 million and is growing. Now is not the time to cut off access to this important primary and preventive health care service in our communities.

Without this health care access, our uninsured constituents tend to seek health care from our hospital emergency rooms, where costs are skyrocketing and beds are scarce.

This is truly a case where an ounce of prevention is worth a pound of cure.

I thank the committee for its work to increase funding for community health centers, which received $218 million over the President's request, and that is great.

While the Community Health Center and Community Access Programs share similar missions, the Community Access Program really helps coordinate the services, whereas community healthcare centers are really important to a growing number in our community and even need more.

I urge our colleagues on the Committee on Appropriations to restore funding for the CAP program.

Mr. OBEY. Mr. Chairman, I yield myself 10 seconds.

Mr. Chairman, I simply want to say that I agree with the remarks of the gentleman from Texas, and I hope the committee will listen to what he said.

Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from the District of Columbia (Ms. NORTON).

□ 1230

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding me this time and for his very good and hard work on this bill. I thank the chairman of the committee, as well, for working against tremendous odds.

There was a previous question that focused on the Obey amendment that could not be offered. I will call it the millionaires amendment that would have helped restore some balance in paying for programs which the American people place particular priority on. I just want to use one of those programs to vivify my concern, and the concern, of course, comes because, unlike the Obey amendment, we are growing the deficit. The deficit is like a child you do not see grow, and then one day you say, oh, my, how you have grown. By that time, of course, the deficit could bring down our economy. So it is important to do what the Obey amendment would have done.

What the committee has done is to barely save, and I have come to thank you for saving the so-called VERB program, a program that deals with the most serious public health problem in the United States today, obesity and overweight. All this Congress has done for this problem is the so-called cheeseburger bill, the absurdity of suing somebody because you are too fat. But we are leaving people to their own devices.

The experts say that by 2005 obesity and overweight will have overtaken smoking as the leading cause of death. At least for our children, you have left in the bill, instead of allowing the administration to kill the so-called VERB bill, and all VERB stands for is action. There has been a 42 percent increase in obesity among children in the last 25 years. It takes $85 million to keep this program going. You have put $65 million in this rigorously evaluated program that is only now in year 3 of its 5-year period.

But the rigorous evaluation shows an increase in physical activity of at least 35 percent among children. So I thank you for saving this program and hope that adults will be saved sometime in the future.

Mr. REGULA. Mr. Chairman, I continue to reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, this Labor, Health and Education bill is supposed to be that portion of the budget which invests in our children, which opens the door of opportunity for young people, which opens the door to the doctor's office or to the hospital for people who live life on its underside and do not have access to regular health care. It is supposed to protect the interests of workers. This bill falls far short on all fronts.

This bill does nothing to help workers, to protect workers against the efforts of employers to chisel on overtime pay. It falls billions of dollars behind the No Child Left Behind legislation in terms of meeting our obligations to support the education of our

children. It brings to a screeching halt the healthy expansion of after-school programs. It does, in so many ways, fall short of where we ought to be; and it does that because the majority, as I said earlier, has made a decision that its top legislative priority is ever more and always to provide very large tax cuts to people who are already very well off.

I really believe that there is no way to fix this bill, because this bill is the result of two past decisions. It is the result, as the gentleman from Ohio has said, it is the result of the Republican majority's passing a budget resolution which provides inadequate room for education, health, and worker-protection programs. It is also the result of the second vote which occurred on this House floor just a few weeks ago on a resolution that I offered to try to amend that budget resolution so that it would be a somewhat more progressive product that we could be proud of.

At this point, the only way that you could help this bill is to move it on to the Senate in the hopes that the Senate will provide better numbers so that in conference we can provide more resources for education, health care, and worker-protection bills that are so crucial to the welfare of this country's population.

I would say, Mr. Chairman, that there is only one way in the long term that we can fix this problem, and that is to put a different person in the White House and a different majority in the House of Representatives and the Senate. Because what is really at stake in this election, in my view, as someone said on the other side of the aisle, what is really at stake is whether or not this country is going to continue to build a social safety net for the middle class, for the broad working class of this country, or whether we are going to say, in effect, ''Sorry, but everybody is going to be on their own. You are going to rely on the luck of the draw. If life treats you happily, you will come out as one of life's winners; and if life does not treat you so happily, sorry, but you are on your own. We have no obligation to help in any significant way.''

This bill does a number of things for people, but it does not do nearly enough to meet the rising challenges that we have. And I regret very much that we are in that position, but there is not much we in the minority can do to change it except to make clear what is happening. So I urge Members to remember that as we go through the bill this afternoon.

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

Mr. REGULA. Mr. Chairman, I yield myself such time as I may consume to remind my colleagues that in what is a relatively short period of 9 years, the total of this bill has gone from $65 billion to $143 billion. That is a dramatic increase, and I think it recognizes the commitment on the part of Members on both sides that these are important issues that we are addressing in this bill. But I think it also reflects the fact that we have a caring approach.

Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. WELDON), a very valued member of the subcommittee.

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise to congratulate the chairman. We have a difficult budget year this year; and he has managed to cobble together, I would have to say almost like a skilled surgeon, I may be the doctor on the committee, but he handled this with the dexterity of a skilled surgeon, balancing the critical issues of education, health, and research against the budget realities.

Mr. Chairman, we are coming out of a recession. And to the gentleman of Wisconsin, I would simply say it is really unclear to me if we had not cut taxes that we would have more money in this bill. I think if we had not cut taxes, the economy would be in a worse slump and that we indeed would have less revenue, not more revenue.

Conflicting priorities are always a challenge for the Congress. The gentleman from Ohio has achieved the right balance. I know it is not a perfect bill, but I think this is our best shot at getting this bill moving.

Mr. OBEY. Mr. Chairman, I yield myself 1 minute, and I would simply say to the gentleman the issue is not whether we should have cut taxes. Obviously, any time the economy is underperforming, it is perfectly legitimate to cut taxes over the short term. FDR invented that, and I am fully subscribed to that Keynesian approach to economics.

What I do not subscribe to is the idea that in the context of cutting taxes we have to give people who make $1 million a year a $127,000 tax cut. I think we could very well limit the size of that tax cut. That is the only tax cut that we have objected to and tried to change in order to finance this bill.

Mr. WELDON of Florida. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Florida.

Mr. WELDON of Florida. Mr. Chairman, I know the gentleman from Wisconsin and I have discussed this issue in the past. The reason I think that was the right economic priority is because most of those people, at least in my congressional district, are small businessmen and women; and they take most of those funds and pump them back into their businesses, creating jobs. Most of the job growth has been in the small business sector, and I think it was the right thing to do.

Mr. OBEY. Mr. Chairman, I yield myself 1 additional minute, and I would simply say in response that a very small portion of the people who would be affected by our amendment are small businessmen. Very small portion. The fact is that this House has to make a choice. Do we think it is essential to provide a $120,000 tax cut to people making over $1 million a year; or do we think that we ought to use some of that money to provide better opportunity for education, better health care for 45 million people that do not have it, and some additional protection for our workers in what is becoming every day a more and more brutal world market?

Mr. Chairman, I yield 3 minutes to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Mr. Chairman, I appreciate the gentleman from Wisconsin yielding me this time, and I rise in support of the Labor-HHS bill today. While I feel the bill falls short in many areas, particularly in education, I will support the final bill. However, I would also like to rise today and speak to an issue that has great personal meaning to me and has been ignored by our House leadership.

While my amendments reauthorizing the assault weapons ban have been found nongermane, I will still be speaking to it, because so few opportunities remain to do anything about it before it expires on Monday.

One week from today, I will be able to purchase an assault weapon from any number of Web sites and from our local gun stores, which means our gangs and our police officers, and I just came back from a press conference with the police chiefs and the rank-and-file officers, and, unfortunately, many victims, all calling on our President to make some calls over here to the House so that we can bring the bill up for a vote.

A poll released this weekend by the National Annenberg Election Survey says two-thirds of Americans support keeping the assault weapons bill in place. And, in fact, 57 percent of gun owners support the ban, putting to rest the notion the ban is somewhat a threat to our second amendment.

Not one sportsman has missed a day in any hunting season due to the ban on assault weapons. President Bush says he supports the ban, but so far he has been doing the talk, but he has given us no action on it. The ball is in the President's court. He needs to pick up the phone and put renewing the ban on to the House floor. Only President Bush can stay the assault weapons ban execution.

Almost every law enforcement agency in the country supports renewing the ban. That is all the evidence I need to be convinced the ban is working. The most immediate challenge relating to the ban expiring is our police departments, who are saying they are not ready for this to expire. It is basically our police officers who are out there protecting us against terrorists and gangs, who protect our lives every day on the front lines that will be facing these assault weapons when they come back on the streets.

Since assault-style weapons do not need to be aimed, are designed to be moved back and forth in a sweeping

fashion in order to rain bullets on an area instead of a specific target, gang violence will become more reckless, with many more innocent bystanders caught in crossfires.

Police departments will have to reoutfit their squad cars, purchase new bulletproof vests, and make other expensive preparations for the ban's expiration.

Many currently banned weapons have multiple-capacity clips, holding up to 30 rounds of ammunition. Many State laws, including my State of New York, limit our hunters to six rounds in a clip. Deer are given a better chance of surviving than our police officers.

With the Bush budget intent on slashing grants to local police departments and its reluctance to push for extending the ban, the administration is depriving our police officers of the support that we need.

Mr. REGULA. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman from Ohio (Mr. REGULA) has 5½ minutes remaining, and the gentleman from Wisconsin (Mr. OBEY) has 9½ minutes remaining.

Mr. REGULA. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. GRANGER), a great member of our subcommittee.

Ms. GRANGER. Mr. Chairman, I rise in strong support of this bill. It has some very important programs in it. Specifically, one that I have been involved in is the provision of a $2 billion increase from fiscal year 2004 for the Department of Education to continue support for effective reading programs and better technology in the classroom.

Mr. Chairman, I have been to the schools in my district that have used this technology, and as a former teacher I can tell you that it strengthens what a teacher is able to do, particularly with students with problems. The other thing it provides that is very important, I think, is the VERB program. The VERB program came to my district this summer and addresses the serious health dilemma facing our young people, and that is the rise of obesity.

□ 1245

It is a very successful program which encourages children to be more physically active. They sent a truck out to Six Flags Over Texas, and I met the children there. They were able to pick out the verb that they wanted to use that was fun, whether it was basketball, dancing, skateboarding, running. They put excitement in exercise, and that is how VERB is working, and that is how VERB has contributed to a 34 percent rise in free time of physical activity of 9 and 10 years old in a target area. I approve this, and I certainly appreciate the work on the bill.

Mr. REGULA. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio (Mr. BOEHNER), the chairman of the Committee on Education and the Workforce and a great colleague from Ohio.

Mr. BOEHNER. Mr. Chairman, let me congratulate the gentleman from Ohio (Mr. REGULA), the gentleman from Wisconsin (Mr. OBEY), and the other members of the Committee on Appropriations for a job well done on what is a very large bill and a very difficult bill.

There has been much said today about education, and the good news is No Child Left Behind is working and working very well. As we see the preliminary results coming in from around the country, we are seeing increased test scores in both reading and math, especially for our most disadvantaged children. If we look at where the Federal education dollars go, by and large, they are aimed at those very children, those disadvantaged children who need that extra help to have a chance at a good education.

But while the news is good from No Child Left Behind and test scores are going up, there has been this chorus of criticism from some of my colleagues about the fact that it is underfunded and we are not spending enough. It is easy to stand here in the well of the House and talk about how the glass is half empty, but I am here to suggest it is almost full.

If we look at this bill, there is a $2 billion increase in overall education funding in this bill, bringing the total amount for education spending to the Department to $57.7 billion. Now that means in President Bush's first term in office, in just 4 years, the Department of Education's overall funding will have increased by $15.5 billion. If we look back over the 9.5 years Republicans have been in control of Congress, we see education funding has skyrocketed by some $23 billion. That is an increase of more than 150 percent under the Republican Congress. Much of this increase in spending can be attributed to those programs in No Child Left Behind.

The most significant program the Federal Government operates to help disadvantaged children under No Child Left Behind is title I. Again this year we see another $1 billion increase in Title I, about 8 percent over last year's level. If we look at what has happened over the 4 years that the President has been in office, we will see these massive increases. But we can go back all of the way to the 10 years Republicans have been in Congress, and see that we have increased spending for Title I for disadvantaged children by some 96 percent. And the funding increases in just the first 2 years of President Bush's term in office far outstrip the 8 years of the previous administration. Title I increases are continuing. That is our commitment to helping the disadvantaged students in our society get the kind of education they all deserve.

Then we have special education. When Republicans took control of Congress in 1994, we were spending $2.3 billion a year to help special ed students around the country. This is 20 years after a Supreme Court case and Congress passing the Individuals with Disabilities in Education Act but never really funding it. Over the last 10 years, we have increased funding from $2.3 billion to this year $11.1 billion. That is a 378 percent increase in help for those students with special needs.

I believe that the money we are spending to help our special-needs students and our disadvantaged students is money well spent because if we really truly believe no child should be left behind, the Federal Government has to do its share.

I am here to say that I believe the Federal Government is doing its share. We have had our increases over the last 4 years, we have kept our commitments to our Nation's students. I would ask all of my colleagues today to stand up and support these numbers and support our bill.

Mr. OBEY. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I would simply like to say that I react to the gentleman's numbers with a touch of humor because the argument he makes is similar to the child who kills his parents and then throws himself on the mercy of the court because he is an orphan. The fact is if you look at the historical record over the last 10 years, if the House Republican majority had had its way, we would have appropriated about $20 billion less for education over the last 10 years than the Congress wound up appropriating. The House Republicans had to be led kicking and screaming into supporting the increases which he now tries to claim credit for.

I would point out this is the same Republican majority which tried 10 years ago to abolish the Department of Education and tried to make savage cuts in education 3 years in a row before they finally got religion.

I would also point out that in President Bush's first year, it was the Democrats who led the effort to add $4 billion to the President's education budget, and I am happy to say we finally persuaded the Republican majority to agree with our request.

If the House Republicans had had their way, $3.4 billion less would have been spent on education of the poorest children in America than was actually appropriated, and 1 million low-income children would have been eliminated from the Title I program; $3.1 billion less would have been spent on the education of children with disabilities than was actually appropriated if the House Republican majority had its way; $524 million less would have been spent on safe and nurturing places for children in the after-school hours than was actually appropriated if the House Republican majority had its way; and the maximum Pell grant would have been smaller in 5 of the last 10 years than the level actually approved, again if the House Republican majority had its way.

So I guess I am willing to accept the fact that the Republicans now want to borrow the money that we succeeded in

putting into the education budget and borrow it so they can make on their own competing claims the education budget. I do not much care as long as we've got the money.

With that, Mr. Chairman, I urge Members to find every opportunity possible to support more resources in this bill for education, health care, and worker protection.

Mr. OBEY. Mr. Chairman, I yield the balance of my time to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip.

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

Mr. HOYER. Mr. Chairman, I thank the distinguished ranking member for yielding me this time.

I start by reiterating the observation that the ranking member, the gentleman from Wisconsin (Mr. OBEY), has made. It is very nice to get up and say with a chart, this is what we have spent. Those figures are undoubtedly accurate. What is not accurate, as the gentleman from Wisconsin (Mr. OBEY) so correctly pointed out, was that those were not the figures that the Republican House budget proposed in years past. In point of fact, when they talk about the 10-year period of time, the fight almost every year between the Clinton administration and the Republican House and sometimes Senate was that we had not put in sufficient funds to meet our obligations as it relates to education, Title I and other educational objectives. Invariably, the President got his way. So, yes, the figures are higher, but they are not higher because the Republican Committee on the Budget proposed them as such.

Mr. Chairman, this bill, in my opinion, fails to meet the crucial priorities that the citizens of this great Nation expect and deserve in education, in health care, in medical research, and in many other areas, including the promotion of the quality and safety of work in America.

But as I have said before, this is not the fault, and I reiterate, not the fault of the subcommittee chairman, the gentleman from Ohio (Mr. REGULA). The gentleman from Ohio (Mr. REGULA) neither sits on the Budget Committee, nor, in my opinion, was he very enthusiastic about the Committee on the Budget's product. And it is certainly not the fault of the gentleman from Florida (Mr. YOUNG). As a matter of fact, earlier this year the gentleman from Florida (Mr. YOUNG) made the correct observation that the budget was not real, and the numbers projected in the budget were insufficient to meet the obligations of the Committee on Appropriations to provide for the needs of the American people. That was the chairman of our committee speaking.

Instead, this bill's deficiencies have been caused by the Republican majority's irresponsible and unrealistic budget resolution for fiscal year 2005. This is not an unusual budget resolution. It is a political document, not a fiscal document. It was made for the purposes of making political points, not for investing in our people. It abandons fiscal discipline and makes crucial investments in the American people virtually impossible.

One would think that, because the Republicans have been in charge and they have proposed not spending appropriate funds even though they say they are going to, that we would have saved a lot of dollars. But in point of fact, as the whole country knows, we have been going deeply into debt over the last 40 months. In fact, the President's acceptance speech in New York says he wants fiscal restraint, but he has led this country, along with the Republican majority in this House and this Senate, from a $5.6 trillion surplus to a $3 trillion to $4 trillion deficit in 40 months. That is almost a $10 trillion turnaround from fiscal responsibility to fiscal irresponsibility in less than 4 years.

Despite the rhetoric coming from the other side of the aisle, the inescapable fact is that this bill underfunds the bipartisan No Child Left Behind Act by at least $9.5 billion this year. That is in the authorization bill, they imposed a mandate on the States. I supported that bill. We want accountability, we want performance, we want quality education for every one of our children. We said we are going to require you to do certain things, States, but we are going to give you resources to help you accomplish those objectives. We are $9.5 billion short in that promise, and $25 billion short over the last 3 years, short from what the President, in signing the authorization bill, said we were going to do.

Unfortunately, we are falling behind in other areas as well. At a time when this Congress and this administration proudly tout the doubling of National Institutes of Health just a few years ago, NIH today only gets the President's request level. This represents the smallest increase in NIH funding in 19 years. As all of our citizens know, NIH is charged with the responsibility of finding a cure for cancer, making heart disease less fatal, finding a cure for diabetes, seeing if we can find how to prevent Alzheimer's disease, and responding to the AIDS crisis in this country and around the world.

□ 1300

We are short-funding those critical efforts that afflict and threaten our people. Moreover, it is simply not enough to keep up with the medical inflation and will force NIH to lose momentum on the scientific progress they gained from the doubling that Republicans and Democrats all so proudly talked about.

In addition, Head Start, a program that Ronald Reagan said was a success, George Bush I said it was a success, and Bill Clinton clearly said it was a success, is cut by $45 million below the President's request. Thousands of children will have no seat in Head Start, notwithstanding the fact that we think it works. Ryan White HIV/AIDS programs are largely frozen. The maximum Pell grant is frozen. And the Department of Labor is slated for an overall cut of $98 million.

My friends, this bill is insufficient. It may well be better than a continuing resolution, but it is insufficient to meet our obligations and responsibilities. How sad it is that we pass the people's bill with insufficient resources to meet the people's needs.

Mr. REGULA. Mr. Chairman, I yield myself the balance of my time. One comment I would like to make, we are talking about a lot of programs here and an effort to improve education, but the bottom line is that the real work is done in the classroom. I just want to pay tribute to the teachers of America. I think we are so fortunate to have the dedicated people that are in the classroom. I have met many of them, as have you. As I said earlier, when I ask at a meeting, how many of you had a teacher that impacted your life, every hand in the room goes up.

So what our job is, with programs, provide support for those people that are out there and are dedicating their efforts and their lives to young people of this Nation, and we should say a big thank you to all of them.

Mrs. CHRISTENSEN. Mr. Chairman, I join my colleagues today in opposition to H.R. 5006, the LHHS appropriation bill. We know that Congress has many priorities to consider during this fiscal year. And we implore Congress to make eliminating health and healthcare disparities top priorities. This HHS bill, unfortunately, does not contain such investment in the health and welfare of Americans nor does it demonstrate unwavering commitment to well-being of our citizens, including those most in need. With this bill, it is clear that the Republicans do not see America's greatest asset is its people, and refuse to invest in making its people as strong and healthy as possible.

Let me say at the outset, Mr. Chairman, that this great country of ours ranks at the bottom of all of the industrialized countries of the world with regard to the quality of our health care system, we are not where we should be given our resources in infant mortality, HIV/AIDS, immunization, substance abuse and many of the major diseases. In most cases the reason is because more than one third of our population remains outside of the healthcare mainstream.

Today almost 45 million Americans are uninsured, of which 50 percent are minorities: 18 percent of the total elderly population has no coverage at all; 1 out of 6 Americans does not have health insurance; more than 100,000 people lose their health insurance every day; and an astounding 23 percent of African Americans have no insurance at all.

Our health care system in this country is currently in peril. It is falling short on promise and contributing to the disabling illness and premature death of the people it is supposed to serve. The picture is the worst for African Americans who for almost every illness are impacted most severely and disproportionately—in some cases more than all other minorities combined. Every day in this country

there are at least 200 African American deaths, which could have been prevented. Today we know that must of it happens because even when we have access to care, the medical evaluations and treatments that are made available to everyone else are denied to us—not only in the private sector but in the public system as well.

What I am here to try to do today is to leave you with one indelible message: that there are gross inequities in healthcare which cause hundreds of preventable deaths in the African American community every day and which tear at families, drain the lifeblood of our communities, and breed an escalating and reverberating cycle of despair which this subcommittee has the power to end this today if it has the will to do so.

The choice if it can be considered that, is either to write off human beings—our brothers and sisters—who make up this segment of our population, or to make the requisite investment in fixing an inadequate, discriminating, dysfunctional health care system.

The current strongly held-to ''cost-containment'' paradigm, while it sounds good on the surface, has obviously not worked. We now have double digit increases in premiums in an industry that was to rein in its costs. What it did instead was create a multi-tiered system of care, both within managed care and without. Those at the lowest rungs of the system got sicker, the sicker, i.e. more costly, were and still are being dropped, and those who were the sickest were and remain locked out entirely. So not only are health care costs continuing to escalate, the overall health picture in this country is worse than ever.

What we now have is a system, which continues the failed paradigm in which African Americans and other people of color who because they have long been denied access to quality health care, now experience the very worst health status. Not doing what is needed to change this is to threaten the health of not just African Americans and other people of color but every other person in this country, especially at a time when we live under the cloud of possible bioterrorism.

Controlling the cost of health care, which can only be done in the long term, will never be achieved without a major investment in prevention, and leveling the health care playing field for all Americans through fully funding a health care system that provides equal access to quality, comprehensive health care to everyone legally in this country, regardless of color, ethnicity or language.

The funding requests I am outlining today are the bare minimum to ensure that our children have the opportunity for good health, that there are health care professionals who can bridge the race, ethnicity and language gaps to bring wellness within reach of our now sick and dying communities, that states and communities will receive the help to fill the gaps and repair the deficiencies of access and services, and which will enable the affected communities themselves to take ownership of the problems as well as the solutions to their increasing healthcare crisis—a crisis that threatens the health and security of all Americans. Yet this bill fails to even meet this baseline obligation.

If we have learned nothing in the last 10 years, we should have learned that cost containment strategies in our unequal system of care can never bring down healthcare costs. We can only ensure that quality health care will be within the reach of future generations if we make a major investment in prevention and increasing access to care now.

On March 20, 2002, the Institute of Medicine (IOM) released a landmark report entitled: Unequal Treatment: Confronting Racial and Ethnic Disparities in Health Care which was requested by Congressman JACKSON. Among other key findings, the report documented that minorities in the United States receive fewer life-prolonging cardiac medications and surgeries, are less likely to receive dialysis and kidney transplants, and are less likely to receive adequate treatment for pain. Its first and most telling finding states that ''racial and ethnic disparities in healthcare exist and, because they are associated with worse outcomes in many cases, are unacceptable.''

And so I urge the committee to give serious and favorable consideration to our funding requests. Because of time limitations, let me focus on just a few areas contained in the request:

Sixty-six million dollars for the Office of Minority Health, OS, DHHS.

As the Department of Health and Human Services' (DHHS) lead office for improving the health status of racial and ethnic minorities, the Office of Minority Health (OMH) conducts and supports health promotion and disease prevention programs and activities designed to help reduce the high rates of death and disease in communities of color. OMH also serves as one of the focal points for the Department's initiative to eliminate health disparities. By increasing funding to $20.9 million, this office will be able to expand OMH's elimination of health programs in prevention, research, education and outreach, capacity building, and the development of community infrastructure. The increased funding is also needed to fund the State Partnership Initiative Grant Program; Cultural and Linguistic Best Practices Studies; State Health Data Management; Community Programs to Improve Minority Health Grants; Center for Linguistic and Cultural Competence in Health Care; Eliminating Obstacles to Participating in Government Programs; Technical Assistance to Community Health Program; and Community-Based Organization Partnership Prevention Centers.

Two hundred twenty-five million dollars for the National Center for Minority Health and Health Disparities (NCMHD), NIH.

Funding is needed to develop and implement programs necessary to further address minority health and health disparities and to help improve the infrastructure associated with this research and outreach. In addition, the loan repayment payment must be expanded to include master degree graduates from schools of public health and public health programs to ensure that efforts to build and disseminate research-based health information are intensified. As required, the Center is currently developing a strategic plan to guide the Center's efforts. To be effective, the plan must include and reflect the direct input of the NIH institutes and centers; consumer advocacy groups; the public; researchers; professional and scientific organizations; behavioral and public health organizations; health care providers; academic institutions; and industry. The resulting plan is needed to serve as a fundamental blueprint for the Center's activities, as well as a vehicle for helping to ensure a coordinated and effective response to minority health and health disparities.

One hundred twenty million dollars for the Racial and Ethnic Approaches to Community Health (REACH), National Center for Chronic Disease Prevention and Health Promotion, CDC.

The REACH program is a cornerstone CDC initiative aimed at helping to eliminate disparities in health status experienced by ethnic minority populations in cardiovascular disease, immunizations, breast and cervical cancer screening and management, diabetes, HIV/AIDS and infant mortality. The increase is needed to fund additional Phase I planning grants, Phase II implementation and evaluation grants, expand and enhance technical assistance and training, and apply lessons learned. REACH received 211 applications in its first year, but it only had enough funding to make 31 awards, leaving a very large number of meritorious projects unfunded. REACH must have the resources necessary to capitalize on the strengths that national/multi-geographical minority organizations can provide the initiative.

Three hundred million dollars for the Agency for Healthcare Research and Quality (AHRQ).

At a hearing before the Criminal Justice Subcommittee of the Government Reform Committee on May 21, 2002, AHRQ Acting Director Dr. Carolyn Clancy described the initiatives undertaken by her agency to attack health disparities. One of the most important of these is the EXCEED program, which funds Centers of Excellence to eliminate health disparities in nine cities throughout the country. These include efforts to address diabetes care for Native Americans, health disparities in cancer among rural African American adults, and premature birth in ethnically diverse communities in Harlem, New York. According to Dr. Clancy, ''EXCEED encouraged the formation of new research relationships as well as building on existing partnerships between researchers, professional organizations, and community-based organizations instrumental in helping to influence change in local communities.''

The EXCEED program exemplifies the type of initiative recommended by the IOM report, which urged ''further research to identify sources of racial and ethnic disparities and assess promising intervention strategies'' (Recommendation 8–1). Yet the Administration's 2003 budget would curtail these efforts. In the budget, total AHRQ funding falls from $300 million in 2002 to $251 million in 2003. About $192 million of the AHRQ budget is protected from the cutbacks, meaning that $49 million must be trimmed from the remaining $108 million of spending, a 46 percent cut. The EXCEED program and other research grants to study and reduce health disparities fall into this vulnerable $108 million.

Increase of $14 million for the U.S. DHHS Office of Civil Rights (OCR) and a reworking of authorization language to tie it to disparity work U.S. DHHS Office of Civil Rights to enforce civil rights laws.

Enforcement of regulation and statute is a basic component of a comprehensive strategy to address racial and ethnic disparities in healthcare, but it has been relegated to low-priority status. The U.S. DHHS Office of Civil Rights (OCR) is charged with enforcing several relevant federal statutes and regulations that prohibit discrimination in healthcare (principally Title VI of the 1964 Civil Rights Act),

but the agency suffers from insufficient resources to investigate complaints of possible violations, and has long abandoned proactive, investigative strategies.

Despite an increasing number of complaints in recent years, funding for OCR remained constant in actual dollars from fiscal year 1981 to fiscal year 2003, resulting in a 60 percent decline in funding after adjusting for inflation. The decrease has severely and negatively affected OCR's ability to conduct civil rights enforcement strategies, such as on-site complaint investigations, compliance reviews, and local community outreach and education. Providing a substantial increasing in funding for the Office of Civil Rights is necessary for OCR to resume the practice of periodic, proactive investigation, both to collect data on the extent of civil rights violations and to provide a deterrent to would-be lawbreakers.

Increased funding for Initiatives for Health Professions Training: (1) $40 million for the Health Careers Opportunity Program ($5.2 million increase); (2) $40 million Minority Centers of Excellence ($7.4 million increase); (3) $52 million for Scholarships for Disadvantaged Students ($5.8 million increase); and (4) $3 million for Faculty Loan Repayment and Faculty Fellowships ($1.67 million increase).

Diversity in the health professions offers numerous benefits, including ''increasing the proportion of under represented U.S. racial and ethnic minorities among health professionals''. (IOM Report). Such efforts were supported by HHS in the past, but now are threatened with extinction.

The spring 1999 issue of the HHS Office of Minority Health's newsletter Closing the Gaps focused on the theme of ''Putting the Right People in the Right Places.'' The newsletter highlighted the startling under representation of ethnic and minority groups within the health professions and stressed the important role of three programs: (1) the Health Careers Opportunity Program, which trains more than 6,000 high school and undergraduate students each year and is associated with acceptance rates to health professional schools that are 20 percent higher than the national average; (2) the Minority Faculty Fellowships Program, which addresses the problem that ''just four percent of faculty at U.S. health profession schools are minorities''; and (3) the Centers of Excellence Program, which works with Historically Black Colleges and Universities and Hispanic Serving Health Professions Schools to ''recruit and retrain minority faculty and students, carry out research specific to racial and ethnic minorities, provide culturally appropriate clinical education, and develop curricula and information resources that respond to the needs of minorities.''

Unfortunately, the very same programs highlighted by HHS in 1999 as successful have disappeared from the President's 2004 budget. In fact, all of these programs received zero funding or are scheduled for elimination.

To insure that no one is denied necessary health care because of race, ethnicity or language, they must have the tools to do their job. Bringing equity into our healthcare system demands a funding increase for this office.

Fifty million dollars for Territorial Hospitals and Health Departments.

Mr. Chairman, years of Medicaid caps have and continue to create a crisis in the healthcare systems in the offshore territories. To address and resolve this, last year I requested that the sum of $50 million be made available to the secretary for territorial hospitals and health departments to close some of their critical health care gaps and repair infrastructure deficiencies. I repeat this request again for this year's appropriation.

Because of the Medicaid cap, and a match that is not indexed for average income level, both which are Congressionally set, we are unable to cover individuals at 100 percent of poverty—for the Virgin Islands it is closer to 30 percent below that income level. Under the cap, spending per recipient is at best one-fifth of the national average.

Our hospitals are struggling, because the cap prevents them from collecting full payments for the services they provide, and they are also unable to collect Disproportionate Share payments, despite the fact that about 60 percent of their inpatients are below the poverty level. About one-third of these qualify for Medicaid, which as I indicated before, never fully reimburses them. The rest of their patients have no coverage whatsoever.

Long-term care is limited, and thus unavailable to persons and their families who need it, not because the rooms are not there, but because we do not have enough Medicaid dollars to pay for them, even though the federal funds are matched 2 to 1 by local dollars—far above our requirement. While many states are covering women and their minor children well above the 100 percent of poverty, we cannot even come close.

Along with my fellow representatives from Guam, American Samoa and Puerto Rico, I have introduced bills to both remove the Medicaid Cap as well as, for the first time, provide for the creation of a Disproportionate Share payment to our hospitals.

Our final request, Mr. Chairman, once again deals with the Minority HIV/AIDS Initiative. We are here today once again to request funding for the full amount of our request for the MAHI in the amount of $610 million. While our review of the current programs demonstrates the need for increased funding, in light of our other requests which all have the potential to impact this epidemic to some degree, and the budgetary constraints of our government we are requesting a need-based increase over our 2002 request of $70 million. We strongly believe that the $610 million request is absolutely necessary if we are to have any success whatsoever in stemming the tide of this epidemic which continues to ravage our communities.

Once again, the purpose of the special and targeted funding is to provide technical assistance and to increase the capacity of our own communities to administer programs aimed at prevention and treatment, and to bolster or build the infrastructure needed to make all life saving measures accessible.

The Minority HIV/AIDS request is not meant to be the total funding for communities of color but should be utilized in such a way to better enable our communities, that are hard to reach and out of the mainstream, to access the $8 billion plus that is available for HIV and AIDS.

It is also important to point out that as serious an issue as it is, HIV and AIDS is just one symptom of all that is wrong in our communities, many of which come under the purview of this subcommittee. This funding will not only be successful in the fight against long term HIV and AIDS but also in all other areas, if in the long term the underpinnings of our communities are also strengthened.

There is a critical part of the Minority HIV/AIDS initiative request, which does not involve money. It is one of language.

Mr. Chairman, the intent of the MAHI is to ensure that its funds, which are only a small part of overall HIV/AIDS funding, are used to build capacity within African American and other communities of color which are the ones now being disproportionately impacted. The current of the language initiative has not maintained that focus. We are therefore requesting that the original FY 1999 language be restored or be mirrored, in your 2005 bill, with the following change which I believe meets the concerns of the Department with regard to discrimination, while empowering our communities which is the only way we can effectively control this and the other diseases which create the disparities.

The cost in dollars today will be significant, but the cost in lives and to our economy in the future are risks that we must not take.

There is no question that health disparities are deeply rooted in our medical system and in our culture. Eliminating them is going to take a lot more than one leadership summit or one media campaign. It will take a long-term commitment. It will take a long-term investment.

Dr. Martin Luther King, Jr. once said, ''Of all the forms of inequality, injustice in health care is the most shocking and inhumane.'' We have a moral obligation to end injustice in health care and health disparities among Americans. I urge my colleagues to support this request.

On behalf of the Congressional Black Caucus, I urge a ''no'' vote on the rule and the underlying bill.

Ms. JACKSON-LEE of Texas. Mr. Chairman, a number of my colleagues have stood up today to speak out against various parts of the Labor, Health and Human Services and Education appropriations bill. I recognize that through our positions as legislators, we have the ability to create programs and new initiatives that can benefit our constituents and our country. It is within the scope of our job to debate which programs deserve particular funding. Appropriations bills are Congress' vehicle of funding the public, not for creating limitations and barriers for their basic rights afforded by the constitution.

Within this appropriation bill is a provision that effectively prohibits a federal agency or program, or State or local government, from enforcing any abortion-related laws or regulations as they apply to health care entities. ''Healthcare entity'' is defined to include individual physicians or other health care professionals, hospitals, provider-sponsored organizations, HMOs, insurance plans, or ''any kind of health care facility, organization, or plan.'' This ''refusal clause'' permits a broad range of individuals and institutions—including hospitals, hospital employees, health care providers, employers, and insurers—to refuse to provide, pay, counsel or even issue referrals for medical treatment based on their moral or religious views.

Refusal clauses affect a broad range of reproductive services, including: information and referrals for family planning, genetic counseling, infertility treatment, rape treatment, sterilization, STD and HIV testing and treatment and abortion.

Doctors and health care providers have a duty to ensure that women receive accurate

information and appropriate care. Failure to provide this care—even for religious, political or ideological reasons—jeopardizes women's health and violates bedrock principles of medical ethics.

OBEY OVERTIME AMENDMENT

I would like to join many of my Democratic colleagues in supporting Mr. OBEY's amendment to restore overtime protection to the millions of workers who will otherwise lose it if the Bush administration regulation that went into effect on August 23 is allowed to remain in effect.

Workers who are likely to see their pay cut include 2.3 million ''team'' leaders; almost 2 million low-level supervisors; hundreds of thousands of loan officers and other financial service employees; more than 1 million employees who lack college or graduate degrees or who may not be considered ''artistic'' professionals; 90,000 computer employees, funeral directors and embalmers; and more than 30,000 nursery school and Head Start teachers across the country.

Those families that lose overtime protection will find they will have to work longer hours for significantly less money. Overtime accounted for approximately a quarter of the income, more than $8,000 a year, for families who earned overtime in 2000. As the pool of workers who are exempt from overtime is expanded, those workers who are not directly affected by the regulation will lose income as their opportunity to be able to work overtime is diminished.

The Bush administration has justified the regulation on the basis of a proposed clarification of the rules and limitation on litigation; however, virtually every observer of the regulation has acknowledged that the regulations will incorporate vague new terms, that provisions of the regulation are confusing and conflicting, and that the regulation will engender substantial litigation for years to come.

I will offer two amendments to this legislation that would address the horrific effects of hepatitis C and lupus—the silent killer.

The purpose of the Jackson-Lee amendment relating to hepatitis C is to increase the research activities at the Centers for Disease Control for patients who are particularly at risk for the disease or resistant to conventional treatments—African-Americans, children and adolescents, renal dialysis patients, HIV/HCV positive patients, and patients with hemophilia. Because hepatitis C is a communicable disease, I believe this is an important step in getting this public health issue under control.

Back in June of this year, I joined the ''Hepatitis C Movement for Awareness'' to call for a more aggressive, and better informed, national approach to the hepatitis C epidemic in the United States. Hepatitis C infects 300 million people worldwide, including over 5.8 million Americans. Only 20 percent of those infected know they are infected, and scientists are still unsure how the virus is spread, or who is most likely to be infected. This deadly epidemic cannot be ignored any longer. We need action. I commend the Hepatitis C Movement for Awareness for its tenacity and energy in galvanizing in Washington to make its case for change.

The second of my amendments relates to addressing the silent killer, lupus. The purpose of this amendment is twofold. First the amendment transfers $1,500,000 to the account of NIH's National Center on Minority Health to increase educational programs on Lupus for health care providers and for the general public. I believe that this will help to facilitate the diagnosis of lupus today—particularly among susceptible populations. Second, I am proposing to transfer $2,500,000 to the Centers for Disease Control to expand the operation of the National Lupus Patient Registry. There are presently four pilot registry programs operating in Michigan and in Georgia. These pilot programs have been a good start, but additional data is needed to distinguish between environmental and other factors that cause Lupus.

Mr. Chairman, I urge my colleagues to support the two Jackson-Lee amendments. I hope that the deficiencies that relate to the treatment of hepatitis C and lupus can be addressed in conference.

Mrs. CHRISTENSEN. Mr. Chairman, I rise to urge my colleague to oppose the previous question on H.R. 5006, the FY 2005 Labor-HHS-Education Appropriations bill in order that we could get an opportunity to debate an amendment by Ranking Member OBEY which the majority on the Rules Committee refused to make in order. The Obey amendment would add $7.4 billion to the GOP bill, paid for by reducing the average tax cut for millionaires in FY 2005 from $127,000 to $89,000.

As a physician and the chair of the Congressional Black Caucus' Health Braintrust, I am particularly supportive of the amendment's proposed to add additional funds for health care. The amendment would increase health care and funding by $1.1 billion, including providing $500 million for critical investments in medical research at NIH; providing $333 million for maintaining access to health care, including restoring the Community Acess Program for the Uninsured, eliminated by the Republican bill, increasing funding for rural health, and increasing funding for the Maternal and Child Health Block Grant and Healthy Start; and providing $100 million for childhood immunization and infectious disease programs.

Conversely, the majority bill shortchanges health care programs in some critical ways. It cuts rural health care activities by 21 percent from FY 2004. It cuts helath care professions trading by 8 percent. It cuts public and preventative health activities by 18 percent. And it only provides a piddling 4.6 percent increase in HIV/AIDS programs for the second year in a row.

My colleagues the majority bill clearly demonstrates that their rhetoric about supporting the middle class and families are not reflected in the legislation they propose. Democrats on the other hand have consistently fought on behalf of programs that would strengthen the middle class and families.

I urge my colleagues to defeat the previous question and support the Obey substitute.

Mr. WELDON of Florida. Mr. Chairman, I rise to support this legislation.

Mr. Speaker an important and necessary provision is included in the bill that is intended to protect health care entities from discrimination because they choose not to provide abortion services.

The amendment, adopted during full committee consideration, is intended to protect the decisions of physicians, nurses, clinics, hospitals, medical centers, and even health insurance providers from being forced by the government to provide, refer or pay for abortions.

This is reasonable federal policy and one that was overwhelmingly approved by this very body by a vote of 229–189.

The policy simply states that health care entities should not be forced to provide elective abortion—a practice to which a majority of health care providers object and which they will not perform as a matter of conscience.

But while 45 States and the Federal Government protect the right of health care provider to decline involvement in abortion, abortion advocates are working to abolish these legal protections.

Abortion advocates have launched a campaign to force hospitals and other health care entities to provide, refer, and pay for abortions.

They argue that the term ''health care entity'' only covers individuals and not institutions. They have also argued that because an entity receives Federal funds they are required to provide abortions. By twisting the law they have successfully used the courts and State and local governments to violate the objections to abortions of health care entities and providers.

This is why we need to strengthen Federal protections against discrimination based on objections to abortion.

The right of conscience is fundamental to our American freedoms. We should guarantee this freedom by protecting all health care providers from being required to perform, refer, or pay for elective abortions.

I urge my colleagues to support the language in the bill and support its passage.

Mr. GOODLATTE. Mr. Chairman, I rise today to show my support for the Community Services Block Grant, CSBG. CSBG funds the anti-poverty community action agencies and family self-sufficiency efforts of a nationwide network of 1,100 community agencies. These organizations create, coordinate, and deliver comprehensive programs and services to as many as 27 percent of all people living in poverty in the United States.

Total Action Against Poverty is a community action agency whose service area includes Virginia's Sixth Congressional District, which I represent. This agency offers more than 31 programs in housing, education, employment, training, rehabilitation, community development, neighborhood organization, child care, and family development.

The Community Services Block Grant provides flexible funding that enables community action agencies to pursue comprehensive, innovative approaches to help low-income Americans achieve self-sufficiency.

The demand for community action agencies' services among impoverished individuals and families has not abated and, in fact, continues to grow.

Demand for core emergency CAA services, including food banks, clothing, emergency shelter, and utility assistance, continues to increase dramatically.

One of Total Action Against Poverty's programs offers a diverse array of education and training programs for low-income, unemployed, and underemployed adults residing in the Roanoke Valley Alleghany Regional Planning District. The centerpiece of this initiative is the Center for Employment Training, CET, which provides individualized training tailored to enhance competitiveness in the local workforce. Local businesses help develop training and curricula, and facilitate the hiring of CET graduates.

I support the work and the difference that this agency, one of many like it across the U.S., is doing to make a difference in my district. I encourage my colleagues to support the Community Service Block Grant in the Labor–HHS bill.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 5006

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

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005, and for other purposes, namely:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING RESCISSION)

For necessary expenses of the Workforce Investment Act of 1998, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by such Act, $2,649,728,000 plus reimbursements; of which $1,642,442,000 is available for obligation for the period July 1, 2005, through June 30, 2006, except that amounts determined by the Secretary of Labor to be necessary pursuant to sections 173(a)(4)(A) and 174(c) of such Act shall be available from October 1, 2004, until expended; of which $1,000,965,000 is available for obligation for the period April 1, 2005, through June 30, 2006, to carry out chapter 4 of such Act; and of which $6,321,000 is available for the period July 1, 2005, through June 30, 2008, for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers: *Provided,* That notwithstanding any other provision of law, of the funds provided herein under section 137(c) of such Act, $301,227,000 shall be for activities described in section 132(a)(2)(A) of such Act, and $1,178,192,000 shall be for activities described in section 132(a)(2)(B) of such Act: *Provided further,* That $8,000,000 shall be for carrying out section 172 of such Act: *Provided further,* That, notwithstanding any other provision of law or related regulation, $76,874,000 shall be for carrying out section 167 of such Act, including $71,787,000 for formula grants, $4,583,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and $504,000 for other discretionary purposes: *Provided further,* That notwithstanding the transfer limitation under section 133(b)(4) of such Act, up to 30 percent of such funds may be transferred by a local board if approved by the Governor: *Provided further,* That funds provided to carry out section 171(d) of such Act may be used for demonstration projects that provide assistance to new entrants in the workforce and incumbent workers: *Provided further,* That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

For necessary expenses of the Workforce Investment Act of 1998, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by such Act; $2,463,000,000 plus reimbursements, of which $2,363,000,000 is available for obligation for the period October 1, 2005, through June 30, 2006, and of which $100,000,000 is available for the period October 1, 2005, through June 30, 2008, for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers.

Of the unobligated funds contained in the H–1 B Nonimmigrant Petitioner Account that are available to the Secretary of Labor pursuant to section 286(s)(2) of the Immigration and Nationality Act (8 U.S.C. 1356(s)(2)), $100,000,000 are rescinded.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965, as amended, $440,200,000.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of trade adjustment benefit payments and allowances under part I and section 246; and for training, allowances for job search and relocation, and related State administrative expenses under part II of chapter 2, title II of the Trade Act of 1974 (including the benefits and services described under sections 123(c)(2) and 151 (b) and (c) of the Trade Adjustment Assistance Reform Act of 2002, Public Law 107–210), $1,057,300,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, $141,934,000, together with not to exceed $3,440,914,000 (including not to exceed $1,228,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980), which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund including the cost of administering section 51 of the Internal Revenue Code of 1986, as amended, section 7(d) of the Wagner-Peyser Act, as amended, the Trade Act of 1974, as amended, the Immigration Act of 1990, and the Immigration and Nationality Act, as amended, and of which the sums available in the allocation for activities authorized by title III of the Social Security Act, as amended (42 U.S.C. 502–504), and the sums available in the allocation for necessary administrative expenses for carrying out 5 U.S.C. 8501–8523, shall be available for obligation by the States through December 31, 2005, except that funds used for automation acquisitions shall be available for obligation by the States through September 30, 2007; of which $141,934,000, together with not to exceed $672,700,000 of the amount which may be expended from said trust fund, shall be available for obligation for the period July 1, 2005, through June 30, 2006, to fund activities under the Act of June 6, 1933, as amended, including the cost of penalty mail authorized under 39 U.S.C. 3202(a)(1)(E) made available to States in lieu of allotments for such purpose: *Provided,* That to the extent that the Average Weekly Insured Unemployment (AWIU) for fiscal year 2005 is projected by the Department of Labor to exceed 3,327,000, an additional $28,600,000 shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) from the Employment Security Administration Account of the Unemployment Trust Fund: *Provided further,* That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance or immigration programs, may be obligated in contracts, grants or agreements with non-State entities: *Provided further,* That funds appropriated under this Act for activities authorized under the Wagner-Peyser Act, as amended, and title III of the Social Security Act, may be used by the States to fund integrated Employment Service and Unemployment Insurance automation efforts, notwithstanding cost allocation principles prescribed under Office of Management and Budget Circular A–87.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended; and for nonrepayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ''Federal unemployment benefits and allowances'' account, to remain available until September 30, 2006, $517,000,000.

In addition, for making repayable advances to the Black Lung Disability Trust Fund in the current fiscal year after September 15, 2005, for costs incurred by the Black Lung Disability Trust Fund in the current fiscal year, such sums as may be necessary.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $111,375,000, together with not to exceed $57,479,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits Security Administration, $132,345,000.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96–364, within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2005, for such Corporation: *Provided,* That none of the funds available to the Corporation for fiscal year 2005 shall be available for obligations for administrative expenses in excess of $266,330,000: *Provided further,* That obligations in excess of such amount may be incurred after approval by the Office of Management and Budget and the Committees on Appropriations of the House and Senate.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including

reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $400,797,000, together with $2,021,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d) and 44(j) of the Longshore and Harbor Workers' Compensation Act: *Provided,* That $1,250,000 shall be for the development of an alternative system for the electronic submission of reports required to be filed under the Labor-Management Reporting and Disclosure Act of 1959, as amended, and for a computer database of the information for each submission by whatever means, that is indexed and easily searchable by the public via the Internet: *Provided further,* That the Secretary of Labor is authorized to accept, retain, and spend, until expended, in the name of the Department of Labor, all sums of money ordered to be paid to the Secretary of Labor, in accordance with the terms of the Consent Judgment in Civil Action No. 91–0027 of the United States District Court for the District of the Northern Mariana Islands (May 21, 1992): *Provided further,* That the Secretary of Labor is authorized to establish and, in accordance with 31 U.S.C. 3302, collect and deposit in the Treasury fees for processing applications and issuing certificates under sections 11(d) and 14 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 211(d) and 214) and for processing applications and issuing registrations under title I of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.).

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by title 5, chapter 81 of the United States Code; continuation of benefits as provided for under the heading ''Civilian War Benefits'' in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, as amended, $233,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: *Provided,* That amounts appropriated may be used under section 8104 of title 5, United States Code, by the Secretary of Labor to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: *Provided further,* That balances of reimbursements unobligated on September 30, 2004, shall remain available until expended for the payment of compensation, benefits, and expenses: *Provided further,* That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under section 8147(c) of title 5, United States Code, to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2005: *Provided further,* That of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees' Compensation Act, $39,668,000 shall be made available to the Secretary as follows:

(1) for enhancement and maintenance of automated data processing systems and telecommunications systems, $12,351,000;

(2) for automated workload processing operations, including document imaging, centralized mail intake and medical bill processing, $14,221,000;

(3) for periodic roll management and medical review, $13,096,000; and

(4) the remaining funds shall be paid into the Treasury as miscellaneous receipts:

Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under chapter 81 of title 5, United States Code, or 33 U.S.C. 901 et seq., provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, as amended by Public Law 107–275, (the ''Act''), $276,000,000, to remain available until expended.

For making after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Act, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV for the first quarter of fiscal year 2006, $81,000,000, to remain available until expended.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Act, $40,821,000, to remain available until expended: *Provided,* That the Secretary of Labor is authorized to transfer to any executive agency with authority under the Energy Employees Occupational Illness Compensation Act, including within the Department of Labor, such sums as may be necessary in fiscal year 2005 to carry out those authorities: *Provided further,* That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim, such identifying information (including Social Security account number) as may be prescribed.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

In fiscal year 2005 and thereafter, such sums as may be necessary from the Black Lung Disability Trust Fund, to remain available until expended, for payment of all benefits authorized by section 9501(d)(1), (2), (4), and (7) of the Internal Revenue Code of 1954, as amended; and interest on advances, as authorized by section 9501(c)(2) of that Act. In addition, the following amounts shall be available from the Fund for fiscal year 2005 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): $32,646,000 for transfer to the Employment Standards Administration, ''Salaries and Expenses''; $23,705,000 for transfer to Departmental Management, ''Salaries and Expenses''; $342,000 for transfer to Departmental Management, ''Office of Inspector General''; and $356,000 for payments into miscellaneous receipts for the expenses of the Department of the Treasury.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $461,599,000, including not to exceed $91,747,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the ''Act''), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to $750,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education grants: *Provided,* That, notwithstanding 31 U.S.C. 3302, the Secretary of Labor is authorized, during the fiscal year ending September 30, 2005, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: *Provided further,* That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further,* That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred (DART) occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

(1) to provide, as authorized by such Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by such Act with respect to imminent dangers;

(4) to take any action authorized by such Act with respect to health hazards;

(5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by such Act; and

(6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further,* That none of the funds appropriated under this paragraph shall be obligated or expended to administer or enforce the provisions of 29 CFR 1910.134(f)(2) (General Industry Respiratory Protection Standard) to the extent that such provisions require the annual fit testing (after the initial fit testing) of respirators for occupational exposure to tuberculosis.

AMENDMENT OFFERED BY MRS. JOHNSON OF CONNECTICUT

Mrs. JOHNSON of Connecticut. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. JOHNSON of Connecticut:

AMENDMENT TO LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION APPROPRIATIONS BILL, 2005, AS REPORTED

OFFERED BY MRS. JOHNSON OF CONNECTICUT

In title I, in the item relating to OCCUPATIONAL HEALTH AND SAFETY ADMINISTRATION, after the aggregate dollar amount insert the following: ''(reduced by $25,000,000)''.

In title II, in the item relating to OFFICE OF THE SECRETARY, after the aggregate dollar amount insert the following: ''(increased by $25,000,000)''.

In title II, in the item relating to OFFICE OF THE SECRETARY, after the fourth dollar amount, insert the following: ''(increased by $25,000,000)''.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in strong support of my amendment to accelerate the adoption of health information technology and to improve health care quality for all Americans, significantly reduce preventable medical errors, and rein in rising health care costs. My amendment would add $25 million to the Department of Health and Human Services to advance health information technology. This meets the Secretary's budget request to fund State, regional or local grants to develop health systems that coordinate with each other. This funding will also help unleash our creativity through grants to foster innovative information technologies that improve health care.

Mr. Chairman, this President and this Secretary of Health and Human Services, Tommy Thompson, have provided remarkable, aggressive, and visionary leadership to bring America's health care system into the 21st century, to improve the quality of care available to all Americans, and to dramatically reduce administrative costs, medical errors, duplicate testing, duplicate record keeping, and address all those aspects of our health care system that have already been identified by the Institute of Medicine as being the source of poor-quality care and an enormous health care cost.

At this moment, with health care costs rising at an extraordinary rate, pressing premiums up for everyone, including our seniors under part B, we must push forward to develop interoperable electronic health records, e-prescribing and all those other applications of modern information technology to our health sector. It is indeed bizarre that other sectors of the economy, manufacturing, banking, many other sectors, are far ahead of the health care sector in integrating, absorbing, using and exploiting information technology to both improve the quality of operations in those sectors and the quality of the product as an outcome. Information technology will dramatically improve the quality of health care available to all Americans and holds out the promise of reducing costs tremendously.

For example, health information technology will reduce medical errors which account for 44,000 to 98,000 deaths annually, more than motor vehicle accidents, breast cancer, or AIDS. It will reduce known medical errors that cost $30 billion to $35 billion annually. Health IT will save $5.4 billion a year annually that is spent on unnecessary services because tests or second opinions cannot be located. It will also eliminate costly defensive medical practices which account for as much as $108 billion in unnecessary health care costs each year. Health IT will allow physicians to detect negative drug interactions which result in 7,000 deaths each year.

My friends in this body, we must do everything we possibly can to back Secretary Thompson and this President in moving health information technology into our health care sector as rapidly as possible. These innovative grants, the work that they are doing to establish standards, the pressure they are putting on the private sector to develop interoperable technologies is all exactly what needs to happen; and it is my hope that we will be able to accomplish the goal of this amendment, to provide the full $50 million that the new office, of which Dr. Brailer is now the head as the national coordinator of information technology, that their full budget allocation request can be fulfilled.

I have talked with the gentleman from Ohio (Mr. REGULA) about this. Rather than pursuing this amendment further, I am going to withdraw it. But I did want to stress how important it is that we back this office with its full dollar amount. I hope that in the course of the development of this bill, that that goal will be fulfilled.

Mr. REGULA. Mr. Chairman, I move to strike the last word. I commend the gentlewoman for what she is trying to do here. My concern is that if we diminish OSHA's impact, we will have more people going into the hospital. Part of the objective of OSHA is to have safety in the workplace and get fewer people in. I think her desire to improve the quality programs that are embodied in the amendment here, we will be sensitive to this in conference. We have no idea what the other body's bill is going to look like and where the emphasis is going to be. I appreciate the fact that the gentlewoman will withdraw her amendment, but we will keep this very much in mind.

Mrs. JOHNSON of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentlewoman from Connecticut.

Mrs. JOHNSON of Connecticut. I thank the chairman very much for his comments.

Mr. Chairman, I also want to say both to the gentleman from Ohio (Mr. REGULA) and also to the gentleman from Wisconsin (Mr. OBEY) that you have brought forward for this body a very fine, balanced bill in a difficult era. The money that you have put into critical health care activities that the Federal Government funds, like the children's hospitals and also into public education as well as job training and a number of other areas is really a tribute to the kind of thoughtful leadership that this body is capable of.

I do withdraw my amendment, recognizing the importance and value of OSHA, and I appreciate your willingness to look at this critical function as you move this bill toward its final conclusion.

Mr. REGULA. I thank the gentlewoman for her contribution.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $275,567,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles; in addition, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities, notwithstanding 31 U.S.C. 3302; and, in addition, the Mine Safety and Health Administration may retain up to $1,000,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds available to the department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $455,045,000, together with not to exceed $78,473,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, $47,555,000.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three sedans, and including the management or operation, through contracts, grants or other arrangements of Departmental activities conducted by or through the Bureau of International Labor Affairs, including bilateral

and multilateral technical assistance and other international labor activities, $264,653,000, of which, $7,000,000 to remain available until September 30, 2006, is for Frances Perkins Building Security enhancements, and $30,000,000 is for the acquisition of Departmental information technology, architecture, infrastructure, equipment, software, and related needs, which will be allocated by the Department's Chief Information Officer in accordance with the Department's capital investment management process to assure a sound investment strategy, together with not to exceed $314,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund: *Provided*, That no funds made available by this Act may be used by the Solicitor of Labor to participate in a review in any United States court of appeals of any decision made by the Benefits Review Board under section 21 of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 921) where such participation is precluded by the decision of the United States Supreme Court in Director, Office of Workers' Compensation Programs v. Newport News Shipbuilding, 115 S. Ct. 1278 (1995), notwithstanding any provisions to the contrary contained in Rule 15 of the Federal Rules of Appellate Procedure: *Provided further*, That no funds made available by this Act may be used by the Secretary of Labor to review a decision under the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.) that has been appealed and that has been pending before the Benefits Review Board for more than 12 months: *Provided further*, That any such decision pending a review by the Benefits Review Board for more than 1 year shall be considered affirmed by the Benefits Review Board on the 1-year anniversary of the filing of the appeal, and shall be considered the final order of the Board for purposes of obtaining a review in the United States courts of appeals: *Provided further*, That these provisions shall not be applicable to the review or appeal of any decision issued under the Black Lung Benefits Act (30 U.S.C. 901 et seq.).

VETERANS EMPLOYMENT AND TRAINING

Not to exceed $194,098,000 may be derived from the Employment Security Administration Account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 4100–4110A, 4212, 4214, and 4321–4327, and Public Law 103–353, and which shall be available for obligation by the States through December 31, 2005, of which $2,000,000 is for the National Veterans' Employment and Training Services Institute. To carry out the Homeless Veterans Reintegration Programs (38 U.S.C. 2021) and the Veterans Workforce Investment Programs (29 U.S.C. 2913), $26,550,000 of which $7,550,000 shall be available for obligation for the period July 1, 2005, through June 30, 2006.

□ 1315

AMENDMENT OFFERED BY MS. HOOLEY OF OREGON

Ms. HOOLEY of Oregon. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. HOOLEY of Oregon:

In title I, in the item relating to ''DEPARTMENTAL MANAGEMENT—VETERANS EMPLOYMENT AND TRAINING'', after the aggregate dollar amount, insert the following: ''(increased by $5,000,000)''.

In title II, in the item relating to ''OFFICE OF THE SECRETARY—GENERAL DEPARTMENTAL MANAGEMENT'', after the aggregate dollar amount, insert the following: ''(reduced by $5,000,000)''.

Mr. REGULA. Mr. Chairman, will the gentlewoman yield?

Ms. HOOLEY of Oregon. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I think the gentlewoman has a good amendment here. We are prepared to accept this, and I think in light of all the circumstances, the need for veterans' employment and training is growing, and, therefore, I think this is a very positive amendment, and we would be willing to accept it at this point.

Ms. HOOLEY of Oregon. Mr. Chairman, I thank the chairman for accepting the amendment.

Mr. OBEY. Mr. Chairman, will the gentlewoman yield?

Ms. HOOLEY of Oregon. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, we also would be happy to accept it on this side of the aisle. It is a good amendment.

Ms. HOOLEY of Oregon. Mr. Chairman, just very briefly, this is so our Guard and Reserves can go back to the job they left when they went overseas. The men and women of our Armed Forces fought for their country. They should not have to fight for their jobs when they return home, and I thank them for accepting the amendment.

Mr. MCGOVERN. Mr. Chairman, I rise in support of the Hooley amendment.

All of us are incredibly grateful to the men and women of our armed forces, including members of the National Guard and Reserves. Thousands of our Guard members and Reserves have been activated, taking them away not only from their families, but from their jobs, as well.

The Hooley amendment provides $5 million to the Department of Labor Veteran's Employment and Training Program, specifically for a nationwide campaign to educate America's employers about the Uniformed Services Employment and Reemployment Rights Act (USERRA).

USERRA spells out the responsibilities of employers of members of the National Guard and Reserve, and it explains the employment rights of those members. However, many employees and employers do not know about USERRA.

Mr. Chairman, the U.S. Chamber of Commerce has estimated that 70 percent of military reservists called to active-duty work in small or medium-size companies.

In response, I introduced H.R. 4477 with the bipartisan support of U.S. Representative JEB BRADLEY. H.R. 4477 is a simple, straightforward bill, and it complements the Hooley amendment. My bill seeks to promote understanding between employees and employers when it comes to their rights and obligations under USERRA. H.R. 4477 would require the Department of Labor to produce a poster—similar to the Family and Medical Leave poster—for employers to post at work sites.

Mr. Chairman, many employers across the country either do not know about USERRA, or they are only vaguely aware of it. By not complying with USERRA, employers put themselves at risk of facing Department of Labor investigations. By educating employers and employees before potential violations, we can protect employers from costly litigation, potential fines, and public embarrassment.

Mr. Chairman, H.R. 4477 would not create additional paper work or burden employers with difficult Department of Labor requirements. In fact, H.R. 4477 is an effort to educate employers and keep them from unknowingly breaking existing law.

Mr. Chairman, I commend U.S. Representative HOOLEY for bringing her amendment to the floor today. By educating employers and employees about USERRA, we can assist them in working out any potential conflicts before employees are activated. I urge adoption of the Hooley amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY).

The agreement was agreed to.

The CHAIRMAN. Are there further amendments to this paragraph of the bill?

If not, the Clerk will read.

The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $64,029,000, together with not to exceed $5,561,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

WORKING CAPITAL FUND

For the acquisition of a new core accounting system for the Department of Labor, including hardware and software infrastructure and the costs associated with implementation thereof, $10,000,000.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in this title for the Job Corps shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

(TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 103. Not later than 30 days after the date of enactment of this Act, the Secretry of Labor shall issue a monthly transit subsidy of not less than the amount each of its employees of the National Capital Region is eligible to receive, not to exceed a maximum of $100, as directed by Executive Order 13150.

This title may be cited as the ''Department of Labor Appropriations Act, 2005''.

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, IV, VII, VIII, X, XII, XIX, and XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V and sections 1128E, 711 and 1820 of the Social Security Act, the Health Care Quality Improvement Act of 1986, as amended, the Native Hawaiian Health Care Act of 1988, as amended, the Cardiac Arrest Survival Act of 2000, and the Poison Control Center Enhancement and Awareness Act, $6,305,333,000, of which $32,500,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out

the Medicare rural hospital flexibility grants program under section 1820 of such Act: *Provided*, That of the funds made available under this heading, $250,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center: *Provided further*, That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended to carry out that Act: *Provided further*, That fees collected for the full disclosure of information under the ''Health Care Fraud and Abuse Data Collection Program'', authorized by section 1128E(d)(2) of the Social Security Act, shall be sufficient to recover the full costs of operating the program, and shall remain available until expended to carry out that Act: *Provided further*, That no more than $45,000,000 to remain available until expended is available for carrying out the provisions of Public Law 104–73: *Provided further*, That of the funds made available under this heading, $278,283,000 shall be for the program under title X of the Public Health Service Act to provide for voluntary family planning projects: *Provided further*, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: *Provided further*, That $803,872,000 shall be for State AIDS Drug Assistance Programs authorized by section 2616 of the Public Health Service Act: *Provided further*, That in addition to amounts provided herein, $25,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out Parts A, B, C, and D of title XXVI of the Public Health Service Act to fund section 2691 Special Projects of National Significance: *Provided further*, That notwithstanding section 502(a)(1) of the Social Security Act, not to exceed $119,158,000 is available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act.

AMENDMENT OFFERED BY MR. GREEN OF TEXAS

Mr. GREEN of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Texas:

In title II, in the item relating to ''HEALTH RESOURCES AND SERVICES ADMINISTRATION—HEALTH RESOURCES AND SERVICES'', insert after the first undesignated paragraph the following undesignated paragraph:

In addition, for carrying out section 340 of the Public Health Service Act (relating to the healthy communities access program), $104,000,000.

Mr. REGULA. Mr. Chairman, I reserve a point of order.

Mr. GREEN of Texas. Mr. Chairman, I have an amendment that would restore the much-needed funding for the Community Access Program, and, believe me, I appreciate what the chairman and the ranking member on the subcommittee and the full committee did with the resources that we have. I know there are more demand resources, but to actually zero out the Community Access Program I think is something that this House and this Congress should not do.

With more than 44 million Americans currently living without health insurance, there is no doubt that too many Americans are going without necessary preventative health care. This lack of access to care comes at an extremely high cost both in human and budgetary terms. Nearly 40 percent of uninsured adults skip a recommended medical test or treatment. And 20 percent indicate that they have needed but have not received care for a serious health problem in the past year.

Without access to primary health care, the uninsured end up in our emergency rooms where treatment is extremely expensive and taxpayers are footing the bill; either that or the shareholders in our for-profit corporations.

This is where the Community Access Program, or the CAP program, comes in. This successful program was created 4 years ago to help local agencies coordinate preventative and primary health care for uninsured individuals in their communities. CAP allows coordinating efforts between the for-profit hospitals, the nonprofit, and the public health providers and literally everyone in the community to serve the people more efficiently. The program facilitates a community-based approach to preventative health care and allows the community to tailor its program specifically to the needs of its uninsured population.

The CAP program has been instrumental in providing health care to the uninsured in my hometown in Houston. Gateway to Care, the community access collaborative in Harris County, Texas, has used CAP funding to expand primary health care services by steering uninsured individuals to the county's existing services, which the uninsured rarely take advantage of. From CAP funds, Gateway has developed a nurse triage service that individuals can utilize 24 hours a day, 7 days a week. So instead of someone showing up in the emergency room, they actually have a phone number to call, and maybe it is just a sinus infection and they can direct them to the closest clinic in their area instead of showing up at whether it is our for-profit or our public hospitals or our nonprofits. Instead of calling 911 and having an ambulance come to get them, these individuals can speak with a qualified nurse who can help them determine the type of care they require.

Gateway has utilized this funding to increase the enrollment in the State's CHIP program and to develop a streamlined eligibility system among the four major safety net providers in our county. Gateway's achievements have helped thousands of Houstonians access necessary health care services.

And yet Gateway is not alone in its successful use of this CAP funding. The program has funded more than 150 health care collaboratives in 42 States; so it is clear that CAP has touched most of us in this Chamber. CAP collaboratives are serving the uninsured across America from Jacksonville, Florida, to Portland, Maine, from Anchorage, Alaska, to Los Angeles, California. They serve small areas like Concord, North Carolina, and urban areas like Houston.

Mr. Chairman, I will include for the RECORD a list of the American cities that have benefited from this successful program.

Birmingham, AL, Montgomery, AL, Sylacauga, AL, Anchorage, AK, Sitka, AK, Augusta, AR, Helena, AR, Ratcliff, AR, Bisbee, AZ, Navajo, AZ, Prescott, AZ, Tuscon, AZ, Bakersfield, CA, El Centro, CA, Eureka, CA, Lompoc, CA, Los Angeles, CA, Martinez, CA, Orange, CA, Salinas, CA, San Francisco, CA, San Leandro, CA, San Mateo, CA, Stockton, CA, Vallejo, CA, Colorado Springs, CO, Denver, CO, Greeley, CO, Derby, CO, New Haven, CT, Middletown, CT, Dover, DE, Ft. Lauderdale, FL, Jacksonville, FL, Kissimmee, FL, Miami, FL, Orlando, FL, St. Augustine, FL, Tallahassee, FL, Tampa, FL, Atlanta, GA, Augusta, GA, Macon, GA, Des Moines, IA, Couer D'Alene, ID, Carlinville, IL, Chicago, IL, Rockford, IL, Springfield, IL.

Indianapolis, IN, South Bend, IN, Tribune, KS, Wichita, KS, Ashland, KY, Louisville, KY, Lexington, KY, Franklin, LA, New Orleans, LA, Boston, MA, Cambridge, MA, Springfield, MA, Yarmouthport, MA, Lavale, MD, Rockville, MD, Portland, ME, Detroit, MI, Grand Blanc, MI, Kalamazoo, MI, Lansing, MI, Marquette, MI, Muskegon, MI, Saginaw, MI, Ypsilanti, MI, Alexandria, MN, Mankato, MN, Minneapolis, MN, St. Cloud, MN, Kansas City, MO, Kirksville, MO, Jackson, MS, Clarksdale, MS, Billings, MT, Asheville, NC, Concord, NC, Durham, NC, Greensboro, NC, Pinehurst, NC, Raleigh, NC, Washington, NC, Bismarck, ND, Chadron, NE, Columbus, NE, Omaha, NE, Concord, NH, Albuquerque, NM, El Rito, NM, Santa Fe, NM, Amherst, NY.

Binghamton, NY, Brooklyn, NY, New York, NY, Queens, NY, Tarrytown, NY, Warrensburg, NY, Cincinnati, OH, Columbus, OH, Dayton, OH, Tulsa, OK, Cave Junction, OR, Portland, OR, Blossburg, PA, Norristown, PA, Philadelphia, PA, Pittsburgh, PA, Scranton, PA, Cranston, RI, Columbia, SC, Greenville, SC, Orangeburg, SC, Chattanooga, TN, Memphis, TN, Talbott, TN, Nashville, TN, Austin, TX, Corpus Cristi, TX, Dallas, TX, El Paso, TX, Galveston, TX, Houston, TX, Uvalde, TX, Salt Lake City, UT, Arrington, VA, Danville, VA, Falls Church, VA, Richmond, VA, Winchester, VA, Olympia, WA, Seattle, WA, Spokane, WA, Wenatchee, WA, Milwaukee, WI, Huntington, WV, Martinsburg, WV, Charleston, WV, Hinton, WV.

As much success as these communities have achieved with CAP funding, the bill unfortunately eliminates that program. Last year the program received $104 million appropriation; yet the administration transferred $20 million of that, or roughly 20 percent of the total funding, to a pediatric AIDS initiative. No one wants to deny the pediatric AIDS patients the care they need, but this situation demonstrates the problem we have with this bill. We are forced to rob one very worthy program to pay for another necessary program, and in the end the health of our community suffers.

My amendment would restore the $104 million for CAP, restoring funding for the program to the fiscal year 2004 enacted levels.

Because of the host of worthy health care programs in this bill, we do not have an offset, and I would like to withdraw the amendment.

I appreciate the chairman's courtesy in allowing me to talk about the amendment, but I want my colleagues to understand the tremendous strides this program has made in providing primary health care to those 44 million Americans currently living without insurance. The program is worthy of our support, and it is my hope that funding will be restored in conference.

Again, to the gentleman from Ohio (Chairman REGULA) and the gentleman from Wisconsin (Mr. OBEY), I appreciate their allowing me the time, and I thank them for the funds for the community health centers, but we still need the dollars to coordinate these community health centers.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Texas. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, let me simply say the gentleman is absolutely right. This is a program that was begun by Secretary Shalala, who recognized that it is not enough to provide money to health centers if we do not also provide a thoughtful way to coordinate programs and services. This is what makes some of these efforts workable, and I think it is a disgrace that at a time when we have seen the number of uninsured increase from 40 to 45 million people, that we are eliminating a program that is crucial to providing service in more than 20 communities around the country.

Mr. GREEN of Texas. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

I appreciate the fact that the gentleman is withdrawing the amendment because there is not an offset, but I want to commend him for his thoughts on this issue because it is important. These centers are very important, and it is a classic example of what confronted us in the subcommittee, and that is, there is so much in the way of good things that need to be done, and we had to make priority judgments. We will keep this in mind as we go to conference, but I certainly think the need is out there.

Mr. GREEN of Texas. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Texas.

Mr. GREEN of Texas. Mr. Chairman, I thank the chairman for his comments.

Mrs. MCCARTHY of New York. Mr. Chairman, I move to strike the last word.

I am sorry that my colleague has withdrawn the amendment, and I hope they are going to be able to work this out further down the road.

But with that I also want to bring up what health care costs are because of assault weapons. Unfortunately, I have not been allowed to bring up the bill for a vote on assault weapons, but I just want to give the Members some health care costs.

Death and injuries caused by firearms cost the U.S. about $100 billion a year. If we keep assault weapons off the streets, we can bring that down and use the money for our community centers in those areas that need it. This includes hospitalization, other medical care costs, rehabilitation, and lost productivity.

I hope that we can, before this week is over, bring up the assault weapons bill so that we can have the bill and reduce health care costs in this country.

The CHAIRMAN. Are there other amendments to this paragraph of the bill?

If not, the Clerk will read.

The Clerk read as follows:

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM ACCOUNT

Such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act, as amended. For administrative expenses to carry out the guaranteed loan program, including section 709 of the Public Health Service Act, $3,270,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: *Provided,* That for necessary administrative expenses, not to exceed $3,176,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles II, III, VII, XI, XV, XVII, XIX, XXI, and XXVI of the Public Health Service Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act of 1977, sections 20, 21, and 22 of the Occupational Safety and Health Act of 1970, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980; including purchase and insurance of official motor vehicles in foreign countries; and purchase, hire, maintenance, and operation of aircraft, $4,228,778,000, of which $81,500,000 shall remain available until expended for equipment, and construction and renovation of facilities, and of which $142,808,000 for international HIV/AIDS shall remain available until September 30, 2006. In addition, such sums as may be derived from authorized user fees, which shall be credited to this account: *Provided,* That in addition to amounts provided herein, the following amounts shall be available from amounts available under section 241 of the Public Health Service Act:

(1) $14,000,000 to carry out the National Immunization Surveys;

(2) $149,600,000 to carry out the National Center for Health Statistics surveys;

(3) $28,600,000 to carry out information systems standards development and architecture and applications-based research used at local public health levels;

(4) $15,000,000 to carry out Public Health Research; and

(5) $41,900,000 to carry out Research Tools and Approaches activities within the National Occupational Research Agenda:

Provided further, That none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention may be used, in whole or in part, to advocate or promote gun control: *Provided further,* That the Director may redirect the total amount made available under authority of Public Law 101–502, section 3, dated November 3, 1990, to activities the Director may so designate: *Provided further,* That the Congress is to be notified promptly of any such transfer: *Provided further,* That not to exceed $12,500,000 may be available for making grants under section 1509 of the Public Health Service Act to not more than 15 States, tribes, or tribal organizations: *Provided further,* That without regard to existing statute, funds appropriated may be used to proceed, at the discretion of the Centers for Disease Control and Prevention, with property acquisition, including a long-term ground lease for construction on non-Federal land, to support the construction of a replacement laboratory in the Fort Collins, Colorado area: *Provided further,* That notwithstanding any other provision of law, a single contract or related contracts for development and construction of facilities may be employed which collectively include the full scope of the project: *Provided further,* That the solicitation and contract shall contain the clause ''availability of funds'' found at 48 CFR 52.232–18.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Ms. JACKSON-LEE of Texas:

In title II, in the item relating to ''CENTERS FOR DISEASE CONTROL AND PREVENTION-DISEASE CONTROL, RESEARCH, AND TRAINING'', in paragraph (2) of the first proviso, insert after the dollar amount (relating to the National Center for Health Statistics surveys) the following: ''(increased by $2,500,000)''.

In title II, in the item relating to ''NATIONAL CENTER ON MINORITY HEALTH AND HEALTH DISPARITIES'', insert after the dollar amount the following: ''(increased by $1,500,000)''.

In title II, in the item relating to ''CHILDREN AND FAMILIES SERVICES PROGRAMS'', insert ''(decreased by $4,000,000)'' after the aggregate dollar amount and insert ''(decreased by $4,000,000)'' after the dollar amount in the tenth proviso (relating to competitive grants to provide abstinence education).

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me, because this is a very important debate, again add my appreciation to the members of the Committee on Appropriations, the chairman and ranking of the full committee, and, of course, the ranking and subcommittee chairman of this Labor-HHS.

I hope that the gentlewoman from New York (Mrs. MCCARTHY) will rise to support this amendment and share her thoughts as well on another deadly health issue, and that is the use of guns and the resulting injuries and deaths that come about through that. I do add

my voice in this very short time for having the reauthorization of the assault weapons ban. I remember studying this issue in Houston, and I found that for an injured child, costs were at that time, some maybe 5 to 10 years ago, $60,000 per their care. I imagine it has quadrupled at this point. So I hope that we will move in that direction.

I, too, raise an issue that I hope my colleagues will join me enthusiastically, and I also will acknowledge the hard work of a former colleague, Congresswoman Carrie Meek of Florida, who at most times when we came to the floor dealing with the appropriations, Labor-HHS, the Members can be assured she was speaking about the deadly disease of lupus.

Today I am proposing two amendments to the Labor-HHS-Education appropriations bill to further research and outreach on lupus, and I urge the Members to support these amendments. Lupus is a chronic, disabling, and potentially fatal condition in which the immune system attacks the body's own organs and tissues. Lupus strikes primarily women, and it is twice as common among people of color. Currently it is estimated that 1.5 million to 2 million Americans have lupus. There is no cure for lupus. No new drugs have been approved to treat the disease in nearly 40 years, and no medically validated measure to diagnose and track the disease's progression and how it exists.

I, too, am concerned about the National Institutes of Health and the more opportunities for research, and I hope in conference we can alter the configuration so that many researchers in labs around the country and professors will not be denied their opportunity to find the cure for lupus. That is why I am adding this small of amount of dollars that is budget-neutral as evidenced and indicated by CBO.

Early diagnosis and treatment of lupus are essential to minimizing life-threatening complications. Lack of understanding of lupus combined with the disease's complexity leads to significant underdiagnosis. And I might say that it strikes young women in a potentially hardship manner. I remember a young woman that I knew in my church, had two beautiful young children and a beautiful husband, was taken in the prime of her life not knowing that she had lupus, and it was too late in order to provide her with the treatment that she needed, and certainly there was no cure at the time.

□ 1330

Symptoms of the disease may resemble the flu or other less severe instances. In some instances, the patient's apparent symptoms may seem to subside, leading up to a false sense of security. Some surveys indicate that some lupus patients may suffer for 4 years or more and visit 3 or more different physicians before obtaining a diagnosis. I know this personally, because I had a member of my family who I had to take to doctors trying to find out whether it was or whether it was not. And you can be assured in our frustration, but also our great concern and our fear, that we were overcome by the fact that it was really a diagnosis that was hard to pinpoint. The delay in obtaining treatment can be devastating, because time is lost while irreversible organ damage may appear.

The purpose of these amendments is twofold. First, the amendment transfers $1.5 million to the account of the NIH's National Center for Minority Health to increase educational programs on lupus for health care providers and for the general public.

Let me assure you that we have yet addressed in this House the disparities in health care as it relates to minorities. We have yet to pass the equity to health care bill that has been promulgated or written by the Hispanic Caucus, the African American Caucus and the Asian Pacific Caucus and others. I believe that this will help to facilitate the diagnosis of lupus today, particularly among susceptible populations.

Second, I am proposing to transfer $2.5 million to the Centers for Disease Control to expand the operation of the National Lupus Patient Registry. There are presently four pilot registry programs in Michigan and in Georgia. These pilot programs have been a good start, but additional data is needed to distinguish between environmental and other factors that cause lupus.

Let me say to my colleagues, no one knows when their neighbor, their friend, their constituent may be diagnosed. There is one strong point about this disease: It is not easily diagnosed, and many people live with it for a very long period of time. Mr. Chairman, that is why we do not know how many people really have lupus. I would ask my colleagues to join me in this effort and support this amendment, very, very well balanced, and, might I say, not violating CBO. I ask for support of this amendment.

Mr. REGULA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there are a couple of things that I would point out in opposition to this. Number one, we are already recognizing the need for health statistics. In this bill, we have increased the amount for this purpose by $21,960,000. This is an increase of almost 20 percent over last year.

Secondly, at NIH we have increased the amount for monthly health and health disparities reports by $5.3 million.

So it is not the case that we have ignored the subject. I think we have tried to deal within the constraints of what we have available, and to take the money out of the other program, I think, would be just a mistake at this point. Therefore, I would be in opposition to the amendment.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I must also reluctantly oppose the amendment, because I think it has an unintended effect. The amendment, as I read it, would actually result in a small across-the-board reduction in funding for virtually all public health agency programs, including the National Institutes of Health. I do not think that is what we want to do.

Secondly, I would point out the gentlewoman has made quite clear in her remarks that she is attempting to add funding for a specific disease. In all of the years this subcommittee has funded the National Institutes of Health, it has never dictated to the National Institutes exactly how much money they should spend on any specific disease, and I do not think we ought to start now.

So I reluctantly would have to oppose the amendment and say that what we really need is an overall increase in funding for NIH so that we can attack lupus and dozens of other diseases that are causing great pain and suffering to people around the world.

Mrs. McCARTHY of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Jackson-Lee amendment. This amendment would increase funds for the National Center for Health Statistics surveys and for the National Center For Minority Health and Health Disparities.

The cost of health care for minorities is completely disproportionate. Nowhere is this truer than when it comes to the cost of gun violence. Although African Americans and Hispanics make up only 12.1 and 12.5 percent of the U.S. population respectively, these groups suffered 37 percent of all firearm deaths in 2000.

In 2000, homicide with firearms took the lives of 5,699 African Americans. In 2000, homicide with firearms took the lives of 1,958 Hispanics.

In 2000, the death rate for firearm injuries was two times higher for the African American population than the Caucasian population. In 2000, firearms homicide was the leading cause of death for African Americans age 15 to 34.

The assault weapons ban expires September 13, and we are not allowed to bring it up on the floor. This is something that could go into our communities, save lives and keep down health costs.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentlewoman yield?

Ms. McCARTHY of New York. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentlewoman.

Mr. Chairman, let me carefully say this adds more money to the NIH. We respectfully add the fact that it is not necessarily a specific designation for a specific disease. But might I say that because of the discrepancies in access to health care for minorities and access to health care in respect to those who are being treated for lupus and the definitive impact on minorities as it relates to minority women as it relates

to lupus, I would offer to say that this is an amendment that has vibrancy and is necessary without in any way undermining or penalizing NIH.

I might also say that I have from the CBO that this is clearly budget-neutral and does not have an impact on the outlays.

So this is an amendment that is viable for my colleagues to support. I ask for all of my colleagues to look seriously at the opportunity for NIH to make its own determination on a very vital disease, a disease that is necessarily in need of both a cure and research.

I would also offer to say to my colleagues that when we speak about lupus, it is like a silent killer, because you can have it without knowing. You can have it without being diagnosed. Therefore, it is extremely important to be able to provide these additional resources.

I ask my colleagues to provide support for this amendment.

Mr. OBEY. Mr. Chairman, will the gentlewoman yield?

Ms. MCCARTHY of New York. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I want to say I am sure it is not the intention of the gentlewoman from Texas to fund this amendment by providing for an actual reduction in NIH, but the way she has drawn the amendment, it has that effect. I understand that is not her intention, but that is the effect of the amendment as written.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) will be postponed.

Mr. LANGEVIN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as we discuss the fine work that our doctors and scientists are performing with the help of Federal assistance, I want to make sure that my colleagues are aware of the limitations on critical research that are currently in place. These restrictions, the current regulations that guide the National Institutes of Health, are stifling progress into curing chronic conditions and diseases that affect up to 100 million Americans, a number that dramatically increases when you consider their families and loved ones. Unfortunately, rather than overturning these limitations, the committee report to today's Labor, Health and Human Services, and Education appropriations bill instead reaffirms them.

For 3 years, the tremendously promising field of human embryonic stem cell research has been restricted to work on stem cell lines developed before August 9, 2001. Despite the limitations of this policy, our Nation's scientists have made tremendous progress. They have already shown that they can direct the development of human embryonic stem cells into insulin-producing cells that might help cure juvenile diabetes. This type of research holds promise of new therapies, even cures, for countless conditions and diseases such as diabetes, Alzheimer's, Parkinson's, ALS, heart disease, spinal cord injury and cancer.

Mr. Chairman, our scientists are maximizing the resources made available to them under the current policy, but we can do better. We must make it possible for researchers to engage in the responsible pursuit of human pluripotent stem cell research.

Earlier this summer, I was proud to join the gentleman from Delaware (Mr. CASTLE) and the gentlewoman from Colorado (Ms. DEGETTE) in introducing legislation that would achieve this goal by directing NIH to fund stem cell research only if those cells had been derived from excess human embryos created through the in vitro fertilization process for fertility treatment, embryos which otherwise would have been discarded. All tissue donations would be voluntary, accompanied by informed consent and without compensation.

Under these principles, research could flourish. The Federal Government would maintain reasonable and ethical oversight and the promise of cures, and in some cases the promise of life itself would be extended and restored to millions of Americans.

Unfortunately, our current policies place limits on the hopes and dreams of these millions of Americans. Scientists are reporting that it is increasingly difficult to attract new scientists to this area of research because of concerns that funding restrictions will keep this research from being successful. Foreign countries, most notably Great Britain, have been far more supportive of stem cell research.

Mr. Chairman, we face the real danger that without Federal funding, the Nation's top academic researchers at universities, medical schools and teaching hospitals cannot join in the search for cures, which means much slower progress.

Mr. Chairman, we owe it to our constituents to ensure that this research takes place ethically and with the full support of the Federal Government and as soon as possible. For far too many Americans, there is no time to waste.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do not totally disagree with my colleague but just a little bit that just spoke, because there are limited directions of stem cell research that I think that we could all support, whether you are prolife, prochoice, which is not an issue in this case.

Dr. Larry Goldstein from the University of San Diego, California, my daughter interned with him, and he does genetic research.

I would like to remind my colleagues, first of all, that it was President George W. Bush that supported stem cell research in a certain line, that turned out to be tainted.

There are some folks and some doctors that would actually clone people for body parts. I do not think most Americans support that, and I do not support cloning. But there is an area in which I think we can all come together.

Dr. Goldstein told me that quite often a woman invests her embryos because she is going to go through chemo or radiation treatments, and maybe she wants in-vitro fertilization at a later date. But they do not save those embryos for 1,000 years. They discard them. They throw them away, because they can't save them. They are thrown down the toilet.

In that case, why can we not use those stem cells to further research? They are not going to become life. They are going to be discarded, they are going to be thrown away.

I think that if you sat in the Subcommittee on Labor, Health and Human Services, Education and Related Agencies of the Committee on Appropriations during hearings where they have children with unique diseases, I had one little girl 8 years old, and she said, ''Congressman, you are the only person that can save my life.''

If we can come together and work in this particular area, I do not support cloning, but if they are going to be discarded, why can we not use those to enhance; save life?

□ 1345

I have asked the President, along with Mrs. Reagan and Mary Tyler Moore and others, to work in this direction.

There is a third area which Dr. Goldstein pointed out, that there are some stem cells that are so diseased it would be unethical to implant them. Doctors and researchers want to use those stem cells to be able to eliminate those diseases in children, and that is another area in which we can come together. Unfortunately, many of my colleagues, in my opinion, want to go too far. But I think we can all get around it and embrace an area in which the stem cells are going to be thrown away, they are going to be discarded, and we are this close, I say to my colleagues, to getting rid of diabetes. Let us come together on the issue.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to say that I absolutely agree with the gentleman who just spoke, and I congratulate him for the comments that he made. Everyone who has looked with any care whatsoever at this issue understands that there are massive ethical considerations surrounding this question. We need to try to work our way through those ethical considerations in a way that will bring people together on some very fundamental questions, rather

than pulling them apart. I think the gentleman has pointed to one way that can be done.

I would caution those in this society who think that we can somehow stop science from engaging in the kind of research just discussed by the gentleman from California, I would caution those who feel that we can stop that kind of research. We cannot. That kind of research will go forward. The only question is whether it will go forward in the United States or whether it will be somewhere else, and whether or not it will go forward under the auspices of the National Institutes of Health with all of the ethical considerations that they try to bring to bear on this issue, or whether it will be conducted by scientific teams that are not quite so careful about the ethical considerations involved.

I think that the gentleman from California has pointed out how we could move people forward on this issue in a way which is not destructive of anyone's ethical values. We need to start recognizing that we are dealing with real situations, real human beings; and humanity is not going to allow politicians to get in the way of attacking some of the medical problems that have been discussed by the gentleman from Rhode Island or by the gentleman from California; and I congratulate both of them for raising the issue this afternoon.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 26, line 18, insert after the aggregate dollar amount the following: ''(increased by $1,000,000)''.

Page 46, line 4, insert after the aggregate dollar amount the following: ''(decreased by $1,000,000)''.

Page 48, line 2, insert after the dollar amount the following: ''(decreased by $1,000,000)''.

Mr. OBEY. Mr. Chairman, I reserve a point of order against the amendment. We do not have a copy.

The CHAIRMAN. Will the gentlewoman submit the amendment to the desk? We do not seem to have a copy of it either.

Mr. REGULA. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. A point of order is reserved by the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Ohio (Mr. REGULA).

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me again join the gentlewoman from New York (Mrs. MCCARTHY) on the desire to attack another health issue and that is of course to see the ban on assault weapons reauthorized.

I rise to offer an amendment on another and very fast-growing epidemic in our country called hepatitis C. Mr. Chairman, I have an amendment that relates to this very grave matter as it is being distributed to my colleagues.

Our Nation is facing an epidemic of hepatitis C virus, or HCV infection. HCV is the most common blood-borne infection in the United States. Although many of them do not know it, nearly 4 million Americans are currently infected, and 35,000 new infections occur each year.

I have been told about this because of the sizable population of hepatitis C-infected veterans that I have come across. And I want to thank Ed Wendt, a constituent of mine who has raised the question of what we are doing and how we are doing it and how we can do better by those who are infected and the many, many veterans who are infected by this disease.

This insidious virus takes thousands of lives annually, primarily through cirrhosis and liver cancer. HCV costs millions of dollars in health care and lost wages each year, but it receives inadequate attention from the public, the medical field, and the Federal Government.

Hepatitis is an inflammation of the liver. Inflammation of the liver with swelling, tenderness, and sometimes permanent damage can be caused by infection with various viruses or by substances such as chemicals, drugs, and alcohol. Current concern over viral hepatitis stems from the serious long-term health consequences for long-term sufferers.

Hepatitis C virus is one of six known types of the hepatitis viruses. The C virus has emerged as a cause of chronic liver disease, both in the United States and worldwide. It is of concern because of its potential for serious long-term health consequences. It resorts, or causes, if you will, the need for liver transplants as evidenced by my constituent who has suffered long and had a difficult health history. Its pattern of infection among young, hard-to-reach risk groups and the current lack of vaccine or curative therapy impacts or increases the number of deaths.

Some studies indicate that minority populations in the U.S. are disproportionately affected by hepatitis C virus, and some reports have shown that African Americans do not respond to the current treatment of chronic HCV infection with the same efficacy as whites. This is why I started out this debate by saying it is time now for us to pass the equity in health care and disparities in health care in America. But this amendment, as did the lupus amendment, attempts in some small way to address this divide.

HCV is a particular problem for patients coinfected with HIV. According to Dr. Raymond Chung, M.D., director of the Center for Liver Disorders at Massachusetts General Hospital, ''About 25 percent of those with HIV are coinfected with HCV, largely because these viruses share modes of transmission.'' Treatment of patients coinfected with HCV and HIV is particularly challenging, because many of the retroviral treatments traditionally used in HIV therapies are toxic to the liver. Better information about HCV will help develop treatments that are effective for HIV and compatible with HCV. That is all I am asking for in this very simple and minimal amendment of asking for $1 million.

The purpose of this amendment is to increase the research opportunities and to be able to provide patients who are at risk for some control studies: African Americans, children, and adolescents, renal dialysis patients, HIV- and HCV-positive patients, and patients with hemophilia. Because hepatitis C is a communicable disease, I believe this is an important step in getting this public issue under control.

Back in June, I joined the Hepatitis C Movement for Awareness to call for more aggressive and better informed national approach to the hepatitis C epidemic in the United States. Hepatitis C infects 300 million people worldwide, including over 5.8 million Americans. We must do something more. And only 20 percent of those infected know they are infected, and scientists are still unsure how the virus is spread or who is most likely to be infected. This deadly epidemic cannot be ignored any longer. We need action, and I ask my colleagues to support this amendment.

The grass-roots movement of this organization is made up of veterans, victims of hepatitis C, and other health care advocates; and they came to Washington to simply ask the question, can we get help. They are seeking our help, working with the Veterans Administration, which I must say I applaud for looking at this issue more closely. This is not an issue for one person or two persons, it is for millions of people, and those who go infected who do not know they are infected.

I want to congratulate those who worked on this effort, including Ed Wendt and the whole hepatitis C movement, because they do it not for themselves. They do it for those who come after them. They ask that we have a wake-up call so that we can stop the tragedy of the hepatitis C epidemic.

Now it is time that we wake up together and move forward on an amendment that will simply help us move in that direction. I urge my colleagues to join me in supporting this important amendment.

Mr. Chairman, I have an amendment at the desk that relates to a very grave matter with respect to the status of minority health. Our nation is facing an epidemic of Hepatitis C Virus (HCV) infection. HCV is the most common blood-borne infection in the United States. Although many of them do not know it, nearly four million Americans are currently infected, and 35,000 new infections occur each year. This insidious virus takes thousands of lives annually—primarily through cirrhosis and liver cancer. HCV costs millions of dollars in healthcare and lost wages each year, but it receives inadequate attention from the public, the medical field, and the federal government.

Hepatitis is an inflammation of the liver. Inflammation of the liver, with swelling, tenderness, and sometimes permanent damage, can be caused by infection with various viruses or

by substances such as chemicals, drugs, and alcohol. Current concern over viral hepatitis stems from the serious long-term health consequences for long term sufferers.

Hepatitis C virus is one of six known types of the hepatitis virus. Hepatitis C has emerged as a major cause of chronic liver disease both in the United States and worldwide. It is of concern because of its potential for serious long-term health consequences, its pattern of infection among young, hard-to-reach risk groups, and the current lack of a vaccine or curative therapy.

Some studies indicate that minority populations in the U.S. are disproportionately affected by the hepatitis C virus (HCV), and some reports have shown that African-Americans do not respond to treatment of chronic HCV infection with the same efficacy as whites.

HCV is a particular problem for patients co-infected with HIV. According to Dr. Raymond Chung, MD, director of the Center for Liver Disorders at Massachusetts General Hospital, "About 25 percent of those with HIV are co-infected with HCV, largely because these viruses share modes of transmission." Treatment of patients co-infected with HCV and HIV is particularly challenging because many of the retroviral treatments traditionally used in HIV therapies are toxic to the liver. Better information about HCV will help to develop treatments that are effective for HIV and compatible with HCV.

The purpose of this amendment is to increase the Hepatitis C research activities at the Center for Disease Control for patients who are particularly at risk for the disease or resistant to conventional treatments—African-Americans, children and adolescents, renal dialysis patients, HIV/HCV positive patients, and patients with hemophilia. Because Hepatitis C is a communicable disease, I believe this is an important step in getting this public health issue under control.

Back in June of this year, I joined the "Hepatitis C Movement for Awareness" to call for a more aggressive, and better informed, national approach to the Hepatitis C epidemic in the United States. Hepatitis C infects 300 million people worldwide, including over 5.8 million Americans. Only 20% of those infected know they are infected, and scientists are still unsure how the virus is spread, or who is most likely to be infected. This deadly epidemic cannot be ignored any longer. We need action. I commend the Hepatitis C Movement for Awareness for its tenacity and energy in galvanizing in Washington to make its case for change.

The grassroots movement made up of Veterans, victims of Hepatitis C, and other healthcare advocates, came to Washington to tell policymakers about the pressing need for a viable national Hepatitis C policy. They feared that the present policies are based on worn out assumptions, and untested hypotheses. I agreed that more information was needed to help lawmakers craft appropriate strategies for mitigation of the rampant disease. I have been pressing the GAO for a comprehensive study of the past and present Hepatitis epidemic in the United States. We have to know where we stand, where mistakes have been made, and how we can do better. This epidemic is devastating our Veterans and our minority communities.

The Hepatitis C Movement for Awareness graciously presented me with an award for progress made toward the GAO report. I appreciated receiving this award. But, what I appreciated more was at the friendship and cooperation of my constituents Ed Wendt, Tricia Lupole, and the whole Hepatitis C Movement for Awareness. Years ago, the gave me a wake-up call on the tragedy of the Hep C epidemic. Now it is time to wake up Washington, and the nation by pursuing this amendment.

I hope that my colleagues will join me in supporting this important amendment.

The CHAIRMAN. Does the gentleman from Ohio wish to make his point of order?

Mr. REGULA. Mr. Chairman, I withdraw my point of order, and I move to strike the last word.

Mr. Chairman, this amendment, if I understand it correctly, takes $1 million out of abstinence and puts it into CDC without any clarity as to how it would be used in CDC. We have over $4 billion in CDC already. I do not think that adding another $1 million would be significant in their total budget; and in abstinence, it is important that we kept that as tight as possible. Again, it is a rearranging of priorities, and for that reason I object to the amendment.

The CHAIRMAN. Does the gentleman from Wisconsin continue to reserve his point of order?

Mr. OBEY. Mr. Chairman, I withdraw my reservation, and I move to strike the requisite number of words.

Mr. Chairman, I would simply say that I would appreciate it if Members have amendments to offer that they at least provide each side of the committee with a copy of the amendment. I think it is a disservice to the House when amendments are sprung on the committee and we have no opportunity to review them. If we are shown them ahead of time, we can help Members draft them correctly so that they are in order.

So it seems to me it is in the interests of both people who offer these amendments and it is in the interests of the House for Members who are planning to offer amendments to provide us copies. It would seem to me a simple matter of common courtesy.

Mrs. MCCARTHY of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I support the Jackson-Lee amendment on hepatitis C. I spent over 30 years as a nurse before I came to Congress; and, unfortunately, hepatitis C a number of times, when it is diagnosed, it is far too late for so many of the patients. Unfortunately, the signs do not show up until the disease is very advanced, and because we are in a global world now and it is becoming a communicable disease, it is spreading more rapidly. Much more research needs to be done to see how we can stop this.

But I know one of the ways that we can have more money so we have the money for research is to try and stop the amount of money that is being spent every single year because of gun violence. And with the assault weapons ban expiring on September 13, we are going to see more violence on our streets; we are going to see more of these patients in our trauma hospitals, which is going to drive up the cost of health care all the way around. That is a shame. That is preventable. We need, certainly, the administration to back the police around this country and to back the health care providers around this country who all want to see the ban put in place.

□ 1400

If we do that, we can keep down health care costs because of the gun violence and have money go into research for hepatitis C and for so many other issues that all of us here care about.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentlewoman yield?

Mrs. MCCARTHY of New York. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentlewoman for yielding.

I ask my colleagues to simply help us. It is simply asking $1 million for the hepatitis C, and I thank the gentlewoman from New York (Mrs. MCCARTHY) for her information.

This bill, with all the hard work of the appropriators, and I really appreciate them, was sprung on Members on Labor Day weekend. My apologies for the amendment being at the leg counsel, and it is supposed to be at the desk. It is now there, but I really ask my colleagues to look at the need. I also know my staff gave the amendment to both managers of the bill.

We are talking about 300 million worldwide, close to 10 million around the country, veterans, children and others infected with hepatitis C. The more we can do, the better off we are.

I believe this is a well-grounded amendment that should warrant the support of our colleagues on both sides of the aisle, and I would ask my colleagues to support this.

As I indicated, CBO has indicated this is revenue-neutral, has no impact with respect to the issues at hand, and I would simply ask that this amendment be supported.

Mr. REGULA. Mr. Chairman, will the gentlewoman yield?

Mrs. MCCARTHY of New York. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I just want to point out, we do have $22.5 million in the bill now for hepatitis C funding, and we recognize the importance of that, and we have done all that we could within the budget constraints, and there is a sizable amount there.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentlewoman yield?

Mrs. MCCARTHY of New York. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me just quickly say, I respect what the gentleman has done. One of the problems we have is we are suffering because we have such a great percentage of our dollars going to the

tax cut. I think we can do more. Certainly what we have is what the gentleman has been able to do, but I believe this disease is so deadly that adding additional funds is a priority and should be a priority when we talk about health care and also inequity in health care, and I thank the distinguished gentleman.

The CHAIRMAN. Does any other Member wish to be heard on the Jackson-Lee amendment?

If not, the question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) will be postponed.

Are there further amendments to this paragraph of the bill?

Mr. REGULA. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 42, line 7 be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The text of the bill from page 28, line 16 through page 42, line 7 is as follows:

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, $4,870,025,000, of which up to $8,000,000 may be used for facilities repairs and improvements at the NCI-Frederick Federally Funded Research and Development Center in Frederick Maryland.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $2,963,953,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, $394,080,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney disease, $1,726,196,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, $1,545,623,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

(INCLUDING TRANSFER OF FUNDS)

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, $4,440,007,000: *Provided*, That $100,000,000 may be made available to International Assistance Programs, ''Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis'', to remain available until expended: *Provided further*, That up to $150,000,000 shall be for extramural facilities construction grants to enhance the Nation's capability to do research on biological and other agents.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, $1,959,810,000.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, $1,280,915,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, $671,578,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out sections 301 and 311 and title IV of the Public Health Service Act with respect to environmental health sciences, $650,027,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, $1,055,666,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis and musculoskeletal and skin diseases, $515,378,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, $393,507,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, $139,198,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the Public Health Service Act with respect to alcohol abuse and alcoholism, $441,911,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the Public Health Service Act with respect to drug abuse, $1,012,760,000: *Provided*, That in addition to amounts provided herein, $6,300,000 shall be available from amounts under section 241 of the Act to carry out national surveys on drug abuse and related analysis.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the Public Health Service Act with respect to mental health, $1,420,609,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, $492,670,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

For carrying out section 301 and title IV of the Public Health Service Act with respect to biomedical imaging and bioengineering research, $297,647,000.

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, $1,094,141,000: *Provided*, That none of these funds shall be used to pay recipients of the general research support grants program any amount for indirect expenses in connection with such grants.

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to complementary and alternative medicine, $121,116,000.

NATIONAL CENTER ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the Public Health Service Act with respect to minority health and health disparities research, $196,780,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center, $67,182,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, $316,947,000, of which $4,000,000 shall be available until expended for improvement of information systems: *Provided*, That in fiscal year 2005, the Library may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health: *Provided further*, That in addition to amounts provided herein, $8,200,000 shall be available from amounts under section 241 of the Act to carry out National Information Center on Health Services Research and Health Care Technology and related health services.

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, $359,645,000, of which up to $7,500,000 shall be used to carry out section 217 of this Act: *Provided*, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: *Provided further*, That the Director may direct up to 1 percent of the total amount made available in this or any other Act to all National Institutes of Health appropriations to activities the Director may so designate: *Provided further*, That no such appropriation shall be decreased by more than 1 percent by any such transfers and that the Congress is promptly notified of the transfer: *Provided further*, That the National Institutes of Health is authorized to collect third party payments for the cost of clinical services that are incurred in National Institutes of Health research facilities and that such payments shall be credited to the National Institutes of Health Management Fund: *Provided further*, That all funds credited to the National Institutes of Health Management Fund shall remain available for 1 fiscal year after the fiscal year in which they are deposited: *Provided further*, That a uniform percentage of the amounts appropriated in this Act to each Institute and Center, as determined by the Director and totaling not more than $176,800,000, may be utilized for the National Institutes of Health Roadmap Initiative: *Provided further*, That amounts utilized under the preceding proviso shall be in addition to amounts made available for the Roadmap Initiative from the Director's Discretionary Fund: *Provided further*, That up to $500,000 shall be available to carry out section 499 of the Public Health Service Act.

BUILDINGS AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For the study of, construction of, renovation of, and acquisition of equipment for, facilities of or used by the National Institutes

of Health, including the acquisition of real property, $99,500,000, to remain available until expended.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For carrying out titles V and XIX of the Public Health Service Act with respect to substance abuse and mental health services, the Protection and Advocacy for Mentally Ill Individuals Act, and section 301 of the Public Health Service Act with respect to program management, $3,270,360,000: *Provided*, That in addition to amounts provided herein, the following amounts shall be available from amounts available under section 241 of the Public Health Service Act:

(1) $79,200,000 to carry out subpart II of title XIX of the Public Health Service Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts appropriated for subpart II of title XIX;

(2) $21,803,000 to carry out subpart I of part B of title XIX of the Public Health Services Act to fund section 1920(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1920(b) activities shall not exceed 5 percent of the amounts appropriated for subpart I of part B of title XIX;

(3) $16,000,000 to carry out national surveys on drug abuse; and

(4) $4,300,000 for substance abuse treatment programs.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until expended: *Provided*, That the amount made available pursuant to section 927(c) of the Public Health Service Act shall not exceed $303,695,000.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $119,124,488,000, to remain available until expended.

For making, after May 31, 2005, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 2005 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2006, $58,517,290,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under section 1844, 1860D–16 and 1860D–31 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $114,608,900,000. To ensure prompt payments of Medicare prescription drug benefits as provided under section 1860D–16 of the Social Security Act, $5,216,900,000, to become available on October 1, 2005, for fiscal year 2006.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the Public Health Service Act, and the Clinical Laboratory Improvement Amendments of 1988, not to exceed $2,746,253,000, to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the Public Health Service Act and section 1857(e)(2) of the Social Security Act, and such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended: *Provided*, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act shall be credited to and available for carrying out the purposes of this appropriation: *Provided further*, That $24,400,000, to remain available until September 30, 2006, is for contract costs for CMS's Systems Revitalization Plan: *Provided further*, That $78,300,000, to remain available until September 30, 2006, is for contract costs for the Healthcare Integrated General Ledger Accounting System: *Provided further*, That not less than $129,000,000 shall be for processing Medicare appeals, of which $50,000,000 shall be transferred to the Social Security Administration for processing Medicare appeals: *Provided further*, That the Secretary of Health and Human Services is directed to collect fees in fiscal year 2005 from Medicare+Choice organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act: *Provided further*, That the aggregate amount under this heading is hereby reduced by $9,000,000, such reduction shall be allocated among the programs and activities under this heading (including programs and activities for which amounts are specified under this heading) in such manner as the Administrator of the Centers for Medicare & Medicaid Services determines to be appropriate.

HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1308 of the Public Health Service Act, any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available without fiscal year limitation for the payment of outstanding obligations. During fiscal year 2005, no commitments for direct loans or loan guarantees shall be made.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For making payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), $2,873,802,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2006, $1,200,000,000, to remain available until expended.

For making payments to each State for carrying out the program of Aid to Families with Dependent Children under title IV–A of the Social Security Act before the effective date of the program of Temporary Assistance to Needy Families (TANF) with respect to such State, such sums as may be necessary: *Provided*, That the sum of the amounts available to a State with respect to expenditures under such title IV–A in fiscal year 1997 under this appropriation and under such title IV–A as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not exceed the limitations under section 116(b) of such Act.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

The CHAIRMAN. Are there amendments to this section of the bill? If not, the Clerk will read.

The Clerk read as follows:

LOW-INCOME HOME ENERGY ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For carrying out low-income home energy assistance activities, $2,227,000,000: *Provided*, That of the total amount provided under this heading, $1,900,000,000 shall be for the low-income home energy assistance program under title XXVI of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 8621 et seq.): *Provided further*, That of the total amount provided under this heading, $100,000,000, to remain available until expended, shall be for the low-income home energy assistance program under title XXVI of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 8621 et seq.) for the unanticipated home energy assistance needs of one or more States, as authorized by section 2604(e) of such Act, and notwithstanding the designation requirement of section 2602(e) of such Act: *Provided further*, That of the total amount provided under this heading, $227,000,000 is hereby transferred to the Department of Energy for the weatherization assistance program under part A of title IV of the Energy Conservation and Production Act (42 U.S.C. 6861 et seq.), and shall remain available until expended.

AMENDMENT OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SANDERS:

Page 42, line 11, after the dollar amount insert ''(increased by $22,000,000)''.

Page 42, line 12, after the dollar amount insert ''(increased by $11,000,000)''.

Page 42, line 25, after the dollar amount insert ''(increased by $11,000,000)''.

Page 50, line 12, after the dollar amount insert ''(reduced by $26,000,000)''.

Mr. SANDERS. Mr. Chairman, let me begin by thanking the gentleman from Ohio (Chairman REGULA) and the gentleman from Wisconsin (Ranking Member OBEY) for their very, very hard work on this important bill.

Mr. Chairman, as I think every American from Vermont to California knows, in a couple of weeks as winter approaches, people are going to have a very, very rude surprise when they take a look at their home heating bills. I do not have to tell anybody here or anybody in America that the cost of home heating fuels are skyrocketing

out of control, and I do not have to tell anybody here that millions and millions and millions of Americans are going to find it increasingly difficult to pay these outrageously high costs in order to keep warm this winter.

Mr. Chairman, according to the Energy Information Administration, the price of heating oil, natural gas and propane are expected to skyrocket. They are going to go off the wall.

The amendment that I am offering today would provide relief to hundreds of thousands of families by increasing funding for the highly successful and widely supported Low Income Home Energy Assistance Program, the LIHEAP program, as well as the Weatherization Assistance Program, by $22 million. This increase, I should point out to my friends, would still be $42 million below the President's request. The amendment would be offset by a $26 million reduction in departmental management at the Department of Health and Human Services, which would still provide, with that reduction, level funding for this program.

This amendment has tripartisan support and is being cosponsored by my colleagues, the gentleman from Connecticut (Mr. SIMMONS), the gentlewoman from New York (Mrs. MCCARTHY), the gentleman from New Hampshire (Mr. BRADLEY), the gentleman from Massachusetts (Mr. MARKEY), and the gentleman from Massachusetts (Mr. MEEHAN). It also enjoys the very strong support of the National Community Action Foundation.

Mr. Chairman, from California to Vermont, every American knows that energy costs are only going to go up this winter. Here is what the Energy Information Administration is predicting: Compared to the winters of 1998 to 2000, the price of natural gas will be 55 percent higher; the price of heating oil will be 45 percent higher; and the price of propane will be 41 percent higher.

LIHEAP is the primary program that provides assistance to help lower-income families pay their energy bills, and there has been no time when more people are going to need LIHEAP assistance than now. We are facing a crisis, and if we do not act, large numbers of Americans could well go cold this winter.

Mr. Chairman, in this country no American family should go without heat this winter. Not one senior citizen should choose between heating their homes and paying for the prescription drugs that they need.

Mr. Chairman, LIHEAP and weatherization enjoy broad bipartisan support in Congress. Last March, more than 70 Members of both the House and Senate, including 20 Republicans, cosigned letters calling for $3 billion in funding for LIHEAP. Even if this amendment were signed into law, LIHEAP would still be more than $500 million short of that mark.

Similar amendments that I have offered in the past to increase funding for weatherization have been very successful because I think they have strong tripartisan support, understanding that it is absurd that people lose their heat through faulty windows or roofs, and that it makes sense economically and environmentally to substantially increase weatherization.

Mr. Chairman, for those of us concerned about protecting the financial well-being of lower-income Americans and for those of us concerned about the environment, this is a very important amendment. It will make more homes throughout this country energy-efficient through proper insulation. This is good for low-income people, it is good for the government, it is good for our environment.

The weatherization program also creates good-paying jobs, increases property values, and decreases U.S. energy use by the equivalent of some 15 million barrels of oil every year.

Under this program, 105,000 homes will be weatherized this year, but much more can and must be done, and while 4.8 million families received LIHEAP assistance this year, over 25 million eligible families did not receive any help due to lack of funding from the Federal Government.

Mr. Chairman, we can do better than that, we must do better than that, and I urge my colleagues to vote ''yes'' on this important amendment.

Mrs. MCCARTHY of New York. Mr. Chairman, I move to strike the last word.

I rise in support of the Sanders-Simmons-McCarthy amendment and am honored to be a cosponsor.

This vital amendment would increase funding for the Low Income Energy Assistance Program and Weatherization Assistance Program by $26 million.

Recent predictions indicate that this winter may be one of the harshest in many years in the Northeast, and the Energy Information Administration is predicting the price of heating oil, natural gas and propane will skyrocket. By the way, those prices have already skyrocketed.

LIHEAP provides the needed warmth for our most vulnerable communities, the poor, the elderly and the disabled. These disadvantaged communities are also, unfortunately, the most affected by gun violence.

When we have seen over the last several months that unemployment has gone up in certain areas of our country, our seniors are facing higher medical costs, higher prescription drug costs, now a 17 percent increase on their Medicare. Adding any little bit, amount, as far as increases on heating is going to be a problem for them.

As my colleague from Vermont has said, there is no one in this country that should be cold, but also another thing that happens, unfortunately, in this poorest of the poor communities is the gun violence we see on a daily basis. I could speak about that in my own district of Long Island. I know they say the suburban areas do not have gun violence. Well, unfortunately, after September 13 we are probably going to start seeing an increase of that because we are not allowed to bring up the assault weapons bill here on the House floor.

It is a shame that our seniors and our most vulnerable, who are our children and the poor that live in the communities, will be facing these guns again. It is a shame that our police officers who patrol these areas will also be facing these problems again.

I am sorry that we are not allowed to bring up the assault weapons bill that will expire on September 13. I hope that the leadership will change its mind.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to point out that we recognized in our bill the importance of LIHEAP. We did increase it by $111 million over last year. The total provided in the bill is now $1.9 billion, a lot of money, and that is the formula grants that go right out to the States. In addition, there is $100 million for the contingent emergency fund, and lastly, in the weatherization assistance grant, which came to us from the Subcommittee on the Interior and Related Agencies, we are funded at $227 million.

None of us know exactly what the needs will be in the coming winter. It could be severe, it could be mild; and if it is a mild winter, I think this is more than adequate. If it is a severe winter, we may want to do a supplemental appropriation.

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I thank my friend for his support for these programs over the years, and I am not going to argue with him about the value of these programs because I know he appreciates the value of the programs.

But what my friend cannot deny is that the cost of heating fuels are skyrocketing. There is no debate about that, and the problem is that if we simply increase weatherization and LIHEAP by a little bit, it is not going to keep up with 30, 40, 50 percent increases in home heating fuel.

I think my friend would recognize, and none of us can predict the weather, but even with an average winter, the fact that heating fuels are soaring will mean that fewer dollars will be available to people, or we are going to have to cut back on the number of people that utilize the programs.

All I am doing, this is not a multibillion-dollar increase, and I know my friend's heart is in the right place on this issue. It is a relatively modest increase of $22 million. I would appreciate support for it.

Mr. REGULA. Mr. Chairman, reclaiming my time, it seems easy to take this out of the administrative

budget of the Secretary of Health and Human Services, but let me point out that he has a great challenge in oversight to manage that Department effectively, and that is part of his administrative budget.

Within that budget, he has to administer the Centers for Disease Control, the National Institutes of Health, the FDA, HRSA, SAMHSA, the Indian Health Services, CMS, the children and families programs, the older americans programs and the health care quality. Now, that is quite a range of services that he has to manage effectively if they are going to serve the public well, and we are faced with some priority choices here.

Mr. SANDERS. Mr. Chairman, if my friend would further yield, I understand that, and it is like I would not be unhappy if the gentleman took care of that in conference. I know it is a tough judgment.

I simply would like the Members to stand up for folks who might go cold this winter. That is the point that I want to make. I am not going to get in a great argument with my colleague here. And perhaps he can adjust that in conference.

Mr. REGULA. Mr. Chairman, well, if the gentleman would be willing to withdraw, we certainly would keep it in mind in conference, because I understand. I come from a State where it gets reasonably cold in the winter, too.

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I understand what the gentleman is saying about fuel costs. We do not know, I see gasoline is like a yo-yo. One day it is $1.89 out my way, and the next day it is $1.69. But the problem for the Secretary of HHS to manage all these agencies, what we have tried to do is put in a reasonable amount for his needs.

Now, in conference, maybe we can address this, and we would certainly keep it in mind if the gentleman would consider withdrawing it.

Mr. SANDERS. If the gentleman will continue to yield, Mr. Chairman, I think it is best to give the Members an opportunity to express their will on this, but I thank the gentleman very, very much.

Mr. OLVER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I thank the gentleman from Vermont for bringing forth this very, very important amendment. Tens of millions of families in America are in for bad news this winter when they get their heating bills in the mail. According to the Energy Information Administration, the prices of heating oil and natural gas are expected to skyrocket. The EIA predicts that compared to the winter of just 4 years ago, the price of natural gas will be 55 percent higher and the price of heating oil will be 45 percent higher this winter.

Now, these increased costs could not come at a worse time. According to our Census Bureau, since 2001, when President Bush took office, the number of people living in poverty has increased by 4.3 million, and the median family income has dropped by over $1,500. The median family is the exact mid-point among our roughly 100 million American families, and all families with income below that median family's income have lost income. Families are already struggling to pay high and rising gasoline and health care costs.

So the Low-Income Home Energy Assistance Program, the LIHEAP program, is the primary program that provides assistance to help lower-income families pay their energy bills. There has been no time when more people are going to need LIHEAP assistance than now. This amendment would provide modest, but important, relief to thousands of these families by increasing funding for the LIHEAP and Weatherization Assistance Program by about $22 million. The increase proposed by this amendment would still leave that LIHEAP account $42 million below the President's request.

Mr. Chairman, not one family should go without heat this winter, and not one senior citizen should have to choose between heating their home and purchasing their prescription drugs. I urge my colleagues to vote ''yes'' on this important amendment when it comes up later.

Mr. BRADLEY of New Hampshire. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment of the gentleman from Vermont, and thank also the chairman, the gentleman from Ohio (Mr. REGULA), for his support of LIHEAP funding, both in this budget and in the past. However, given the recent run-up in the cost of all kinds of petroleum products, gasoline, to say nothing of natural gas and the price of oil, this is a very important issue for all of us in the Northeast and in the cold-weather States.

Before I became a Member of Congress, I served in the New Hampshire legislature, and I chaired the committee that dealt with all of the energy issues, so I know firsthand how important LIHEAP funding on a Federal basis is for all of the cold-weather States. We have seen over the last several years the price of natural gas increase by over 50 percent, the price of oil by 45 percent, propane by 40 percent; and it is going to cost, Mr. Chairman, over $1,000 to heat an average home this winter with natural gas, oil, and propane. So this modest amount of money, $22 million, which would come out of overhead and administration, is very important to my region of the country, and I ask my colleagues to support this amendment.

Mr. SIMMONS. Mr. Chairman, I rise to support this amendment to increase funding for the highly successful Low Income Home Energy Assistance Program (LIHEAP) and Weatherization Assistance Program (WAP) by $22 million. This modest increase in funding would still be $42 million below the President's request, but it could help thousands of low-income Americans, the elderly and disabled stay warm this winter. This increased investment for our Nation's most vulnerable population would be offset by a $26 million reduction in Departmental Management at the Department of Health and Human Services which would still provide level funding for this program.

The Energy Information Administration is predicting that the price of heating oil, natural gas and propane will skyrocket this winter. Compared to average heating costs from 1998 to 2000, consumers are expected to pay 55 percent more for natural gas; 45 percent more for heating oil; and 41 percent more for propane. Heating a home with natural gas will cost an average of $1,049 this winter; heating with fuel oil will cost $1,094; and, heating with propane will cost $1,361.

This increased cost in energy couldn't come at a worse time. Since 2001, the number of people living in poverty has increased by 4.3 million, and the average family income has dropped by over $1,500. LIHEAP and WAP are needed now more than ever to make sure that on the richest country on earth, our constituents don't have to make the unacceptable choice between heating their homes and feeding their families.

Last March, more than 70 Members of both the House and Senate, including 20 Republicans, co-signed letters in support of $3 billion in funding for LIHEAP. Even if this amendment was signed into law, LIHEAP would still be more than $500 million short of this mark.

Simply put, Weatherization and LIHEAP work. WAP has allowed low-income families to save more than $200 a year in heating costs. These modest savings can be used for other important family needs such as food, clothing, housing and other basic necessities of life. And, LIHEAP is a vital safety net for our Nation's low-income families which reduces the percentage of their income spent on residential energy costs. Unaffordable home energy can result in: homelessness; health and safety problems, such as malnutrition, hypothermia and heat stroke; and, lack of educational attainment for children. LIHEAP protects public health and safety by keeping families warm in the winter and cool in the summer.

For all of these reasons I support this amendment.

Mr. MARKEY. Mr. Chairman, I rise in support of this important amendment, which I am pleased to join in cosponsoring.

This amendment would provide a modest boost to the funding levels for these two programs—$11 million more for LIHEAP and $11 million more for Weatherization. This additional funding is desperately needed, but it would still leave many needs unmet. LIHEAP alone needs $1 billion above the $1.9 billion level in this bill to simply maintain the purchasing power it enjoyed in 1982. Meanwhile, we are seeing greatly increased volatility in oil and natural gas markets which threaten consumers with higher home heating prices this winter. The Department of Energy reports that consumers are expected to pay 55 percent more for natural gas; 45 percent more for heating oil; and 41 percent more for propane than they did in the years between 1998 and 2000. As a result, heating a home with natural gas will cost an average of $1,049 this winter; heating with fuel oil will cost $1,094; and, heating with propane will cost $1,361.

According to the Census Bureau, nearly 36 million Americans—including almost 13 million

children—now live in poverty. That is an increase of over a million people in the last year alone. Faced with a growing number of families in poverty, the Republican leadership has brought to the floor an appropriations bill that does little to help those Americans who have fallen below the poverty line. It seems the Republican leadership would rather protect President Bush's tax cuts for the wealthiest Americans than lend a helping hand to the poorest Americans.

For the low income families and seniors of Massachusetts and the rest of New England, winter—and increased utility bills—will be here too soon. Many families and seniors will once again be faced with the difficult decision between heating and eating.

Two crucial programs that help low-income families and seniors deal with the high cost of heating their homes in the winter are the Low Income Home Energy Assistance Program (LIHEAP) and the Weatherization Assistance Program. This appropriations bill's funding levels for these two crucial programs are inadequate to meet the current and growing needs of low-income Americans.

There is bipartisan support from legislators representing warm and cold climates to raise LIHEAP's funding to $3 billion, but this appropriations bill is nowhere near that level of funding. I urge my colleagues to pass this amendment today as a first step to meeting LIHEAP needs in the very near future. We owe the low-income families that rely on this program no less.

I urge adoption of the amendment.

The CHAIRMAN. Does any other Member wish to be heard on the Sanders amendment?

If not, the question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SANDERS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Vermont (Mr. SANDERS) will be postponed.

Are there further amendments to this paragraph of the bill?

If not, the Clerk will read.

The Clerk read as follows:

REFUGEE AND ENTRANT ASSISTANCE

For necessary expenses for refugee and entrant assistance activities and for costs associated with the care and placement of unaccompanied alien children authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96–422), for carrying out section 462 of the Homeland Security Act of 2002 (Public Law 107–296), and for carrying out the Torture Victims Relief Act of 2003 (Public Law 108–179), $491,336,000, of which up to $10,000,000 shall be available to carry out the Trafficking Victims Protection Act of 2003 (Public Law 108–193): *Provided,* That funds appropriated under this heading pursuant to section 414(a) of the Immigration and Nationality Act and section 462 of the Homeland Security Act of 2002 for fiscal year 2005 shall be available for the costs of assistance provided and other activities to remain available through September 30, 2007.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), $2,099,729,000 shall be used to supplement, not supplant state general revenue funds for child care assistance for low-income families: *Provided,* That $19,120,000 shall be available for child care resource and referral and school-aged child care activities, of which $1,000,000 shall be for the Child Care Aware toll free hotline: *Provided further,* That, in addition to the amounts required to be reserved by the States under section 658G, $272,672,000 shall be reserved by the States for activities authorized under section 658G, of which $100,000,000 shall be for activities that improve the quality of infant and toddler care: *Provided further,* That $9,864,000 shall be for use by the Secretary for child care research, demonstration, and evaluation activities.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, $1,700,000,000: *Provided,* That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX of such Act shall be 4.5 percent.

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, sections 310 and 316 of the Family Violence Prevention and Services Act, as amended, the Native American Programs Act of 1974, title II of Public Law 95–266 (adoption opportunities), the Adoption and Safe Families Act of 1997 (Public Law 105–89), sections 1201 and 1211 of the Children's Health Act of 2000, the Abandoned Infants Assistance Act of 1988, sections 261 and 291 of the Help America Vote Act of 2002, part B(1) of title IV and sections 413, 429A, 1110, and 1115 of the Social Security Act, and sections 40155, 40211, and 40241 of Public Law 103–322; for making payments under the Community Services Block Grant Act, sections 439(h), 473A, and 477(i) of the Social Security Act, and title IV of Public Law 105–285, and for necessary administrative expenses to carry out said Acts and titles I, IV, V, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of 1981, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, sections 40155, 40211, and 40241 of Public Law 103–322, and section 126 and titles IV and V of Public Law 100–485, $8,985,663,000, of which $32,103,000, to remain available until September 30, 2006, shall be for grants to States for adoption incentive payments, as authorized by section 473A of title IV of the Social Security Act (42 U.S.C. 670–679) and may be made for adoptions completed before September 30, 2005: *Provided further,* That $6,898,580,000 shall be for making payments under the Head Start Act, of which $1,400,000,000 shall become available October 1, 2005, and remain available through September 30, 2006: *Provided further,* That $710,088,000 shall be for making payments under the Community Services Block Grant Act: *Provided further,* That not less than $7,184,000 shall be for section 680(3)(B) of the Community Services Block Grant Act, as amended: *Provided further,* That in addition to amounts provided herein, $5,982,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out the provisions of section 1110 of the Social Security Act: *Provided further,* That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: *Provided further,* That the Secretary shall establish procedures regarding the disposition of intangible property which permits grant funds, or intangible assets acquired with funds authorized under section 680 of the Community Services Block Grant Act, as amended, to become the sole property of such grantees after a period of not more than 12 years after the end of the grant for purposes and uses consistent with the original grant: *Provided further,* That funds appropriated for section 680(a)(2) of the Community Services Block Grant Act, as amended, shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: *Provided further,* That $55,000,000 is for a compassion capital fund to provide grants to charitable organizations to emulate model social service programs and to encourage research on the best practices of social service organizations: *Provided further,* That $15,000,000 shall be for activities authorized by the Help America Vote Act of 2002, of which $10,000,000 shall be for payments to States to promote access for voters with disabilities, and of which $5,000,000 shall be for payments to States for protection and advocacy systems for voters with disabilities: *Provided further,* That $105,046,000 is only for making competitive grants to provide abstinence education (as defined by section 510(b)(2) of the Social Security Act) to adolescents, and for Federal costs of administering the grant: *Provided further,* That grants under the immediately preceding proviso shall be made only to public and private entities which agree that, with respect to an adolescent to whom the entities provide abstinence education under such grant, the entities will not provide to that adolescent any other education regarding sexual conduct, except that, in the case of an entity expressly required by law to provide health information or services the adolescent shall not be precluded from seeking health information or services from the entity in a different setting than the setting in which abstinence education was provided: *Provided further,* That within amounts provided herein for abstinence education for adolescents, up to $10,000,000 may be available for a national abstinence education campaign: *Provided further,* That in addition to amounts provided herein for abstinence education for adolescents, $4,500,000 shall be available from amounts available under section 241 of the Public Health Services Act to carry out evaluations (including longitudinal evaluations) of adolescent pregnancy prevention approaches: *Provided further,* That $2,000,000 shall be for improving the Public Assistance Reporting Information System, including grants to States to support data collection for a study of the system's effectiveness.

PROMOTING SAFE AND STABLE FAMILIES

For carrying out section 436 of the Social Security Act, $305,000,000 and for section 437, $105,000,000.

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For making payments to States or other non-Federal entities under title IV–E of the Social Security Act, $5,037,900,000.

For making payments to States or other non-Federal entities under title IV–E of the Act, for the first quarter of fiscal year 2006, $1,767,200,000.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under section 474 of title IV–E, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

Mr. ISTOOK. Mr. Chairman, I move to strike the last word for the purpose of engaging in a colloquy with the chairman.

Mr. Chairman, the committee report on the Labor-HHS bill includes language that encourages the National Institutes of Health to adopt a policy that would make available to the public without charge the scientific journal articles that report the results of research that has been supported with NIH funding. As you know, Mr. Chairman, I have been very concerned for a number of years that the public is not always able to access the results of that research, federally funded research, unless they had a university library nearby or could pay often very large subscription fees of the journals, costs that are beyond most families' budgets.

The NIH, in response to language in the bill, has acted quickly to respond to our guidance. It posted the draft policy last Friday, September 3. Dr. Zerhouni, the Director of NIH, took care to seek comment from the various stakeholders involved in the issue, seeking comment from publishers, for-profit and nonprofit groups, from scientists, and from advocates for curing different diseases; and he has held three public meetings. Dr. Zerhouni heard some powerful stories from patients and family members who were struggling to learn as much as they could about treatment for serious diseases that affect them and their loved ones and had previously been unable to access some of the key information that could help them.

Dr. Zerhouni has produced a draft proposal from NIH that carefully balances the interests of these groups; and, most importantly, Mr. Chairman, it moves NIH in the direction of making more research available to the people who financed it, namely, the American taxpayers.

Mr. Chairman, I see the action by the NIH to date as being consistent with the language in our bill, and I would appreciate the chairman's thoughts on this.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. ISTOOK. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I have been very pleased to see that NIH has responded so quickly and thoughtfully to the House report language. I think it is a very simple proposition: NIH, or the taxpayer, pays for the research, even pays for the journals, and should be able to share the results with the taxpaying public. Our investment in research is not well served by a process that limits taxpayer access instead of expanding it, and I should add public access.

I encourage NIH to move expeditiously to finalize its proposal after considering the comments it receives on its policy. The public deserves nothing less.

Mr. ISTOOK. Reclaiming my time, Mr. Chairman, I thank the gentleman for his comments.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, and section 398 of the Public Health Service Act, $1,403,479,000, of which $5,500,000 shall be available for activities regarding medication management, screening, and education to prevent incorrect medication and adverse drug reactions; and of which $4,558,000 shall remain available until September 30, 2007, for the White House Conference on Aging.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six sedans, and for carrying out titles III, XVII, XX, and XXI of the Public Health Service Act, and the United States-Mexico Border Health Commission Act, $380,298,000, together with $5,851,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund: *Provided,* That of the funds made available under this heading for carrying out title XX of the Public Health Service Act, $13,120,000 shall be for activities specified under section 2003(b)(2), all of which shall be for prevention service demonstration grants under section 510(b)(2) of title V of the Social Security Act, as amended, without application of the limitation of section 2010(c) of said title XX: *Provided further,* That of this amount, $25,000,000 shall be for advancing health care information technology nationally, including demonstration project grants; $52,838,000 shall be for minority AIDS prevention and treatment activities; $14,847,000 shall be for an Information Technology Security and Innovation Fund for Department-wide activities involving cybersecurity, information technology security, and related innovation projects; and $5,000,000 shall be to assist Afghanistan in the development of maternal and child health clinics, consistent with section 103(a)(4)(H) of the Afghanistan Freedom Support Act of 2002.

AMENDMENT OFFERED BY MR. STUPAK

Mr. STUPAK. Mr. Chairman, I offer an amendment.

Mr. REGULA. Mr. Chairman, I reserve a point of order on this, and we do not have a copy of the amendment.

The CHAIRMAN. If the gentleman could provide us with a copy, we will distribute it to everybody.

Is there objection to the gentleman from Michigan offering his amendment at this point?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. STUPAK:

Page 49, line 25, insert ''(increased by $10,000,000)'' after the 1st dollar amount.

Page 50, line 3, insert ''; of which $160,414,000 shall be available to carry out the Nutrition Services Incentive Program;'' after ''reactions;''.

Page 50, line 12, insert ''(reduced by $10,000,000)'' after the dollar amount.

Mr. STUPAK (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. STUPAK. Mr. Chairman, I rise to offer an amendment to increase funding for seniors' meals programs by $10 million. The Meals on Wheels program is a critical lifeline to our Nation's seniors who are most in need of our assistance.

The bill includes $730 million for senior nutrition programs, $16 million more than last year, or a 2.2 percent increase. I wish to thank the chairman, the gentleman from Ohio (Mr. REGULA), and the ranking member, the gentleman from Wisconsin (Mr. OBEY), for including these additional funds and recognizing the importance of these programs to our seniors. I am offering this amendment because, despite the increase in the bill, the funding falls far too short.

I am sure that all of us have met and spoken with seniors in our districts. I am sure that the seniors have told my colleagues how much they depend on senior meals assistance and the Meals on Wheels program, or the meals they receive at the senior centers. I am sure that if Members, like I have done in the past, would go out and actually deliver senior meals to the homes of homebound seniors, they would realize how important not just these prepared meals are but also the social interaction these homebound seniors have with members of the public.

I have heard from the area agencies on aging in my district that they are cutting meals they are offering. In Michigan, we have had to cut back significantly weekend meals, evening meals, and even the senior lunch meals. The challenges faced by our Meals on Wheels program is compounded by the fiscal problems of the States that have not been able to increase their contributions, despite their acknowledgment that the need for these programs continues to grow.

This amendment would simply increase funding for the Nutrition Services Incentives Program by $10 million to $160 million. The House approved a similar amendment of mine back in 2001. Unfortunately, that amendment back in the 2001 appropriation bill to increase funding for the program to $160 million was dropped in conference. That was 4 years ago, and funding for senior meals programs has stayed basically flat until this year.

Mr. Chairman, we need to make this investment now. Nationally, 4.6 million Meals on Wheels meals were cut last year, and a number of congregate meals were cut by 2.9 million, for a total of 7.5 million meals that had to

be cut last year because of lack of funding. These decreases in funding ignore the 25 percent increase in the number of Americans who are expected to be eligible for the Older Americans Act programs in the next 5 years.

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It is critical that we include the highest level of funding possible for senior nutrition programs. I understand and I appreciate the work of the committee and what they have done to increase funding. I appreciate the fact that both the ranking member and the chairman have indicated that, if possible, they will try to increase funding in the conference report.

Mr. Chairman, I will ask unanimous consent to withdraw my amendment with the understanding that we will continue to work to increase funding in the future. This program is critically important to our seniors. While I appreciate the appropriators' work, I think we need to continue to highlight the concerns that we have for the lack of funds for the Senior Meal Program.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Mrs. McCARTHY of New York. Mr. Chairman, I move to strike the last word.

Mr. Chairman, when I hear my colleagues from both sides of the aisle offering all of these amendments obviously to help our constituents from all over the country, and I thank my chairman and the ranking member for working so hard to bring us everything we need. I think more of us as Members should sit here instead of trying to watch this on television. I know that we are working very hard to keep the people of the United States comfortable, to make sure they have heat and do research to keep them healthy, and yet we have a program in place that is going to expire on September 13, which is the assault weapons bill. Yet we are not allowed to bring it up on the floor to talk about it. That is a shame. This is something that is working, does not cost any money, and yet as Members of Congress we are not allowed to bring the bill up for a vote, and the American people want it.

I thank the committee and subcommittee chairmen for doing the hard work they are doing, but I wish we could debate the assault weapons ban. The police officers on the street want to keep this ban in place. The health care professionals want to keep this ban in place. Every help organization wants to keep this ban in place. All of the different organizations which represent children want to keep the ban in place. I do not understand why we do not bring that issue to the floor for a vote. I hope by Monday, September 13, the White House will heed our call. I hope that the Speaker of the House will heed our call and answer to the American people.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, including the hire of passenger motor vehicles for investigations, in carrying out the provisions of the Inspector General Act of 1978, as amended, $40,323,000: *Provided,* That of such amount, necessary sums are available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $32,043,000, together with not to exceed $3,314,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act and title III of the Public Health Service Act, $20,750,000, which shall be available from amounts available under section 241 of the Public Health Service Act to carry out national health or human services research and evaluation activities: *Provided,* That the expenditure of any funds available under section 241 of the Public Health Service Act is subject to the requirements of section 206 of this Act.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan, for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C. ch. 55 and 56), and for payments pursuant to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), such amounts as may be required during the current fiscal year. The following are definitions for the medical benefits of the Public Health Service Commissioned Officers that apply to 10 U.S.C. chapter 56, section 1116(c). The source of funds for the monthly accrual payments into the Department of Defense Medicare-Eligible Retiree Health Care Fund shall be the Retirement Pay and Medical Benefits for Commissioned Officers account. For purposes of this Act, the term ''pay of members'' shall be construed to be synonymous with retirement payments to United States Public Health Service officers who are retired for age, disability, or length of service; payments to survivors of deceased officers; medical care to active duty and retired members and dependents and beneficiaries; and for payments to the Social Security Administration for military service credits; all of which payments are provided for by the Retirement Pay and Medical Benefits for Commissioned Officers account.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to support activities related to countering potential biological, disease, nuclear, radiological, and chemical threats to civilian populations, $1,842,247,000: *Provided,* That this amount is distributed as follows: Centers for Disease Control and Prevention, $1,187,760,000; Office of the Secretary, $64,438,000; National Institutes of Health, $47,400,000; and Health Resources and Services Administration, $542,649,000: *Provided further,* That employees of the Centers for Disease Control and Prevention or the Public Health Service, both civilian and Commissioned Officers, detailed to States, municipalities, or other organizations under authority of section 214 of the Public Health Service Act for purposes related to homeland security, shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel ceiling applicable to the Agency, Service, or the Department of Health and Human Services during the period of detail or assignment.

In addition, $450,000,000, to remain available until expended, for the Strategic National Stockpile: *Provided,* That subject to 31 U.S.C. 1531, there shall be transferred to the Secretary of Health and Human Services the functions, assets, unexpended balances (including those from appropriations authorized under section 121(3) of Public Law 107–188 and prior authorities); and liabilities of the Strategic National Stockpile, including the functions of the Secretary of Homeland Security relating thereto: *Provided further,* That the stockpile shall be deployed as deemed appropriate by the Secretary, or when requested by the Secretary of Homeland Security.

In addition, for activities to ensure a year-round influenza vaccine production capacity and the development and implementation of rapidly expandable influenza vaccine production technologies, $60,000,000, to remain available until expended.

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed $50,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated under this Act may be used to implement section 399F(b) of the Public Health Service Act or section 1503 of the National Institutes of Health Revitalization Act of 1993, Public Law 103–43.

SEC. 204. None of the funds appropriated in this Act for the National Institutes of Health, the Agency for Healthcare Research and Quality, and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level I.

SEC. 205. None of the funds appropriated in this title for Head Start shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

SEC. 206. None of the funds appropriated in this Act may be expended pursuant to section 241 of the Public Health Service Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in the Department of Health and Human Services, prior to the Secretary's preparation and submission of a report to the Committee on Appropriations of the Senate and of the House detailing the planned uses of such funds.

SEC. 207. Notwithstanding section 241(a) of the Public Health Service Act, such portion as the Secretary shall determine, but not more than 2.3 percent, of any amounts appropriated for programs authorized under said Act shall be made available for the evaluation (directly, or by grants or contracts) of

the implementation and effectiveness of such programs.

(TRANSFER OF FUNDS)

SEC. 208. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Health and Human Services in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That an appropriation may be increased by up to an additional 2 percent subject to approval by the House and Senate Committees on Appropriations: *Provided further*, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 209. The Director of the National Institutes of Health, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes and centers from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: *Provided*, That the Congress is promptly notified of the transfer.

SEC. 210. Of the amounts made available in this Act for the National Institutes of Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of the National Institutes of Health and the Director of the Office of AIDS Research, shall be made available to the ''Office of AIDS Research'' account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the Public Health Service Act.

SEC. 211. None of the funds appropriated in this Act may be made available to any entity under title X of the Public Health Service Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 212. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare+Choice program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: *Provided*, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): *Provided further*, That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare+Choice organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 213. Notwithstanding any other provision of law, no provider of services under title X of the Public Health Service Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SEC. 214. (a) Except as provided by subsection (e) none of the funds appropriated by this Act may be used to withhold substance abuse funding from a State pursuant to section 1926 of the Public Health Service Act (42 U.S.C. 300x–26) if such State certifies to the Secretary of Health and Human Services by May 1, 2005 that the State will commit additional State funds, in accordance with subsection (b), to ensure compliance with State laws prohibiting the sale of tobacco products to individuals under 18 years of age.

(b) The amount of funds to be committed by a State under subsection (a) shall be equal to 1 percent of such State's substance abuse block grant allocation for each percentage point by which the State misses the retailer compliance rate goal established by the Secretary of Health and Human Services under section 1926 of such Act.

(c) The State is to maintain State expenditures in fiscal year 2005 for tobacco prevention programs and for compliance activities at a level that is not less than the level of such expenditures maintained by the State for fiscal year 2004, and adding to that level the additional funds for tobacco compliance activities required under subsection (a). The State is to submit a report to the Secretary on all fiscal year 2004 State expenditures and all fiscal year 2005 obligations for tobacco prevention and compliance activities by program activity by July 31, 2005.

(d) The Secretary shall exercise discretion in enforcing the timing of the State obligation of the additional funds required by the certification described in subsection (a) as late as July 31, 2005.

(e) None of the funds appropriated by this Act may be used to withhold substance abuse funding pursuant to section 1926 from a territory that receives less than $1,000,000.

SEC. 215. In order for the Centers for Disease Control and Prevention to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2005, the Secretary of Health and Human Services—

(1) may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(c)). The Secretary of Health and Human Services shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) and other applicable statutes administered by the Department of State, and

(2) is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of acquisition, lease, alteration, renovation, and management of facilities outside of the United States for the use of the Department of Health and Human Services. The Department of State shall cooperate fully with the Secretary of Health and Human Services to ensure that the Department of Health and Human Services has secure, safe, functional facilities that comply with applicable regulation governing location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary of Health and Human Services is authorized, in consultation with the Secretary of State, through grant or cooperative agreement, to make available to public or nonprofit private institutions or agencies in participating foreign countries, funds to acquire, lease, alter, or renovate facilities in those countries as necessary to conduct programs of assistance for international health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

SEC. 216. The Division of Federal Occupational Health may utilize personal services contracting to employ professional management/administrative and occupational health professionals.

SEC. 217. (a) AUTHORITY.—Notwithstanding any other provision of law, the Director of the National Institutes of Health may use funds available under section 402(i) of the Public Health Service Act (42 U.S.C. 282(i)) to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research in support of the NIH Roadmap Initiative of the Director.

(b) PEER REVIEW.—In entering into transactions under subsection (a), the Director of the National Institutes of Health may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review and advisory council review procedures that would otherwise be required under sections 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and 494 of the Public Health Service Act (42 U.S.C. 241, 284(b)(1)(B), 284(b)(2), 284a(a)(3)(A), 289a, and 289c).

SEC. 218. The unobligated balance of the funds appropriated by section 1897(g) of the Social Security Act, as added by section 1016 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173), is rescinded.

Mr. REGULA (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 63, line 13, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. Are there any amendments to the portion of the bill now open?

If not, the Clerk will read.

The Clerk read as follows:

SEC. 219. (a) CMS PROGRAM MANAGEMENT ACCOUNT.—The amount otherwise provided by this Act for ''Centers for Medicare and Medicaid Services—Program Management'' is hereby reduced by $155,000,000.

(b) MEDICARE CLAIMS PROCESSING FEE.—

(1) IN GENERAL.—Notwithstanding section 1842(c)(4) of the Social Security Act, each claim submitted by an individual or entity furnishing items or services for which payment may be made under part A or part B of title XVIII of such Act is subject to a processing fee of $5.00 if the claim—

(A) duplicates, in whole or in part, another claim submitted by the same individual or entity; or

(B) is a claim that cannot be processed and must be returned by the medicare claims processing contractor involved to the individual or entity for completion or correction.

(2) DEDUCTION AND TRANSFER.—The Secretary of Health and Human Services shall deduct any fees assessed pursuant to paragraph (1) against an individual or entity from amounts otherwise payable from a trust fund under such title to such individual or entity, and shall transfer the amount so deducted from such trust fund to the Program Management account of the Centers for Medicare & Medicaid Services.

(3) AVAILABILITY.—Fees collected under this subsection shall remain available until expended.

(4) WAIVER AUTHORITY.—The Secretary of Health and Human Services may provide for waiver of fees for claims described in paragraph (2) in cases of such compelling circumstances as the Secretary may determine.

(5) EXCLUSION OF FEES IN ALLOWABLE COSTS.—An entity may not include a fee assessed pursuant to this subsection as an allowable item on a cost report under the Social Security Act.

(6) EFFECTIVE DATE.—This subsection shall apply to claims referred to in paragraph (1) submitted on or after a date, specified by the Secretary of Health and Human Services, that is not later than 3 months after the date of the enactment of this Act.

POINT OF ORDER

Mr. BILIRAKIS. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BILIRAKIS. Mr. Chairman, reluctantly, quite frankly, I raise this point of order, but it is necessary to do so.

My point of order is against section 219(b) of the bill on the grounds that this provision violates clause 2(b) of House rule XXI because it is legislation included in a general appropriations bill. The rule, as I understand it, does not protect against that.

My point of order is this proposes to change existing law and constitutes legislating in an appropriations bill and violates clause 2(b) of rule XXI.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. REGULA. Mr. Chairman, reluctantly we concede the point of order, but I would point out this is part of the President's request. It is a management tool to let the user pay for a service being provided by the government. But the gentleman is correct, it does violate the right of the authorizers to deal with this subject, and it is not a proper part of the bill.

The CHAIRMAN. The point of order is conceded and sustained. The provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 220. The amount appropriated in this Act for ''Centers for Disease Control and Prevention—Disease Control Research and Training'' is hereby reduced by $15,000,000, to be derived from the amounts made available for administrative and related information technology expenses: *Provided*, That the Director of the Centers for Disease Control and Prevention shall determine the allocation of the reduction among Agency activities, and shall submit to the Committees on Appropriations a report specifying the proposed allocation.

SEC. 221. LIMITATION ON USE OF FUNDS; STUDY.

(a) LIMITATION ON FUNDS.—Notwithstanding any other provision of law, none of the funds appropriated by this Act or any other Act may be expended by the Secretary of Health and Human Services or by a medicare fiscal intermediary or administrative contractor—

(1) to apply the criteria (commonly known as the ''75 percent rule'') that are used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility (as defined in Department of Health and Human Services, Centers for Medicare and Medicaid Services, ''Medicare Program; Final Rule; Changes to the Criteria for Being Classified as an Inpatient Rehabilitation Facility'', 69 Federal Register 25751 et seq. (May 7, 2004), and any accompanying CMS Manual System Transmittals (including, but not limited to, Transmittal 221 and any change request pursuant to such rule) for purposes of the medicare program;

(2) to compile facility data pertaining to compliance with such 75 percent rule or enforce such rule; or

(3) to utilize or apply any existing or new local medical review policy, local coverage determination, or national coverage determination with respect to medical necessity standards for inpatient rehabilitation facilities under the medicare program;

until the date that is 9 months after the date on which the report required by subsection (b)(3) is transmitted to the Secretary and the Congress.

(b) STUDY AND REPORT.—(1) The Secretary of Health and Human Services shall contract with the Institute of Medicine of the National Academy of Sciences to study and make recommendations (and submit a report under paragraph (3)) on—

(A) a clinical consensus on how to modernize the medicare criteria used to distinguish an inpatient rehabilitation facility from an acute care hospital and other providers of intensive medical rehabilitation; and

(B) the appropriate medical necessity criteria for determining clinical appropriateness of inpatient rehabilitation facility admissions, with due consideration being given to chapter 1, section 110 of the Medicare Benefit Policy Manual, the current capabilities of treatments and modalities performed by acute and post-acute providers, and the combined medical and functional needs of patients.

(2) Under such contract the Institute shall use a panel that includes a multi-disciplinary group of expert researchers and clinicians in the field of medical rehabilitation.

(3) Under such contract the Institute shall submit a report to the Secretary and the Congress on the study and recommendations described in paragraph (1) not later than October 1, 2005.

AMENDMENT OFFERED BY MR. LOBIONDO

Mr. LOBIONDO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LOBIONDO:

In title II, amend section 221 (page 65, line 19, through page 68, line 2) to read as follows:

SEC. 221. (a) Notwithstanding section 412.23(b)(2) of title 42 of the Code of Federal Regulations, none of the funds appropriated by this Act may be expended by the Secretary of Health and Human Services to treat a hospital or unit of a hospital that was certified by the Secretary as an inpatient rehabilitation facility on or before June 30, 2004, as a subsection (d) hospital (as defined in section 1886(d)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B))) until, not later than 60 days after the date on which the report under subsection (b) is issued, the Secretary, taking into account the recommendations in such report—

(1) determines that the classification criteria of hospitals and units of hospitals as inpatient rehabilitation facilities under such section 412.23(b)(2) are not inconsistent with such recommendations; or

(2) promulgates a regulation providing for revised criteria under such section 412.23(b)(2), which regulation shall be effective and final immediately on an interim basis as of the date of publication of the regulation.

(b) The study referred to in subsection (a) is a study by the Comptroller General of the United States directed in the statement of managers accompanying the conference report on the bill H.R. 1 of the 108th Congress regarding clinically appropriate standards for defining inpatient rehabilitation services under such section 412.23(b)(2).

(c) The aggregate amount appropriated under title II for ''Centers for Medicare and Medicaid Services—Program Management'' is hereby reduced by $3,500,000.

Mr. LOBIONDO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LOBIONDO. Mr. Chairman, I rise today in strong support of the LoBiondo-Lowey-Wamp amendment. The gentlewoman from New York (Mrs. LOWEY) and the gentleman from Tennessee (Mr. WAMP) have joined together in trying to bring this to the attention of our colleagues.

Before I discuss the amendment, however, I would like to thank the gentleman from Florida (Mr. YOUNG) and the gentleman from Ohio (Mr. REGULA) for their support on this critical issue. I would also like to thank the gentleman from California (Mr. THOMAS) and his staff for their willingness to work with me and my colleagues on this issue, and to help in crafting an amendment which will help rehab patients across the country.

The LoBiondo-Lowey-Wamp amendment would halt the Centers for Medicare and Medicaid Services, CMS, on the implementation of the so-called 75 percent rule until a study is completed on the issue. As many know, rehabilitation hospitals provide essential care to patients recovering from conditions such as a stroke, hip replacement or cardiopulmonary disease. This policy, commonly known as the 75 percent rule, sets limits on which patients would be eligible for care at these facilities.

Under the current rule which went into effect on July 1, fewer Americans will have access to rehab care. This is wrong. Fewer patients needing treatment for conditions such as arthritis and joint replacement will qualify for this care, an important element in the overall recovery process. It is simply wrong not to do something about this. In addition, access to rehab care for patients recovering from cancer, cardiac conditions, transplant and pulmonary conditions is also threatened.

This amendment is by no means the first attempt to deal with the issue. Over the past year, the majority of Members of Congress not once, but twice has called on CMS to withhold implementation of the 75 percent rule until a thorough independent assessment by medical experts is completed. A similar directive was included in both the Medicare Modernization Act passed last November and the fiscal year 2004 omnibus appropriations bill. Yet despite the will of Congress, CMS finalized the 75 percent rule in April and implemented it on July 1 without either commissioning a study in advance or making significant, much-needed updates.

Our amendment seeks to ensure that Congress' intent is carried out and that patients across America continue to have access to the rehab care they need. It will ensure that experts in the field of rehabilitative care study the issue and make recommendations that will produce a rule for rehab hospitals that reflects the advances medicine has made in the area of rehabilitative care.

I would like all of my colleagues to think what it would be like for them if they had to go to one of their constituents who needed rehab care, and they were denied access to the rehab hospital in their district; or worse yet, that rehab hospital had to close. What would my colleagues think if they had a family member, someone in their family, that was denied rehabilitative care, very good care, because of a stupid rule that we were not able to fix? People across America who need these services will not accept that Congress stood back and did nothing when there is something we can do.

I thank all Members in this Chamber who have supported our efforts to change the 75 percent rule, and I urge Members to cast a yes vote for the LoBiondo-Lowey-Wamp amendment.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. LOBIONDO. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, with the understanding that this has been cleared with the Committee on Ways and Means, we are prepared to accept this amendment.

Mr. LOBIONDO. Mr. Chairman, I thank the gentleman from Ohio.

Mrs. LOWEY. Mr. Chairman, I rise in support of the amendment.

First of all, I would like to thank our distinguished chairman because he has worked with us and understands the importance of this very critical issue in so many Members' districts across the country. I rise in strong support of the amendment, and I am appreciative for all of us who have been working together. Just a few words on it, and again I thank our chairman.

Last year CMS decided to change and reinstate the patient rehabilitation facilities 75 percent rule, a rule which was enforced inconsistently and intermittently until it was fully suspended in 2002 because rehabilitation care had evolved so far beyond the original rule's scope.

In an effort to ensure that the rule would be updated appropriately, Congress asked CMS to commission an independent study on the status of rehabilitative care and use the findings to rewrite the rule. As my colleagues know, we had more than 300 Members of Congress supporting this request and the inclusion of similar directives in the fiscal year 2004 omnibus spending bill and the Prescription Drug Act.

CMS issued the final 75 percent rule without the benefit of a study, leaving the list of qualifying conditions practically the same as those imposed two decades ago. Considering the impact of these rehabilitation policies on the health and well-being of our constituents, we could not stand by and let our call for a study go unfulfilled. So again with the support of the Committee on Ways and Means chairman, the gentleman from California (Mr. THOMAS), and the ranking member, the gentleman from New York (Mr. RANGEL), the LoBiondo-Lowey-Wamp amendment will ensure that an independent study of the issue is conducted and the findings used to rewrite the 75 percent rule.

I am very appreciative, Mr. Chairman, of both committees, and particularly the gentleman from Ohio (Chairman REGULA). We have worked together in a bipartisan way to bring this amendment to the floor, and I want to thank the staff of the gentleman from California (Mr. THOMAS), Joel White and Deb Williams, for carefully working out the details of this amendment late last night and early this morning. I am delighted we have been able to work this out.

□ 1445

Mr. WAMP. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will be very brief, just to add that this is one of those rare opportunities for the Appropriations Committee and the Ways and Means Committee to meet at the water's edge. Sometimes we put limitation amendments on appropriations bills and they strike those through a point of order, which they have the right to do here. Yet they chose to agree with us and say that this GAO study needs to be completed and all the science needs to be brought to bear before this rule is actually implemented.

Let me just say that one of the greatest areas of innovation in our health care delivery system in this country is inpatient rehabilitation hospitals where virtually every family in America has had somebody benefit from one of those hospitals, and they are wowed at what we are doing. It is a very fluid area of health care. It is changing every month because of new technologies and new procedures. Yet some of these rules are antiquated in these 13 categories. They need to be changed based on what is happening in health care, not a bean counter at OMB saying, we only have this much money or we want to reduce this much money, therefore, this is what you are going to be reimbursed for.

In our health care delivery system, we need to reimburse wherever the innovation is, wherever the patient is, wherever the need is, wherever the cure is; and that is what this does is allow science to prevail and not some arbitrary limitation that is set down the street by any administration or any government bureaucrat.

That is, frankly, where the Congress is doing its job to weigh in, because we are sensitive to these things; and, frankly, sometimes the Appropriations Committee can be very helpful by using the power of the money flow and the appropriations process to say, wait a second, stop the trains, we are going in the wrong direction.

This is a win-win. Congratulations to all and thanks especially to Ways and Means for letting us live to fight another day on behalf of patients and inpatient rehabilitation hospitals across the country. I thank the gentlewoman from New York (Mrs. LOWEY) and the gentleman from New Jersey (Mr. LOBIONDO). It is always a pleasure to work with them.

Mrs. MCCARTHY of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to thank the chairman for accepting this amendment. It is extremely important for someone that has spent so much time in a rehab unit taking care of patients, even to the point of taking care of my son going back a number of years ago.

Medical technology and the science of taking care of those that never had a chance to learn how to walk again or possibly feed themselves again is now possible. It is mainly because of rehab. I know a lot of people think that they used to lay around the hospital after a hip operation. Today you have a hip operation, and you go to a rehab unit. It actually saves money, mainly because the patient is getting the rehab that they need so they can get up and walk and have a quality-of-life issue. On the other end of it, unfortunately going back not that many years ago, even for a simple hip operation, especially with the elderly, they ended up getting pneumonia and unfortunately needed more long-term care.

With that being said, the majority of our rehab hospitals and rehab units in an awful lot of our larger cities are filled, unfortunately, with patients because of gun violence in this country. On September 13, we are going to see the assault weapons bill expire unless this Congress, the Speaker of the House, the President of the United States get involved and allow us to debate this. We can save billions of dollars just on health care costs if we can bring down gun violence. We have seen a 60 percent drop since the assault weapons bill was passed on the use of those guns on our officers in our communities.

Large capacity clips, we are going to have them back out on the streets again. These are the large capacity clips that we see our men and women using that are serving this country so well over in the war in Iraq. We saw yesterday in the paper where someone with a gun had a large capacity clip that had 50 rounds. This is what we are going to go back to unless we stop by September 13, on Monday, to be able to renew the ban on assault weapons, to protect our communities, protect our police officers and to a very, very large extent, make more room in the emergency rooms, make more room in the trauma centers, make more room in the rehab units, because today because

of medical technology, thank goodness, people like my son are surviving these horrific wounds. A lot of our police officers are surviving their horrific wounds. But unfortunately the rehab, the expense to get those victims back on their feet certainly is extremely expensive.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. LOBIONDO).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 222. None of the funds appropriated in this title may be used to impede the exchange of information between the Office of the Actuary of the Centers for Medicare & Medicaid Services and Congress, including its members, committees, and staff.

AMENDMENT OFFERED BY MR. ALLEN

Mr. ALLEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ALLEN:

At the end of title II (before the short title), insert the following:

SEC. ____. For research on outcomes of health care items and services (including the comparative clinical effectiveness of prescription drugs), as authorized by section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173), $50,000,000.

Mr. REGULA. Mr. Chairman, I reserve a point of order on this amendment.

The CHAIRMAN. The gentleman from Ohio reserves a point of order.

Mr. ALLEN. Mr. Chairman, when Americans turn on their televisions today, they are inundated by television advertisements promoting particular prescription drugs. Doctors are overwhelmed by detailers from the pharmaceutical industry coming to praise the virtues of the particular drugs that are manufactured by the people who employ them. But what patients and physicians in this country really need is quality information, evidence-based information about the comparative effectiveness of different drugs that are advertised to treat the same illness or condition.

The Medicare Prescription Drug Improvement and Modernization Act provides for research on outcomes of health care items and services, including the comparative clinical effectiveness of prescription drugs. Today I am pleased to join my colleague from Missouri (Mrs. EMERSON) in offering an amendment to fund that provision in the new Medicare law.

Section 1013 of the new Medicare law authorizes $50 million in fiscal year 2004 for the Agency For Health Care Research and Quality to conduct outcomes research on prescription drugs and other treatments. Unfortunately, the President's fiscal year 2005 budget contained no funding for this initiative. Currently, there really is a dearth of evidence-based information available to assist practitioners in choosing the most appropriate medication for their patients.

The $50 million we seek would fund new research and literature surveys to improve scientific evidence about the comparative effectiveness and safety of prescription drugs and other treatments. Additionally, funds would be used to communicate the results of this research to health care practitioners, health care purchasers and consumers. All we are asking is for better information to be available to doctors and patients. And if we can make that better information, independent research not funded by the pharmaceutical industry, if we make that information available, we will have better health care quality in this country; and we will have lower prices as well. It is very important that we ensure that our prescription drug spending is not based on the latest television or glossy magazine advertisement, but on science-based and tested information.

Physicians and their patients need access to credible, unbiased, evidence-based data on the comparative effectiveness of prescription drugs so they can make informed decisions about their purchases. As the cost of health care continues to rise, obtaining the greatest health care value is essential. More objective research will improve the quality of care and help to reduce costs.

This spring, Members from both sides of the aisle joined me in sending a letter to the chairman and ranking member urging $75 million for this provision. In addition, the Senate approved an amendment in support of $75 million for prescription drug comparative effectiveness studies, indicating the high level of bipartisan support for this initiative.

I do hope that the chairman agrees that this provision, which has been authorized, is a worthy initiative. I look forward to working with him and the committee to provide some funding in conference and to encourage the administration to add money for this purpose in next year's budget.

Though I would urge support for this amendment, I do intend to withdraw the amendment, but first I would like to give an opportunity to my friend from Missouri (Mrs. EMERSON) to speak on it.

Mrs. EMERSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today in support of the Allen-Emerson comparative effectiveness research amendment. As my colleague said, as the costs of health care continue to rise, we really do need to make sure that our Nation's health care providers have every possible tool at hand so that they can understand the best, most efficient level of quality care to give their patients.

We obviously in Congress have recognized that need because we authorized $75 million in funding for the Agency For Health Care Research and Quality to conduct comparative effectiveness and health care outcomes research. This information would be made available to providers and consumers alike and allow physicians and their patients to make more informed and personalized decisions on each individual patient's plan of care.

More importantly, comparative effectiveness research will provide evidence-based research to help improve the efficiency of our health care system. Currently, very little objective evidence-based information is available to help physicians choose the most appropriate prescription medications for each patient. Without such information available, many patients may be prescribed a more expensive brand-name medication when a less costly generic medication may have the same clinical effectiveness. Funding further comparative effectiveness research efforts will provide American health care consumers with impartial research-based evidence of the value of different prescription medications and, moreover, will help drive down the costs of health care in the United States.

Mr. Chairman, I also want to mention, in this time when we are all very concerned with the number of uninsureds around the country, with the increasing inflation in the health care delivery system, with small businesses and large businesses experiencing incredibly difficult increases in their costs, this is a measure that has been endorsed by many large and small employer groups, namely, the AARP, the AFL–CIO, Caterpillar Tractor Company, Eastman Kodak, Kaiser Permanente, Verizon Communications, General Motors, United Health Care, the Coalition For Health Services Research. I could go on and on. But the bottom line is anything that we can do effectively to lower the costs of delivering health care in this country is something that the Congress should do.

I urge adoption of this amendment.

Mrs. MCCARTHY of New York. Mr. Chairman, I move to strike the requisite number of words.

Listening to my two colleagues, I appreciate this amendment they have put forward. Obviously, with the medical technology that we have today and with the medicines that are out there, I sometimes sit when I am watching the TV shows and I am watching them advertise all of these particular drugs, I hope everybody also listens to see what the side effects are going to be. They better listen carefully, because some of these side effects are very serious.

There are many drugs on the market that are over 10 to 15 years old that work just as well. People have to realize that. Unfortunately, even our doctors now, they are given information, thinking, wow, if this can help my patient. Let us hope that is what they are thinking. But we have to reevaluate this whole thing. It used to be you went to your doctor, the doctor knew which particular drug would work for you for whatever ailment you had, and you took it. Now we see TV, the doctors tell me, they want this drug, they want this drug, they want this drug.

Aspirin still works very, very well. Ibuprofen when I was working, gosh, a long time ago, that was a prescription drug. It is now over the counter. But there are still many prescription drugs that work just as well. Obviously, sometimes they are not going to work for the patient. That is when we should try a new drug. The research and development and the research that is needed to see what these actual new drugs do, I think, is extremely important.

With that being said, also, September 13, the assault weapons bill is going to expire. The reason I bring it up towards the health care section is mainly because how much health care money is expended on, unfortunately, these horrific wounds that we see. We also know with a lot of these types of assault weapons, there are head injuries. People do not realize when you have a head injury, a lot of times these patients have to be on an awful lot of different drugs that might even put the patient to the point of where they think they might be schizophrenic. It does fit and tie in with these bills.

The important thing is the assault weapons bill costs absolutely no money. We can renew it. It does not cost anybody anything except saving lives, saving health care costs; and I hope that the President of the United States will ask the Speaker of the House to allow this bill to come up on the floor for a vote.

□ 1500

Mr. ALLEN. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

I appreciate the fact that the gentleman is withdrawing the amendment. I think it has been a good discussion about what is a continuing problem. We have recognized it to some extent by putting 12 million plus or minus in AHRQ to do this very thing, and it is something we should keep in mind in the future. But the problem here is there is no offset for the $50 million. I think the intention is good, but this has been a tough bill to make all the dollars fit.

Mr. ALLEN. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Maine.

Mr. ALLEN. Mr. Chairman, I thank the chairman for his comments.

AMENDMENT OFFERED BY MR. UDALL OF NEW MEXICO

Mr. UDALL of New Mexico. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. UDALL of New Mexico:

At the end of title II, insert after the last section (preceding the short title) the following section:

SEC. __. Of the amount made available in this title for the account ''OFFICE OF THE SECRETARY—GENERAL DEPARTMENTAL MANAGEMENT'', $23,000,000 is transferred and made available as an additional amount under the account ''CENTERS FOR DISEASE CONTROL AND PREVENTION—DISEASE CONTROL, RESEARCH, AND TRAINING''.

Mr. UDALL of New Mexico. Mr. Chairman, I rise today to offer an amendment to increase funding in the fiscal year 2005 Labor-HHS appropriations bill before us for the CDC's Preventative Health Care Block Grant. This important grant is one of the few grants that allows States the flexibility to address their own unique health care challenges in exciting and innovative ways.

Unfortunately, H.R. 5006 cuts the amount of funding for the Preventative Block Grant by $23 million from the fiscal 2004 amount of $133 million to $110 million for fiscal year 2005. The funding provided in the legislation is also $23 million below the administration's request for fiscal year 2005.

My amendment would restore the funding to last year's level. It would offset the increase in the Preventative Health Care Block Grant by reducing the level of the Department of Health and Human Services departmental management by the same amount.

Mr. Chairman, this block grant has allowed State health departments to address a wide variety of public health issues, including cardiovascular disease, diabetes, physical activity, suicide prevention, just to name a few. States have documented that investment of block grant dollars has resulted in improved health care outcomes and in some significant cost savings.

I strongly believe that the Preventative Health Care Block Grant is exactly the type of program we should be supporting. The national investment in prevention is currently estimated to be less than 5 percent of the annual health care costs despite strong evidence that prevention can be cost effective and helps people enhance the quality of their lives.

In addition, this block grant is excellent public policy because it provides States with great flexibility in addressing the public health care needs their populations face.

Mr. Chairman, I am a strong supporter of health care promotion programs that have the potential to improve health, improve the quality of life, reduce health care costs, and boost productivity. I believe it is time for America to increase its investment in health care prevention strategies. It is a fact that adaptable lifestyle factors, such as smoking, sedentary lifestyle, poor nutrition, unmanaged stress, and obesity, account for approximately half the premature deaths in the United States. Moreover, spending on chronic diseases related to lifestyle and other preventable diseases accounts for an estimated 70 percent of total health care spending. With the pending retirement of the baby boom generation, the financial burden of these preventable diseases will further threaten the solvency of the Medicare program.

It is my hope that with a greater focus on prevention, we will be able to greatly reduce the number of individuals who suffer from all types of ailments, including diabetes, cancer, heart disease, and strokes just to name a few areas where preventative health care can make the difference. The CDC's Preventative Health Care Block Grant goes a long way towards achieving this goal.

One of the other key components of the block grant is that it is the primary source of flexible funding that provides States the latitude to fund any of 265 national health care objectives available in the Nation's Healthy People 2010 Health Improvement Plan.

Mr. Chairman, I know the chairman and ranking member of the Labor, Health and Human Services, Education and Related Agencies Subcommittee did the best they possibly could in stretching the dollar as far as they could in this bill, and for that I applaud them. However, a cut of this magnitude, nearly 18 percent, will force State and local health departments to eliminate or severely reduce some very important public health activities.

I look forward to working with the chairman and ranking member to restore funding to this account in some way.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mrs. McCARTHY of New York. Mr. Chairman, I move to strike the last word.

I thank my colleague for bringing up this very important issue, preventative medicine and the research that needs to go into it. Any of us that have ever been in the health care field know preventative care and having the best techniques is the best thing that we can all offer anyone. There are so many things that we can do today to prevent, unfortunately, diseases that certainly could cost us as people and human beings in quality of life and, of course, the health care system millions and billions of dollars every single year.

With that being said, preventative care is what we should be looking at—how are we going to stop gun violence in this country. The first step that we can take is making sure the assault weapons ban is renewed by September 13. That alone will save so much money every single year. Our police officers, our children, and even those that live in the poorest communities where some of these health care communities are being closed down because of a lack of funds, people do not realize on the mental end the stress of living in these communities, what it costs.

I am hoping that we in time will have enough money to run the programs that we need; but to be honest, we can save money by cutting down on gun violence. We can save emotional stress

by cutting down on gun violence. We certainly can protect our police officers in this country by making sure the assault weapons ban comes up for a vote, passes here in the House. It has already been passed in the Senate, and the President said he would sign the bill if it gets on his desk.

AMENDMENT OFFERED BY MS. BORDALLO

Ms. BORDALLO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. BORDALLO:

At the end of title II (before the short title), insert the following:

SEC. ____. For ''Centers for Medicare and Medicaid Services—Grants to States for Medicaid'' $8,000,000 to be used for an increase in the amount available under section 1108 of the Social Security Act for fiscal year 2005 of $2,500,000 for Guam, $2,500,000 for the Virgin Islands, $2,000,000 for American Samoa, and $1,000,000 for the Northern Mariana Islands, and the amount otherwise provided by this title for ''John E. Fogarty International Center'' is hereby reduced by $8,000,000.

Mr. REGULA. Mr. Chairman, I reserve a point of order.

Ms. BORDALLO. Mr. Chairman, I respectfully request that the House adopt the Bordallo-Christensen-Faleomavaega amendment to the fiscal year 2005 Departments of Labor, Health and Human Services appropriations bill.

For years, Mr. Chairman, citizens of the United States territories have experienced numerous disparities with respect to health care access and quality. While many of the reasons for such disparities must be resolved at the local level, there are several Federal programs whose administration in the territories contribute to these observed disparities. The most notable and glaring deficiency are Medicaid funding ceilings to the U.S. territories as mandated by section 1108 of the Social Security Act.

In Guam, Medicaid and the SCHIP combined cover only about 25 percent of all estimated costs eligible for Medicaid-matching grants. Similar Federal funding shortages have been experienced in all U.S. territories as a result of section 1108 funding caps. U.S. territories were hit particularly hard by the previous recession where unemployment caused territorial governments to cover the spiraling uninsured health care costs despite shrinking revenues.

The amendment would provide a temporary boost in Medicaid funding to Guam, the U.S. Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands in order to assist those governments in meeting critical shortages in public health funding. This amendment is offset by reducing by 8 million funding for the John E. Fogarty International Center.

Mr. Chairman, while I support the mission of the John E. Fogarty International Center, I feel that it is important to concentrate on providing adequate health care to citizens in the U.S. territories before investing further in international health care research. Funding for the John E. Fogarty International Center would be reduced to just under fiscal year 2003 levels, at which time the center had experienced consecutive years of double-digit percentage funding increases.

Mr. Chairman, this amendment has bipartisan support based on the hearing that we had chaired by the gentleman from Indiana (Mr. BURTON).

Mr. FALEOMAVAEGA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the gentlewoman's amendment that we have sponsored together with the gentlewoman from the Virgin Islands.

Mr. Chairman, in fiscal year 2003 American Samoa's Medicaid program cost $12.2 million. If American Samoa were treated like a State, the Federal Government would have been responsible for $6.1 million or half the cost; but the American Samoa government would have been responsible for the other half also, about $6.1 million. As it is, a Federal ceiling is in place, unfortunately. So for fiscal year 2003, the Federal ceiling for American Samoa was $3.7 million. The Federal Government only paid out $3.7 million, and we had to meet the rest of the obligation of the total cost of $12.2 million.

The bottom line, Mr. Chairman, is there is definitely a need for this additional appropriations for our Medicaid needs, and I ask my colleagues to please support this proposed amendment.

Mrs. CHRISTENSEN. Mr. Chairman, I rise to join my colleagues MADELEINE BORDALLO and ENI FALEOMAVAEGA in strong support of our amendment to provide some additional relief to our constituents in the form of additional health care dollars. It remains a national shame in my view, that because of where they live, my low-income and indigent constituents, as well as those of my colleagues, are not able to receive the same level of Medicaid assistance because of a punitive cap.

My colleagues, while the national per capita expenditure for Medicaid is $3862, the expenditure for the Virgin Islands is only $436. The total cost of Medicaid in the Virgin Islands is about $15 million per year but the Federal government only covers about $6 million of that amount. According to the Virgin Islands Medicaid Director, the 18,000 Medicaid recipients she serves receive an absolute ''bare bones'' service.

Mr. Chairman, a report 3 years ago entitled the Access Improvement Project of the Virgin Islands, revealed that great disparities exist for eligible children in the Virgin Islands compared to the continental United States. The report shows that while the Nation as a whole spends an average of $76 for EPSDT screening per Medicaid eligible child, the U.S. Virgin Islands only spent $1.20. Additionally, the total Medicaid expenditures per child also shows an astonishing disparity.

In the age group 15 to 20, national Medicaid expenditures were approximately 599 percent more than what is being spent in the Virgin Islands. We also received a 50 percent match, despite a State like Mississippi where the average income is $1,500 higher than ours. They receive 80 percent match. And the Virgin Islands Medicaid program cannot provide wheelchairs, hearing aids or prosthetic devices, and only provides physical and occupational therapy to a limited degree because of the limited funding.

Mr. Chairman, this modest amendment which we are offering today, would provide a one time 25 percent increase in Medicaid payments to the Virgin Islands, Guam, and American Samoa so that our most vulnerable constituents could receive better health care services which they otherwise would have to do without because of our already overburdened local governments.

I urge my colleagues to support this amendment.

POINT OF ORDER

Mr. REGULA. Mr. Chairman, I make a point of order against the amendment because it provides an appropriation for an unauthorized program and therefore violates clause 2 of rule XXI. The pertinent part of clause 2 of rule XXI is as follows: An appropriation may not be in order as an amendment for an expenditure not previously authorized by law.

Mr. Chairman, the authorization for this program has not been signed into law, and therefore it violates clause 2 of rule XXI.

I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from American Samoa (Mr. FALEOMAVAEGA) wish to be heard on the point of order?

Mr. FALEOMAVAEGA. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized.

Mr. FALEOMAVAEGA. Mr. Chairman, I kindly respect the decision the Chairman has made concerning his opinion that has been expressed concerning the proposed amendment. We realize there is no authorization. But I thought that this was part of the appropriations process, that we have made in the past precedents where appropriations have been made without any authorization. But again I have to respect my good chairman's decision on this and sincerely hope that maybe down the line we will be able to work something out to give due assistance to the insular areas on this very important issue.

□ 1515

The CHAIRMAN. The Chair is prepared to rule. The proponent of an item of appropriation carries a burden of persuasion on the question whether it is supported by an authorization in law.

Having reviewed the amendment, the underlying law, and entertained argument on the point of order, the Chair is unable to conclude that the item of appropriation in question is authorized in law. The amendment proposes appropriations above the levels currently authorized in law.

The Chair is therefore constrained to sustain the point of order under clause 2(a) of rule XXI.

Are there further amendments to this paragraph of the bill?

If not, the Clerk will read.

The Clerk read as follows:

This title may be cited as the ''Department of Health and Human Services Appropriations Act, 2005''.

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965 (''ESEA'') and section 418A of the Higher Education Act of 1965, $15,535,735,000, of which $7,849,390,000 shall become available on July 1, 2005, and shall remain available through September 30, 2006, and of which $7,383,301,000 shall become available on October 1, 2005, and shall remain available through September 30, 2006, for academic year 2005–2006: *Provided,* That $7,037,592,000 shall be available for basic grants under section 1124: *Provided further,* That up to $3,500,000 of these funds shall be available to the Secretary of Education on October 1, 2004, to obtain annually updated educational-agency-level census poverty data from the Bureau of the Census: *Provided further,* That $1,365,031,000 shall be available for concentration grants under section 1124A: *Provided further,* That $2,469,843,000 shall be available for targeted grants under section 1125: *Provided further,* That $2,469,843,000 shall be available for education finance incentive grants under section 1125A: *Provided further,* That $80,000,000 shall be available for comprehensive school reform grants under part F of the ESEA.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, $1,250,893,000, of which $1,083,687,000 shall be for basic support payments under section 8003(b), $50,369,000 shall be for payments for children with disabilities under section 8003(d), $45,936,000 shall be for construction under section 8007 and shall remain available through September 30, 2006, $63,000,000 shall be for Federal property payments under section 8002, and $7,901,000, to remain available until expended, shall be for facilities maintenance under section 8008: *Provided,* That for purposes of computing the amount of a payment for an eligible local educational agency under section 8003(a) of the Elementary and Secondary Education Act (20 U.S.C. 7703(a)) for school year 2004–2005, children enrolled in a school of such agency that would otherwise be eligible for payment under section 8003(a)(1)(B) of such Act, but due to the deployment of both parents or legal guardians, or a parent or legal guardian having sole custody of such children, or due to the death of a military parent or legal guardian while on active duty (so long as such children reside on Federal property as described in section 8003(a)(1)(B)), are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at a school in the same local educational agency they attended prior to their change in eligibility status.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by titles II, part B of title IV, subpart 6 of part D of title V, parts A and B of title VI, and parts B and C of title VII of the Elementary and Secondary Education Act of 1965 (''ESEA''); the McKinney-Vento Homeless Assistance Act; section 203 of the Educational Technical Assistance Act of 2002; the Civil Rights Act of 1964; and section 105(f)(1)(B)(iii) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188), $5,641,401,000, of which $4,031,016,000 shall become available on July 1, 2005, and remain available through September 30, 2006, and of which $1,435,000,000 shall become available on October 1, 2005, and shall remain available through September 30, 2006, for academic year 2005–2006: *Provided,* That $410,000,000 shall be for subpart 1 of part A of title VI of the ESEA: *Provided further,* That $68,394,000 shall be available to carry out part D of title V of the ESEA and section 203 of the Educational Technical Assistance Act of 2002: *Provided further,* That $12,230,000 shall be available to carry out the Supplemental Education Grants program for the Federated States of Micronesia, and $6,100,000 shall be available to carry out the Supplemental Education Grants program for the Republic of the Marshall Islands: *Provided further,* That up to five percent of these amounts may be reserved by the Federated States of Micronesia and the Republic of the Marshall Islands to administer the Supplemental Education Grants programs and to obtain technical assistance, oversight and consultancy services in the administration of these grants and to reimburse the U.S. Departments of Labor, Health and Human Services, and Education for such services: *Provided further,* That the amount made available in the Department of Education Appropriations Act, 2004, under the heading School Improvement Programs and including any funds transferred by the Secretary of Education pursuant to section 304 of that Act for state assessment grants authorized under section 6111 of the Elementary and Secondary Education Act of 1965, shall not be less than $390,000,000: *Provided further,* That, notwithstanding any other provision of law, including any across-the-board reduction that would otherwise apply, the funds made available for fiscal year 2005 under the heading School Improvement Programs for state assessment grants under section 6111 of the Elementary and Secondary Education Act of 1965 shall not be less than $400,000,000.

AMENDMENT OFFERED BY MRS. MALONEY

Mrs. MALONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. MALONEY:

In the item relating to ''SCHOOL IMPROVEMENT PROGRAMS'', insert before the period at the end the following:

: *Provided,* That, of the funds made available under this heading, $3,000,000 is for carrying out subpart 21 of part D of title V of the Elementary and Secondary Education Act of 1965 (commonly referred to as the Women's Educational Equity Act of 2001; 20 U.S.C. 7283 et seq.)

Mr. REGULA. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Ohio (Mr. REGULA) reserves a point of order against the amendment.

The gentlewoman from New York (Mrs. MALONEY) is recognized for 5 minutes.

Mrs. MALONEY. Mr. Chairman, we are calling this the Patsy Mink amendment, as the first legislation was written and passed by our distinguished colleague and friend that founded the Women's Educational Equity Act. This would restore the $3 million for this program that was taken out in the mark before us, and this has no offset because the money would come out of the school improvement program that has well over $50 million in it.

This is certainly needed. Some people on the other side of the aisle have said that we no longer need the Women's Educational Equity Act, but the figures that came out last week from the Census Bureau showed that the pay gap widened between men and women in 2003, and that women's pay slumped for the first time since 1999, falling to 75.5 cents to the male dollar.

I will include for the RECORD the census report that shows the gap between men and women growing, and specifically the fact that women's pay has slumped for the first time since 1999.

I would like to take this opportunity to thank very much Patsy Mink for her hard work and leadership in authoring WEEA. It has made a difference in the lives of millions of girls and women for 30 years by training teachers to treat boys and girls fairly in the classroom, teaching about reducing sexual harassment, and encouraging girls to study math and science among many other things. WEEA ensures that girls and women will succeed in school, plain and simple.

Unfortunately, in this tight budget year, WEEA was zeroed out in this bill. Mr. Chairman, I can assure you that cutting the $3 million to girls' education is totally unfair and will not help in any way to balance the budget.

Women have made great strides over the past 30 years, but these strides have not happened by themselves. It is programs like WEEA that provide the training, the materials and the support for our young girls in the educational system, but we still have a tremendous long way to go before we reach a point when WEEA will no longer be needed.

In 2003, male students scored higher on average than female students in mathematics. Girls represent only 17 percent of the computer science AP test takers. Women are roughly 20 percent of IT professionals. Women receive less than 28 percent of the computer science bachelor's degrees, down from a high of 37 percent in 1984. Women make up just 9 percent of engineering-related bachelor degrees. These statistics are unacceptable, but would be worse without WEEA.

As the educational needs of our society change and grow, as math and technology continue to become prominent skills of our everyday lives, gender equity in our education system is more important than ever. Girls must catch up with boys when it comes to math and technology, and WEEA can help.

This amendment, the Patsy Mink Women's Educational Equity Act, will support our daughters, our sisters, our friends. Vote yes on the Maloney-Woolsey-Sanchez amendment.

I also would like to cite a report that came out recently, the Dingell-Maloney report, that showed that there was a consistent gap between the earnings between men and women for the past 20 years, a consistent 40 percent gap. After making up for time for pregnancy or taking care of sick parents, there is still a 20 percent unexplained gap between men and women's pay. This translates into pensions.

I would consider a vote against this amendment a vote against women, a vote against equity and opportunity for women in the workforce. It begins in the classroom. This program is as needed today as when Patsy Mink first wrote it. So I call upon my colleagues on both sides of the aisle to vote for their daughters, their sisters and their friends, and to support this amendment.

Mr. Chairman, I will place in the RECORD the Dingell-Maloney report that shows the persistent 20 percent gap, which can only be explained as discrimination.

I want to thank very much my colleague, the gentlewoman from California (Ms. WOOLSEY) for her excellent leadership and help on this issue through many Congresses, and the gentleman from Wisconsin (Mr. OBEY) for his fine help.

GAO PAY GAP REPORT HIGHLIGHTS

(Briefing by Reps. Maloney & Dingell)

The General Accounting Office (GAO) examined 18 years of data on over 9,300 Americans for an earnings study commissioned by Representatives Carolyn Maloney (D–NY) and John Dingell (D–MI). The new study is a follow-up to the more narrowly-focused 2002 GAO report on the earnings gap between female and male managers.

Results of the GAO study show: The pay gap is real. Women working full-time today are paid an average of 80 cents for every dollar that men are paid, even when accounting for demographic and work-related factors such as occupation, industry, race, marital status and job tenure. This 20 percent earnings gap cannot be explained due to differences in work patterns or histories.

Differing work patterns lead to an even larger earnings gap between men and women—suggesting that working women are penalized for their dual role as wage earners and those who disproportionately care for home and family obligations. The GAO study confirms that women in the workforce are less likely to work a full-time schedule and are more likely to leave the labor force for longer periods of time than men, suppressing women's earnings even further. And, men with children are paid about 2 percent more than men without children, whereas women with children are paid about 2.5 percent less than women without children.

The pay gap has persisted for past two decades. The GAO study confirms that the earnings gap between women and men has been consistent from 1983–2000, despite a sense of continued progress toward gender equality in the workplace.

The GAO also reviewed other studies and interviewed employers and earnings experts to round out their analysis, leading to troubling questions about the persistent pay gap: Why do workplaces still maintain the same policies, practices and structures that existed when most of their workers did not have obligations to care for children and family life? Why do industries and professions dominated by women pay disproportionately less than male-dominated industries? How much does the pay gap between men and women cost families?

In response to the GAO findings, Representatives Maloney and Dingell seek to establish a new Center for the Study of Women and Workplace Policy at a public university that would serve as a nationwide resource for employers, women and families. The Center would follow up on the GAO study, collaborate with businesses and women's organizations on solutions to the earnings gap, and publish yearly guides on best practices for employers and family friendly workplaces for women.

[From the Feminist Daily News Wire, Sept. 2, 2004]

WAGE GAP INCREASES BETWEEN WOMEN AND MEN, US CENSUS REPORTS

Figures released by the US Census Bureau last week show that the pay gap between women and men widened in 2003. Women's pay slumped for the first time since 1999, with women earning only 75.5 cents to every dollar men earn. The Census Bureau stated that this marks the first ''statistically significant'' decline in women's pay since 1995, AccountingWEB.com reports, with real median earnings of women over the age of 15 fell 0.6 percent to $30,724. The Institute for Women's Policy Research has stated that the 1.4 percent decrease in the gender wage ratio is the largest backslide since 1991.

Though over forty years have passed since the Equal Pay Act was signed in 1963, at which point women earned 59 cents to the dollar men earned, progress to attain its goals has been slow. With more families becoming dependent on women as breadwinners, and with approximately half of women entering retirement alone, the wage gap is a crucial issue that affects the health and well-being of women and their families. The poverty rate for women and girls increased to 13.7 percent from 13.3 percent in 2002, increasing for the third straight year, reports Women's eNews. In addition, the uninsured rate rose more sharply for women at four percent, with the rate for men only rising one percent.

The Asheville Citizen-Times reports that the typical prime-age working woman earned $273,592 over the 15 year period between 1983 and 1998, compared with $722,693 for the typical prime-age working man. In addition to the wage gap, this discrepancy occurs because women work more part-time jobs and take more time out of the workforce to raise children. However, the Asheville Citizen-Times reports that in October 2003 the General Accounting Office released a report titled ''Women's Earnings'' that examined 18 years of data. The report found a 20 percent earnings gap between men and women that could not be explained, even after accounting for factors such as occupation, industry, marital status, and job tenure.

Ms. WOOLSEY. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I rise in strong support of this amendment, because we need to continue to give women the boost they must have yet to succeed in this global economy that we are living in.

Our late colleague, Patsy Mink, authored the Women's Educational Equity Act, which we call WEEA. WEEA and other equity provisions have been doing a very, very good job. But, do you know what? That good job has made this program vulnerable, because it appears that their success could be an excuse to eliminate this good program.

It is hard to believe that the Members of this Congress think that gender equity provisions can be eliminated today because more women are enrolled in college, are graduating from college, or because boys, of all things, have reading scores that are not as good as girls. That is a very shortsighted view.

Women are still underrepresented in math and science and in engineering-related fields, fields that actually pay higher salaries and oftentimes require overseas hiring to fill the positions.

Many girls and women shy away from any sort of science or technology activity, despite the importance of these areas in modern society. We need to fix that, because research has shown that interest in math and science begins to wane in early adolescence.

We want to make sure that girls keep all their options open. They do not have to be scientists, they do not have to be mathematicians, they do not have to be engineers, but when they are ready to go to college, they have to have the option, just like the guys do.

The National Bureau of Economic Research reports that students who do well in math outearn their nonmathematical counterparts even if they do not go on to college. Within 6 years of graduating high school in 1980, young men with strong basic math skills were earning 53 cents more per hour than those with average math skills. The difference between women with stronger math skills and men with average math skills was even more significant, with women earning 74 cents more per hour.

It is clear that increased comprehension in math and science benefits women. The Women's Educational Equity Act program is critical to helping promote equal education opportunities for girls and women by providing funds and assistance to educational agencies. That is why our amendment would protect this successful program by leveling out funding for WEEA at $3 million. We would be taking funds from the Fund for the Improvement of Education, or FIE. These funds fund individual Member projects. I can tell you that every single Member in this body will better serve their constituents if they are serving the women in their school districts.

If our schools do not continue to receive this support, females and minorities will continue to dominate the low-wage jobs, while America's high-wage, high-tech jobs go to foreign undergraduates and foreign graduates. Women will continue to have fewer economic opportunities than men and less access to the careers that will support them and their families. Without these opportunities, this country will be deprived of the highly-educated, highly-skilled workforce we need in the United States to compete in the global economy.

Gender equity in education is not a women's thing. All Americans, men and women alike, have a stake in making sure that all students gain the skill and self-confidence they need in elementary and secondary school to become productive, self-supporting adults.

Mr. Chairman, I urge my colleagues to support our amendment, to protect this important program from becoming yet another unnecessary casualty of a very shortsighted budget.

The CHAIRMAN. Does the gentleman from Ohio continue to reserve his point of order?

Mr. REGULA. Mr. Chairman, I withdraw my point of order.

Mrs. MCCARTHY of New York. Mr. Chairman, I move to strike the last word.

I rise in support of the Maloney-Woolsey-Sanchez amendment. This amendment would provide funds for the Patsy Mink Women's Educational Equity Act program. This is an important program promoted and named after our dearly missed colleague Patsy Mink, who I served with on the Committee on Education and the Workforce.

It is designed to promote gender equality in providing counseling and guidance, physical education and the development of the classroom materials.

A lot of people in Title IX kind of made fun of us women, and yet when you look at the women in the Olympics, these programs work. So we have to make sure that we keep them going.

I understand that I am lucky. I work in Congress. With that being said, I get equal pay. But an awful lot of my colleagues that are my friends that are working on the outside world doing the hard work right next to their male colleagues, they do not get the same pay. So women are disadvantaged in many parts of our society, and equal education offers them the opportunity to grow.

Our women also are living, unfortunately, sometimes in a violent society, especially those in the low-income areas. Think about all the women that right now possibly will be losing their husbands either from the war in Iraq or even from September 11, where we need to and we still continue the trend of educating them so they can educate themselves and have a job. But the majority of firearm homicides are the result of intimate partner violence.

With that being said, on September 13 the assault weapons bill will expire in this country. We know it has saved lives. We know that basically it has certainly put women at less risk, especially those that are in low-income areas and their children.

I do not understand why we cannot bring up the bill for a vote. I do not understand why. The President of the United States has said that he would sign the bill if it got onto his desk.

□ 1530

Well, we are the ones here who are holding it up. He is going to sign the bill. That is a good sign. So I think that we should move forward between today and Monday afternoon and be able to get this vote done so we can continue something that works. A program like this works. We have seen equal education getting better and better. Why are we even looking at a program to either cut it back or to see it expire when a program works?

Police chiefs from all over the country were here today. The rank-and-file were here today. Unfortunately, victims were here today too. I mentioned them many times today. We can cut down on health care costs; we can cut down on those who are in rehab hospitals, some who never leave. We can cut down on the amount of people who are unfortunately injured because of large-capacity clips and assault weapons. The bottom line is, why did we have an assault weapons ban in the beginning? Because too many of our police officers were being mowed down. We are putting that risk right back on the streets again. We are putting that risk to our police officers today, when things are actually even worse than they were 10 years ago.

This is when we should be renewing this ban. This is when we should be making sure our police officers who are protecting us because terrorists are in this country. This is what we should be doing. The American people care about this issue. They count on us, we in Congress, our leaders, our President, to take a lead on this. And we are letting them down, unless somebody has a change of heart. Do not think this is going to go away, because it is not. It will not, unfortunately, because one day we will be standing here and people will be saying, why did we not do something about it, and that is going to be, unfortunately, when we have a tragedy in our school or our police officers are mowed down, and people say, why did you not do something.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in strong support of the Maloney/Woolsey/Sanchez amendment to restore Women's Educational Equity Act, or WEEA, funding in the Labor HHS bill.

I am standing here again, as I did in 1999 with my late colleague Patsy Mink, to urge Congress to provide $3 million in funding for this vitally important program.

WEEA was established in 1974 to promote educational equity for girls and women, including those who suffer multiple discrimination based on gender, race, ethnicity, national origin, disability, or age. The program was also established to urge compliance with Title IX which prohibits sex discrimination in federally funded education programs and activities.

In the last 29 years, WEEA has funded more than 700 projects throughout the United States. And, unlike a number of programs this Congress has funded, the results speak for themselves.

Girls and women in this country are doing better. For the first time, women's educational achievement equals or surpasses that of men. Women are also more likely to graduate, more likely to engage in school activities, and less likely to engage in high risk activities.

However, as women advance through their educational careers, they become increasingly less likely to enroll in advanced placement courses, especially those in math and sciences.

According to 2000 figures, only 18 percent of engineering degrees are awarded to women, and only 10.6 percent of employed engineers are female. As a representative from Orange County—one of the largest aerospace and defense industrial bases in the country—I know this is a problem. Time and time again, my aerospace and defense contractors tell me that they simply can't find enough people to hire, especially enough women, and that they are having to turn to foreign students to meeting hiring needs.

It doesn't have to be this way. Programs such as WEEA will help fill those programs with our women.

And because of the lack of role models in these fields, classroom textbooks and other educational materials do not sufficiently reflect the experiences, achievements, or concerns of women and, in most cases, are not written by women.

Studies show that women teachers, especially in the K–8 grades, often feel uncomfortable or underqualified to teach math and science. Studies also show that many of our young women perceive math and science as "unfeminine." Why is this? Is there something hidden in the curriculum? Is it in the way that we teach? What makes women believe they are best suited for other fields? WEEA programs are searching to find the answers to these questions.

Three million dollars is a small amount of money to expend on a program with tremendous payoffs. Support WEEA. Vote for the Maloney/Woolsey/Sanchez amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Mrs. MALONEY).

The amendment was agreed to.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will not take the full 5 minutes. There was an amendment brought to the floor just a few minutes ago by the gentlewoman from Guam (Ms. BORDALLO), the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), and the gentleman from Guam (Mr. FALEOMAVAEGA) regarding Guam, the U.S. Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands; and it was regarding section 1108 of the Social Security Act, which places a funding ceiling on all Medicaid funding to U.S. territories.

In Guam, Medicaid and CHIP combined cover only about 25 percent of all estimated costs eligible for Medicaid matching grants.

The reason I came to the floor is because we had a hearing on this not long ago and the hearing was as a result of my going to Guam and Saipan and the Marianas to talk to them about health care problems. My Subcommittee on Wellness and Human Rights was looking into the problems they are facing over there regarding health care. They have an absolute epidemic of type 2 diabetes. They do not have enough equipment over there to take care of the population. People are literally dying because they cannot be taken care of as far as their dialysis is concerned. They are running those machines 24 hours a day, Mr. Chairman. Mr. Chairman, they are running those dialysis machines in the Northern Marianas and Guam and Saipan 24 hours a day. The people cannot get health care.

The Speaker of the House of Representatives in Guam had heart trouble. They had to fly him all the way

from Guam to Honolulu to get health care. Otherwise, he would have died. That is the Speaker of the House over there.

I know that there was a point of order raised against this, and I understand that we cannot legislate on an appropriations bill. But I would just like to say to the chairman, this is not a political thing. This is not a Democrat or Republican thing. The people of that area of the world, American citizens are dying because they cannot get adequate health care, and the economy has been hit very hard over there in that region of the world, and they cannot reach the matching grant requirement which is much lower than in the 48 States that we have right here.

So I would just like to say to my good friend, the gentleman from Ohio (Mr. REGULA), and the Committee on Appropriations and all of the members of the Committee on Appropriations, something has to be done about the problem in Guam, Saipan, and the Northern Marianas and American Samoa, because those people over there simply are not getting health care. It is not a question of quality of health care; they are not getting health care. They do not have enough dialysis machines, they do not have enough equipment to take care of people with heart trouble and, as I said before, they are having to go all the way to Hawaii, 4, 5, 6, 7 hours on a plane to have their lives saved.

So I just wanted to bring this to the attention of my colleagues on the Committee on Appropriations, and I will bring it to the attention of the authorizing committee as well; I know it is important to do that. But I am sorry I was not on the floor to discuss this when it came up. I know it would not have done any good, because it is subject to a point of order. But this is something that they are suffering from over there.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 4 offered by Ms. JACKSON-LEE of Texas; an amendment offered by Ms. JACKSON-LEE of Texas; and an amendment offered by Mr. SANDERS of Vermont.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON-LEE OF TEXAS

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 4 offered by the gentlewoman from Texas (Ms. JACKSON-LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 15-minute vote followed by two 5-minute votes.

The vote was taken by electronic device, and there were—ayes 112, noes 305, not voting 16, as follows:

[Roll No. 425]

AYES—112

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldwin
Becerra
Bell
Berkley
Berman
Bishop (NY)
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capuano
Carson (IN)
Case
Clay
Conyers
Cooper
Crowley
Cummings
Davis (AL)
Davis (IL)
DeFazio
DeGette
Deutsch
Dingell
Doggett
Evans
Fattah
Filner
Ford
Frank (MA)
Gephardt
Green (TX)
Gutierrez
Harman
Hastings (FL)
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kaptur
Kennedy (RI)
Kildee
Larsen (WA)
Larson (CT)
Lee
Lewis (GA)
Lynch
Majette
Maloney
Markey
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Moran (VA)
Nadler
Napolitano
Neal (MA)
Owens
Pallone
Pastor
Payne
Pelosi
Rangel
Rodriguez
Rothman
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schiff
Scott (GA)
Serrano
Sherman
Slaughter
Stark
Tanner
Thompson (MS)
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—305

Aderholt
Akin
Alexander
Baca
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cantor
Capito
Capps
Cardin
Cardoza
Carson (OK)
Carter
Castle
Chabot
Chandler
Chocola
Clyburn
Coble
Cole
Collins
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Delahunt
DeLauro
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
English
Eshoo
Etheridge
Everett
Farr
Feeney
Ferguson
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hill
Hobson
Hoekstra
Holden
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Manzullo
Marshall
Matheson
Matsui
McCollum
McCotter
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pascrell
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schakowsky
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Turner (OH)
Turner (TX)
Upton
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOT VOTING—16

Ballenger
Cannon
Dicks
Dooley (CA)
Dunn
Engel
Flake
Grijalva
Jones (OH)
Mollohan
Nethercutt
Ryan (OH)
Schrock
Smith (WA)
Tauzin
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The CHAIRMAN pro tempore (Mr. WALDEN of Oregon) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1606

Messrs. FRELINGHUYSEN, SHIMKUS, BISHOP of Georgia, HOYER, CARSON of Oklahoma, CLYBURN, THORNBERRY, LAMPSON, TIBERI, BUYER, ETHERIDGE, SPRATT, Ms. ROYBAL-ALLARD, Ms. HOOLEY of Oregon, Ms. SCHAKOWSKY, Messrs. MILLER of North Carolina, BACA, STRICKLAND, GONZALEZ, KUCINICH, GEORGE MILLER of California, OBERSTAR, OLVER, LANGEVIN and REYES changed their vote from ''aye'' to ''no.''

Mr. LYNCH changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

The CHAIRMAN pro tempore (Mr. WALDEN of Oregon). The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 156, noes 261, answered ''present'' 1, not voting 15, as follows:

[Roll No. 426]

AYES—156

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Becerra
Bell
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Case
Clay
Clyburn
Conyers
Cooper
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Emanuel
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gephardt
Gonzalez
Green (TX)
Greenwood
Gutierrez
Harman
Hastings (FL)
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kleczka
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lynch
Majette
Maloney
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (NC)
Miller, George
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Rangel
Reyes
Rodriguez
Rothman
Ruppersberger
Rush
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Slaughter
Smith (WA)
Solis
Spratt
Stark
Stupak
Tanner
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NOES—261

Aderholt
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berry
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cantor
Capito
Carson (OK)
Carter
Castle
Chabot
Chandler
Chocola
Coble
Cole
Collins
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Emerson
English
Eshoo
Evans
Everett
Feeney
Ferguson
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hill
Hobson
Hoekstra
Holden
Hooley (OR)
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Manzullo
Marshall
Matheson
McCotter
McCrery
McHugh
McInnis
McIntyre
McKeon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Saxton
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Stearns
Stenholm
Strickland
Sullivan
Sweeney
Tancredo
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (SC)
Wolf
Young (FL)

ANSWERED ''PRESENT''—1

Lipinski

NOT VOTING—15

Akin
Ballenger
Cannon
Dicks
Dooley (CA)
Dunn
Engel
Flake
Grijalva
Mollohan
Nethercutt
Ryan (OH)
Schrock
Tauzin
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 1615

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SANDERS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont (Mr. SANDERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 305, noes 114, not voting 14, as follows:

[Roll No. 427]

AYES—305

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Bartlett (MD)
Bass
Beauprez
Becerra
Bell
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Butterfield
Camp
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Castle
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Conyers
Cooper
Costello
Cramer
Crane
Crowley
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Emerson
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gephardt
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Gordon
Graves
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hall
Harman
Hart
Hastings (FL)
Hayworth
Herseth
Hill
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kirk
Kleczka
Kline
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George

Moore
Moran (KS)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Pomeroy
Porter
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Shimkus
Shuster
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stenholm
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Vitter
Walsh
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Wilson (NM)
Wolf
Woolsey
Wu
Wynn

NOES—114

Aderholt
Akin
Barrett (SC)
Barton (TX)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Brady (TX)
Brown (SC)
Burton (IN)
Buyer
Calvert
Cantor
Carter
Case
Cole
Collins
Cox
Crenshaw
Cubin
Culberson
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Everett
Feeney
Forbes
Franks (AZ)
Gallegly
Garrett (NJ)
Goode
Goodlatte
Goss
Granger
Greenwood
Harris
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hobson
Isakson
Issa
Istook
Jenkins
Johnson, Sam
Keller
Kingston
Knollenberg
Kolbe
Lewis (CA)
Linder
Lucas (OK)
Manzullo
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (VA)
Musgrave
Myrick
Northup
Norwood
Nunes
Ose
Otter
Oxley
Pearce
Pence
Pitts
Pombo
Pryce (OH)
Putnam
Radanovich
Regula
Rogers (KY)
Rohrabacher
Royce
Sessions
Shadegg
Shaw
Sherwood
Simpson
Smith (MI)
Smith (TX)
Stearns
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiberi
Toomey
Turner (OH)
Walden (OR)
Wamp
Weldon (FL)
Whitfield
Wicker
Wilson (SC)
Young (FL)

NOT VOTING—14

Ballenger
Bilirakis
Cannon
Dicks
Dooley (CA)
Engel
Flake
Grijalva
Mollohan
Nethercutt
Ryan (OH)
Schrock
Tauzin
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 1624

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GRIJALVA. Mr. Chairman, on September 7th and 8th, 2004, I was delayed in returning from my district due to official business and I missed rollcall vote Nos. 422, 423, 424, 425, 426, 427.

If I had been here I would have voted in favor of rollcall vote No. 422, to name the Harvey and Bernice Jones Post Office Building, and rollcall vote No. 423 to name the General William Carey Lee Post Office Building.

I would have voted "no" on rollcall vote No. 424, the Previous Question regarding the Rule for the Labor Health and Human Services and Education Appropriations bill for Fiscal Year 2005.

I would have voted in favor of rollcall vote No. 425, Ms. JACKSON-LEE's amendment to increase funding in the CDC and NIH for Lupus. I would have voted in favor of rollcall vote No. 426, Ms. JACKSON-LEE's amendment to increase funding in the CDC for Hepatitis C.

I would have voted in favor of rollcall vote No. 427, Mr. SANDER's amendment to increase funding for the low-income home energy assistance program and the weatherization assistance program by $22,000,000.

Mr. REGULA. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 95, line 21, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The text of the remainder of the bill through page 95, line 21, is as follows:

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VII, part A of the Elementary and Secondary Education Act of 1965, $120,856,000.

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by part G of title I, subpart 5 of part A and parts C and D of title II, parts B, C, and D of title V, and section 1504 of the Elementary and Secondary Education Act of 1965 (''ESEA''), $669,936,000: *Provided*, That $18,391,000 shall be available to carry out section 2151(c) of the ESEA, of which not less than $10,000,000 shall be provided to the National Board for Professional Teaching Standards, not less than $7,000,000 shall be provided to the American Board for the Certification of Teacher Excellence, and up to $1,391,000 may be reserved by the Secretary to conduct an evaluation of activities authorized by such section: *Provided further*, That $50,000,000 shall be for subpart 2 of part B of title V: *Provided further*, That $100,000,000 shall be available to carry out part D of title V of the ESEA.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

For carrying out activities authorized by subpart 3 of part C of title II, part A of title IV, and subparts 2, 3 and 10 of part D of title V of the Elementary and Secondary Education Act of 1965 (''ESEA''), $801,369,000, of which $440,908,000 shall become available on July 1, 2005 and remain available through September 30, 2006: *Provided*, That $440,908,000 shall be available for subpart 1 of part A of title IV and $203,472,000 shall be available for subpart 2 of part A of title IV: *Provided further*, That $128,347,000 shall be available to carry out part D of title V of the ESEA: *Provided further*, That of the funds available to carry out subpart 3 of part C of title II, up to $11,852,000 may be used to carry out section 2345.

ENGLISH LANGUAGE ACQUISITION

For carrying out part A of title III of the ESEA, $681,215,000, of which $595,715,000 shall become available on July 1, 2005, and shall remain available through September 30, 2006: *Provided*, That funds reserved under section 3111(c)(1)(D) of the ESEA that are not used in accordance with section 3111(c)(2) may be added to the funds that are available July 1, 2005, through September 30, 2006, for State allotments under section 3111(c)(3).

SPECIAL EDUCATION

For carrying out parts B, C, and D of the Individuals with Disabilities Education Act, $12,176,101,000, of which $6,560,447,000 shall become available for obligation on July 1, 2005, and shall remain available through September 30, 2006, and of which $5,413,000,000 shall become available on October 1, 2005, and shall remain available through September 30, 2006, for academic year 2005–2006: *Provided*, That $11,400,000 shall be for Recording for the Blind and Dyslexic, Inc. to support the development, production, and circulation of recorded educational materials: *Provided further*, That the amount for section 611(c) of the Act shall be equal to the amount available for that section during fiscal year 2004, increased by the amount of inflation as specified in section 611(f)(1)(B)(ii) of the Act.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Assistive Technology Act of 1998 (''the AT Act''), and the Helen Keller National Center Act, $3,054,587,000, of which $15,000,000 shall be for grants to States under title III of the AT Act: *Provided*, That the Federal share of such grants shall not exceed 75 percent, and the requirements in sections 301(c)(2) and section 302 of the AT Act shall not apply to such grants.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), $17,000,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $55,790,000, of which $1,685,000 shall be for construction and shall remain available until expended: *Provided*, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $104,000,000: *Provided*, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Technical Education Act of 1998, the Adult Education and Family Literacy Act, and subpart 4 of part D of title V of the Elementary and Secondary Education Act of 1965 (''ESEA''), $2,025,456,000, of which $1,234,456,000 shall become available on July 1, 2005, and shall remain available through September 30, 2006, and of which $791,000,000 shall become available on October 1, 2005, and shall remain available through September 30, 2006: *Provided*, That of the amount provided for Adult Education State Grants, $69,135,000 shall be made available for integrated English literacy and civics education services to immigrants and other limited

English proficient populations: *Provided further,* That of the amount reserved for integrated English literacy and civics education, notwithstanding section 211 of the Adult Education and Family Literacy Act, 65 percent shall be allocated to States based on a State's absolute need as determined by calculating each State's share of a 10-year average of the Immigration and Naturalization Service data for immigrants admitted for legal permanent residence for the 10 most recent years, and 35 percent allocated to States that experienced growth as measured by the average of the 3 most recent years for which Immigration and Naturalization Service data for immigrants admitted for legal permanent residence are available, except that no State shall be allocated an amount less than $60,000: *Provided further,* That of the amounts made available for the Adult Education and Family Literacy Act, $9,169,000 shall be for national leadership activities under section 243 and $6,692,000 shall be for the National Institute for Literacy under section 242: *Provided further,* That $101,698,000 shall be available to support the activities authorized under subpart 4 of part D of title V of the Elementary and Secondary Education Act of 1965, of which up to 5 percent shall become available October 1, 2004, and shall remain available through September 30, 2006, for evaluation, technical assistance, school networking, peer review of applications, and program outreach activities, and of which not less than 95 percent shall become available on July 1, 2005, and remain available through September 30, 2006, for grants to local educational agencies: *Provided further,* That funds made available to local education agencies under this subpart shall be used only for activities related to establishing smaller learning communities in high schools.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3 and 4 of part A, part C and part E of title IV of the Higher Education Act of 1965, as amended, $14,755,794,000, which shall remain available through September 30, 2006.

The maximum Pell Grant for which a student shall be eligible during award year 2005–2006 shall be $4,050.

STUDENT AID ADMINISTRATION

For Federal administrative expenses (in addition to funds made available under section 458), to carry out part D of title I, and subparts 1, 3, and 4 of part A, and parts B, C, D and E of title IV of the Higher Education Act of 1965, as amended, $120,247,000.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, section 121 and titles II, III, IV, V, VI, and VII of the Higher Education Act of 1965 (''HEA''), as amended, section 1543 of the Higher Education Amendments of 1992, the Mutual Educational and Cultural Exchange Act of 1961, and section 117 of the Carl D. Perkins Vocational and Technical Education Act, $1,976,056,000, of which $1,500,000 for interest subsidies authorized by section 121 of the HEA shall remain available until expended: *Provided,* That $9,876,000, to remain available through September 30, 2006, shall be available to fund fellowships for academic year 2006–2007 under part A, subpart 1 of title VII of said Act, under the terms and conditions of part A, subpart 1: *Provided further,* That $988,000 is for data collection and evaluation activities for programs under the HEA, including such activities needed to comply with the Government Performance and Results Act of 1993: *Provided further,* That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: *Provided further,* That up to one percent of the funds referred to in the preceding proviso may be used for program evaluation, national outreach, and information dissemination activities.

HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), $243,893,000, of which not less than $3,552,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act (Public Law 98–480) and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses authorized under section 121 of the Higher Education Act of 1965, $578,000 to carry out activities related to existing facility loans entered into under the Higher Education Act of 1965.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

The aggregate principal amount of outstanding bonds insured pursuant to section 344 of title III, part D of the Higher Education Act of 1965, shall not exceed $357,000,000, and the cost, as defined in section 502 of the Congressional Budget Act of 1974, of such bonds shall not exceed zero.

For administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to title III, part D of the Higher Education Act of 1965, as amended, $212,000.

INSTITUTE OF EDUCATION SCIENCES

For carrying out activities authorized by Public Law 107–279 and section 672 of the Individuals with Disabilities Education Act, $526,804,000: *Provided,* That, of the amount appropriated, $195,518,000 shall be available for obligation through September 30, 2006.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, $421,055,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, $90,248,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, $47,790,000.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

(TRANSFER OF FUNDS)

SEC. 304. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided,* That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 305. Section 8002(m) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(m)) is amended by striking ''5 years'' each place it appears and inserting ''7 years''.

SEC. 306. None of the funds appropriated by this Act shall be available to the Secretary of Education—

(1) to enforce any change or clarification of Department of Education policy with respect to the Federal Family Education Loan Program Consolidation loans for borrowers with both FFEL and non-FFEL loans, as provided for in a dear colleague letter of the Secretary's dated April 29, 2004; or

(2) to issue letters regarding loan verification certificates to providers of Federal Family Education Loan requesting information regarding William D. Ford Direct Student Loans, including Direct Stafford, PLUS, and Consolidation Loans, that state either of the following:

(A) We cannot approve the certification form (s). The borrower has Direct Loans.

(B) We cannot approve the certification form (s). The borrower has a Direct Consolidation Loan and has no other loans.

This title may be cited as the ''Department of Education Appropriations Act, 2005''.

TITLE IV—RELATED AGENCIES

ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Gulfport, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $61,195,000, of which $4,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Gulfport.

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

For expenses necessary of the Committee for Purchase From People Who Are Blind or Severely Disabled established by Public Law 92–28, $4,672,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

For expenses necessary for the Corporation for National and Community Service to

carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, $353,197,000: *Provided*, That none of the funds made available to the Corporation for National and Community Service in this Act for activities authorized by section 122 of part C of title I and part E of title II of the Domestic Volunteer Service Act of 1973 shall be used to provide stipends or other monetary incentives to volunteers or volunteer leaders whose incomes exceed 125 percent of the national poverty level.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2007, $400,000,000: *Provided*, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: *Provided further*, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex.

Of the amounts made available to the Corporation for Public Broadcasting for fiscal year 2005 by Public Law 108–7, up to $20,000,000 is available for grants associated with the transition of public broadcasting to digital broadcasting, including costs related to transmission equipment and program production, development, and distribution, to be awarded as determinded by the Corporation in consultation with public radio and television licensees or permittees, or their designated representatives; and up to $60,000,000 is available pursuant to section 396(k)(10) of the Communications Act of 1934, as amended, for replacement and upgrade of the public television interconnection system: *Provided*, That section 396(k)(3) shall apply only to amounts remaining after allocations made herein.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor Management Relations Act, 1947 (29 U.S.C. 171–180, 182–183), including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95–454 (5 U.S.C. ch. 71), $43,964,000, including $1,500,000, to remain available through September 30, 2006, for activities authorized by the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a): *Provided*, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: *Provided further*, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: *Provided further*, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), $7,813,000.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

For carrying out the Museum and Library Services Act of 1996, $261,743,000, to remain available until expended.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, $9,905,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91–345, as amended), $1,000,000.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, as amended, $2,873,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141–167), and other laws, $248,785,000: *Provided*, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby is used for farming purposes.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151–188), including emergency boards appointed by the President, $11,635,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission (29 U.S.C. 661), $10,516,000.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $108,000,000, which shall include amounts becoming available in fiscal year 2005 pursuant to section 224(c)(1)(B) of Public Law 98–76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds $108,000,000: *Provided*, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, $150,000, to remain available through September 30, 2006, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98–76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, $102,202,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, as amended, not more than $6,561,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: *Provided*, That none of the funds made available in any other paragraph of this Act may be transferred to the Office; used to carry out any such transfer; used to provide any office space, equipment, office supplies, communications facilities or services, maintenance services, or administrative services for the Office; used to pay any salary, benefit, or award for any personnel of the Office; used to pay any other operating expense of the Office; or used to reimburse the Office for any service provided, or expense incurred, by the Office.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance trust funds, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, $20,454,000.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92–603, section 212 of Public Law 93–66, as amended, and section 405 of Public Law 95–216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $28,578,829,000, to remain available until expended: *Provided*, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2006, $10,930,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed $15,000 for official reception and representation expenses, not more than $8,674,100,000 may be expended, as authorized

by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: *Provided*, That not less than $2,000,000 shall be for the Social Security Advisory Board: *Provided further*, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2005 not needed for fiscal year 2005 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure: *Provided further*, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to section 7131 of title 5, United States Code, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

In addition, $124,000,000 to be derived from administration fees in excess of $5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93–66, which shall remain available until expended. To the extent that the amounts collected pursuant to such section 1616(d) or 212(b)(3) in fiscal year 2005 exceed $124,000,000, the amounts shall be available in fiscal year 2006 only to the extent provided in advance in appropriations Acts.

From funds previously appropriated for Federal-State partnerships, any unobligated balances at the end of fiscal year 2004 shall be transferred to the Supplemental Security Income Program and remain available until expended to promote Medicare buy-in programs targeted to elderly and disabled individuals under titles XVIII and XIX of the Social Security Act.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $25,748,000, together with not to exceed $65,359,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total provided in this appropriation may be transferred from the ''Limitation on Administrative Expenses'', Social Security Administration, to be merged with this account, to be available for the time and purposes for which this account is available: *Provided*, That notice of such transfers shall be transmitted promptly to the Committees on Appropriations of the House and Senate.

AMENDMENT OFFERED BY MR. SHADEGG

Mr. SHADEGG. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SHADEGG:

At the end of title III of the bill, insert after the last section (preceding the short title) the following:

SEC. __. For ''SCHOOL IMPROVEMENT PROGRAMS'' for innovative programs, as authorized by part A of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7201 et seq.), and the amount otherwise provided by this Act for ''EDUCATION FOR THE DISADVANTAGED'' is hereby reduced by, $20,000,000.

Mr. SHADEGG (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. SHADEGG. Mr. Chairman, this is an amendment offered by myself and the gentlewoman from Colorado (Mrs. MUSGRAVE), and we believe it is extremely important at this particular time in our Nation's history.

Mr. Chairman, the base bill we have before us omits any funding for title V, part A education block grants, and that program has previously been funded at the level of $296 million. That program is one of the few places where educators in America have flexibility to spend money as they see fit. Indeed, these title V block grants are critical, and they give local educators the flexibility and the funds to address local needs. They are used to reduce class size, buy computers, provide teacher training, and they are used to support remedial reading efforts.

It is the flexibility of these grants that are so important at a time when the no child left behind bill is being funded across our Nation, and some people say there is not sufficient funding. Many local educators have spoken up and said this program needs to be funded.

Indeed, in a letter from the American Association of School Administrators, which represents more than 14,000 school administrators and local education leaders across the country, in a letter dated just yesterday, they said, ''At a time when every dollar flowing from the Federal Government to local districts has a specific purpose, only this funding stream,'' the title V education block grant, ''allows districts the flexibility to use the dollars to meet the unique needs of the local school district.'' The letter went on to say every district benefits from funding under this block grant; therefore, every district would be affected by its elimination, and they reiterate these dollars are helping local school districts implement No Child Left Behind.

I believe there is no opposition to the addition of the funding which this amendment offers. What there is is a debate about the source of that funding. The amendment takes $20 million from the Even Start Program and puts it into this title V education block program. We chose that because it was the only source we could find. We would note that Even Start is already funded at $247 million, and that is a sufficient amount to continue the programs already funded. I urge my colleagues to support the amendment.

AMENDMENT OFFERED BY MR. OBEY TO AMENDMENT OFFERED BY MR. SHADEGG

Mr. OBEY. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. OBEY to amendment offered by Mr. SHADEGG:

Strike the provisions of the amendment reducing funds for Education for the Disadvantaged.

Insert the following language into the amendment:

''At the end of the bill (before the short title), insert the following new section:

'Sec. . In the case of taxpayers with adjusted gross income in excess of $1,000,000, for the tax year beginning in 2005 the amount of tax reduction resulting from enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001 and the Jobs Growth and Tax Relief Reconciliation Act of 2003 shall be reduced by $125 for each such taxpayer.' ''

Mr. REGULA. Mr. Chairman, I reserve a point of order on the proposed amendment.

The CHAIRMAN. The gentleman from Ohio reserves a point of order on the amendment to the amendment.

Mr. OBEY. Mr. Chairman, I certainly have no objection to the gentleman's efforts to provide funding for the block grant program. I think we ought to do that, but I offer this amendment to illustrate that the budget resolution adopted by the majority has put this committee in a position where each time a Member of either the majority or minority party tries to save a deserving program, they are forced to gouge another deserving program in order to pay for it.

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Yet at the same time, that same budget resolution made it possible for the government to provide every person in this country who makes $1 million or more a year with a $127,000 tax cut this year. What this amendment points out is that if we simply reduce that $127,000 tax cut for millionaires by $125, so they would be stuck with a whole $125 less than $127,000, if we did that, we would not have to cut into the Even Start program.

I am not the sponsor of the Even Start program. The sponsor of the Even Start program was a former Republican Member of this House who was a Republican chairman of the Education and Labor Committee, Bill Goodling. I do not think we ought to be going after that program in order to do what the gentleman wants to do. So I am offering this amendment simply to illustrate that there are other ways to deal with this problem that are much more socially just and economically sensible.

I do not see why we ought to be cutting into funding which helps families of disadvantaged children learn to read and write. I do not see why we should be cutting into that program in order to fund the other block grant program. But this is the kind of robbing-Peter-to-pay-Paul situation that we have been backed into by the majority and by the White House.

Mr. Chairman, I offer this amendment in the hopes that the majority will not strike it on a point of order, because I think this is a much more civilized way to deal with what the gentleman is trying to do.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Ohio insist on his point of order?

Mr. REGULA. Mr. Chairman, we will have to insist on our point of order because obviously this is legislating on an appropriations, to add the language that the gentleman from Wisconsin is proposing. It violates clause 2 of rule XXI. The rule states in pertinent part that an amendment to a general appropriation bill shall not be in order if it changes existing law. Obviously, this amendment proposes a change in existing law by prescribing changes in tax liabilities; and, therefore, we insist on our point of order.

The CHAIRMAN. Does the gentleman from Wisconsin wish to be heard on the point of order?

Mr. OBEY. Yes, I do, Mr. Chairman.

Mr. Chairman, the gentleman seeks to strike this amendment on a point of order. I would point out that the purpose of the Budget Act is to force Congress to make choices, to choose between priorities in the process of putting together a comprehensive budget. What the majority has done by the way it has used budget resolutions and the process of reconciliation is, instead, to fragment the budget process so that the Congress never gets to deal with the trade-offs between revenues and expenditures. That, I think, is a fundamental corruption of the original intention of the Budget Act.

I wish that the majority party had not determined to walk down this road, but they have; and under the approach that they have established in the House, I must concede the point of order, but it is too bad because it means that we are going to be gouging one good Republican program in order to pay for one good national program.

The CHAIRMAN. The point of order is conceded and sustained and the amendment to the Shadegg amendment is not in order.

Mrs. MUSGRAVE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am pleased to offer this amendment today with the gentleman from Arizona to restore much-needed funding for the title V block grant program. These funds allow local educators the flexibility to address local needs, whether it is school safety, remedial reading, dropout prevention, professional development or support for charter schools.

This innovative education program is the most flexible program contained within the Elementary and Secondary Education Act. It is the only formula program that allows recipients to use the funds to benefit any and all student populations in any and all schools. In 2001–2002, 23 percent of the money provided to Colorado through this block grant was used for literacy programs, and 11 percent was used for library materials. Other States have used the money for computers and teachers. Many States are now using the money to meet the academic requirements of No Child Left Behind.

I am extremely supportive of giving our local educators flexibility with their funding so they can make decisions that truly benefit students. These innovative education funds can be used for anything to improve academic achievement. I urge my colleagues to support this amendment and restore these funds.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of this amendment. I think it is a fairness issue because we want to give all the children in the schools of the United States an opportunity. What this does, and unfortunately we had to drop it from the original bill, it was $296 million last year and down to zero, in an effort to beef up a lot of programs that are very important to Members.

But I think in fairness this is a very modest amendment that is being proposed by the gentleman from Arizona. It is $20 million. It gives the schools that are taking responsibility, the parochial schools, some of the private schools, some of the schools that are in another venue, and it is a modest amount to say to them, we understand and we care about what happens in your school, too. We care about the students in your school, that they get an equal shot or at least some help, a recognition of the importance of that.

The Even Start program will still have a lot of money left. It is not as if we are putting it way behind. In light of all that, I strongly support the amendment proposed by the gentleman from Arizona.

Mr. SHADEGG. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN. Without objection, the gentleman from Arizona is recognized for 5 minutes.

There was no objection.

Mr. SHADEGG. Mr. Chairman, I thank the chairman of the subcommittee for his support of this amendment; and to my friend from the opposite side of the aisle, I want to make it clear to him, we did propose a much more modest amendment, only $20 million. Our original goal had been to restore the entire $296 million. I would hope that in negotiations with the other body you would find, as I know the chairman will look to find, funds to put into this block grant program. I understand and sympathize with the remarks he made in his effort. Hopefully, as this bill moves forward and he will be in the conference and I will not, you can restore these funds even above the $20 million level here. Our effort was to be sure there was a line item in the bill as it leaves the House for you to work with as you go to the Members of the other body on this issue.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. SHADEGG).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE V—GENERAL PROVISIONS

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: *Provided*, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed $28,000 and $20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $5,000 from the funds available for ''Salaries and expenses, Federal Mediation and Conciliation Service''; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed $5,000 from funds available for ''Salaries and expenses, National Mediation Board''.

SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

POINT OF ORDER

Mr. TOM DAVIS of Virginia. Mr. Chairman, I raise a point of order against section 506. This provision violates clause 2(b) of House rule XXI. It proposes to change existing law and, therefore, constitutes legislation on an appropriation bill in violation of House rules.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. REGULA. Mr. Chairman, we recognize the validity of the gentleman's point and we certainly, in light of the circumstances, concede that the point of order is valid.

The CHAIRMAN. The point of order is conceded and sustained and that provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 507. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in

part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state—

(1) the percentage of the total costs of the program or project which will be financed with Federal money;

(2) the dollar amount of Federal funds for the project or program; and

(3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 508. (a) None of the funds appropriated under this Act, and none of the funds in any trust fund to which funds are appropriated under this Act, shall be expended for any abortion.

(b) None of the funds appropriated under this Act, and none of the funds in any trust fund to which funds are appropriated under this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term ''health benefits coverage'' means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 509. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

(d)(1) None of the funds made available in this Act may be made available to a Federal agency or program, or to a State or local government, if such agency, program, or government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

(2) In this subsection, the term ''health care entity'' includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

SEC. 510. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.208(a)(2) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term ''human embryo or embryos'' includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 511. (a) None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established by section 202 of the Controlled Substances Act (21 U.S.C. 812).

(b) The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 512. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in section 4212(d) of title 38, United States Code, regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 513. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act (42 U.S.C. 1320d–2(b)) providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

SEC. 514. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 515. None of the funds made available by this Act to carry out the Library Services and Technology Act may be made available to any library covered by paragraph (1) of section 224(f) of such Act (20 U.S.C. 9134(f)), as amended by the Children's Internet Protections Act, unless such library has made the certifications required by paragraph (4) of such section.

SEC. 516. None of the funds made available by this Act to carry out part D of title II of the Elementary and Secondary Education Act of 1965 may be made available to any elementary or secondary school covered by paragraph (1) of section 2441(a) of such Act (20 U.S.C. 6777(a)), as amended by the Children's Internet Protections Act and the No Child Left Behind Act, unless the local educational agency with responsibility for such covered school has made the certifications required by paragraph (2) of such section.

SEC. 517. None of the funds appropriated in this Act may be used to enter into an arrangement under section 7(b)(4) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(4)) with a nongovernmental financial institution to serve as disbursing agent for benefits payable under the Railroad Retirement Act of 1974.

SEC. 518. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2005, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes or renames offices;

(6) reorganizes programs or activities; or

(7) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2005, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects (including construction projects), or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

AMENDMENT OFFERED BY MR. TOM DAVIS OF VIRGINIA

Mr. TOM DAVIS of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TOM DAVIS of Virginia:

At the end of the bill, insert after the last section (preceding the short title) the following:

SEC. ____. (a) Paragraph (2) of section 1122(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332(c)) is amended—

(1) by striking ''If sufficient funds'' and inserting the following:

''(A) CONCENTRATION GRANTS.—If sufficient funds''; and

(2) by adding at the end the following:

''(B) TARGETED GRANTS.—Notwithstanding the inability of a local educational agency to meet the minimum eligibility criteria described in section 1125(a)(1) for a fiscal year, if sufficient funds are appropriated, the amount made available to the agency under section 1125 for that year shall be—

''(i) if the agency met such minimum eligibility criteria and received a grant under section 1125 for the preceding fiscal year, not less than 67 percent of the amount of such grant; or

''(ii) if the agency met such minimum eligibility criteria and received a grant under section 1125 for the second preceding fiscal year (but not the preceding fiscal year), not less than 34 percent of the amount of such grant.

''(C) EDUCATION FINANCE INCENTIVE GRANTS.—Notwithstanding the inability of a local educational agency to meet the minimum eligibility criteria described in section 1125A(c) for a fiscal year, if sufficient funds are appropriated, the amount made available to the agency under section 1125A for that year shall be—

''(i) if the agency met such minimum eligibility criteria and received a grant under

section 1125A for the preceding fiscal year, not less than 67 percent of the amount of such grant; or

''(ii) if the agency met such minimum eligibility criteria and received a grant under section 1125A for the second preceding fiscal year (but not the preceding fiscal year), not less than 34 percent of the amount of such grant.''.

(b) The amendments made by this section apply only with respect to funds appropriated for fiscal year 2005 or any subsequent fiscal year.

Mr. TOM DAVIS of Virginia (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. REGULA. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Ohio reserves a point of order.

Mr. OBEY. Mr. Chairman, I also reserve a point of order.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. TOM DAVIS of Virginia. Mr. Chairman, first let me state I realize this amendment is subject to a point of order so I will withdraw the amendment, but I want to take the opportunity to raise an important issue that is of great importance to the Fairfax County school districts which I represent.

Mr. Chairman, No Child Left Behind requires the Department of Education to use the most up-to-date poverty data from the Census Bureau when determining eligibility for title I grants. The intent behind this requirement is sensible. We want title I funds going where they are most needed.

That said, two of the four available title I grant programs, Targeted Grants and Education Finance Incentive Grants, have a 5 percent cutoff for eligibility. If a school district falls below this level, they lose all funding through these grants. There are no hold-harmless provisions for a drop in poverty rates.

In the case of Fairfax County, our most recent poverty figures fell about 1 percent to 4.94 percent. While this figure represents a small number of students, 106 students to be exact, it has equated to a 26 percent reduction in title I funds.

□ 1645

We lose almost $3½ million for losing 106 students. That is about $33,000 a student. My concern is not just that my local school district has lost $3.3 million for the coming school year, it is that a school district like Fairfax County can hover at around the 5 percent level year after year, and this makes it impossible to plan effectively since it is unclear from one year to the next whether these funds will be available.

Our amendment would implement hold harmless provisions for targeted and EFIG grants. The first year the school district fell below the 5 percent level, it would still be eligible for two-thirds of the amount they received the previous year. The second year it would be eligible for one-third. The third year it would lose eligibility.

In my estimation such a stair-step system would better reflect a true change in the demographics of a given school district and allow better planning from year to year. As I said, this equates to almost $33,000 a student for a loss of 106 students.

I will withdraw the amendment, but hope that the members on the authorizing committee and appropriation committees will work with us in the future to try to look at such a stepped approach, which I think makes for better planning.

Mr. MORAN of Virginia. Mr. Chairman, I rise in strong support of this amendment which will help to correct an ''unfair penalty'' relating to Title I funding for some of our nation's most deserving schools.

There are four different grant categories which deliver Title I funds to school districts: Basic Grants, Targeted Grants, Education Finance Incentive Grants (EFIG), and Concentration Grants. The Department of Education maintains a 5 percent poverty level ''cliff'' for Education Finance Incentive Grants and targeted grants.

This means that if a school district's poverty line falls below five percent, they lose a significant portion of their Title I funds.

The Davis-Moran amendment would provide a phase out of funds over several years, for example, if the school district falls below the 5 percent requirement, they would only lose 33 percent the following fiscal year. After the second consecutive year, they would lose 66 percent. After the third year, they would lose all funding. If a school district's poverty data rose above the 5 percent minimum level, it would be fully eligible to receive education finance incentive grants and targeted grants.

As a representative of one of the largest public school systems in the country, Fairfax County, I am deeply troubled that they are set to lose over $3 million in Title I funds because their poverty level is 4.96 percent, slightly below the 5 percent floor required for most Title I grants.

This loss of Title I funds is going to have a devastating impact on several school districts and comes at a particularly critical time. School districts are facing the public choice and supplemental services sanctions mandated by No Child Left Behind, and these same school districts are going to be forced to redirect Title I funds out of the very classrooms where they are needed the most.

No Child Left Behind stipulates that the Department of Education must use the most-up-to-date poverty data from the Census Bureau in determining a school district's eligibility to receive Title I funds.

Because of this, the Department of Education is using data from census year 2000 for their calculations of poverty rates. Unfortunately it is 2004 and we do not have the same economy that we had 4 years ago.

In Fairfax County alone, the student population eligible for the free and reduced-price lunch program has increased by 18 percent since FY 2000. This data more clearly reflects the need of the Fairfax County school system to receive Title I funds than old census data.

Because Title I funds are allocated on the basis of poverty and not the basis of free and reduced price lunch eligibility, this school system stands to see their Title I funds decreased by 26 percent, the largest dollar decrease of any school division in the country.

This poverty threshold calculation actually under emphasizes significant pockets of poverty in otherwise relatively wealthy school districts. The Fairfax County Public School System is a perfect example of a school district which includes the wealthy areas of Great Falls and McLean but also the traditionally underserved areas of the Route 1 Corridor and Baileys Crossroads, where a majority of students on free and reduced lunch reside.

This calculation is not fair to those students in the poor sections of a wealthy county, and does not accurately portray the needs of them, their teachers and their schools.

I urge all my colleagues to adopt the Davis-Moran amendment and make the Title I funding formula more equitable in order to ensure that no child is left behind.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

AMENDMENT OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

Mr. GEORGE MILLER of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GEORGE MILLER of California:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds appropriated by this Act may be used by the Pension Benefit Guaranty Corporation to enforce section 4010(c) of the Employee Retirement Income Security Act of 1974.

Mr. REGULA. Mr. Chairman, I reserve a point of order.

Mr. GEORGE MILLER of California. Mr. Chairman, I rise to offer an amendment to better protect the pension benefits of millions of Americans. Workers' retirement security has been taking it on the chin for the last 4 years. First, tens of thousands of workers and retirees lost their retirement savings after the Enron and WorldCom debacles. Then the Bush administration tried to restart the cash balance conversions and cut the pensions of millions of older workers. Under that proposal millions of older workers would have seen their pension benefits cut up to in half, and they would have had no way to return and repair the amount of money that they were planning to retire on. And now we find out that thousands of pension plans are, in fact, underfunded, and many are considering the termination and the dumping of billions of dollars of liability on the Pension Benefit Guaranty Corporation, the agency that ensures the workers of this country's pensions.

The Pension Benefits Guaranty Corporation has gone from a $7 billion surplus to a $10 billion deficit in just 2

years. The GAO has it on its watch list of high-risk agencies. And a handful of airlines, including United, Delta, and US Air, may soon dump more liabilities on the Pension Benefits Guaranty Corporation that reach as high as $30 billion.

One of the worst parts of this is that the workers have no idea that their pension funds are underfunded and at risk, that their employer could default on their pension promises. Let me say that again. That while these plans are underfunded, and while they are at risk, the workers are not informed of that information. Pension law requires underfunded pension plans to report their underfunding to the government, but not to the workers.

My amendment is simple. I prohibit the Pension Benefit Guaranty Corporation from enforcing the part of the law that prohibits them from disclosing to workers and to retirees the funding status of their pension plan. After all, this is their money. This is money that they have contributed to those pension plans. It is money that they are planning on for their retirement. It is money that they are planning on for their future, and it is money that they cannot replace if they are an older worker. They ought to have this information.

Most interesting is the fact that the Pension Benefit Guaranty Corporation wants to make this information public. The Bush administration has said that they support making it public. But this provision in the law prevents them from doing this.

There is no reason why the government should know the status of company pension plans, but the workers should not. Workers are losing more and more each day under the administration's proposals on pension. Their jobs are being outsourced overseas. Their wages are falling. They have no protection of an adequate minimum wage. They are either losing their health care benefits or paying more in copays and deductibles and more of their wages on skyrocketing health insurance premiums, and they are losing their retirement security.

We have got to be able to provide them this information. This is very analogous to the workers at the Enron Corporation. The corporation knew that their 401(K) plans were in serious jeopardy. The corporation officers were unloading the stock because they knew they could not continue that criminal enterprise that they were engaged in in ripping off the energy consumers of this Nation. They unloaded. They got out. They took care of their golden parachutes. But the workers lost their 401(K) plans.

In this Congress we listened to the testimony of these workers as they talked about their entire retirement being destroyed, workers who were 60 years old, 65 years old, who had worked 10 and 15 and 20 years, who were planning to retire, no way to replace those savings. And now we see, and now we see, that there are hundreds of corporations that are underfunding; in fact, over 1,000 corporations that are underfunded according to the law in their pension plans, but this information is disclosed only to the Pension Benefit Guaranty Corporation and not to this.

Why am I here with this amendment on the floor? Because I have requested the chairman of the committee to ask to make this information public, and he has refused to do so. If he would do that, the law provides that it would be made available to the Members of Congress. At least we could start to see some of this information. But that will not be done.

The fact of the matter is this, and it is very simple: The workers in these corporations paid into these pensions. The corporations contributed to these pensions. The workers gave up other benefits to get these pensions. That money belongs to the workers. The workers ought to have the information.

The CHAIRMAN. The time of the gentleman from California (Mr. GEORGE MILLER) has expired.

(By unanimous consent, Mr. GEORGE MILLER of California was allowed to proceed for 1 additional minute.)

Mr. GEORGE MILLER of California. Mr. Chairman, it is just a matter of decency. We see now major reforms going on in the administration of mutual funds and how their relationships are on behalf of workers, the disclosures of fees, the disclosures of their transactions, time days, one scandal after another, with people cheating the owners of the money out of their funds. Now we see the machinations of corporations as they try to cover up the potential liability or the potential failure or the loss of these pensions of the workers. Transparency is the watchword of the day. The workers of America, of corporations that are in danger of unloading these pensions and getting rid of these pensions, the workers of this country are entitled to that information.

I would hope that this House would support this in the name of the transparency, in support of the position of the Bush administration, in support of the position of the Pension Benefit Guaranty Corporation that this information should be made available, and I would urge an aye vote.

Mr. ANDREWS. Mr. Chairman, I move to strike the last word.

I rise in strong support of the amendment by the gentleman from California (Mr. GEORGE MILLER). I think most Americans, Mr. Chairman, would be shocked to know that information about their pension which they own is not available to them at the same time it is available to a government agency.

When the President speaks about Social Security, he is fond of talking about trying to create accounts which are private property of citizens so that we can know what is ours. Pensions are already private property of citizens. When one contributes to a pension fund, or their employer contributes on their behalf to their fund, they own it. But under the present law, one of the more remarkable laws that we have on the books, if the pension fund that one's employer sponsors is in trouble, if it looks like it is going to be unable to pay benefits because its costs are exceeding its revenue, and it looks like the fund might crash so that the Federal Government, under the jurisdiction of the Pension Benefit Guaranty Corporation, will have to step in and make the pension fund whole, the law says that one's pension fund has to tell the Pension Benefit Guaranty Corporation that it is in trouble, and it has to disclose the nature of that trouble. So this government agency gets this information about one's pension fund being in trouble and their check being in jeopardy. Believe it or not, there is a statute that says once this government agency has this information that a person's pension is in trouble, it cannot tell him.

We do not understand that. We think if someone works for a company, and is counting on their pension being delivered, and has contributed to that pension, and has had the employer contribute to that pension, and the pension is in jeopardy so much that the trustees of the fund have to report that trouble to a government agency, we think that the citizens, the pensioners themselves, have a right to know.

That is what the gentleman from California's (Mr. GEORGE MILLER) amendment does. It prohibits the administration, prohibits the executive branch, from enforcing this secrecy law. One's pension should not be held secret from them if they are an employee or a citizen or a future pensioner. That is what this says.

It is my understanding that, as the gentleman from California (Mr. GEORGE MILLER) said, in fact, the administration supports this change, wants this information to be made public.

I do not believe this is a partisan issue. I think that responsible Members on both sides of the aisle would understand that if their pension is in trouble, they ought to have a right to know it, not later after the pension fund has failed and they do not get their check, not after it is too late to do something about it, as was in the case of the Enron and WorldCom employees, but now, as soon as it is timely, so they can do something about it.

So if the Members believe, as I think people on both sides of the aisle do, that someone's pension is their property, and if they believe, as I think people on both sides of the aisle do, that they have the right to know about the dynamics and phenomena happening about one's own property, and if they believe that some government agency has the right to know what is going on with their pension and they should, too, if they believe those things, then they ought to vote for the gentleman from California's (Mr. GEORGE MILLER) amendment. It is an

idea that is supported, to my understanding, by the administration. I hope it would be supported by both sides of the aisle here. I would urge a ''yes'' vote.

Mr. REGULA. Mr. Chairman, I continue to reserve a point of order.

Mr. BOEHNER. Mr. Chairman, I move to strike the requisite number of words.

I appreciate the concerns of my colleagues on the other side, but I rise today in opposition to their amendment. And while they make it sound simple as it would normally be the case, there is nothing at all simple about the amendment that is being offered.

The 4010 information that is required to be submitted to the Pension Benefit Guaranty Corporation would be for any defined benefit pension plan that has a negative balance actuarially of at least $50 million, and these could be public companies, they could be private companies. And the information that has to be supplied to the Pension Benefit Guaranty Corporation is not just information about where the pension fund is. It also includes all types of detailed information about the finances of the company itself.

□ 1700

For private companies who may be in this position, this is very sensitive information.

The reason we have not dealt with the issue as yet is we have been working on a long-term fix for the defined benefit pension plans. As we get into those conversations, we have had a number of hearings over the past couple of years, we passed the Pension Equity Funding Act earlier this year, signed by the President, to fix the most immediate problems.

But as the gentleman from California (Mr. GEORGE MILLER), the author of the amendment, well knows, we have had a number of hearings last year and this year about the long-term problems facing defined benefit pension plans, a traditional pension plan, and what we hope to do is to have a bill next year that would revise all of the funding rules to make it easier for companies to comply with the rules and, most importantly, to ensure that companies are funding their pension plans.

As part of this overall bill, I think there may be a way to address the concerns raised by the gentleman from California (Mr. GEORGE MILLER) in terms of who the companies are or the extent of their pension issue, without disclosing all of the sensitive financial data that must be submitted to the Pension Benefit Guaranty Corporation.

So I would urge my colleagues to vote no on the Miller amendment, and my colleagues should know that a commitment is on my part to the gentleman from California (Mr. GEORGE MILLER) and to all of my colleagues that we will address that portion that is not nearly as sensitive on the financial data as we deal with the broader overhaul of our defined pension benefit laws and regulations.

I would urge my colleagues to vote no.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding, and I thank the comments of my chairman, the gentleman from Ohio (Mr. BOEHNER), on this situation. But I must say I continue to disagree with the gentleman, and I disagree on two grounds.

First and foremost, we have made several requests to him to ask the PBGC, and we have specifically have asked, the Democrats on the committee have asked the PBGC for this information. They will not make it available to the committee, much less the public. They will not make it available to the committee because the chairman of the committee must make that request to them.

So when you talk about us going into long-term pension reform, Mr. Chairman, at a minimum we ought to have this information about the magnitude of the problem and the variations among the various corporations and the industries that are involved in this, if we are going to, in fact, deal with some kind of long-term and necessary fix, that I hope we will, and I thank you for holding those hearings. We need that information as members of the committee at a minimum.

But, furthermore, this information was available up until 1994. Then the Clinton administration cut a deal on the financing of GATT, and this information, the corporations prevailed on them to make this secret in exchange for a premium increase to pay for GATT. Who got left out? Who was not at the table? The American worker. So all of a sudden they did not get the information anymore.

The point and the magnitude and the necessity for this amendment, let me just point out that according to Standard & Poor, 290 of the 362 companies in the Standard & Poor's 500 that offer defined benefit plans are underfunded by $165 billion in 2003.

The point is this, that this is a huge, looming problem. You know the people who just went through bankruptcy at U.S. Air and thought they had cured their problem? Well, when United said, we think we might offload our pension onto the public taxpayers, all of a sudden the people at U.S. Air are in trouble again.

We think these people ought to have that information, so they, when they are negotiating, because if United does this, it is a likelihood that U.S. Air does it, and if U.S. Air does it, it is a likelihood that Delta will do it.

Well, that is a catastrophe for the PBGC and for those workers. There is something about transparency. We insisted in other financial arrangements where individuals have their money in the hands of third parties, and in this case we ought to do it for corporations.

So I appreciate, and I have said to the chairman very often, that he has given attention to this problem. We hope to have a long-term solution. But this is fundamental to the rights of workers at this most perilous time with respect to the security of their pensions.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Ohio.

Mr. REGULA. If I understand this correctly, the corporation would have to disclose information under the requirements of this section that would go beyond the pension part of their liability.

Mr. GEORGE MILLER of California. Mr. Chairman, if the gentleman would yield further, I appreciate that argument, but in reviewing the case, the Bush administration said they support the disclosure under this provision of the law, and the PBGC supports that. I do not think these two entities are interested in destroying these corporations. The fact of the matter is this information was made available for many years.

Mr. OBEY. Mr. Chairman, reclaiming my time, I thank the gentleman from California, and I fully agree with his statement.

Mrs. MCCARTHY of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, all day today we have been hearing so many different issues coming up onto the floor that are concerning so many people, and I thank the ranking member, and I thank the chairman, and I thank the ranking minority ranking member on the Committee on Education and the Workforce for bringing these issues up.

I am here because I am not allowed to bring up the assault weapons bill onto the floor. With that, I will continue for the rest of the evening and all day tomorrow and all day Monday to talk about how we need to get the President involved to be able to make some phone calls to the Speaker of the House. I know that he supposedly is going to be meeting with all the police officers and chiefs that we met this morning to try and convince them that this is what the American people want, this is what our police officers want.

It comes down to a safety issue. There are so many things that we have to handle here, and we actually, in my opinion, have wasted an awful lot of time this year. We have done more politicking than we have done actual work, and that is too bad, because the only one that suffers is the American people.

If the assault weapons ban is not renewed, the American people in the end will suffer, our children will suffer, our communities will suffer, our health care system will suffer.

This is a bill that is already in place. They say enforce the law. Well, let us continue enforcing the law. Let us make sure the assault weapons bill stays in place. It saves lives. It does not cost us a penny.

I just heard that one of the large gun manufacturers, with every assault weapons gun that they buy, they will get a free large-capacity clip. Is that not terrific? It is much easier to mow down our own citizens.

Mr. DOGGETT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by our colleague and join in offering the amendment by our colleague from California (Mr. GEORGE MILLER). This amendment follows very closely legislation that the gentleman from California (Mr. GEORGE MILLER) and I introduced last year to address this problem.

There are at the moment that we gather here in Congress, I suppose, tens of millions of Americans who are out working, trying to ensure that their families have a better future. As they do their work and they look forward to payday to get their paycheck, one of the things they also consider are whatever benefits that they get with their work. For many workers, particularly those that move in their forties and fifties to begin to think about what retirement lies ahead, they have a particular concern with the retirement plan for their company and whether it will, in fact, allow them to retire in dignity and enjoy the fruits of their labor after they have provided for their family and community, to be able to enjoy a decent, dignified retirement.

In recent years, American employees, American workers, have had good reason to be fearful that that very significant benefit of retirement that they have worked for, with some companies perhaps for 20 or 30 years, will not be there when they need it in full amount.

First there were the employees of Enron. Thousands of them, through no fault of their own, lost their retirement. Then the same thing happened at WorldCom. Thousands of people who had worked for that company almost since its origin losing their retirement future, the hope of a dignified retirement, many of them having to go back into the workforce.

Really, when you look back over the activities of this Congress since the Enron debacle, as far as preventing another debacle for employees at Enron and their retirement futures, or WorldCom, this Congress has done next to nothing to prevent other employees from suffering the same fate.

As the years have gone by and Congress has been inactive, our economy has struggled, and we have begun to see more major companies, particularly in the airline industry, begin to raise questions as to whether they were going to put their pension plan into bankruptcy, whether they were going to stop making pension payments.

This amendment does not solve all those problems. It is a very modest amendment. It simply expresses confidence in the employees, that they deserve to know the same information that their employer is filing with the government bureaucracy.

As my colleague from California just pointed out, were it not for the fine print in legislation that was approved in 1994, we would have the right to know this information. This amendment is based on the principle that if the employee has the information, they can choose to go to another employer who has a fully funded pension plan, or they can turn to their employer and ask, why not? Why am I being given a false promise of a secure retirement, when, in fact, this plan is not funded at a sufficient level to assure that all workers who work here and retire will be able to enjoy their retirement with dignity?

Of course, there is another public policy consideration here, and that is that there is a government agency, the Pension Benefit Guaranty Corporation, that is responsible for ensuring and protecting against those plans that fail. From all of the recent reports about the status of that corporation, we face the potential of something that will make the savings and loan bailout of a few decades back look modest in comparison to the dangers of major pension funds, one after another, going under and placing a burden on this corporation.

The Bush administration came out in support of the very kind of amendment that is being offered here today. As usual, once some special interest began to question the wisdom of this provision, they fell moot. But their recommendation is a matter of public policy; it is clear, and it is out there.

The Government Accountability Office, the Pension Benefit Guaranty Corporation itself, all of these have recommended that this information that they get be made available to the employee so that the employee will be empowered.

This amendment is based on the principle that the workers that are out there deserve the right to know, they deserve the right to be empowered about their pension future, and I can see no good reason not to provide that information.

The suggestion by the chairman of the committee that he has a long-term plan to deal with this is great, but it is a little too long for the term of those who are concerned about their retirement safety and, one after another, pension plans failing.

I urge adoption of the amendment.

The CHAIRMAN. Does the gentleman from Ohio (Mr. REGULA) insist on his point of order?

Mr. REGULA. Mr. Chairman, I do. But we recognize that since it is a limitation amendment, that it would not be in order. On that basis, I withdraw it.

The CHAIRMAN. The gentleman withdraws his reservation.

The question is on the amendment offered by the gentleman from California (Mr. GEORGE MILLER).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. REGULA. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California (Mr. GEORGE MILLER) will be postponed.

AMENDMENT OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STEARNS:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds appropriated by this Act may be expended by the Secretary of Health and Human Services to carry out the modification of coverage policy number 35-26 of the Medicare Coverage Issues Manual R125CM announced by the Secretary on July 15, 2004, in the press release entitled ''HHS ANNOUNCES REVISED MEDICARE OBESITY COVERAGE POLICY–Policy Opens Doors to Coverage based on Evidence'' until the date on which the Secretary submits to Congress a report containing the Secretary's estimate of the increased costs to the medicare program by reason of such modification of coverage policy.

Mr. REGULA. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Ohio (Mr. REGULA) reserves a point of order against the amendment.

The gentleman from Florida (Mr. STEARNS) is recognized for 5 minutes in support of his amendment.

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

Mr. STEARNS. Mr. Chairman, this is a very simple amendment. Obviously the chairman has reserved a point of order. He might want to listen to my arguments. Perhaps persuasiveness of what I have to say will change his mind.

All of us know that on July 15, 2004, the Secretary of Health and Human Services announced that Medicare would allow for the coverage of antiobesity treatments and interventions by Medicare.

□ 1715

He said this would go on as long as scientific and medical evidence demonstrates their effectiveness in improving the health of beneficiaries on Medicare.

Now, the question I have, and part of my amendment here is, we do not know what this means. Does this mean that it is going to have an immediate impact on Medicare's coverage? Does this mean there are new benefits? We just do not know. Because the Secretary is saying, let us just take a look at this treatment or at that treatment, evaluate it on the basis of improving the health of individuals.

So my amendment is basically saying, okay, Mr. Secretary, if you want

to go ahead and look at the coverage of somebody who is overweight, give them treatments or intervention and use taxpayers' good, hard-earned dollars to do so and you want to do it on the basis of scientific and medical evidence, what is it going to cost?

So I would urge the chairman to put this in the mix, maybe perhaps in conference or something, because we all know that Medicare is increasing, in light of obesity contributions, which is in the billions of dollars to Medicare, the Nation's health care costs, this just may be the thing that increases it dramatically. Part B premiums are rising at 17 percent. We have heard Senator KERRY talk about that on the campaign trail. So what is the cost of this new benefit that we are speculating might occur after we prove the scientific and medical evidence to use it?

I think that, besides information about health outcomes, information about the possible consequences and obesity policy changes in future premiums would be useful and also should be part of this debate.

Now, all of us in this Chamber and throughout America believe in preventive health treatments, and for Medicare, we accept that. Medicare beneficiaries are now offered ''Welcome to Medicare'' physicals and screening for diabetes and heart disease. But, obviously, these new benefits are passed along in premiums to beneficiaries, and we should also talk about that.

Now, I remind my colleagues that on August 27, Federal Reserve Chairman Greenspan was speaking about Social Security and Medicare entitlements, and he warned his audience at that point, he said, ''If we have promised more than our economy has the ability to deliver to retirees, as I fear we have, we must recalibrate our public programs so that pending retirees have time to adjust.''

Let us think about what we promise and what we decide as a Nation to cover and, more importantly, what is the price tag for these new benefits for the beneficiaries.

With 64 percent of the American population that is overweight, a substantial number of beneficiaries may likely qualify for this new coverage, and that will increase the cost. Moreover, with the declaration of obesity as a disease, we tread into public funding and issues involving sheer behavior. Now, science certainly points to biological contributions to obesity, for example, genetics or uncontrolled metabolism. But still, there are undoubtedly behavioral choices involving what we eat and whether we exercise. These are a matter of personal preference and choice, and I think it is dangerous to say that, just because Medicare is a public program, it can insert itself into private decisions.

Recently, in an article in Reason Magazine on ''The War on Fat,'' they write that the argument based on taxpayer-funded health insurance proves too much. It gives the government an open-ended license to tax, regulate, or ban any behavior that might lead to disease or injury. If diet is a political issue, what is not? The same logic suggests that government should take an interest in how much we sleep or whether we floss regularly.

So I submit, Mr. Chairman, that we should find the cost of this new benefit to Medicare and, obviously, trial lawyers also may use the policy change as another weapon in their arsenal.

So, Mr. Chairman, in light of your distinguished leadership here and you are saying that it is out of order, I am willing to withdraw this amendment. I recognize that this is perhaps not the appropriate place, but I urge the chairman and his colleagues on the conference committee to consider defining the cost before we allow this new benefit to continue.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I understand what the gentleman is getting at. I think it is a very difficult definition as to what obesity would be because there are so many factors, but what we might consider and will look at in the conference would be some language just asking the Secretary to give us some idea of what kind of costs are going to be involved in implementing a program of this type, without putting a huge burden on the Secretary to implement or to go ahead with the program.

So I think the gentleman from Florida has served a useful purpose of causing us to focus on what could be a significant challenge prospectively.

Mr. STEARNS. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, I thank the gentleman for his leadership and consideration on this; and I think perhaps that is a compromise, to ask the Secretary how much it will cost to implement this, based upon this sort of general understanding of what he is going to do. So I thank the chairman.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDMENT OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HEFLEY:

At the end of the bill (before the short title), insert the following:

SEC. ____. Total appropriations made in this Act (other than appropriations required to be made by a provision of law) are hereby reduced by $1,425,000,000.

Mr. HEFLEY. Mr. Chairman, I rise today to offer an amendment that would cut discretionary spending in this appropriations bill by $1.4 billion, an amount equal to 1 percent of the $142.5 billion discretionary spending price tag. As many of my colleagues know, I have offered a similar amendment on many of the appropriations bills.

Let me begin by saying, however, that I recognize the difficult job the committee has had in putting together this bill. It is complex, it is big, it is a lot of money, it is important, and there are many, many good things in this; and I commend the chairman and the ranking member, particularly, for their effort in this, to produce a bill with as many good things in it as there are.

However, the fact remains that the Federal budget for fiscal year 2005 is going to be too large. Until we can make a dent in the outrageous level of the Federal deficit, we must be even more diligent in reining in spending. I do not think it is too much to ask to trim the budget for this spending bill by a mere 1 percent and prove to the American public that we want to make a priority of balancing the Federal budget.

I also want to point out that this amendment is structured so that the administration would maintain the ability to determine which accounts should be cut or scaled back in order to achieve this rescission, rather than cutting all programs across the board. My intent is not to single out all programs for reduction, but I am confident that we can eliminate some of the waste and abuse and find a way to trim 1 percent of the total spending.

Thus, I ask my colleagues to support this amendment and reduce the amount of discretionary spending in this bill by 1 cent on the dollar.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I understand the gentleman's concern, and it is a worthy objective, but we have tried already to cut back. When we know that we are bringing out a bill of this magnitude that affects the lives of 280 million Americans in terms of their education, in terms of their health resources, in terms of the ability to find new employment opportunities, we have already pushed that as hard as we can; and we are under the cost of living. It is only a 2.2 percent increase over last year.

I think we have worked very hard to meet the needs of the American people in a very responsible way. While it seems like 1 percent is not a lot, it is $1.4 billion. And do we start taking it out of programs for special needs children, do we take it out of the title I, or do we take it out of health research? We realize the difficulty of applying something like this across the board.

Reluctantly, I oppose the amendment because I think we have already made a real effort to make this bill as financially responsible as possible, given the challenges of meeting the needs of the people of this Nation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. HEFLEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, this 15-minute vote on the Hefley amendment will be followed by one 5-minute vote, as ordered on the amendment offered by the gentleman from California (Mr. GEORGE MILLER).

The vote was taken by electronic device, and there were—ayes 79, noes 333, not voting 21, as follows:

[Roll No. 428]

AYES—79

Akin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bilirakis
Bishop (UT)
Blackburn
Brady (TX)
Burgess
Burton (IN)
Buyer
Chabot
Chocola
Coble
Collins
Cox
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeMint
Diaz-Balart, M.
Duncan
Everett
Feeney
Flake
Fossella
Franks (AZ)
Garrett (NJ)
Gibbons
Graves
Gutknecht
Hayes
Hayworth
Hefley
Hensarling
Herger
Hooley (OR)
Hostettler
Jenkins
Jones (NC)
King (IA)
Kingston
Lewis (KY)
Linder
McCotter
McInnis
Mica
Miller (FL)
Miller, Gary
Musgrave
Myrick
Neugebauer
Norwood
Otter
Paul
Pence
Petri
Pitts
Rohrabacher
Royce
Ryan (WI)
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Stearns
Sullivan
Tancredo
Tanner
Taylor (MS)
Terry
Thornberry
Toomey
Vitter
Whitfield
Wilson (SC)

NOES—333

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Becerra
Bell
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burns
Burr
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chandler
Clay
Clyburn
Cole
Conyers
Cooper
Costello
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart, L.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Emanuel
Emerson
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Forbes
Ford
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gerlach
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Herseth
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran (KS)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stenholm
Strickland
Stupak
Sweeney
Tauscher
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—21

Ballenger
Bono
Cannon
Crane
Cummings
Engel
Gephardt
Goss
Istook
Millender-McDonald
Mollohan
Moran (VA)
Nethercutt
Ney
Portman
Ryan (OH)
Schrock
Smith (MI)
Tauzin
Watson
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1752

Messrs. RUSH, BRADY of Pennsylvania, FRANK of Massachusetts, Ms. SCHAKOWSKY, and Messrs. OWENS, LYNCH and ISRAEL changed their vote from ''aye'' to ''no.''

Messrs. SULLIVAN, OTTER, MARIO DIAZ-BALART of Florida, and WHITFIELD changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. MILLENDER-McDONALD. Mr. Chairman, on rollcall No. 428 I was detained by my constituents and was unable to get to the floor in time for voting. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GEORGE MILLER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 268, noes 148, not voting 17, as follows:

[Roll No. 429]

AYES—268

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baca
Baird
Baldwin
Bass
Becerra
Bell
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burr
Butterfield
Camp
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Castle
Chabot
Chandler
Clay
Clyburn
Coble
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Duncan
Edwards
Ehlers
Emanuel
Emerson
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Ford
Fossella
Frank (MA)
Frost
Gallegly
Gerlach
Gibbons
Gilchrest
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Harman
Hart
Hastings (FL)
Hefley
Herseth
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Houghton
Hoyer
Hyde
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran (KS)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)

Platts
Pomeroy
Porter
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Renzi
Reyes
Rodriguez
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Shimkus
Shuster
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wilson (NM)
Wolf
Woolsey
Wu
Wynn

NOES—148

Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Biggert
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Brady (TX)
Brown (SC)
Burgess
Burns
Burton (IN)
Buyer
Calvert
Cantor
Carter
Chocola
Cole
Collins
Cox
Crenshaw
Cubin
Culberson
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Dunn
Everett
Feeney
Flake
Foley
Forbes
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Isakson
Issa
Istook
Johnson, Sam
Keller
King (IA)
Kingston
Kline
Knollenberg
Kolbe
LaHood
Latham
Lewis (CA)
Lewis (KY)
Lucas (OK)
McCrery
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Simpson
Smith (MI)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Vitter
Walden (OR)
Weldon (FL)
Wicker
Wilson (SC)
Young (FL)

NOT VOTING—17

Ballenger
Bono
Cannon
Crane
Engel
Gephardt
Goss
Hunter
Mollohan
Moran (VA)
Nethercutt
Ney
Nussle
Ryan (OH)
Schrock
Tauzin
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 1805

Messrs. TAYLOR of North Carolina, ADERHOLT, SHUSTER, SWEENEY, WAMP, Ms. HART and Mr. WALSH changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1800

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, there are now more than 8 million people out of work in this country; 3 million have been out of work for so long they have exhausted their unemployment compensation benefits. We have more than 1.5 million fewer private sector jobs than we had 4 years ago, and the administration's response to that has been to impose new regulations allowing employers to chisel workers on overtime protection, despite the fact that cost of living has risen twice as much this year as last year, despite the fact that gas prices, college tuition, and health care costs are going through the roof.

I had planned at this point to offer an amendment with the gentleman from California (Mr. GEORGE MILLER) which would block most of the sections of that new rule with one exception: We would have allowed the changes to go forward that improve the situation for workers that make between $8,000 and $23,000 a year. But now I have been told that if I intend to offer that amendment tonight, the majority will shut down the House for the evening.

The record will show that the minority on every single appropriation bill has cooperated procedurally with the majority, even when we have not agreed with the content of those bills, in the interest of comity in the hopes that somehow we could reach compromise and accommodation as we move through the process.

In spite of that cooperation, the majority by the end of this fiscal year will only be able to show that they have passed 1 and possibly 2 of the 13 appropriation bills. I want it made clear that the reason for that miserable record is because of the rigidity of the majority and because of their refusal to work with the minority or even other members of the majority in the other body. This is part of a long pattern of procedural abuse.

On prescription drugs, the majority held the vote open for 3 hours when they did not get the result they wanted. On the PATRIOT Act, the Sanders amendment was held open for 40 minutes until enough arms could be broken on the majority side. On vouchers on the D.C. bill, the roll was held open for 50 minutes until the majority could achieve a different result. On campaign finance, the House was kept at bay for 2 hours before the majority moved ahead.

I would simply make this point, Mr. Chairman. The majority is busy trying to bring the nicer points of democracy to Iraq. It would be nice if they would recognize those same niceties here at home.

I want to make one further point. People are asking me, why are you cooperating procedurally on bringing the Labor, Health, Education bill to the floor when you are so opposed to its contents? Well, there are two reasons. First of all, because we believe on the minority side that these issues ought to be debated even if we do not win. Secondly, very frankly, I want the record to show in the end that even though the minority has given the majority every single procedural cooperation that we could, that the majority has still not been able to perform because of its own rigidity and because they refuse to work with anybody, because they refuse to compromise with anybody.

It is outrageous after we have been asked for so long to bring this bill to the floor, they now want to pull the bill so they have another chance to twist arms overnight.

Do you really want to put workers in so much of a corner that you will not even allow us to have a vote on this overtime provision? We already won this vote once in the House, we won it once in the Senate, and yet the majority leadership arbitrarily stripped it out of the bill last year. Now you are trying to play the same game this time. I hope that every majority Member who intends to vote for this amendment tomorrow, if the House comes back into session on this bill, I hope you will stick with your conscience overnight and not cave in to pressure by tomorrow morning.

Mr. REGULA. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from Ohio (Mr. REGULA).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 216, noes 195, not voting 23, as follows:

[Roll No. 430]

AYES—216

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastert

Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Northup
Nunes
Osborne
Ose
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOES—195

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Chandler
Clay
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Hill
Hinchey
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Snyder
Solis
Spratt
Stark
Stenholm
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—23

Ballenger
Bono
Cannon
Clyburn
Crane
Engel
Gephardt
Goss
Hinojosa
Kleczka
McGovern
Mollohan
Moran (VA)
Nethercutt
Ney
Norwood
Nussle
Paul
Ryan (OH)
Schrock
Strickland
Tauzin
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1829

So the motion was agreed to.

The result of the vote was announced as above recorded.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5006) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005, and for other purposes, had come to no resolution thereon.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF HOUSE RESOLUTION 757, EXPRESSING SENSE OF THE HOUSE ON ANNIVERSARY OF TERRORIST ATTACKS LAUNCHED AGAINST UNITED STATES ON SEPTEMBER 11, 2001

Mr. DREIER. Mr. Speaker, I ask unanimous consent that it shall be in order at any time to consider House Resolution 757 in the House; the resolution shall be considered as read for amendment; the previous question shall be considered as ordered on the resolution and preamble to final adoption without intervening motion or demand for division of the question except: (1) 1 hour of debate on the resolution equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations; and (2) one motion to recommit which may not contain instructions.

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

There was no objection.

REPORT ON H.R. 5025, DEPARTMENTS OF TRANSPORTATION AND TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2005

Mr. ISTOOK, from the Committee on Appropriations, submitted a privileged report (Rept. No. 108–671) on the bill (H.R. 5025) making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

Mr. HILL. Mr. Speaker, I offer a motion to instruct.

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

The Clerk read as follows:

Mr. HILL moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to the bill H.R. 1308 be instructed to agree, to the maximum extent possible within the scope of conference, to a conference report that—

(1) extends the tax relief provisions which expire at the end of 2004, and

(2) does not increase the Federal budget deficit.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Indiana (Mr. HILL) and the gentleman from Pennsylvania (Mr. ENGLISH) each will control 30 minutes.

The Chair recognizes the gentleman from Indiana (Mr. HILL).

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

Mr. Speaker, today I am here to introduce a simple, but important, motion before us. My motion calls on Congress to extend expiring middle- and low-income tax cuts set to expire at the end of this year without increasing the deficit. We have seen broad and bipartisan support for extending the middle-class tax cuts. We have also seen bipartisan support for the concept of pay-as-you-go to avoid further increasing the ballooning budget deficits facing our Nation. The motion before us asks the conferees to be sure that Congress achieves both of these goals.

We have already seen a bipartisan proposal from the Senate extending for a year middle-class tax cuts without increasing the deficit. And the Blue Dogs have offered a corresponding bill in the House.

□ 1830

There are some simple solutions to making these cuts budget neutral, and I would suggest that they are relatively noncontroversial, such as closing various tax shelters that are being abused.

Mr. Speaker, we ought to be creating economic stimulus and tax relief while maintaining our long-term economic security. Economists have estimated that the current debt limit will be reached very soon, either this month or in October. This means that the limit on the national debt will have to be raised for the third time in 4 years to more than $8 trillion, effectively forcing our children and our grandchildren to pay our Nation's bills. Tragically, Social Security becomes the victim program of this irresponsible behavior because its surpluses are used to fund the debt.

The Congressional Budget Office has announced that the 2004 deficit will be $422 billion. When the Social Security surplus is excluded, the deficit for 2004 is $574 billion. And we have got projected deficits as far as the eye can see if Congress continues down the path it is on.

So for starters, I think a budget paired with budget enforcement rules would help get us on the right track. Alan Greenspan and many others have called for these deficits to be reined in through pay-as-you-go budget discipline. So if we are going to cut taxes in this fiscal climate, we ought to be doing it either with offsets or spending cuts. I could not in good conscience add more burden to the backs of our children and grandchildren, and this Congress should not have that kind of a conscience as well. Families are spending thousands of dollars each year in debt taxes because the Federal Government has not balanced its books. As deficits grow, so does the burden on taxpayers. Not only is the deficit spending irresponsible, but it is immoral, passing on a legacy of debt to be paid off by our children and our grandchildren.

One of our highest priorities should be to act fiscally responsible with the people's tax dollars. If we are to be responsible and honest with the people, we must honestly confront the cause of these deficits. We cannot continue down the path of increased spending and tax cutting at the same time. This Congress is doing both, and it is burying its head in the sand by expecting no consequences. Soon the debt will be so enormous that it will begin to affect ''the long-term health of our economy,'' not my words but the words of Alan Greenspan. When that day comes, we can be sure that the middle class will shoulder the heaviest burden.

So let us give the middle class some relief from taxes today without making them pay for it in the end.

Lastly, I want to make clear that this motion calls for the extension, not the expiration, of middle-class tax cuts. But there is no free lunch here. These tax cuts will be paid for somehow, whether it is with an offset upfront like we want to do it today or whether it is offset with borrowed money tomorrow. As the Concord Coalition has noted, if we must borrow the money, the cost will even be greater because we have to pay interest on the borrowed money. That is equal to a tax increase on the American people.

All it takes is a couple of hands reaching across the aisle, and we can make a real difference in the lives of the middle- and lower-income families of America. Both Congress and the administration ought to sit down, put everything on the table, and get our economic house in order, not mortgage our future to pay for today.

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

Mr. ENGLISH. Mr. Speaker, I yield 7 minutes to the gentleman from Arizona (Mr. HAYWORTH), my distinguished colleague from the Committee on Ways and Means.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding me this time.

I listened with great interest to my friend from Indiana, and I rise asking this House to reject this motion to instruct because when we take a closer look at what is transpiring here, we do see really a distillation, a distinction, of two different philosophies. One is the notion that the highest and best use of the taxpayers' money is here by government. And that is fine. That is an intellectually defensible position; but those who offer that tonight, I believe, need to make very clear to the American public what, in fact, transpires if we embrace this motion to instruct.

Essentially what will transpire, despite the best efforts of my friends on the other side, if this body fails to act to maintain the rate of tax relief, next year the $1,000 child tax credit shrinks. It shrinks to $700 per child.

If we want to provide tax relief for working families, the desired goal that we hear from our friends here, we do not want, in essence, to increase taxes. But that will be what will happen. We will see the marriage penalty provision reduced.

And it is fine to have a disagreement. My friends on the other side view this as a fundamental cost to government. Again, that is fine, and I will leave that position for them to stake out, and we could go back through a litany of history in deficit spending that in previous Congresses it seemed to matter not a whit. But we welcome this adherence that my friends now say they have for fiscal accountability, responsibility. We welcome it from any quarter.

But the question becomes, What is the best way really long term to reduce deficits? And this argument, incidentally, is nothing really new. It has been part and parcel of our constitutional Republic since the Federalist Papers. Hamilton and others said, why do we not embrace a policy of growth? When we reduce taxation across the board, when we maintain the $1,000-per-child tax credit, when we maintain the alleviation of the marriage penalty that we have incorporated into current law, we actually grow the economy because people have more of their hard-earned money to spend.

And so it is important to maintain the tax relief that we have already established, not to come back and fill under the notion that somehow by doing so, we are being more fiscally accountable and responsible. No, we are not to the families who depend on the tax relief. And if we reject across-the-board tax relief, we are hurting the very people who produce in our economy.

Good people can disagree. And we appreciate the motion to instruct, and we appreciate the lectures that will be forthcoming, to be sure, on fiscal responsibility. But at the end of the day when we maintain a reduction of taxation across the board, we grow our economy. We have seen that happen. It is not partisan. Many of my friends on this side and, indeed, throughout the Chamber and across this country, Mr. Speaker, remember with great reverence Jack Kennedy's Presidency, remember his argument that a rising tide lifts all the boats, that when we cut taxes across the board, we invigorate the economy.

We saw that happen, though, sadly, President Kennedy did not live to see the result. We saw it happen in the Presidency of Ronald Reagan. We have seen a reinvigoration of our economy through the across-the-board tax relief that we have offered now that should be made permanent because that is the very thing that has gotten us out of the economic doldrums in the wake of 9/11.

So, respectfully, not doubting the sincerity of my friend from Indiana, nor the speakers who will follow, we just have two different paths we need to follow. Either embrace pro-growth notions that in the fullness of time we know that long term we actually increase revenues to the government for more economic activity. And despite the best efforts of my friend, I do not want to see the per-child tax credit watered down to $700 a year. I do not want to see a decrease in the benefits we have offered married couples. I do not want to see an abridgement in what, in essence, in the long term will actually increase revenues to the government through increased economic activity.

But two different points of view: either the money belongs to the folks, or it belongs to the government. If we vote ''yes'' on the motion to instruct, what we are doing is saying the highest and best use of the people's money, Mr. Speaker, is here in Washington, D.C. I believe it is exactly the opposite. I believe the highest and best use of the money is not to ignore our obligations, but to understand the money belongs to the people. When the people keep more of it, when the families with children keep more of it, when married couples keep more of it, when small business owners have more of their money to save, spend, and invest, we indeed ignite the engines of economic prosperity.

And in the long term, Mr. Speaker, we will see more revenue to the government, not through the heavy hand of castor oil economics, but through the real proven success, whether in the Kennedy years or in the Reagan years or more recently this Congress working with this President, we fire the engines of economic activity.

So with all due respect to my friends on the other side, reject this motion to instruct. Stay the course. In the long term it will mean more economic prosperity and the very revenues to the government my friends on the other side purport to want to see.

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

Apparently the gentleman from Arizona, my good friend, has not read our motion to instruct. We want to do the same things about rejuvenating the economic machine that he does. We want to extend the tax cuts. We just want to pay for it. And so I fail to understand the point that he was trying to make.

Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, I am sorry my friend from Arizona has left the floor. But I sat here and listened carefully to his very eloquent speech that was totally irrelevant to the motion that is before the House.

We are not talking about raising taxes. We are talking about being concerned about the rising deficit. And sooner or later these speeches that we make, and I think it was Yogi Berra who said this is deja vu all over again, sooner or later folks like the gentleman from Arizona (Mr. HAYWORTH) are going to have to come to this floor and increase the debt ceiling for the United States of America, the credit card limit. Because they can talk about all of what these tax cuts are doing all they want to, but CBO today certified that we now have the largest deficit in the history of our country, $422 billion; and it is explained away, somehow, some way, this rhetoric that we hear over and over that unfortunately has got a few of the American people believing them, that these deficits do not matter.

They do matter; and soon, I hope, the gentleman from Arizona will stand on this floor and move the motion to increase our debt ceiling to $8 trillion, which is what somebody is going to have to do because we will reach sometime in October or early November the credit card limit of what the United States of America can borrow.

The gentleman from Indiana offers a simple motion to instruct, and just as he said, the Blue Dogs, we had a substitute that called for an extension of middle-class tax relief, the marriage tax penalty. All of these, we are not arguing. We want to extend them. But nobody listens on that side. They come up with a speech that is totally irrelevant to the argument. But we want to pay for them because if we do not pay for them, we are going to have to borrow the additional money to make room for them. That is not me talking. That is not the Blue Dogs talking. That is the overwhelming consensus of economists who are saying we have got to borrow it; $422 billion dollars, $574 billion when we once again take into consideration we are borrowing all of the Social Security trust fund dollars and we might add in all the military trust fund dollars and all of the civil service trust fund dollars. And the folks on this side who claim to be conservatives say that is irrelevant.

It is going to take 40 percent of all the income taxes collected this year to pay the deficit tax, the interest on the national debt. And if interest rates start going up, guess what. The deficit tax is going to go up.

□ 1845

This is money that is literally wasted as far as a productive value for the United States of America. But nobody mentions that. Everybody is going to talk about more tax cuts, more tax cuts.

We say, great. Put them on the floor, paid for, and we will support you. But put them on the floor and borrow on our children's and grandchildren's future, and we say no. Let you do it. But you will have to make another speech like the gentleman from Arizona makes, and everybody thinks that is great stuff and that us Blue Dogs are all opposing him. We agreed with him. We agreed with him on everything, except you should not do what he is doing by borrowing on the future on some theory of economics that has been proven, proven in the 1980s, proven in the 1990s, and now we are about to prove it in this century, that it does not work, because if it did work, we would not have to be borrowing the money to pay for it.

So listen very carefully to what Mr. Greenspan is saying. Listen to what people like Pete Peterson, people like the Concord Coalition are saying; begging this body, begging this body to get fiscally responsible and not keep turning a blind eye to the fact that of this debt held by the public now, $1.7 trillion of that debt is now owned by foreign interests, and $1 trillion of our debt is owned by foreign institutions.

Now, the United States of America is no different than any family sitting down over dinner at this moment. When your banker tells you that you cannot borrow any more, you have to adjust your spending habits.

We are heading for a precipice that is going to be one of the most serious problems this country has ever faced, because 2011 is not that far away. The baby-boom generation, all the promises, all of the legislation we refuse to consider on this floor dealing with the future is being swept under the rug.

Support the gentleman from Indiana's motion to instruct. It is a fiscally responsible direction for this House to take.

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

Mr. Speaker, you know, this is a very interesting debate tonight, although it seems a little circular, because we have seen similar motions to instruct in the past.

Mr. Speaker, I have chosen to rise tonight in opposition to this motion to instruct. First I want to commend the chairman of the Committee on Ways and Means and the Republican leadership for having already taken substantial action on the issues before us.

Contrary to what the argument is we are hearing from the minority, the House took action on this issue and moved legislation forward in order to ensure that families are not hit with a tax increase next year. Earlier this year, the House voted to permanently extend the current $1,000 child tax credit, relief from the marriage penalty and the expansion of the 10 percent bracket. That is the bracket that applies to working families. The House passed this permanent relief without raising taxes on hard-working Americans.

The motion to instruct before us takes several steps back from the policy we had previously passed. The motion calls for the extension of middle-class tax cuts, but insists that they be fully paid for. I do not think that the minority intends to pay for them through cuts in spending. If they did, we might have a very different outcome this evening, but I do not believe they do.

Republicans have provided tax relief in the past 3 years, and the minority has fought us every single time.

Mr. STENHOLM. Mr. Speaker, will the gentleman yield?

Mr. ENGLISH. Mr. Speaker, the gentleman has already had a few minutes. I would like to complete my statement, because I think it is important that a realistic perspective be offered on this.

This is, in my view, simply another attempt to turn the clock back on tax relief. While it is costly to extend tax relief permanently, the workers of this country deserve to know that their taxes will not be increased on a year-by-year basis. The tax relief passed by this House under this administration has clearly helped grow the economy.

Chairman Greenspan has been invoked here, and it is fairly clear from his testimony before congressional committees that he believes that the tax plan that has passed the House and that has been signed into law has clearly stimulated the economy.

This is the wrong time to block the extension of this tax relief. The House acted when it passed a direct and permanent solution to the needs of families struggling with the burden of day-to-day expenses.

This motion, in my view, is unnecessary and sets us down a path of tax increases. The author, whom I have great respect for, argued that this could be paid for simply by closing a few tax shelters. If it is so painless, I would be very interested as a member of the

Committee on Ways and Means to solicit his suggestions, and perhaps he may offer some this evening.

I thank him, Mr. Speaker. However, under the circumstances, I feel obliged to call upon the House to oppose this motion.

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

Mr. Speaker, I think most Americans listening to this debate tonight would agree that tax cuts are not appropriate when you have to borrow the money to offer the tax cuts, so this motion that we are offering here tonight prevents that from happening. It simply says we have got to find a way to pay for it, and we are not going to go out and borrow the money. I think everybody at their kitchen table tonight would agree with that philosophy.

Mr. Speaker, I yield 3 minutes to my friend, the gentleman from Florida (Mr. BOYD).

Mr. BOYD. Mr. Speaker, I want to thank my friend from Indiana for yielding me time.

Mr. Speaker, there are so many issues that the Members of this House disagree upon, and I am talking about Members from the Democratic side disagreeing with the Members on the Republican side. Witness the bill that was just pulled by the majority leadership over the overtime regulation issue. And there are other issues that we disagree upon.

But, Mr. Speaker, there are many, many issues that we do agree upon, and I think what the American people want us to do is to isolate those issues that we can agree upon and then move forward with those particular issues.

I listened to my friend from Pennsylvania and my friend from Arizona earlier, whom I am not sure was reading the same motion to instruct that I have before me. But the motion to instruct that we have before us does two things, two things that I think every Member of this House would agree with, and certainly all of the American families would. There are three specific provisions. It extends the middle-income tax cut. Number one is the 10 percent tax bracket; two is the child tax credit; and, three, is the Marriage Penalty Relief Act. It extends those.

Now, my friend from Pennsylvania voted for those, but he voted earlier to end them, to sunset them, after 4 years. Now we face that sunset. We are asking that they be extended. That is the first part.

The second part says do not increase the size of the Federal budget deficit. These are two things we can agree upon.

Extend the tax cuts; that is, the 10 percent bracket, the child tax credit and, of course, the marriage penalty relief. Those are provisions which will affect every middle-income family in a positive way. Those are provisions which will, in the long run, increase the size of the middle class of America, and any good economic policy plan put in place by anyone should include provisions which try to increase the size of the middle class.

So, Mr. Speaker, we should not be confused by all the rhetoric here about raising taxes. This motion to instruct extends tax cuts. I would remind us to focus on those things again: The 10 percent tax bracket, the child tax credit and the marriage penalty relief, and doing it without increasing the size of the Federal budget deficit.

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

Mr. HILL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, I thank the gentleman for yielding me time.

I asked the gentleman from Pennsylvania to yield a moment ago, and he refused to. And I understand, I did not mean to interrupt, but I did want to clarify one of the statements.

The gentleman was mischaracterizing what we are standing up here doing tonight. We are suggesting that tax cuts be paid for, and we would love to see spending reductions proposed to accommodate that. That is what we would like to see on this floor, and that is what we constantly and consistently do.

I would ask the gentleman, and I will yield to him for a brief answer to a question, will the gentleman bring from the Committee on Ways and Means a bill to the floor of the House before we adjourn for the elections to increase the debt ceiling for the United States of America to $8 trillion to accommodate the economic policy that the gentleman seems unwilling to make any changes in and believe is successful? Will the gentleman do that?

Mr. ENGLISH. Mr. Speaker, will the gentleman yield?

Mr. STENHOLM. I yield to the gentleman from Pennsylvania.

Mr. ENGLISH. Mr. Speaker, I am deeply flattered by the gentleman's kind words and his apparent elevation of me to the chairmanship of the Committee on Ways and Means. I am not in a position to make any promises about what the Committee on Ways and Means will do.

I am not in a position to make a commitment on behalf of the Committee on Ways and Means. I do not know the chairman's policy. I do know that the chairman is prepared to move forward with whatever legislation is necessary, recognizing that the national debt today is significantly smaller relative to the economy than when Republicans inherited that 10 years ago when I came in.

I cannot, obviously, commit the Committee on Ways and Means.

Mr. STENHOLM. Mr. Speaker, reclaiming my time, I want to ask another question then. I would just refer to the gentleman as an individual Member, 1/435th of this body, does the gentleman believe we should have a clean up-or-down vote on increasing the debt ceiling for this country prior to going home to run for reelection?

The SPEAKER pro tempore (Mr. SIMPSON). The time of the gentleman from Texas has expired.

Mr. HILL. Mr. Speaker, how much is remaining?

The SPEAKER pro tempore. The gentleman from Indiana (Mr. HILL) has 15 minutes remaining and the gentleman from Pennsylvania (Mr. ENGLISH) has 19½ minutes remaining.

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

Mr. Speaker, I think what is coming through here is kind of an interesting contrast, and while I am here by myself tonight speaking on this point, I do not feel that I am particularly outnumbered, one man and the truth and all of that.

I think what we have before us, Republicans clearly want to prevent tax increases on middle-class families. I think from the debate tonight we have a legitimate question as to whether our friends on the other side are as firmly committed to doing that, unless they also get to raise taxes somewhere else.

I found reassuring some of the comments of my friend from Texas who suggested that he might be willing to consider cuts as well in spending. I think everyone here intuitively understands that there is adequate spending, low-priority spending, in the Federal Government, and that certainly that would be one way we can bring down the deficit. In fact, the Republican budget this year contemplates just that kind of fiscal restraint through the process.

H.R. 1308 maintains the successful tax policy that has clearly contributed to the economic recovery. The motion to instruct here creates a zero sum game. It extends tax relief with one hand, while potentially raising taxes with the other. If I understand our recent fiscal experience in America, I do not believe that this is a good time for us to be raising taxes on certain sectors. This is bad for the economy, and it is bad for families.

Republicans have provided significant tax relief for families since this administration took office resulting in higher after-tax incomes for Americans. Yet because of arcane Senate rules, Congress could not provide permanent tax relief for families.

The gentleman correctly pointed out that when we voted, what we voted for turned out to be a temporary expedient, but was a function, as he well knows, of the Senate and its rules.

□ 1900

House Republicans have voted to provide predictability in the Tax Code, and the Senate has not taken those steps. If Congress does not act, I think we all could agree, middle-class families will face a tax increase next year. For example, next year, the $1,000 tax credit, as my friend from Arizona noted, drops to $700 per child. The 10 percent tax bracket will apply to less of an individual's income, and the marriage penalty provision will provide significantly less relief for couples.

The House has voted overwhelmingly to make these tax cuts permanent and has done so without offsets. These votes show that the House does not want to increase taxes on middle-class American families.

Now, if we are serious about looking for a way of balancing this, if we are serious about addressing the deficit, first we need to stimulate the economy to bring down the deficit. We have done that, and it has succeeded. But second of all, if there is an argument here that we should be tying tax cuts to other reductions in spending, or closing some unsubstantial loopholes, then I think that the burden is on the other side as they lay out the instructions to tell us specifically how they think this could be done without pain or without a drag on the economy.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEARCE). Members are reminded to refrain from improper references to the Senate.

Mr. HILL. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. MOORE).

Mr. MOORE. Mr. Speaker, I thank the gentleman from Indiana for yielding me this time.

Mr. Speaker, we talk so much in this institution about values; and, specifically, we talk about family values. Fiscal responsibility is a family value. It is a family value we should teach our children; it is a family value we should practice ourselves here in Congress as we do in our homes around the country.

When we stand up here, and I am here in support of the gentleman from Indiana's motion to instruct on H.R. 1308, what this would do is extend tax cuts, extend tax cuts, not raise taxes; so the debate tonight is partially mischaracterizing what this is all about. All we are saying, Mr. Speaker, is that when we extend these tax cuts, we want to employ what Chairman Greenspan recommended the House reinstitute and that is budget rules that say pay for these, find some way to offset these or pay for these tax cuts. That is all we want to do. We want to extend tax cuts, not raise taxes; but we want to do it in a fiscally responsible manner.

As my colleagues know, we have a $7.3 trillion debt, the highest in our Nation's history; we have a $422 billion deficit, the highest in our Nation's history. We are paying almost $1 billion a day in what I call the debt tax, which is the interest on our national debt. It is money that could be used for more tax cuts if we were not paying interest on this huge national debt.

We have got to get back to fiscal responsibility. We have to get back to fiscal sanity. We have to start living like American families do, within a budget. And this should not be about Democrats and Republicans. This should not be partisan. This should be about the future of our country and not placing a huge unsustainable, unpayable mortgage on the future of our children and grandchildren.

Mr. ENGLISH. Mr. Speaker, I retain the balance of my time.

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

I will say that when this side of the aisle at one time subscribed to spending caps and pay-as-you-go, now they have abandoned that idea for some reason; but when we did have them in place, we actually went into a surplus. Now that we have abandoned that discipline, we are looking at deficits as far as the eye can see. Mr. Greenspan, his name was evoked tonight, and it was evoked because he believes in pay-as-you-go and spending caps. We have to get real with our budget deficits.

Mr. Speaker, I yield 4 minutes to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Speaker, I find this debate we are having this evening most amazing. I was eating breakfast Monday morning with a dear friend of mine. He is a farmer and lives on the bank of the St. Francis River in Clay County, Arkansas. He is full of wisdom. He knows that if you do not make a crop, you cannot pay the bank off. He understands that. We were sitting there eating breakfast just at daylight looking out across some beautiful cotton; and he said, MARION, those guys are not going to know they are broke until they have sold their last chicken. We have already sold our last chicken, and you guys want to just keep borrowing money and borrowing money and piling the debt on top of debt on top of debt on top of my grandchildren.

Like everyone that has grandchildren, I think they are the most special thing, and it breaks my heart to see what you all are doing to them and this country. I do not see how you can continue to deceive yourselves and try to deceive this great Nation by doing that. And you can talk about raising taxes and you can talk about whatever you want to. The bottom line is, you cannot hide from that debt. You got to pay it. You got to pay the interest on it. There is no place to go when it gets so high that nobody can afford it, and we are already there. Yet you want to keep playing these little games. There are lots of things you can say about this, but one thing is for sure: it is irresponsible.

I do not think anybody has children or grandchildren that they do not care a lot about and they love them deeply and they do not want to leave them in debt.

I remember so well when President Bush first came into office and the Blue Dogs reached out to him and said we know you want to cut taxes. We will work with you. We will help you. But let us not get back into that deficit ditch. He sent Vice President CHENEY to the Blue Dog meeting and it took him about 3 minutes to say we think you are pretty good folks, but we do not need you and we do not care whether you like it or not, we are going to do this, and they did. And they took a $5 trillion surplus and squandered it. It is gone. There is not a dime left in the trust funds of Medicare, Social Security. They are all gone. It has been spent. And we are deeper in debt today than we have ever been.

Then they sent this little fellow, Mitch Daniels, to explain to the poor, ignorant Blue Dogs that these tax cuts were going to create so much prosperity that our greatest danger in this country was going to be that we would not have any bonds to sell because we were going to be out of debt and we would not have to borrow any money. Not a more ridiculous idea has ever been presented in this building, and there have been some real dandies brought forth.

The fact is, the Nation is bankrupt, the $5 trillion surplus is squandered, the ability to deal with Medicare and Social Security is gravely threatened, and nobody wants to acknowledge it. It is like, oh, just say it does not matter. Just tell them anything. The American people are smarter than that.

Some day, you guys will figure that out. I hope I am still around when that happens, but I hope my children and grandchildren do not have to pay the bill for it.

Mr. ENGLISH. Mr. Speaker, I retain the balance of my time.

Mr. HILL. Mr. Speaker, I yield 3 minutes to the gentleman from Arkansas (Mr. ROSS).

Mr. ROSS. Mr. Speaker, I thank the gentleman from Indiana for yielding me this time this evening to talk about a very important issue.

Thinking back, it is hard to believe that from 1997 through 2001, this country was running on a balanced budget. It is hard to believe, because in 2002, this country ran a $155 billion deficit. In 2003, it was $374 billion. In 2004, it is $422 billion. Guess what? If you subtract out the money they are borrowing from the Social Security trust fund, it is actually a $574 billion deficit for fiscal year 2004. It is hard to believe that our Nation today is spending $900,000 more than it is taking in.

For years, ever since I was a small child I have heard the Republicans talk about how it is the Democrats that spend the money. This is the first time in 50 years that the Republicans have controlled the White House, the House, and the Senate; and for the second year in a row, they have given us the largest budget deficit ever in our Nation's history. The debt today is $7.3 trillion. By 2009 it will be $10 trillion, and by 2013, it will be $13 trillion. A trillion here, a trillion there, and before long we are talking about some real money.

Let me tell my colleagues this. This motion to instruct conferees simply says this: we support tax cuts for working families; we simply want them to be paid for. In other words, if you are

going to cut taxes, cut spending. This Nation today is spending nearly $1 billion a day simply paying interest on the national debt. It is what I call the debt tax, D-E-B-T, and that is one tax that can never go away until we get fiscal responsibility and fiscal discipline restored to our Nation's government.

We could build 200 brand-new elementary schools every single day in America just with the interest we are paying on the national debt. These tax cuts may make for good politics for the wealthiest 2 percent of the people in the country. The 2003 tax cuts, 60 percent of the people that I represent received less than $2 a week. A tax cut for the wealthiest people in this country with borrowed money, and, I might add, every single dime of the tax cuts of 2003 were with borrowed money. The money came directly from the Social Security trust fund and what did not come from there came from the Bank of China. That is right. Seventy percent of our deficit in 2003 came from foreigners; 70 percent.

A tax cut for the wealthiest people in this country with borrowed money, money that is coming from Japan, Hong Kong, and the Bank of China and from the Social Security trust fund is nothing more than a tax increase on our children and grandchildren; and it is wrong, and that is why I am pleased to stand here tonight and rise in support of this motion to instruct.

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

Mr. ENGLISH. Mr. Speaker, I have only one more speaker, myself, to close; and I would like an understanding from the gentleman how many more speakers he might have.

Mr. HILL. Mr. Speaker, we have one more speaker, but that speaker will be making the closing remarks.

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

Mr. Speaker, it has been with great interest that I have listened to the debate tonight. I guess my reaction, in listening to some of the rhetoric from the other side, is that I do not mind much if they steal our clothes when we go in bathing, if they want to look and sound like fiscal conservatives, look and sound like Republicans; that is an understandable thing in today's political climate.

□ 1915

Although I must say, if I were actually to go in swimming and they were to steal my clothes, they might need a little clever tailoring, and, in fact, I think the rhetoric suggests they may need a little clever tailoring if they are to pass themselves off.

I feel very strongly myself that under most circumstances the United States should have a balanced budget, but history tells us, whether Republicans were in charge or whether Democrats were in charge, there is no real example of the United States having maintained a balanced budget during a significant recession.

Second of all, there is no real example of the United States having run a balanced budget during wartime, and over the last few years, as the gentlemen undoubtedly are aware, we have not only been fighting a slowdown, which began during the Clinton administration, which cut into our revenues and began to create the deficit over a couple of years' time, but also, we engaged in the war on terror.

Now, I realize it is controversial on the other side. They are sometimes for the war in Iraq, sometimes against it, even sometimes having misgivings about Afghanistan, but the fact remains, we have made a major investment in our efforts not only to improve homeland security, but also to challenge our adversaries elsewhere in the world. In my view, that has been an investment worth making.

The fact that we have run a deficit does not alarm me as much as some of the rhetoric on the other side seems to suggest alarm. For example, when I came to Congress in 1994, we were approaching a point where our national debt, which was smaller in those days in absolute numbers, but larger relative to the economy, was approaching 44 percent of GDP. Even in that context, realizing that what we needed to do was stimulate the economy, we cut taxes, and we were able to trim spending, and over time the Republican Congress, grappling with a Democratic administration, winning some, losing some, we were able to get to a balanced budget, and we brought down the deficit in relative terms to the economy.

Today, in real terms, our national debt is lower than 40 percent of GDP. It has grown over the last year. Well, we might expect that under the circumstances, but also, the Republican budget has made a commitment to lower the deficit to one-half of what it is currently relative to the economy. That is a powerful commitment that gives us confidence to go forward and cut taxes, which is what we need to do to stimulate the economy and generate more revenues.

There will always be some who would prefer to raise taxes during a slowdown, and we remember the intellectual genesis of their philosophy. This was the argument being made by the Hoover administration. It is odd that we hear some conservative Democrats, or who are wanting to be conservative Democrats, tonight adopting some of the same rhetoric that the Hoover administration embraced during the Depression. Hoover Democrats I do not think is the solution tonight.

I do think what we need to do is continue to stimulate the economy and make permanent the President's tax program. It has been criticized tonight for allegedly giving most of the benefits to the wealthy. Yet the folks on the other side will have difficulty explaining that in the context of the studies which have shown that now the wealthy, since the tax cut, pay a higher proportion of the tax share.

We have increased the progressivity of the American Tax Code in the wake of the tax programs that have passed this House. That is something that is not grasped well on the other side, but it is one of those stubborn facts that takes the sting out of their rhetoric.

The fact is a little more of the share has gone to working families, and this is important. Some families, I realize, may be only $2 a day, but that means something to them, and I believe it is important that we continue to have that relief in place.

This is, I think, a very important debate. I think it is worth noting that there is fresh evidence that the way to get the deficit down is to grow the economy, because with new estimates, we have found that the deficit has actually shrunk by $75 billion, $75 billion over the past few months as we have begun to take into account the recovery of the economy and the growth in revenues.

These, I think, are facts which rebut the argument being made on the other side, but if they were serious about these arguments, I think we would hear some more specifics. We would hear some specifics about the tax shelters that the gentleman from Indiana alluded to, and I am hoping in his close he will perhaps give us some specifics of tax shelters that can be closed, real ones that can generate real revenue or reduce spending. Surely we can have some suggestions from the other side. If they do, contrary to my impression, want to cut spending, perhaps they will prove me wrong and identify some areas where we can save money.

But, at any rate, I want to congratulate the gentleman from Indiana tonight for raising this debate. It has been, from my standpoint, edifying. I have enjoyed it, and I believe also that the House has had an opportunity to see a clear difference here, and I believe as they examine it, they will have an opportunity to vote down this perhaps well-intentioned motion to instruct, but one that I think would be counterproductive at a time when we are trying to get our economy back on the growth path.

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

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

This debate is about to close. In response to my friend from Pennsylvania's comments about the specifics, I would simply say that the Blue Dogs did offer a specific plan. I will not go into that specific plan now for the sake of time, but we put it on the line and asked the House to do it exactly like we have asked them to do it. So we would make the tough choices, and in our budget proposal we made those tough choices.

In many ways I am a little saddened by the debate tonight because I heard my good friend from Pennsylvania talk about the fact that he is not as concerned about the deficit. It did not used to be that way on the other side of the

aisle. This side of the aisle used to be very concerned about the budget deficit. Now it seems like it is less concerned about the budget deficit.

All we are asking for here is to make sure that we pay for these tax cuts as we extend them. That is all we are asking. This side used to believe that. Now they do not. I think they ought to revisit their philosophy because it did produce budget surpluses.

Finally, I would say to the American people who might be listening tonight that I do not think anybody at their kitchen table would ask Congress to borrow the money for tax cuts, and that is what this motion to instruct prevents us from doing.

Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. STENHOLM), my good friend.

Mr. STENHOLM. Mr. Speaker, I thank the gentleman for yielding me the time, and my friend from Pennsylvania asked for the specifics.

The Blue Dog budget this year proposed to spend no more than President Bush recommended that the Congress spend, and we intend to stick with that. When my colleague talks about spending and he talks about revising history, in the 8 years prior to the last 3½, spending went up 3.4 percent per year on the average. In the last 3½ years, spending has gone up 10.4 percent.

The gentleman keeps asking for specifics from the minority side. Last time I checked, the minority does not even get recognized for amendments so that we can do some of things that we talked about doing. We were denied having even a vote on some of our budgets over the last 3½ years. The gentleman keeps talking about specifics and rhetoric. His rhetoric does not match the specifics.

We are going to prove unequivocally sometime in the next 2 or 3 months that the economic game plan we are under is not working because we are going to have to vote to increase the credit card limit of the United States of America for the third time in 3 years, this time through $8 trillion. Yes, the war is expensive and we must pay for the war, but this is the first war in the history of our country that is being fought at the same time we are asking to reduce the amount of money available to make sure the troops have the material that they need in order to fight the war.

If my colleague wants to make that argument, be my guest. All we are suggesting with this simple motion is go back to what worked in 1994, pay-as-you-go. It worked when we were bipartisan working on it. It worked in 1997 when we worked together as Democrats and Republicans. What has happened in the last 3½ years to suggest that, in a bipartisan way, we do not want to follow that which has worked?

That is the fundamental question for this body. I ask for a vote in favor of the gentleman from Indiana's motion. It is returning common sense, pay-as-you-go, making tough choices; does not raise taxes on anyone. It just says if we are going to increase spending for any worthwhile project, we have got to pay for it; if we are going to cut taxes and increase the deficit, we have got to cut the spending first, not rhetorically, after the next election. Do it now, and my colleagues will find there will be some Blue Dogs working with them.

The SPEAKER pro tempore (Mr. PEARCE). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Indiana (Mr. HILL).

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on any motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken tomorrow.

GARRETT LEE SMITH MEMORIAL ACT

Mr. BARTON of Texas. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2634) to amend the Public Health Service Act to support the planning, implementation, and evaluation of organized activities involving statewide youth suicide early intervention and prevention strategies, to provide funds for campus mental and behavioral health service centers, and for other purposes, as amended.

The Clerk read as follows:

S. 2634

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Garrett Lee Smith Memorial Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) More children and young adults die from suicide each year than from cancer, heart disease, AIDS, birth defects, stroke, and chronic lung disease combined.

(2) Over 4,000 children and young adults tragically take their lives every year, making suicide the third overall cause of death between the ages of 10 and 24. According to the Centers for Disease Control and Prevention, suicide is the third overall cause of death among college-age students.

(3) According to the National Center for Injury Prevention and Control of the Centers for Disease Control and Prevention, children and young adults accounted for 15 percent of all suicides completed in 2000.

(4) From 1952 to 1995, the rate of suicide in children and young adults tripled.

(5) From 1980 to 1997, the rate of suicide among young adults ages 15 to 19 increased 11 percent.

(6) From 1980 to 1997, the rate of suicide among children ages 10 to 14 increased 109 percent.

(7) According to the National Center of Health Statistics, suicide rates among Native Americans range from 1.5 to 3 times the national average for other groups, with young people ages 15 to 34 making up 64 percent of all suicides.

(8) Congress has recognized that youth suicide is a public health tragedy linked to underlying mental health problems and that youth suicide early intervention and prevention activities are national priorities.

(9) Youth suicide early intervention and prevention have been listed as urgent public health priorities by the President's New Freedom Commission in Mental Health (2002), the Institute of Medicine's Reducing Suicide: A National Imperative (2002), the National Strategy for Suicide Prevention: Goals and Objectives for Action (2001), and the Surgeon General's Call to Action To Prevent Suicide (1999).

(10) Many States have already developed comprehensive statewide youth suicide early intervention and prevention strategies that seek to provide effective early intervention and prevention services.

(11) In a recent report, a startling 85 percent of college counseling centers revealed an increase in the number of students they see with psychological problems. Furthermore, the American College Health Association found that 61 percent of college students reported feeling hopeless, 45 percent said they felt so depressed they could barely function, and 9 percent felt suicidal.

(12) There is clear evidence of an increased incidence of depression among college students. According to a survey described in the Chronicle of Higher Education (February 1, 2002), depression among freshmen has nearly doubled (from 8.2 percent to 16.3 percent). Without treatment, researchers recently noted that ''depressed adolescents are at risk for school failure, social isolation, promiscuity, self-medication with drugs and alcohol, and suicide—now the third leading cause of death among 10–24 year olds.''.

(13) Researchers who conducted the study ''Changes in Counseling Center Client Problems Across 13 Years'' (1989–2001) at Kansas State University stated that ''students are experiencing more stress, more anxiety, more depression than they were a decade ago.'' (The Chronicle of Higher Education, February 14, 2003).

(14) According to the 2001 National Household Survey on Drug Abuse, 20 percent of full-time undergraduate college students use illicit drugs.

(15) The 2001 National Household Survey on Drug Abuse also reported that 18.4 percent of adults aged 18 to 24 are dependent on or abusing illicit drugs or alcohol. In addition, the study found that ''serious mental illness is highly correlated with substance dependence or abuse. Among adults with serious mental illness in 2001, 20.3 percent were dependent on or abused alcohol or illicit drugs, while the rate among adults without serious mental illness was only 6.3 percent.''.

(16) A 2003 Gallagher's Survey of Counseling Center Directors found that 81 percent were concerned about the increasing number of students with more serious psychological problems, 67 percent reported a need for

more psychiatric services, and 63 percent reported problems with growing demand for services without an appropriate increase in resources.

(17) The International Association of Counseling Services accreditation standards recommend 1 counselor per 1,000 to 1,500 students. According to the 2003 Gallagher's Survey of Counseling Center Directors, the ratio of counselors to students is as high as 1 counselor per 2,400 students at institutions of higher education with more than 15,000 students.

SEC. 3. AMENDMENTS TO PUBLIC HEALTH SERVICE ACT.

(a) YOUTH INTERAGENCY RESEARCH, TRAINING, AND TECHNICAL ASSISTANCE CENTERS.—Section 520C of the Public Health Service Act (42 U.S.C. 290bb–34) is amended—

(1) in subsection (a)—

(A) by striking ''Health, shall award grants'' and inserting ''Health—

''(1) shall award grants'';

(B) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(2) shall award a competitive grant to 1 additional research, training, and technical assistance center to carry out the activities described in subsection (d).'';

(2) in subsection (c), in the matter preceding paragraph (1), by striking ''grant or contract under subsection (a)'' and inserting ''grant or contract under subsection (a)(1)'';

(3) in subsection (d)—

(A) by striking ''APPROPRIATIONS.—For the purpose of carrying out this section'' and inserting ''APPROPRIATIONS.—

''(1) For the purpose of awarding grants or contracts under subsection (a)(1)''; and

(B) by adding at the end the following:

''(2) For the purpose of awarding a grant under subsection (a)(2), there are authorized to be appropriated $3,000,000 for fiscal year 2005, $4,000,000 for fiscal year 2006, and $5,000,000 for fiscal year 2007.'';

(4) by redesignating subsection (d) as subsection (e); and

(5) by inserting after subsection (c) the following:

''(d) ADDITIONAL CENTER.—The additional research, training, and technical assistance center established under subsection (a)(2) shall provide appropriate information, training, and technical assistance to States, political subdivisions of a State, Federally recognized Indian tribes, tribal organizations, institutions of higher education, public organizations, or private nonprofit organizations for—

''(1) the development or continuation of statewide or tribal youth suicide early intervention and prevention strategies;

''(2) ensuring the surveillance of youth suicide early intervention and prevention strategies;

''(3) studying the costs and effectiveness of statewide youth suicide early intervention and prevention strategies in order to provide information concerning relevant issues of importance to State, tribal, and national policymakers;

''(4) further identifying and understanding causes and associated risk factors for youth suicide;

''(5) analyzing the efficacy of new and existing youth suicide early intervention techniques and technology;

''(6) ensuring the surveillance of suicidal behaviors and nonfatal suicidal attempts;

''(7) studying the effectiveness of State-sponsored statewide and tribal youth suicide early intervention and prevention strategies on the overall wellness and health promotion strategies related to suicide attempts;

''(8) promoting the sharing of data regarding youth suicide with Federal agencies involved with youth suicide early intervention and prevention, and State-sponsored statewide or tribal youth suicide early intervention and prevention strategies for the purpose of identifying previously unknown mental health causes and associated risk factors for suicide in youth;

''(9) evaluating and disseminating outcomes and best practices of mental and behavioral health services at institutions of higher education; and

''(10) other activities determined appropriate by the Secretary.''.

(b) SUICIDE PREVENTION FOR YOUTH.—Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended—

(1) in section 520E (42 U.S.C. 290bb–36)—

(A) in the section heading by striking ''CHILDREN AND ADOLESCENTS'' and inserting ''YOUTH'';

(B) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—The Secretary shall award grants or cooperative agreements to public organizations, private nonprofit organizations, political subdivisions, consortia of political subdivisions, consortia of States, or Federally recognized Indian tribes or tribal organizations to design early intervention and prevention strategies that will complement the State-sponsored statewide or tribal youth suicide early intervention and prevention strategies developed pursuant to section 520E.'';

(C) in subsection (b), by striking all after ''coordinated'' and inserting ''with the relevant Department of Health and Human Services agencies and suicide working groups.'';

(D) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking ''A State'' and all that follows through ''desiring'' and inserting ''A public organization, private nonprofit organization, political subdivision, consortium of political subdivisions, consortium of States, or federally recognized Indian tribe or tribal organization desiring'';

(ii) by redesignating paragraphs (1) through (9) as paragraphs (2) through (10), respectively;

(iii) by inserting before paragraph (2) (as so redesignated) the following:

''(1)(A) comply with the State-sponsored statewide early intervention and prevention strategy as developed under section 520E; and

''(B) in the case of a consortium of States, receive the support of all States involved;'';

(iv) in paragraph (2) (as so redesignated), by striking ''children and adolescents'' and inserting ''youth'';

(v) in paragraph (3) (as so redesignated), by striking ''best evidence-based,'';

(vi) in paragraph (4) (as so redesignated), by striking ''primary'' and all that follows and inserting ''general, mental, and behavioral health services, and substance abuse services;'';

(vii) in paragraph (5) (as so redesignated), by striking ''children and'' and all that follows and inserting ''youth including the school systems, educational institutions, juvenile justice system, substance abuse programs, mental health programs, foster care systems, and community child and youth support organizations;'';

(viii) by striking paragraph (8) (as so redesignated) and inserting the following:

''(8) offer access to services and care to youth with diverse linguistic and cultural backgrounds;''; and

(ix) by striking paragraph (9) (as so redesignated) and inserting the following:

''(9) conduct annual self-evaluations of outcomes and activities, including consulting with interested families and advocacy organizations;'';

(E) by striking subsection (d) and inserting the following:

''(d) USE OF FUNDS.—Amounts provided under a grant or cooperative agreement under this section shall be used to supplement, and not supplant, Federal and non-Federal funds available for carrying out the activities described in this section. Applicants shall provide financial information to demonstrate compliance with this section.'';

(F) in subsection (e)—

(i) by striking '', contract,''; and

(ii) by inserting after ''Secretary that the'' the following: ''application complies with the State-sponsored statewide early intervention and prevention strategy as developed under section 520E and the'';

(G) in subsection (f), by striking '', contracts,'';

(H) in subsection (g)—

(i) by striking ''A State'' and all that follows through ''organization receiving'' and inserting ''A public organization, private nonprofit organization, political subdivision, consortium of political subdivisions, consortium of States, or Federally recognized Indian tribe or tribal organization receiving''; and

(ii) by striking '', contract,'' each place such term appears;

(I) in subsection (h), by striking '', contracts,'';

(J) in subsection (i)—

(i) by striking ''A State'' and all that follows through ''organization receiving'' and inserting ''A public organization, private nonprofit organization, political subdivision, consortium of political subdivisions, consortium of States, or Federally recognized Indian tribe or tribal organization receiving''; and

(ii) by striking '', contract,'';

(K) in subsection (k), by striking ''5 years'' and inserting ''3 years'';

(L) in subsection (l)—

(i) in paragraph (2), by striking ''21'' and inserting ''24''; and

(ii) in paragraph (3), by striking ''which might have been'';

(M) in subsection (m)—

(i) by striking ''APPROPRIATION.—'' and all that follows through ''For'' in paragraph (1) and inserting ''APPROPRIATION.—For''; and

(ii) by striking paragraph (2);

(N) by redesignating subsection (m) as subsection (n); and

(O) by inserting after subsection (l) the following:

''(m) DEFINITIONS.—In this section, the terms 'early intervention', 'educational institution', 'institution of higher education', 'prevention', 'school', and 'youth' have the meanings given to those terms in section 520E.''; and

(2) by redesignating section 520E as section 520E–1.

(c) YOUTH SUICIDE AND EARLY INTERVENTION AND PREVENTION STRATEGIES.—Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by inserting before section 520E–1 (as redesignated by subsection (b)) the following:

''SEC. 520E. YOUTH SUICIDE EARLY INTERVENTION AND PREVENTION STRATEGIES.

''(a) IN GENERAL.—The Secretary, acting through the Administrator of the Substance Abuse and Mental Health Services Administration, shall award grants or cooperative agreements to eligible entities to—

''(1) develop and implement State-sponsored statewide or tribal youth suicide early intervention and prevention strategies in schools, educational institutions, juvenile justice systems, substance abuse programs, mental health programs, foster care systems, and other child and youth support organizations;

''(2) support public organizations and private nonprofit organizations actively involved in State-sponsored statewide or tribal youth suicide early intervention and prevention strategies and in the development and continuation of State-sponsored statewide youth suicide early intervention and prevention strategies;

''(3) provide grants to institutions of higher education to coordinate the implementation of State-sponsored statewide or tribal youth suicide early intervention and prevention strategies;

''(4) collect and analyze data on State-sponsored statewide or tribal youth suicide early intervention and prevention services that can be used to monitor the effectiveness of such services and for research, technical assistance, and policy development; and

''(5) assist eligible entities, through State-sponsored statewide or tribal youth suicide early intervention and prevention strategies, in achieving targets for youth suicide reductions under title V of the Social Security Act.

''(b) ELIGIBLE ENTITY.—

''(1) DEFINITION.—In this section, the term 'eligible entity' means—

''(A) a State;

''(B) a public organization or private nonprofit organization designated by a State to develop or direct the State-sponsored statewide youth suicide early intervention and prevention strategy; or

''(C) a Federally recognized Indian tribe or tribal organization (as defined in the Indian Self-Determination and Education Assistance Act) or an urban Indian organization (as defined in the Indian Health Care Improvement Act) that is actively involved in the development and continuation of a tribal youth suicide early intervention and prevention strategy.

''(2) LIMITATION.—In carrying out this section, the Secretary shall ensure that each State is awarded only 1 grant or cooperative agreement under this section. For purposes of the preceding sentence, a State shall be considered to have been awarded a grant or cooperative agreement if the eligible entity involved is the State or an entity designated by the State under paragraph (1)(B). Nothing in this paragraph shall be construed to apply to entities described in paragraph (1)(C).

''(c) PREFERENCE.—In providing assistance under a grant or cooperative agreement under this section, an eligible entity shall give preference to public organizations, private nonprofit organizations, political subdivisions, institutions of higher education, and tribal organizations actively involved with the State-sponsored statewide or tribal youth suicide early intervention and prevention strategy that—

''(1) provide early intervention and assessment services, including screening programs, to youth who are at risk for mental or emotional disorders that may lead to a suicide attempt, and that are integrated with school systems, educational institutions, juvenile justice systems, substance abuse programs, mental health programs, foster care systems, and other child and youth support organizations;

''(2) demonstrate collaboration among early intervention and prevention services or certify that entities will engage in future collaboration;

''(3) employ or include in their applications a commitment to evaluate youth suicide early intervention and prevention practices and strategies adapted to the local community;

''(4) provide timely referrals for appropriate community-based mental health care and treatment of youth who are at risk for suicide in child-serving settings and agencies;

''(5) provide immediate support and information resources to families of youth who are at risk for suicide;

''(6) offer access to services and care to youth with diverse linguistic and cultural backgrounds;

''(7) offer appropriate postsuicide intervention services, care, and information to families, friends, schools, educational institutions, juvenile justice systems, substance abuse programs, mental health programs, foster care systems, and other child and youth support organizations of youth who recently completed suicide;

''(8) offer continuous and up-to-date information and awareness campaigns that target parents, family members, child care professionals, community care providers, and the general public and highlight the risk factors associated with youth suicide and the lifesaving help and care available from early intervention and prevention services;

''(9) ensure that information and awareness campaigns on youth suicide risk factors, and early intervention and prevention services, use effective communication mechanisms that are targeted to and reach youth, families, schools, educational institutions, and youth organizations;

''(10) provide a timely response system to ensure that child-serving professionals and providers are properly trained in youth suicide early intervention and prevention strategies and that child-serving professionals and providers involved in early intervention and prevention services are properly trained in effectively identifying youth who are at risk for suicide;

''(11) provide continuous training activities for child care professionals and community care providers on the latest youth suicide early intervention and prevention services practices and strategies;

''(12) conduct annual self-evaluations of outcomes and activities, including consulting with interested families and advocacy organizations;

''(13) provide services in areas or regions with rates of youth suicide that exceed the national average as determined by the Centers for Disease Control and Prevention; and

''(14) obtain informed written consent from a parent or legal guardian of an at-risk child before involving the child in a youth suicide early intervention and prevention program.

''(d) REQUIREMENT FOR DIRECT SERVICES.—Not less than 85 percent of grant funds received under this section shall be used to provide direct services, of which not less than 5 percent shall be used for activities authorized under subsection (a)(3).

''(e) COORDINATION AND COLLABORATION.—

''(1) IN GENERAL.—In carrying out this section, the Secretary shall collaborate with relevant Federal agencies and suicide working groups responsible for early intervention and prevention services relating to youth suicide.

''(2) CONSULTATION.—In carrying out this section, the Secretary shall consult with—

''(A) State and local agencies, including agencies responsible for early intervention and prevention services under title XIX of the Social Security Act, the State Children's Health Insurance Program under title XXI of the Social Security Act, and programs funded by grants under title V of the Social Security Act;

''(B) local and national organizations that serve youth at risk for suicide and their families;

''(C) relevant national medical and other health and education specialty organizations;

''(D) youth who are at risk for suicide, who have survived suicide attempts, or who are currently receiving care from early intervention services;

''(E) families and friends of youth who are at risk for suicide, who have survived suicide attempts, who are currently receiving care from early intervention and prevention services, or who have completed suicide;

''(F) qualified professionals who possess the specialized knowledge, skills, experience, and relevant attributes needed to serve youth at risk for suicide and their families; and

''(G) third-party payers, managed care organizations, and related commercial industries.

''(3) POLICY DEVELOPMENT.—In carrying out this section, the Secretary shall—

''(A) coordinate and collaborate on policy development at the Federal level with the relevant Department of Health and Human Services agencies and suicide working groups; and

''(B) consult on policy development at the Federal level with the private sector, including consumer, medical, suicide prevention advocacy groups, and other health and education professional-based organizations, with respect to State-sponsored statewide or tribal youth suicide early intervention and prevention strategies.

''(f) RULE OF CONSTRUCTION; RELIGIOUS AND MORAL ACCOMMODATION.—Nothing in this section shall be construed to require suicide assessment, early intervention, or treatment services for youth whose parents or legal guardians object based on the parents' or legal guardians' religious beliefs or moral objections.

''(g) EVALUATIONS AND REPORT.—

''(1) EVALUATIONS BY ELIGIBLE ENTITIES.—Not later than 18 months after receiving a grant or cooperative agreement under this section, an eligible entity shall submit to the Secretary the results of an evaluation to be conducted by the entity concerning the effectiveness of the activities carried out under the grant or agreement.

''(2) REPORT.—Not later than 2 years after the date of enactment of this section, the Secretary shall submit to the appropriate committees of Congress a report concerning the results of—

''(A) the evaluations conducted under paragraph (1); and

''(B) an evaluation conducted by the Secretary to analyze the effectiveness and efficacy of the activities conducted with grants, collaborations, and consultations under this section.

''(h) RULE OF CONSTRUCTION; STUDENT MEDICATION.—Nothing in this section or section 520E–1 shall be construed to allow school personnel to require that a student obtain any medication as a condition of attending school or receiving services.

''(i) PROHIBITION.—Funds appropriated to carry out this section, section 520C, section 520E–1, or section 520E–2 shall not be used to pay for or refer for abortion.

''(j) PARENTAL CONSENT.—States and entities receiving funding under this section and section 520E–1 shall obtain prior written, informed consent from the child's parent or legal guardian for assessment services, school-sponsored programs, and treatment involving medication related to youth suicide conducted in elementary and secondary schools. The requirement of the preceding sentence does not apply in the following cases:

''(1) In an emergency, where it is necessary to protect the immediate health and safety of the student or other students.

''(2) Other instances, as defined by the State, where parental consent cannot reasonably be obtained.

''(k) RELATION TO EDUCATION PROVISIONS.—Nothing in this section or section 520E–1 shall be construed to supersede section 444 of the General Education Provisions Act, including the requirement of prior parental

consent for the disclosure of any education records. Nothing in this section or section 520E-1 shall be construed to modify or affect parental notification requirements for programs authorized under the Elementary and Secondary Education Act of 1965 (as amended by the No Child Left Behind Act of 2001; Public Law 107–110).

''(l) DEFINITIONS.—In this section:

''(1) EARLY INTERVENTION.—The term 'early intervention' means a strategy or approach that is intended to prevent an outcome or to alter the course of an existing condition.

''(2) EDUCATIONAL INSTITUTION; INSTITUTION OF HIGHER EDUCATION; SCHOOL.—The term—

''(A) 'educational institution' means a school or institution of higher education;

''(B) 'institution of higher education' has the meaning given such term in section 101 of the Higher Education Act of 1965; and

''(C) 'school' means an elementary or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965).

''(3) PREVENTION.—The term 'prevention' means a strategy or approach that reduces the likelihood or risk of onset, or delays the onset, of adverse health problems that have been known to lead to suicide.

''(4) YOUTH.—The term 'youth' means individuals who are between 10 and 24 years of age.

''(m) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—For the purpose of carrying out this section, there are authorized to be appropriated $7,000,000 for fiscal year 2005, $18,000,000 for fiscal year 2006, and $30,000,000 for fiscal year 2007.

''(2) PREFERENCE.—If less than $3,500,000 is appropriated for any fiscal year to carry out this section, in awarding grants and cooperative agreements under this section during the fiscal year, the Secretary shall give preference to States that have rates of suicide that significantly exceed the national average as determined by the Centers for Disease Control and Prevention.''.

(d) MENTAL AND BEHAVIORAL HEALTH SERVICES ON CAMPUS.—Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by inserting after section 520E–1 (as redesignated by subsection (b)) the following:

''SEC. 520E–2. MENTAL AND BEHAVIORAL HEALTH SERVICES ON CAMPUS.

''(a) IN GENERAL.—The Secretary, acting through the Director of the Center for Mental Health Services, in consultation with the Secretary of Education, may award grants on a competitive basis to institutions of higher education to enhance services for students with mental and behavioral health problems that can lead to school failure, such as depression, substance abuse, and suicide attempts, so that students will successfully complete their studies.

''(b) USE OF FUNDS.—The Secretary may not make a grant to an institution of higher education under this section unless the institution agrees to use the grant only for—

''(1) educational seminars;

''(2) the operation of hot lines;

''(3) preparation of informational material;

''(4) preparation of educational materials for families of students to increase awareness of potential mental and behavioral health issues of students enrolled at the institution of higher education;

''(5) training programs for students and campus personnel to respond effectively to students with mental and behavioral health problems that can lead to school failure, such as depression, substance abuse, and suicide attempts; or

''(6) the creation of a networking infrastructure to link colleges and universities that do not have mental health services with health care providers who can treat mental and behavioral health problems.

''(c) ELIGIBLE GRANT RECIPIENTS.—Any institution of higher education receiving a grant under this section may carry out activities under the grant through—

''(1) college counseling centers;

''(2) college and university psychological service centers;

''(3) mental health centers;

''(4) psychology training clinics; or

''(5) institution of higher education supported, evidence-based, mental health and substance abuse programs.

''(d) APPLICATION.—An institution of higher education desiring a grant under this section shall prepare and submit an application to the Secretary at such time and in such manner as the Secretary may require. At a minimum, the application shall include the following:

''(1) A description of identified mental and behavioral health needs of students at the institution of higher education.

''(2) A description of Federal, State, local, private, and institutional resources currently available to address the needs described in paragraph (1) at the institution of higher education.

''(3) A description of the outreach strategies of the institution of higher education for promoting access to services, including a proposed plan for reaching those students most in need of mental health services.

''(4) A plan to evaluate program outcomes, including a description of the proposed use of funds, the program objectives, and how the objectives will be met.

''(5) An assurance that the institution will submit a report to the Secretary each fiscal year on the activities carried out with the grant and the results achieved through those activities.

''(e) REQUIREMENT OF MATCHING FUNDS.—

''(1) IN GENERAL.—The Secretary may make a grant under this section to an institution of higher education only if the institution agrees to make available (directly or through donations from public or private entities) non-Federal contributions in an amount that is not less than $1 for each $1 of Federal funds provided in the grant, toward the costs of activities carried out with the grant (as described in subsection (b)) and other activities by the institution to reduce student mental and behavioral health problems.

''(2) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions required under paragraph (1) may be in cash or in kind. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

''(3) WAIVER.—The Secretary may waive the requirement established in paragraph (1) with respect to an institution of higher education if the Secretary determines that extraordinary need at the institution justifies the waiver.

''(f) REPORTS.—For each fiscal year that grants are awarded under this section, the Secretary shall conduct a study on the results of the grants and submit to the Congress a report on such results that includes the following:

''(1) An evaluation of the grant program outcomes, including a summary of activities carried out with the grant and the results achieved through those activities.

''(2) Recommendations on how to improve access to mental and behavioral health services at institutions of higher education, including efforts to reduce the incidence of suicide and substance abuse.

''(g) DEFINITION.—In this section, the term 'institution of higher education' has the meaning given such term in section 101 of the Higher Education Act of 1965.

''(h) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $5,000,000 for fiscal year 2005, $5,000,000 for fiscal year 2006, and $5,000,000 for fiscal year 2007.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BARTON) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

For what purpose does the gentleman from New Jersey (Mr. GARRETT) rise? Do any of the gentlemen oppose this legislation?

Mr. BROWN of Ohio. Mr. Speaker, I support the legislation.

The SPEAKER pro tempore. Is the gentleman from Ohio opposed?

Mr. BROWN of Ohio. I do not oppose. I support.

The SPEAKER pro tempore. Under the rule, half the time will go to the gentleman from New Jersey (Mr. GARRETT).

The gentleman from Texas (Mr. BARTON) is recognized.

Mr. BARTON of Texas. Mr. Speaker, I ask unanimous consent that of the 20 minutes that I control, the gentleman from Ohio (Mr. BROWN) have the right to control 10 minutes of that time.

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

There was no objection.

GENERAL LEAVE

Mr. BARTON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on this bill.

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

There was no objection.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 2634, as amended. I am pleased that the House is considering this legislation which is authored with the intent to improve access to quality health care to individuals suffering from mental and behavioral health problems that can lead to suicide.

□ 1930

Last year, over 4,000 young men and women in our great country resorted to the ultimate act of denial by committing suicide. Senator GORDON SMITH of the other body has been the lead advocate for this legislation, and the bill is named in his son's honor, who, unfortunately, committed suicide last year, I think on this date. So we are here under the leadership of Senator GORDON SMITH to try to do something legislatively to prevent future young Americans from resorting to suicide.

I have had a young staff member on my staff last spring also commit suicide; so while I have not had the sacrifice or the tragedy that Senator

SMITH has had, I have been touched by suicide on my congressional staff down in Texas. I can tell you, as one would expect, that it is a very devastating experience. It is incredibly painful. It is a pain that is exacerbated when you see how your family and friends are burdened with grief because of an action like this. It is my sincere hope that the legislation the House is considering this evening, which the other body has already passed, will indeed help those who are troubled and are thinking about committing suicide in the future.

This bill is a 3-year authorization bill that provides educational and support programs for children at risk of suicide. These suicide programs would be administered through a grant program through the States. It reflects a balanced and reasonable compromise that allows parents to have a direct role in determining whether their children participate in these long-range programs. At the same time, when there is a young man or woman in our country who is actively contemplating suicide, the bill would allow that emergency intervention could be done without any consent so that we stabilize that individual and prevent them from actually committing the suicide act at the time they are contemplating it.

The compromise before us this evening does not modify in any way or affect any existing requirement under the No Child Left Behind Act. It is my hope that in the next Congress the House Committee on Energy and Commerce, which I have the privilege to chair, will systematically reauthorize many of the expired programs and even expired agencies at the Department of Health and Human Services.

One of those agencies that we intend to look at very closely is the Substance Abuse and Mental Health Services Administration, or SAMSHA, which has primary responsibility to improve mental health services across this country. I am strongly inclined to rework several of the mental health service programs currently in effect at SAMSHA so that we are sure that the funding programs actually produce measurable results and the kind of results we intend those programs to produce. Without a doubt, as a part of our review of the SAMSHA program, I will pay close attention to SAMSHA's work in the area of suicide prevention.

Mr. Speaker, I want to thank the subcommittee chairman, the gentleman from Florida (Mr. BILIRAKIS); the ranking member of the full committee, the gentleman from Michigan (Mr. DINGELL); and the subcommittee ranking member, the gentleman from Ohio (Mr. BROWN), for their cooperation in this legislation. I would also like to commend the gentleman from Tennessee (Mr. GORDON) and the gentleman from Oregon (Mr. WALDEN) for their help on the House side in improving this legislation. And, finally, I would like to thank the Speaker of the House and the majority leader for their assistance in expediting this bill as it comes to the floor today.

Mr. Speaker, I would encourage my colleagues to support the legislation.

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

Mr. GARRETT of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

There is probably no more serious topic that we could be discussing this evening than we are right now when we are discussing suicide, especially when we are discussing suicide of young people. It is a serious topic, and it is an emotional topic.

Earlier today, Mr. Speaker, I heard someone say in the Chamber that this House, as we move along and make changes, we do not always make large changes or great changes at one time; we may only be making changes incrementally. And my response to that was I am all in favor of incrementally moving the agenda along, just so long as we are moving it in the right direction and not in the wrong direction, a harmful direction, or a hurtful direction. I want to be moving the agenda along in a direction that is guided by facts and thought and planning and not by emotion.

We just heard that this bill is moving along in an expedited fashion, and that is true. We are here tonight on a bill, on a piece of legislation, spending $82 million that would create two new Federal programs that never existed before, a new technical center that will deal with this issue as well; and yet there has never been an opportunity for input, discussion, a vote, or consideration in a committee. This bill has never gone in this House to a committee for a hearing, for a complete markup in a formal manner.

If you are a parent and you have thoughts on this topic, you are concerned about your children or other children in your community, you have not had the opportunity to have your say, to have your feelings, to have your thoughts heard in a committee on this subject. If you are an expert in this field, a psychologist, psychiatrist, mental health association or the like, and you have thoughts about what would be best for our children or what would be harmful to our children, you too have not had the opportunity to have your thoughts or your opinions heard in a formal committee manner.

So it is correct when we hear that this legislation is moving in an expedited format, without the committee process and already to the floor.

Now, before this bill came up, we were talking about another topic, and I heard a lot of talk about the deficit and what grave financial straits we are in. I hope they continue with those feelings when we consider a bill that is $82 million in the making for the first 3 years, and how much after that no one knows.

There was an article today in National Review that addresses this piece of legislation. It says, ''Occasionally a bill hits Capitol Hill over which there is remarkably little debate. This bill is an extreme example of that. Actually, according to news reports, there is no debating the bill, which provides additional Federal funding for suicide prevention programs in U.S. schools.'' It goes on, ''Well, of course if you are against suicide, you are for the bill; right?''

Well, we really do not know. I am certainly against suicide. Everyone in this House is against suicide. But are we all for the bill? Are parents all for the bill? Are the experts all for the bill? The article goes on to point out that, ''No, the experts are not all for the bill.'' The Journal of the American Medical Association, the American Academy of Child and Adolescent Psychiatry have reported on this topic of suicide prevention programs, such as this bill addresses, and they reported, ''Suicide awareness programs in schools have not been shown to be effective either in reducing suicidal behavior or in increasing help-seeking behavior. Most kids who take their own lives are mentally ill. They need help, help that a school suicide prevention program is not going to provide them.''

''For some of the children, these new federally funded programs,'' as it says in the article, ''would reach awareness, putting ideas in their already normally confused adolescent heads.'' Conclusion: ''Such programs,'' as we are talking about tonight, ''could actually be harmful.''

Let me go back to the issue of family and the like. We have to ask: Is this yet again another encroachment on the family, on the parent-child relationship, one in which the Federal Government should at least ask for input and thought before we start creating new Federal programs on this level?

In the end, are these programs, we should be asking ourselves, more harmful than helpful? The experts seem to indicate more harmful. Another expert, David Shaffer, M.D., Columbia College of Physicians and Surgeons, talking on the subject and doing research at Columbia University supported by grants for the Centers for Disease Control, suggests that ''case findings that involve giving lessons or lectures about suicide either to encourage suicidal students to identify themselves or to teach other students or teachers how to identify the suicidal teenager is not effective, and in some instances may undermine protective attitudes about suicide.''

Furthermore, from Dr. Shaffer and others, ''self-identified attempters were less likely to approve of these programs, and there was little evidence that the programs were successful in influencing their views. There was some evidence that previous attempters were more upset by the programs than nonattempters were.''

Again, the experts are showing that these programs that we are now spending money on may be more harmful than good.

There was a case several years ago in Michigan where a second grade boy killed himself in the spring of the year, the day after watching a film in a suicide prevention class such as what we are talking about today. People who knew the young boy said that he was a happy child who had just been accepted into the school's gifted and talented program, and he was not depressed at all at the time of his death. Many think that he was merely mimicking what he saw in the movie in the suicide prevention program and had no intention to die. In the movie, the boy who tries to hang himself to commit suicide is rescued by his friends. In real life, that did not occur, and the 8-year-old boy, having attended a suicide prevention program, killed himself.

As a parent, one also has to ask, where does the time come to do all these things in our schools? We already ask of our teachers so much, to teach all the curriculum already. Now we are adding an additional burden on the schools as well. I have talked to parents who have had their kids in public schools and have taken them out and either put them into private schools, Catholic schools, parochial schools, or home schooling. When I ask them why they do it, they say, because they realize the public schools are no longer focused on what they are supposed to be focusing on, and that is educating their kids. Instead, they are involved in so much other social programming, such as this.

So we have to ask ourselves this question as well: Does this program address the needs of our schools as being able to fulfill their obligation to teach our kids?

Next, we have to ask the question: Is this enough money, $82 million? Now, to me, that sounds like a lot of money; but if we are talking across the entire country for a 3-year period of time, I hazard a guess that next year and the year after that that people will be coming back and saying this was just a drop in the bucket and that we will have to spend even more.

I figured it out just briefly in my head sitting over there earlier. This would provide my county in New Jersey maybe one new counselor, if it was spread evenly across the country. One counselor for my entire county. What about all the schools in that county? Will they not be looking for assistance as well, all the other services in the county? $82 million is not going to go that far.

Now, it is set up as a 3-year program. In actuality, the bill that I am looking at talks about how much money we spend for the first 3 years; but if we look at the fine print, it details $7 million one year, $16 million the next year, and $25 million the next year. That is 3 years. But thereafter it says ''and such sums as may be necessary for each of the fiscal years 2008 and 2009.'' So, in reality, it is saying we know how much it is going to cost for the first 3 years, but after that it is anybody's question, as people come back asking for more.

In the end, suicide is an emotional topic. The legislation we are dealing with today is an emotional topic. It is one that deserves our thoughtful time, it is one that deserves input from parents and experts alike, and so, therefore, Mr. Speaker, I would recommend to vote against this bill, or, better yet, to allow this bill to go back to committee for further consideration.

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

Mr. BROWN of Ohio. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I want to thank my colleagues, the gentleman from Tennessee (Mr. GORDON), the gentleman from Texas (Mr. BARTON), the gentleman from Florida (Mr. BILIRAKIS), and the gentleman from Michigan (Mr. DINGELL), for their dedication to this bill. I also want to commend Cheryl Jaeger and John Ford of the staff of the Committee on Energy and Commerce for their good work.

Youth suicide is an issue that strikes a deeply personal chord for all too many Americans. An intern in my office lost five classmates to suicide, the most in her school's history. This legislation recognizes that the causes of youth suicide are complex and individual; but every one of these tragedies is, in fact, preventable. It reflects the fact that preventing suicide requires an approach that is both comprehensive in its scope and targeted toward the populations most at risk.

We will continue to work with the Department of Health and Human Services and mental health advocates to address one outstanding issue concerning parental consent; however, it makes sense to move forward and ensure that the good ideas in this bill are implemented as soon as possible.

This legislation honors the courage of the families both within this Congress and across the country who have endured the tragedy of youth suicide and who seek to stop this crisis in its tracks. I am pleased to support this important legislation.

Mr. BARTON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. WALDEN).

□ 1945

Mr. WALDEN of Oregon. Mr. Speaker, I rise today in support of the Garrett Lee Smith Memorial Act. I extend sincere condolences to my colleague, friend, constituent and fellow Oregonian, Senator GORDON SMITH, sponsor of this act, and his family.

It was exactly 1 year ago today that the Smith family was changed forever when Garrett Lee Smith took his life. As the father of a son myself, my heart aches for GORDON and Sharon, and the Smith family remains in our prayers. After Garrett's death, the Smith family's selfless dedication to shining the public spotlight on the tragedy of youth suicide and saving other families from the devastation of suicide is truly inspiring.

Upon realizing that suicide is the third leading cause of death for 15- to 24-year-olds, Senator SMITH identified gaps in our public health infrastructure and crafted a bill to assist States, localities, tribal communities and college campuses in establishing youth suicide prevention programs. These programs will include prevention screening, early intervention, management and education activities.

Suicide is an unspeakable tragedy. However, the provisions of the Garrett Lee Smith Memorial Act encourage young people to speak up about suicide, importantly to seek assistance when they are feeling hopeless or depressed, and to make sure they have access to trained specialists to help them make sense of the emotions that are overwhelming them. It also provides families and friends of at-risk youth with information and resources to support these very fragile people.

There may be a misconception about this useful bill by some of my colleagues here in the House. Under no circumstances will this bill force parents to medicate their children as a condition of attending public school. In fact, it explicitly prohibits funds to be spent in such a way. Additionally, it does not allow schools to force children to attend school assemblies, undergo screenings for depression or receive treatment for depression without the written consent of a parent or guardian. It requires parental consent and involvement.

The bill requires that States and entities receiving funding under this grant program shall obtain prior written informed consent from the child's parent or legal guardian for assessment services, school-sponsored programs, and treatment involving medication related to the youth suicide conducted in elementary and secondary schools. So there is a very important provision for parents to be involved. Prior requirements do not apply if it is an emergency, as the chairman talked about.

This bill comes to the House floor as a result of delicate negotiation at the Member level and hard work at the staff level. I want to thank especially the gentleman from Texas (Chairman BARTON) and the subcommittee chairman, the gentleman from Florida (Mr. BILIRAKIS), and the gentleman from Ohio (Mr. BROWN) and others for facilitating this bill's swift movement to the floor. All of these gentlemen were gracious and worked closely with Senator SMITH to ensure that the Garrett Lee Smith Memorial Act would be considered by the House on this very day.

I encourage my colleagues to support the Garrett Lee Smith Memorial Act. In closing, I echo the words of Senator SMITH, my constituent. ''Suicide and attempts do not simply leave an impression on the individual's life, it leaves a deep impact on everyone who knows the person or a family member of that person. No family should experience the pain we have suffered and no

child should suffer the challenges of mental illness alone.''

Mr. GARRETT of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I believe every life is a precious creation and that suicide is a tragic and terrible way to lose a family member or friend. One would automatically assume if you are against suicide, you will vote in favor of this bill; however, nothing could be further from the truth. We all want to stop suicide. Some of our most precious resources are our young people, and that resource must be preserved and promoted.

Our children and teenagers are too valuable to be used as guinea pigs on this issue. The gentleman from New Jersey spoke of the movie Nobody's Useless, and I will not reiterate that here now, but that will not be the only case across this country where exposure to suicide discussion has actually brought on suicide. While this legislation does not fund suicide education for children under the age of 10, it did start out younger than the age of 10. I do not think we need to take chances with our young people. Awareness could put ideas into the heads of children and teenagers that are already at an awkward time in their lives.

I would point out what happens when we do sex education and antidrug education. It is hard to find a program that resulted in less drug use or less sexual activity on the part of young people because they are made aware of something they may be afraid of. The more they talk about something, the more comfortable they get with it, the more likely they are to experiment.

Research at Columbia University has suggested that encouraging suicidal students to identify themselves or to teach other students or teachers how to identify the suicidal teenager is not effective and in some instances may even undermine protective attitudes about suicide. In other words, the creation of this program can actually be harmful to our youth.

In addition, we should also be asking ourselves is this really the role of the Federal Government. Federal money usually has strings attached to it. We do not know enough about how the grants will be distributed to know what these strings will be, but this legislation is just one more way that the government is encroaching on the lives and health care of private citizens and the parental role. Suicide prevention is best done through private counseling, faith-based groups, and within the nucleus of the family unit.

I know of no successful suicide prevention programs. We should be able to find at least one successful model program somewhere in this world before we invest $82 million in a new, untried program.

In conclusion, while I believe this bill is offered with good will and absolutely with the best intentions, and with broken hearts as well, we need to take a step back and realize that suicide is based on emotion, and it was from emotion that this bill was created.

My heart goes out to those who have lost loved ones to suicide, and for that reason I ask my colleagues to vote no on this bill.

Mr. BROWN of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Tennessee (Mr. GORDON), the sponsor of the bill, who has been a leader on this issue.

Mr. GORDON. Mr. Speaker, I thank the gentleman from Ohio for helping bring this bill forward.

Mr. Speaker, let me first follow up on the comments of the gentleman from Texas (Mr. BARTON) that this bill really originated from a tragedy in Senator GORDON SMITH's family. We all respect him for his courage in bringing this up, and our condolences go out to the Smith family on the first anniversary of that tragedy.

I also thank the gentleman from Texas (Chairman BARTON) for his hard work in expediting this bill. When this was taken to him earlier, he said he would do his best to bring it up. And as he always does, he not only did his best, he accomplished it, and I thank him for that.

Unfortunately, it is certainly no fault of the chairman that this Garrett Lee Smith Memorial Act which started out as a bipartisan agreement is now mired in political extremism and really bizarre anecdotes. Let me be clear. I support the Senate version of this bill. The bill passed that body unanimously with the support of the White House. I sponsored the companion bill in the House. Unfortunately, a small group in the House have insisted on inserting language that undermines the very programs we are seeking to encourage.

The language would require schools to treat suicide prevention programs differently from all other school-sponsored programs, requiring prior written parental permission for a child to even attend a suicide prevention and awareness event. This would make suicide-prevention programs the only type of school-sponsored program with such a requirement.

Suicide is a silent epidemic in this country. There are about 600,000 teen suicide attempts each year that require emergency room care and hundreds of thousands more that are never reported. It is the third leading cause of death for older teens and the fourth leading cause of death for ages 10 to 14. Making it harder for schools to sponsor suicide-prevention programs undermines the goals of this legislation, and it perpetuates the very stigma that we are trying to overcome, and that is it is not okay to talk about youth suicide.

Groups which have advised on this bill, including the National Mental Health Association, the Suicide Prevention Action Network, and the American Academy of Child and Adolescent Psychiatry, oppose this language. It puts passage in the Senate in question, and it puts hope of seeing this measure quickly reach the President in jeopardy.

Mr. Speaker, while in Congress I have witnessed some frustrating moments, and this one ranks right up there at the top. Regrettably, it is increasingly rare these days for Members of Congress to set aside partisan politics, but we tried to do so on this bill because it was in the best interest of our Nation.

However, in memory of our constituents and my colleagues' children who have lost their lives to suicide, I will reluctantly vote for this bill to keep this critically important legislation from dying in the House. I hope that this problematic language will be modified in the Senate.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. OSBORNE) who has been directly involved in these programs.

Mr. OSBORNE. Mr. Speaker, I would like to thank the gentleman from Texas for his help on this bill. I am going to suspend my otherwise prepared remarks and try to address some of the concerns that we have heard here this evening about this bill.

Mr. Speaker, 4,000 young people die per year from suicide, and I guess what we are being told here is we do not know of anything that will work, and this bill really may make things worse, and we may actually cause some people to take their lives. I would just like to mention what the bill is all about.

Part 1 provides grant funding to States for development of a youth suicide prevention and intervention strategy. That does not necessarily mean that you go in and show films to kids of other kids killing themselves. It does not mean that you go out and hire a bunch of counselors to go into schools and tell kids do not kill yourselves. It may mean that you work with coaches and teachers to identify the signs, because there are very, very few suicides which occur where there are not some indications. It may be a term paper, a theme, it may be a comment in the locker room. So we can build awareness with those people who work with young people, and that is important.

Some young people do not know that steroids are a leading cause of suicide. This is an education issue. Steroid precursors can be bought over the counter and cause untold number of suicides each year. People are not aware of that.

This bill provides for screening programs that can identify mental health and behavioral conditions. There are certain medical conditions out there that make people more subject to suicide. It may be a personal tragedy that has occurred; it may be a friend who has committed suicide. These people can be watched more closely. There

may be things which could be done. You do not have to go tell them, do not kill yourself.

Lastly, the bill establishes the Federal Suicide Prevention Technical Assistance Center. People have said here, we do not know what works. That is what this center is for, to find out what strategies do work. That is the whole thing about it.

Mr. GARRETT of New Jersey. Mr. Speaker, I yield myself 1 minute to respond.

Many times in this House we do things for symbolic purposes, and I am not suggesting that this legislation is being done for symbolic purposes, but I do have to raise the question, as I did earlier, as to just what extent this bill may be successful if everything goes right.

As I indicated before, we are spending at $82 million. That translates into around the addition of one new guidance counselor in every county in my State. So we have to question really are we providing any new services to the majority of kids, or are we just lifting up hopes and also the expectations of future calls for greater spending on these programs?

As to the aspect of additional harm that may come from this, that is the very nature of the question that I raise here. We have yet to hear of any testimony in this body as to what is the nature of the benefits of this, from academic institutions, parents or otherwise, how this may benefit the students. Anecdotally we may have some, but I would think before we get into such a critical area as dealing with the mental state of our kids that we would want to have that information on hand.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I rise in support of S. 2634 and commend Senator GORDON SMITH and his family for helping to put the spotlight on this problem. I am happy to be the original sponsor, along with the gentleman from Nebraska (Mr. OSBORNE), for the second part of this legislation dealing with the mental and behavioral health of young people on our college campuses.

□ 2000

I was pleased to have our bill, H.R. 3593, the Campus Care and Counseling Act, combined with the gentleman from Tennessee's suicide bill to produce the Garrett Lee Smith Memorial Act. According to a survey described in the Chronicle of Higher Education in 2002, depression among college freshmen has nearly doubled, from 8.2 percent to 16.3. Along with depression, the number of suicidal students tripled and the number of students seen after a sexual assault quadrupled. Without treatment, researchers noted that depressed adolescents are at risk for school failure, social isolation, promiscuity, self-medication with drugs and alcohol, and suicide.

I agree with the gentleman from Tennessee relative to some of the parental consent language. However, it is a good bill that leads us in the direction of dealing with a major health problem. Again I thank the gentleman from Ohio for yielding me this time.

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

Mr. GARRETT of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Again I have to say it, the topic that we are dealing with is an extremely emotional one; and I take nothing away from what the sponsors are attempting to do with this legislation. And I take nothing away from the families that have suffered from the pains and arrows of going through this. All I say is that the best method of addressing this issue was perhaps, not perhaps, absolutely not followed in this procedure, that the parents in our communities have the right to have their say to make sure that we have the best system of taking care of their kids; that the experts, the doctors, the academies, have the right to have their say as to what are the best procedures as far as addressing the issue of suicide in schools. Finally, it ultimately falls upon our families and our parents to make sure that we are bringing our kids up in the correct manner.

This legislation does not address that at all. This legislation simply expands once again the size and the scope of the Federal Government into an area where we have not heard any testimony tonight and never had the opportunity to hear testimony in the past to say whether this system will do more harm than good.

Therefore, Mr. Speaker, I would suggest a ''no'' on this bill.

Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. BARTON).

The SPEAKER pro tempore (Mr. PEARCE). Without objection, the gentleman from Texas will control the balance of the time.

There was no objection.

Mr. BARTON of Texas. Mr. Speaker, could I ask since the distinguished gentleman from New Jersey has yielded to me the balance of his time, how much time that means I now have.

The SPEAKER pro tempore. The gentleman from Texas has 6½ minutes, and the gentleman from Ohio (Mr. BROWN) has 4 minutes.

Mr. BROWN of Ohio. Mr. Speaker, I yield the balance of my time to the gentleman from Oregon (Mr. BLUMENAUER).

The SPEAKER pro tempore. The gentleman from Oregon is recognized for 4 minutes.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy, and I appreciate the way that we are reallocating time a little bit to permit serious discussion of a serious topic. I deeply appreciate the expeditious way that the Committee on Energy and Commerce has moved forward with this. As my friend and colleague from Oregon pointed out, we have sort of a special sense in our State, but I must take exception with our colleagues who are rising in opposition of the philosophy somehow if we do not talk about this with our young people, if we do not establish programs, that it is going to go away.

I would suggest that one of the reasons we have an epidemic of teenage suicide, especially among young men in this country, is because too few people do focus on the big picture, what it really means. Perhaps because it is so horrible, we do not really allow the reality to penetrate. But in a typical week in our State, there is more than one teenager who will take their life and about three in a typical day will be treated in an emergency room because of a failed attempt.

Somebody who has worked to bring this out of the shadows and to put a face on these serious tragedies, to spare other families, not to tuck it away and assume that everything is going to be all right but to see what we can do to craft a solution that will spare people is our friend and colleague Senator Gordon Smith. As has been noted on the floor, Gordon and his wife, Sharon, lost their son who is memorialized in this act. This is a tremendously positive response that has grown out of a personal family tragedy.

Frankly, I was disappointed in the changes that were added to this legislation, but I would take this for what it is, a positive start; and I appreciate what the committee has done. We are authorizing $82 million over the next 3 fiscal years. In our great country of almost 300 million people, this is truly a very small and modest beginning, but it is important.

I am pleased that it speaks to the establishment of a national center, so perhaps we will have more compelling evidence for people to step forward and join in this effort. I am pleased that it will provide resources for statewide programs and especially programs run by Native American tribes where that need is especially acute. It is encouraging that we would establish new grants for mental and behavioral health services at colleges and universities. This is an important start, to let these young people who sadly have wrestled with these demons, let them know that they are not alone, let them know that there are services, that people do care and for us to experiment in ways to do a better job.

In Oregon, we have a special interest not only in the courageous way that the Smith family has responded to trying to help other families but ours is a State with a suicide rate that is 40 percent higher than the national average. We all have an incentive to do our part. There is not a Member in this Chamber that has not either been touched directly in their family or by people

close to them that they know and love. We have had cases on the floor of our colleagues just in the short time that I have been in Congress.

I am hopeful that we can seize on the opportunity to approve and then improve this legislation, build upon it and to share in carrying this message to Congress and through Congress back to our communities. By our action, we can join the Smith family to help spare others this pain in the future. I appreciate the work of my colleagues on the committee.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Nebraska (Mr. OSBORNE), who has been involved in programs to prevent suicide in Nebraska for a number of years.

Mr. OSBORNE. Mr. Speaker, I thank the chairman for yielding me this time. I am sorry I had to be rushed earlier, and I thank him for giving me this extra time.

In regard to the expeditious manner in which this bill has progressed, it actually started back in July. I know that there has been a tremendous amount of interplay and work over the last 6, 7, 8 weeks. There has been a lot of give-and-take and a lot of valuable discussion. The thing that I did not get to talk about that I wanted to mention is that from 1952 to 1995, we have three times the number, the rate of suicides, in this country as we did in 1952. This is a national epidemic. So to say that we really should not do anything or we should really go slow for some reason rubs me the wrong way.

The other aspect of the program that I wanted to mention today is the college mental health services. A survey regarding college students indicated that 60 percent of college students feel hopeless. More than 40 percent report being depressed. And 9 percent are suicidal. On the college campus, we have tremendous problems with this issue. You do not have to again go to these students and say, do not kill yourself. We do not have to show them films, but we do have to persuade them that it is not unmanly or it is not weak on the part of a woman to express your problems, to go to a mental health service, to talk things out, to be open with what is bothering you. These are the kinds of things that need to happen.

Part of this funding will simply go to enhance the mental health services on the college campus. This is not money that will be badly spent. This is something that is desperately needed. Again, Mr. Speaker, I thank the gentleman from Texas for his work.

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

First of all, I want to comment on the procedural aspects of the consideration of this legislation. I think the gentleman from Tennessee (Mr. GORDON) pointed out a bill similar to this passed the other body 100 to zero. That is a phenomenal accomplishment considering that the other body this year many days has not even agreed on whether the Sun rises in the east or the west. But on this particular piece of legislation, they passed it 100 to zero.

The President of the United States, President Bush, and his legislative aides contacted my office immediately and asked us to expedite consideration of this legislation on the floor of the House. We took the bill that passed the other body, we looked at it and we felt like, as well-meaning as it was, that in many cases it was duplicative and it could be improved if we made some changes.

To his credit, when we called Senator SMITH, he agreed to work with us on that process. We attempted to bring the bill up the last day before we adjourned for the August work period. There were still some concerns that could not be worked out. That bill could only come up under unanimous consent. The minority leader, the gentlewoman from California, agreed to it, the majority leader the gentleman from Texas agreed to the unanimous consent, but there were some Members on the Republican side that still had concerns, so we pulled the bill that night. We spent the August work period working at the staff level to try to iron out the differences. I submit with no apology that the bill that is before us today as a result of those extra days and hours of consultation is a better bill.

It requires that 85 percent of the funds expended have to be spent on direct services. So this is not an overhead bill. This is a direct-services bill. It requires that when grants are awarded to institutions that have existing programs, there be a dollar-for-dollar match, that the institution that already has a program has to match through services or in-kind contribution or direct dollars, dollar for dollar, the amount of the grant that they are receiving. There is a requirement in the legislation before us that there is an outcome-based assessment each year, so that as we begin to implement some of these programs, we actually go in and make sure that in future years we only award grants to programs that actually do have results in a positive way. I am very proud of that.

In terms of the parental consent section of the bill, which was the most difficult to find a compromise, we agreed that if there is an emergency situation where direct intervention needs to be conducted to prevent an individual from committing suicide, that that can be done immediately and to whatever extent is necessary so that we stabilize that individual and prevent him from taking his life. But once that occurs, before there is any entry into a long-term program, the parents have to be notified and they have to consent in writing that their child can be involved in that long-term program. I personally think that is a very, very reasonable compromise.

One can argue that the Federal Government should not be involved in early intervention and suicide prevention. That is a reasonable position to take. But given the fact that 4,000 of our young people killed themselves last year and that, as the gentleman from Nebraska has pointed out, suicide rates among our young people have tripled in the last 40 years, I think it is wise for the Federal Government to be involved. Every life that we save is a future productive citizen who is going to contribute to our society and to our country. I strongly agree that we should be involved with a Federal program that helps in that area.

I would point out that this bill is a 3-year authorization bill. It is not a permanent expansion of any program. It is a 3-year authorization. As I said earlier, as we go through each year, the programs that are granted have to be evaluated on an outcomes basis. I think Members on both sides of the aisle, whether they are conservatives or liberals or moderates, regardless of whatever region of the country they come from, can sincerely and enthusiastically support this bill tomorrow when it comes to a vote. It is a good bill. I am proud that we have helped Senator SMITH memorialize his son, the late Garrett Lee Smith; and I would hope that we get a unanimous vote tomorrow on this important piece of legislation.

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

Mr. DINGELL. Mr. Speaker, I rise in support of S. 2634, the ''Garrett Lee Smith Memorial Act.'' This bill contains a variety of programs aimed at youth suicide early intervention and prevention, including campus mental and behavioral health service centers.

Mr. Speaker, I urge my colleagues to read the findings in this bill. They contain alarming statistics on the incidence of youth suicide in this country. For example, according to the CDC, suicide is the third overall cause of death among college age students. More than 4,000 children and young adults take their life each year, and the rate of youth suicides in increasing. The American College Health Association reports that 9 percent of college students have felt suicidal.

While this bill contains many find provisions, it does contain language on parental consent that has drawn expressions of concern from a variety of mental health advocates. I hope that as this bill moves further along in the legislative process we can modify it further so that these concerns are reduced or eliminated. I also note that the bill before us contains an important rule of construction that makes clear that this legislation does not modify or affect current law on parental consent applicable to elementary and secondary education programs, including the law popularly known as No Child Left Behind.

Mr. Speaker, I want to compliment my colleagues for the fine work they have done on this bill and I want to take particular note of the outstanding work of my good friend, Representative

BART GORDON and our Chairman, Representative BARTON.

Mr. WU. Mr. Speaker, I rise in strong support of the Garrett Lee Smith Memorial Act.

I wish this bill were not necessary. Unfortunately, it is. Youth suicide is a growing problem that knows no geographic, cultural, racial, or socioeconomic bounds. More children and young adults die each year from suicide than from cancer, heart disease, AIDS, birth defects, stroke and chronic lung disease combined.

More troubling, the rate of youth suicide has tripled in the last 50 years. A recent study by the American College Health Association found that 61 percent of college students report feeding hopeless, 45 percent said they feel so depressed they could barely function, and 9 percent felt they were suicidal.

The Garrett Lee Smith Memorial Act would provide critically important resources to help families, educators, and medical professionals better understand the warnings signs of a child in danger and foster better coordination and communication to come up with the best ways to prevent another painful loss.

Specifically, the bill would authorize $82 million over 3 years to support efforts at the community, state, and Federal levels to enhance early intervention and prevention services. Federal funds would provide mental health services (e.g., screening, assessment, mentoring, counseling etc.) to children and young adults in a variety of youth-oriented settings such as schools, juvenile justice systems, foster care, substantive abuse and mental programs. It would also help establish, and coordinate evaluation of the efficacy of early intervention and prevention programs specifically related to youth suicide.

Mr. Speaker, this bill is named in memory and in honor of Senator GORDON SMITH'S son who tragically took his life after struggling with bipolar disorder. I admire Senator SMITH and his wife, Sharon, who returned their family tragedy into something that will benefit other families. By sharing their story with others, they are raising awareness of this growing problem that I know will help prevent other youth suicides.

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The SPEAKER pro tempore (Mr. PEARCE). The question is on the motion offered by the gentleman from Texas (Mr. BARTON) that the House suspend the rules and pass the Senate bill, S. 2634, as amended.

The question was taken.

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

Mr. GARRETT of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RESIGNATION AS MEMBER OF COMMITTEE ON GOVERNMENT REFORM

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Government Reform:

HOUSE OF REPRESENTATIVES,
Washington, DC, August 10, 2004.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I am writing to inform you that I am resigning my seat on the House Government Reform Committee effective august 10, 2004 to accept a seat on the House Permanent Select Committee on Intelligence.

Thank you for your time and consideration.

Sincerely,

JO ANN DAVIS,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER AND APPOINTMENT OF MEMBER TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Permanent Select Committee on Intelligence:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
August 9, 2004.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: Effective immediately, I resign my seat on the House Permanent Select Committee on Intelligence.

Best Wishes,

DOUG BEREUTER,
Member of Congress.

The SPEAKER pro tempore. The Chair announces that on August 10, 2004, in consonance with the letter of resignation from the gentleman from Nebraska and pursuant to clause 11 of rule I, the Speaker appointed the gentlewoman from Virginia (Mrs. JO ANN DAVIS) to serve on the Permanent Select Committee on Intelligence, vice the gentleman from Nebraska (Mr. BEREUTER).

RESIGNATION AS CHAIRMAN AND APPOINTMENT OF CHAIRMAN TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore laid before the House the following resignation as chairman of the Permanent Select Committee on Intelligence:

U.S. HOUSE OF REPRESENTATIVES,
PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, August 10, 2004.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: As a result of the honor bestowed upon me by the President today, nominating me for the position of Director of Central Intelligence, I believe it is appropriate to relinquish my position as Chairman of the Permanent Select Committee on Intelligence during the pendency of the confirmation process of that nomination, effective immediately.

Therefore, I would ask that you appoint a Member to take the Chairmanship of the Committee on a temporary basis, effective immediately, until the Senate makes a final determination on the President's nomination.

I believe it continues to be appropriate for me to remain a Member of the Committee, however.

Thank you for your consideration of this request.

Very truly yours,

PORTER J. GOSS,
Chairman.

The SPEAKER pro tempore. The Chair announces that on August 25, 2004, in consonance with the letter of resignation from the gentleman from Florida and pursuant to clause 11 of rule I, the Speaker designated the gentleman from Michigan (Mr. HOEKSTRA) as chairman of the Permanent Select Committee on Intelligence, vice the gentleman from Florida (Mr. GOSS).

COMMUNICATION FROM DISTRICT DIRECTOR OF HON. BENJAMIN L. CARDIN, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Bailey E. Fine, District Director of the Honorable BENJAMIN L. CARDIN, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, August 4, 2004.

Hon. J. DENNIS HASTERT,
Speaker, The Capitol,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued by the United States District Court for the District of Maryland, for documents and testimony.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

BAILEY E. FINE,
District Director.

COMMUNICATION FROM STAFF ASSISTANT/CASEWORKER OF HON. BENJAMIN L. CARDIN, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Dina Johns, Staff Assistant/Caseworker of the Honorable BENJAMIN L. CARDIN, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, August 4, 2004.

Hon. J. DENNIS HASTERT,
Speaker, The Capitol, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued by the United States District Court for the District of Maryland, for documents and testimony.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

DINA JOHNS,
Staff Assistant/Caseworker.

COMMUNICATION FROM CHIEF OF STAFF OF HON. JOE BACA, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Michael Townsend, Chief of Staff of the Honorable JOE BACA, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, August 10, 2004.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil trial subpoena for testimony issued by the Superior Court for Riverside County, California.

After consulting with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the privileges and rights of the House, and I have instructed the Office of the General Counsel to move to quash the subpoena.

Sincerely,

MICHAEL TOWNSEND,
Chief of Staff.

COMMUNICATION FROM THE HON. JIM RYUN, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JIM RYUN, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, September 7, 2004.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena, issued by the U.S. District Court for the Central District of California, for the production of documents.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to notify the party that issued the subpoena that I have no responsive documents.

Sincerely,

JIM RYUN,
Member of Congress.

CHILD MEDICATION SAFETY ACT

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

Mr. BURNS. Mr. Speaker, yesterday, September 7, was ADD Awareness Day. Millions of Americans suffer from attention deficit disorder. Fortunately, when ADD is accurately diagnosed, it can be effectively treated. Unfortunately, when it is misdiagnosed, the treatment can be harmful.

Last year I introduced in this body the Child Medication Safety Act, H.R. 1170. It passed 425 to 1. Unfortunately, it has seen no action in the other body. It has been blocked by the objections of a single Member in spite of overwhelming congressional and public support.

This medication is not antimedication. This legislation is not antimedication. It is not antischool. It does not limit teacher or school involvement.

It is designed to protect children. It does provide for parents and medical professionals to determine if a child needs medication for ADD.

This legislation is simple. It prohibits schools from requiring children to take a stimulant such as Ritalin or Aderal or other drugs as a precondition for attending that school.

Mr. Speaker, I urge the other body to take immediate action. We must protect children from inappropriate medication, and we must allow parents and medical professionals to determine the medical treatments for their child.

THE PRESIDENT'S ECONOMIC POLICY

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Ohio. Mr. Speaker, President Bush has spent a lot of time in my State of Ohio in the last few weeks. He was in Brecksville in my district just this weekend. He comes to Ohio to try to argue for an economic policy that has seen one out of six manufacturing jobs in our State disappear. His answer to every bad piece of economic news is more tax cuts for the wealthy, a person making $1 million gets a $123,000 tax cut, and more trade agreements like NAFTA that continue to ship jobs overseas. Clearly his economic policies are not working in a State that has 220,000 fewer jobs than it did when George Bush took office.

Instead, as Senator KERRY suggests, we should extend unemployment benefits. We should reward those companies that manufacture domestically. We should penalize those companies that go offshore like Halliburton and continue to ship jobs overseas, that continue to take tax advantage of the American people and continue to lose jobs in our Nation.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

(Mrs. MCCARTHY of New York addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent to take my Special Order at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

SMART SECURITY AND ELECTIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, yesterday the 1,000th American soldier was killed in Iraq; 1,000 young men and women who will never again return to their homes and experience the warm embrace of their parents and others who love them.

Young men and young women have died for a war the United States entered not of necessity, but out of choice. An attack against a country that never possessed the illegal weapons it was accused of possessing, a war in a country that never once threatened the United States. And this war is not over.

Worst of all, of the 1,000 soldiers that have died in Iraq, over 850 of them were killed after President Bush declared the ''end of major combat operations.'' He made his now-infamous speech aboard a Navy vessel displaying a banner that read ''Mission Accomplished.'' That was 15 months ago yesterday.

Obviously the Bush administration has failed, failed dramatically in its postwar custodianship of Iraq.

The abuses at Abu Ghraib have emboldened our enemies and provided them with ammunition for the war of images waged on the front pages of newspapers worldwide. The moral support shared by countries around the world in the months after September 11, 2001, has long since evaporated.

When it comes to supporting our troops abroad, we have not done much better. A recent Pentagon study acknowledged that about one-third of all American casualties in Iraq could have been prevented if the military had outfitted every soldier with state-of-the-art body armor. Thirty thousand troops, most of them members of the Army Reserve and National Guard, did not have vital equipment for several months after facing battle situations in Iraq.

In addition to the 1,000 soldiers killed in the war in Iraq, this war has cost the lives of thousands of innocent Iraqi civilians, which some estimate to be as high as 15,000. And it is estimated that 7,000 of our troops and our civilian forces have died, or 20,000 have been evacuated out of Iraq for medical reasons.

This is a failure. This is a war that has failed. It has taken a huge economic toll in the form of a whopping $200 billion in congressional appropriations, money that should have been invested here at home and used to pay for the real war against terrorism, a war that never has included Iraq. The Bush administration's line is that the war in Iraq was essential in fighting the so-called war on terrorism. Bush Press Secretary Scott McClellan, commenting on the number of troops

killed, claimed that ''the best way to honor all those who lost their lives in the war on terrorism is to continue to wage a broad war and spread freedom throughout a dangerous part of the world.'' What a shameful thing that was to say.

It is clearly time for a new national security policy. I have introduced H. Con. Res. 392 to create a SMART security platform for the 21st century. SMART stands for Sensible Multilateral American Response to Terrorism. SMART security treats war as an absolute last resort. It fights terrorism with stronger intelligence and multilateral partnerships. It controls the spread of weapons of mass destruction with aggressive diplomacy, strong regional security arrangements, and vigorous inspection regimes. SMART security invests in the development of impoverished nations to prevent terrorism from taking root in the first place.

□ 2030

SMART security is about preventing war, as opposed to preemptive war. It emphasizes brains over brawn. It is tough, but diplomatic; aggressive, but peaceful; pragmatic, but idealistic.

President Bush loves to think that those who support his efforts in Iraq are patriotic, and those that think there is a better way are unpatriotic, or, worse, un-American. But I can think of nothing more patriotic than pursuing a national security policy that protects America by relying on the noblest of American values: our capacity for global leadership, our compassion for the people of the world, our commitment to peace and freedom.

The SPEAKER pro tempore (Mr. PEARCE). Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

COURT RULING UPHOLDS BARBARIC AND BRUTAL PRACTICE OF PARTIAL-BIRTH ABORTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. KING) is recognized for 5 minutes.

Mr. KING of Iowa. Mr. Speaker, I come to the House floor tonight on a very sad occasion, a day that marks a third Federal district court ruling upholding the barbaric and brutal practice of partial-birth abortion. Once again, the ethics and morality of the American people and Congress have been trumped by an activist Federal judge. As a result of this judicial arrogance, more innocent children will be gruesomely and barbarically killed by partial-birth abortions.

The practice of inducing birth for the sole purpose of brutally murdering an innocent child has absolutely no place in civilized society, and it is an outrage to let a handful of lifetime-appointed judges overrule the will of the American people and essentially sentence these babies to death.

Today's court opinion especially drips with contempt for Congress and the people who elected their Representatives. Congress passed the partial-birth abortion ban with overwhelming support. These courts have displayed utter contempt for the factual findings of Congress, which proved that the legislation was constitutional. Congress decided, based on years of testimony by countless medical experts, that partial-birth abortion is never medically necessary. These three Federal district courts have now simply brushed aside this finding, those courts being in California, New York, and now today's ruling from Nebraska.

Both the California and Nebraska courts based their rulings on the idea that an expert witness must actually perform partial-birth abortions in order to be a credible expert. This is ludicrous. These witnesses, the good witnesses on our side, do not perform partial-birth abortions because, as they testified, they are never medically necessary, and the procedure endangers women. It would be malpractice for physicians to perform a procedure that they know to be unnecessary and injurious to their patients.

Both judges also said that those witnesses who supported the ban because they were prolife could not be objective about the procedures. These judges cannot seriously claim that the plaintiffs' trial experts for whom abortion is a business were not biased in favor of abortion.

Judge Kopf, the author of today's decision and also the decision in Stenberg v. Carhart, the infamous decision from Nebraska's State ban, did not even attempt to hide his support for the practice of abortion, and this is a quote from his opinion: ''I do not use the term 'abortionist' pejoratively. So long as abortion is legal, doctors who perform abortions and who properly concentrate on the health of the female patients will be treated in this court with the same high degree of respect as fetal and maternal specialists who do not perform abortions and who properly divide their loyalties between the health of the fetus and the health of its mother.''

That, Mr. Speaker, is a modern-day equivalent of the Nazi prison guard saying ''I was just following orders.'' It was all legal in Nazi Germany at the time.

These three judges have overruled the will of the people, expressed through their elected representatives, by declaring the partial-birth abortion ban unconstitutional. They stepped outside the bounds of their judicial roles delineated by the Constitution and are vetoing legislation from the bench.

No cover provided by inferior courts will shield the Supreme Court from the ire of the public or this Congress if the Court rules against the will of the people and the highest standard of fact-finding conducted by Congress in passing this ban.

Our Founders assigned the legislative role to Congress because, among other reasons, we are accountable to the people. If Americans do not agree with the partial-birth abortion ban, they can vote against the elected officials who supported it. Unelected lifetime-appointed judges are not accountable to the people unless impeachment proceedings are brought in the House of Representatives. That is the only way. We must rein in the runaway judiciary, even if that means bringing impeachment procedures. We as Members of the constitutionally established legislative branch must stand up for our Constitution against judges who ignore it.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

(Mr. EMANUEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DEMOCRACY NOT PREVAILING WITH REGARD TO OVERTIME REGULATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, here we are again debating overtime in the Labor, Health and Human Services bill.

I feel like it was just last year when we had this same debate, because we did. Last year I supported a Democratic overtime pay amendment which proposed to prohibit the Department of Labor from using funds to enforce any regulation that would cut overtime pay. When the amendment was voted on in the House, the Republican majority blocked its passage.

However, the Senate approved an amendment offered by Senator HARKIN to block the Bush administration from issuing the overtime changes, protecting people's overtime. The House then reversed course, against leadership's advice, and bipartisanly voted to instruct the negotiators to instruct the Harkin language, therefore preserving workers' overtime. Even though both the House and Senate voted to protect overtime, a few hand-picked Republicans on the conference committee, all doing the bidding of President Bush and the Republican leadership, removed those protections from the bill.

The Economic Policy Institute study calculates that under the revised Bush overtime rules, kindergarten and nursery school teachers, firefighters, police, nurses and hundreds of thousands of other workers would lose an average of $250 a week in overtime pay. Millions more lose future eligibility for it.

Under the Bush rules that cut back on overtime, we will see an explosion of executives in the United States workforce, companies redesignating regular workers to avoid paying overtime.

It will not be executives the way we think of executives in the traditional white-collar sense. Instead, it is workers who supervise only two coworkers, such as a shift manager in the toy department of Wal-Mart. That person could be classified as executive and then lose overtime eligibility.

Companies can exempt more than one executive for the same workers, as long as they maintain a 2-to-1 ratio of exempt to nonexempt employees. Supervising, therefore, does not have to include the right to hire and fire, as executives usually have, or even take up the majority of the executive's time under the new rules. A worker could spend all day serving customers, sweeping the floor, doing the same things coworkers do, be called a supervisor, and then be denied eligibility for overtime.

Similarly, the new rules create a broad new exemption called team leader that can exclude workers from overtime pay under the administrative classification. This is a huge loophole. Team leaders could have no supervisory authority at all, but still be prohibited from receiving overtime.

The new rules make it easier to exempt workers in financial services and in computer-related occupations, among dozens of other job categories.

Tonight the Labor-HHS bill was pulled off the floor and Members of Congress were sent home, that is why there are few here now, because Republican leadership lacked the votes to defeat this amendment on overtime.

The Department of Labor's mission statement describes it as the primary agency to promote the welfare of job seekers and wage earners. That is why the Department of Labor was created decades ago. It was established solely to represent the interests of the American workforce.

Now, under Secretary Chao, taking her orders from President Bush and especially from Vice President CHENEY, and especially from the Chamber of Commerce, and especially from the American National Association of Manufacturers, the Department of Labor now represents corporations at the expense of workers. That is why the assault on overtime pay coming from our government's Department of Labor against the workers it should be representing.

My colleague, the gentleman from Wisconsin (Mr. OBEY), wants to offer an amendment that prohibits the Department of Labor from implementing these new rules on overtime pay, which would protect American workers, if we could win our amendment, and protect American families from the rising cost of living. We have the votes to pass it, but Republican leadership, at President Bush's request, pulled the bill off the floor, and we are not going to vote on it. We have the votes to pass it, as I said.

In a democracy, you know, you vote on things. If you have enough votes, they pass; if you do not have enough votes, they fail. It is as simple as that.

But here tonight we saw something that cannot quite be considered democracy. We do not vote on something because the leadership on the other side of the aisle, taking huge campaign contributions from darn near every corporate interest in this country, we do not vote because leadership on the other side of the aisle simply does not want to lose. Their corporate contributors do not like that. The will of the American people has been stifled. A major appropriations bill has been held up. Also the Republicans do not lose a vote that their corporate backers want, that the majority of this House, the representatives of the American people, support. You can call that government, but it sure is not democracy.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. KIRK) is recognized for 5 minutes.

(Mr. KIRK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

IMPORTANT VICTORY FOR PEOPLE OF NEVADA REGARDING YUCCA MOUNTAIN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Nevada (Ms. BERKLEY) is recognized for 5 minutes.

Ms. BERKLEY. Mr. Speaker, I rise today to mark an important victory for the people of Nevada in our 20-year struggle against becoming the Nation's nuclear waste dump.

Last week the U.S. Court of Appeals unanimously upheld its decision that radiation standards for the proposed nuclear waste repository at Yucca Mountain were not based on sound science and would not protect the health and safety of the American people. In ruling for Nevada, the court found that the Bush administration deliberately set radiation standards for Yucca Mountain that were not in keeping with the findings of the National Academy of Sciences as required by law.

The Academy reported to Congress in 1995 that waste stored at a repository would remain deadly for 300,000 years or more, and concluded that radiation standards for the Yucca Mountain project should reflect these scientific standards. Rather than incorporating the findings of the National Academy of Sciences when crafting safety guidelines, the Bush administration ignored the law, ignored the science, and knowingly ordered the EPA to draft a radiation standard not based on the science, but an arbitrary period of 10,000 years. The gap between the science and the EPA standard? A mere 290,000 years.

The court's ruling voids the radiation standard established by the Bush administration and is the latest in a series of setbacks that have clouded the future of Yucca Mountain. These include the lack of funding in Congress, a refusal by the Nuclear Regulatory Commission to certify an electronic database required for licensing the repository, and a lawsuit filed by the State of Nevada challenging a portion of the administration's transportation plans for Yucca Mountain because they do not meet necessary NEPA standards.

On their own, any one of these issues is significant enough to stop the Yucca Mountain project in its tracks. But the nuclear industry has friends in the White House and is in control of Congress, and they are gearing up for a fight.

The administration's only option for addressing the court's ruling is to have the EPA revise the radiation standards to reflect the danger identified by the National Academy of Sciences. Such a standard will require that the repository isolate waste for 300,000 years or more. Yucca Mountain cannot possibly meet this science-based standard. The nuclear industry also knows that this court ruling would doom plans to ship nuclear waste to Nevada.

They are already planning a push in Congress to waive the requirement that radiation standards for this repository conform with the science. Changing the rules in the middle of the game seems to be standard operating procedure for this Congress. Putting politics over the safety of those people I represent and denying Nevada the protection of our courts and our court system of checks and balances is something this House of Representatives has done before. It must stop.

Changing the law will allow the administration to continue to railroad Nevadans by allowing Congress, not the National Academy of Sciences, to determine radiation standards for Yucca Mountain. There is not one Member of this esteemed body who knows anything, not one thing, about radiation standards or how to store nuclear waste safely at Yucca Mountain, not for 3 minutes, much less 300,000 years. Will Congress choose a 10,000-year standard? 5,000? Maybe Congress in its infinite wisdom is going to opt for no radiation standard at all.

When it comes to Yucca Mountain, there is no limit to the hoops this administration and Republican leaders in this House will jump through or the lies and misrepresentations they will tell to move this project forward.

I say to my colleagues on both sides of the aisle, there will come a time in the near future when you will be asked

to decide whether politics or science should prevail in establishing radiation standards for Yucca Mountain. I urge you to respect the role of the courts in its decision determining the EPA did not follow the law, and respect the right of those who live in Nevada to challenge the notion that Yucca Mountain is safe.

Science, not politics, should guide this Nation's policy on nuclear waste disposal. That is what George Bush promised when he first campaigned for President in the year 2000, and that is what he said when he came to Nevada just 3 weeks ago. He said he would respect any court ruling against Yucca Mountain.

The courts have spoken. Now it is time for the President to act on his promise as well. The second highest court in the Nation has spoken. Work on licensing Yucca Mountain cannot continue until a new radiation standard is crafted that incorporates the work of the National Academy of Sciences.

□ 2045

The President ought to stop this folly and stop it now and demand that the EPA comply with the U.S. Court of Appeals decision.

As Members of Congress, we have a responsibility to make decisions that are in the best interests of our Nation. Waiving a science-based radiation standard to expedite this project means waiving the health and safety protection that we have promised all of Americans. The last time I checked, the great State of Nevada is in the United States and deserves the same protection as any other State.

The SPEAKER pro tempore (Mr. PEARCE). Under a previous order of the House, the gentleman from Michigan (Mr. CONYERS) is recognized for 5 minutes.

(Mr. CONYERS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. BLUMENAUER. Mr. Speaker, I ask unanimous consent to take the time of the gentleman from Michigan (Mr. CONYERS).

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

There was no objection.

EXPIRATION OF ASSAULT WEAPONS BAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, next week, the assault weapon ban expires. This ban, enacted 10 years ago, on some models has been supported by past Presidents Ford, Reagan, Bush I, and President Clinton. It has been supported by police chiefs and officers across America, and the majority of the public. Even candidate Governor George Bush 4 years ago said he supported extending the assault weapons ban.

Today, we stand poised in 120 hours to see the assault weapons ban expire because of a lack of leadership on the part of President Bush and of the Republican leadership in Congress. It appears that there is no intention to stand up to the National Rifle Association and bring forward an opportunity for the men and women in this Chamber to be heard on this critical issue.

I suppose this should not come as a surprise when we saw the administration, President Bush, Attorney General Ashcroft cave in to the NRA when it came to eliminating within 24 hours the previous gun registration records that would have been available to this administration, to law enforcement authorities, to help in the fight against terrorism. Having the NRA trump this potentially important tool in the fight against terrorism in this country is unfathomable to most of the people I represent. But sadly, it makes sense in the upside-down way that we deal with politics and the politics of gun violence in this Chamber and in the American political system.

America has the worst record of gun violence of any developed country. There are a wide array of simple, commonsense provisions that would help deal with gun violence that would not in any way deny any legitimate hunter an opportunity to use their weapons to go out and hunt, to target shoot, legitimate collectors. There are, however, people who resist any effort at recordkeeping, at enforcement, at dealing with the most simple, direct, commonsense, and nonintrusive proposals.

Does anybody think in America that we are going to be safer if the assault weapon ban expires and there are more opportunities to have assault weapons in the United States? There are people ready now to market, if the ban expires, to market new gun lines. There are people that have kits to convert weapons to make them, previously illegal, that would be lawful if the ban expires, to have these kits so they can make the conversion.

I would find it disappointing on several levels if this tragedy occurs. First, we are not going to be safer. I hear repeatedly from the people I represent that sports people do not need assault weapons to hunt game in this country. There are lots of opportunities for target shooting, for sportsman activities. Assault weapons are designed to shoot with great firepower very quickly and to generate maximum carnage on people. We will not be safer.

It will be a blow to the credibility of the political process if candidate Bush can make a promise that President Bush is not going to deliver on.

Finally, it continues the chipping away at our ability to function here with real live legitimate problems. Gun violence is a legitimate problem. There are legitimate policy options, and we are taking them off the table.

I would hope that President Bush remembers what candidate Bush said 4 years ago and takes a small step to provide real leadership that he had promised in coming out in support of extending the assault weapon ban and calling upon the Republican leadership in Congress to follow through, allowing a vote to prevent that expiration. We have 120 hours left. I hope that the American people will avail themselves to dealing with these candidates who are out around the country to have that conversation with President Bush to follow through on his commitment.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

(Mr. MCDERMOTT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. PALLONE. Mr. Speaker, I ask unanimous consent to take the time of the gentleman from Washington (Mr. MCDERMOTT).

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

There was no objection.

SUICIDE BOMBINGS IN ISRAEL AND SYRIA'S HARBORING OF HAMAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I rise this evening to express my condolences to the families of the victims of the suicide bombings in Israel last week and to urge my colleagues to support Israel's continued construction of the security fence to protect their citizens from further terrorist attacks. I also ask my colleagues to join with me in calling on the Syrian Government to turn over the leaders of Hamas, the terrorist organization that has claimed responsibility for these and countless other attacks in Israel, currently operating in Damascus.

Mr. Speaker, last Tuesday, two buses were simultaneously bombed in Beersheba, a city in southern Israel, killing 16 passengers and injuring 97 others. It is no coincidence that the city chosen by Hamas for the attacks is in a region of Israel that is not yet protected by the security fence. Hamas terrorists were dissuaded by the fence and an Israeli military presence in other areas and opted for an easier and more vulnerable target in Beersheba. These attacks are further proof that continued

construction of the security fence is necessary for the protection of Israeli citizens.

Mr. Speaker, the security fence is doing exactly what it was designed to do: save lives. Since the fence's construction, there has been a dramatic decline in the number of suicide attacks. This was the first suicide attack in Israel in 5 months. There have been only nine suicide attacks in Israel this year, down from 23 last year. While even one attack is clearly too many, the fence is clearly making a difference.

For those in the international community who questioned the route of the fence, the Israeli Government has stated that the fence is temporary and can be moved or rerouted contingent on future peace agreements. Furthermore, the Israeli Government has also proven its willingness to reroute the fence. When the Israeli Supreme Court declared early this year that a section of the fence impeded on the civil rights of Palestinians living in the area, the fence was, in fact, moved.

Mr. Speaker, I have spoken on several occasions here on the House floor of my visit to Israel last year and my opportunity to view the security fence firsthand. After my visit, I believe very strongly that we need to support Israel's right to protect their citizens. This fence provides a sense of security to border families and to outerlying cities like Beersheba that remain unprotected. The fence will help prevent continued attempts to derail the peace process through violence.

Mr. Speaker, another point that I want to mention that is related to the terrible attacks in Beersheba is the issue of Syria's decision to continue to turn a blind eye to Hamas and other terrorist organizations that operate within their borders. I ask my colleagues to join with me in calling on the Syrian Government to immediately turn over the leaders of Hamas to the Israeli Government for their responsibility in last week's attacks.

I fully support continued U.S. sanctions against Syria provided for under the Syria Accountability Act. If we are serious about achieving lasting peace in the region, we cannot allow Syria to continue to play host to Hamas, Hezbollah, and other terrorist groups.

LOCAL SCHOOL DISTRICTS NOT RECEIVING FEDERAL FUNDING

The SPEAKER pro tempore (Mr. KING of Iowa). Under a previous order of the House, the gentleman from New Mexico (Mr. PEARCE) is recognized for 5 minutes.

Mr. PEARCE. Mr. Speaker, one of the constant comments and questions that I have had regarding our education policy on the Federal level is that local teachers have constantly said, we think that the No Child Left Behind provisions are underfunded; we think that it is an unfunded mandate. Our office has continually researched the problem, and we recognize that in the last 10 years, Federal funding has increased from $23 billion to $56 billion, a 132 percent increase. So, Mr. Speaker, the numbers never quite matched the explanations that were coming from our teachers in the district. Knowing that the teachers were, to their best knowledge, presenting the facts as they were told them, we began to dig even deeper.

In July, it began to come to our attention that many times the funds that we have allocated on the Federal level have not been made available from the States to their local school districts. I am not sure exactly why that has occurred, but it still is a fact that, for instance, in New Mexico, we have $78 million in unspent Federal funds. The situation is even so bad that $16.7 million has been allocated so long that now it is going to revert to the Federal Government on September 30.

So as I spent my time at home during the summer recess the last week of July and the 4 weeks of August, I began to talk to the teachers and the principals and explain to them that much of the money, much of the $78 million that is there and is available is actually in title I funding that is for the low-income programs. And then also, there is money for the Reading First programs. New Mexico needs both of those kinds of fundings in the extreme. The teachers and principals were somewhat shocked to find out that as they were telling me there was no funding for No Child Left Behind, that actually there were unspent funds, and then we began to understand that possibly the facts that were given to the teachers and to the principals were not the same as existed in reality.

In July, I had the opportunity to meet with three principals from my district who were here in Washington for a national conference. I began to bring my concerns to the attention of these three principals and gave them the facts about the unspent money in New Mexico. One of the principals took it on himself to share those facts with the leadership of this conference, with that national conference, and with the other principals in attendance in the meeting. Upon hearing the information, to their credit, the national leaders at the conference began to do their own research, and they found that almost every State has the same problem, that money has been allocated, but the State departments of education are not either making people aware of it, or maybe there are just no requirements for these monies; and no one is making application for the grants that could improve the education to our students in America. They have been funded already; and yet, sadly, the money is not being allocated.

The situation was so extreme that one State, on September 30, is losing $16.7 million because the time has elapsed in which it is possible for the State to make application. One State has the extreme circumstance of turning back on September 30 $90 million. And across the Nation, teachers are being told that No Child Left Behind is not funded, that it is an unfunded mandate. But, Mr. Speaker, the facts are exactly opposite, that the funds are there and they are available; it is just that the local schools and the principals are not made aware of it.

This national association felt so compelled that they stopped their intent. Their intent was to have a national education advertising program criticizing the unfunded mandate of No Child Left Behind; and this national organization decided, based on the facts that were provided by my staffer to them, that, in fact, they were not going to run this national ad, and they could no longer contend No Child Left Behind as an unfunded mandate.

□ 2100

Just some of the figures so that my colleagues would understand, Mr. Speaker, total dollars unspent on the Federal level, $13.4 billion. Under education for the disadvantaged, $5.2 billion is unspent. Special education, $3.9 billion is unspent. School improvement programs, $3.38 billion is unspent. English language acquisition, $231 million is unspent. Vocational adult education, $701 million is unspent, and yet the teachers unions nationwide are castigating anyone who supports No Child Left Behind for supporting an unfunded mandate, and I would respectfully make the observation that their facts appear to be in error.

Mr. Speaker, I just wanted to bring these facts to my colleagues' attention and possibly to the attention of other legislators.

The SPEAKER pro tempore (Mr. KING of Iowa). Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

(Mr. STRICKLAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REMEMBERING SEPTEMBER 11, 2001

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from New York (Mr. NADLER) is recognized for 60 minutes as the designee of the minority leader.

Mr. NADLER. Mr. Speaker, on September 11, 2001, 3 years ago, I watched in horror as America, and part of my district specifically, was attacked and destroyed. The extreme sense of pain and loss I felt as a New Yorker and as an American, as someone who knew many of the victims, does not even begin to match the pains that the families of that attack must have felt.

This attack on the United States was an attack, a deliberate attack on civilians. It was a deliberate attempt to kill as many American civilians as possible for the simple and great crime of being

Americans. This we will never forget, and we must never forgive.

We must not allow ourselves to forget how vulnerable we have become and how we must change that vulnerability. We know that we are not as safe as we should have been on September 11, 3 years ago, and we still mourn the thousands who died that day.

The 9/11 Commission charged with investigating the tragic events of September 11 released its unanimous report that should help us ensure that this type of attack does not happen again. Democrats are fighting to implement the Commission's recommendations, but the Republicans, by and large, who fought the creation of the Commission and tried prematurely to end its work are still dragging their feet.

President Bush strongly opposed any independent inquiry into the 9/11 attacks. He argued that it would duplicate a probe conducted by Congress. In July 2002, his administration issued a statement of policy that read, The administration would oppose an amendment that would create a new commission to conduct a similar review. Such an amendment is duplicative and would cause a further diversion of essential personnel from their duty fighting the war.

House majority leader, the gentleman from Texas (Mr. DELAY), opposed the creation of the 9/11 Commission. I quote from a CNN interview on May 22nd, 2002, by the gentleman from Texas (Mr. DELAY): We are at war, and when you are at war, you have to worry about making public a lot of things that should be kept private for you to fight the war. An independent commission by its very nature is very public. Frankly, it has only been asked for by people that are running for President.

Mr. DELAHUNT. Mr. Speaker, will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Who is he referring to when he indicated that only those that were running for President would support the creation of an independent commission?

Mr. NADLER. Well, I do not know because President Bush flip-flops. So maybe he is referring to President Bush after he decided to support it. The gentleman from Texas (Mr. DELAY) flip-flops, and maybe he is referring to himself. Maybe he is referring to the families of the 9/11 victims who were the leading proponents of an independent commission. He may have been referring to Democrats who were, in fact, running for President, or who a year later ran for President, such as Senator KERRY and Howard Dean and others who did support this. Most Democrats supported it, but the majority of the Americans supported it, and I do not think the majority of Americans ran for President.

Mr. DELAHUNT. Mr. Speaker, well, again, I am surprised that the Republican leader in this House made that statement, because, according to our information, upon our return, based on the 9/11 Commission's report, the majority leader has now announced that he hopes to have legislation before this House dealing with the concerns that were expressed by the 9/11 Commission. Am I confused?

Mr. NADLER. No, no, you are quite correct, and as I am going to show in recounting the history here in a few minutes, the gentleman from Texas (Mr. DELAY), bowing to Democratic pressure and to common sense, flip-flopped and did change his mind and is, or at least he says he is, supporting legislation. We still wait to see the legislation to implement the Commission's report, after the administration first did not want to do that.

Mr. DELAHUNT. Well, again, just to be clear in my mind, and I am sure that those who might be viewing our conversation this evening want clarity, what you are suggesting is that when the concept or the proposal of an independent commission looking into the events and the failures that led to our national tragedy on 9/11, it was President Bush and Vice President CHENEY that steadfastly refused to accept the creation of that Commission; is that correct?

Mr. NADLER. That is correct. It was President Bush, Vice President CHENEY and the Republican leadership in both Houses of Congress who steadfastly opposed the creation of that Commission and eventually bowed to pressure coming from Democratic leaders in Congress and Democrats in Congress, from the families of the victims, from the press and from the American people at large, and eventually they bowed to that pressure and they flipped-flopped, and they reluctantly allowed the Commission to be created.

Mr. DELAHUNT. If the gentleman will continue to yield, now they embrace, and I congratulate them with enthusiasm, the 9/11 independent Commission's report, and hopefully before we adjourn for this year, for this particular session, a review of their recommendations with appropriate legislation can be passed.

Mr. NADLER. Well, that is correct. Again, they sought to delay it. They sought to oppose it. They sought to appoint Henry Kissinger to chair it. That did not fly when the public screamed at that because Mr. Kissinger was hardly an objective leader, as Governor Kean and former Congressman Hamilton have proven to be. And even after the Commission issued its recommendations, the President said he was going to file the recommendations and appoint an intelligence czar, but he also said that that intelligence czar would have no real power. But yesterday he flip-flopped on that and finally bowed to the pressure of the Commission, and the American people, and the families of the victims, and the Democrats who have been pushing to implement the recommendations of the Commission and give the intelligence director that would be created by this recommendation real power. The President flip-flopped on that yesterday and came to the right decision finally yesterday.

Mr. DELAHUNT. If the gentleman would yield once more, I believe it is important that the American people and our colleagues be reminded that this independent Commission that produced a document, again that has been widely praised and embraced, now by President Bush, by the Republican majority, by Democrats and others, and the American people, that this independent Commission was bipartisan in nature.

You and I are aware that the former ranking member on the House Committee on International Relations, Lee Hamilton, was the vice chair. Mr. Hamilton was a Democrat and continues to be a Democrat, and the former Governor of New Jersey, Tom Kean, is a Republican, continues to be a Republican.

Mr. NADLER. He was the Chairman.

Mr. DELAHUNT. And he was the Chairman, and that was a bipartisan Commission.

Mr. NADLER. Yes. This was a bipartisan Commission that was appointed by the President after the President and the Vice President and the Republican leadership in Congress continued to oppose its creation but eventually flip-flopped.

Now, in fact, the House Republicans bowed to White House pressure in resisting creation of this Commission, and I quote the gentleman from Florida (Mr. GOSS), who is now the President's nominee for Director of the CIA ironically. He stated, and he was quite honest, in the Baltimore Sun on June 14, 2002, I am very much aware that we have a good working relationship with the White House. Access to information is working well, he said, and I do not want anything to interfere with that. The White House is not interested in this Commission; hence, I am not for bringing the subject up.

Then they bowed to pressure; they supported it. Finally in late 2002, after opposing it for a year, President Bush flip-flopped and finally agreed to support an independent investigation into the 9/11 attacks after the congressional committees that were looking into this unearthed more and more examples of intelligence lapses.

But then, having been forced to accept the creation of the Commission, a bipartisan Commission, five members of either party headed by former Governor Kean, a Republican, and former ranking member Hamilton, a Democrat, they tried to stop the Commission's work.

The Bush administration and Speaker HASTERT fought to close down the Commission prematurely, after delaying, after refusing to give them information so they could get their work started. Remember that, when the 9/11 Commission because of these delays needed to seek an extension of this

deadline to complete the investigations from May, all the way to July, a 2-month extension, and I am quoting the New York Times of January 28 of this year, White House and Republican congressional leaders have said they see no need to extend the congressionally-mandated deadline now set for May 27, and a spokesman for Speaker HASTERT said Tuesday that Mr. HASTERT would oppose any legislation to grant the extension.

Then, in early February of this year, the White House again flip-flopped and reversed course in support of an extension of the investigation into government failings surrounding the September 11 terrorist attacks. The Bush administration had opposed expanding the charter of the bipartisan 9/11 Commission beyond the May 27 expiration date, but bowed to demands from victims' families and Democrats and to the panel's request for more time. Speaker HASTERT was reluctant to support this extension, but he also flip-flopped. He bowed to pressure and agreed to support an extension in late February.

Then, when the Commission finally came in with its report in July, a few weeks ago, the Republicans in Congress sought to delay the review of the 9/11 Commission recommendations until after recess, until after, so that they would not have anything ready to go before Congress until after the November 2 elections.

Mr. DELAHUNT. Mr. Speaker, if I could interrupt, and if the gentleman would yield, my memory of the press conference conducted by Chairman Kean, the Republican from New Jersey, and by Lee Hamilton, the Democrat from the Indiana, with the unanimity of the bipartisan Commission, underscored and emphasized the need to move expeditiously to protect the United States from a recurrence of the kind of attack that occurred on 9/11. Is that an accurate statement?

Mr. NADLER. Yes, indeed. The Chairman, Governor Kean, and the vice chairman, former ranking member Hamilton, stressed that we are in a war; we are in a very serious war with terrorists, and speed is of the essence, and we should do this now. We should consider these recommendations now and enact them expeditiously and not wait till next year or until after the November elections.

Mr. DELAHUNT. Mr. Speaker, now here we are, heading towards an election, with obviously complex legislation to be drafted based upon those recommendations put forth by the Commission so that our homeland, the security of the United States, is enhanced, and yet, and maybe you can inform me and the American people who might be viewing us this evening, when was the concept, the idea of the 9/11 Commission first proposed in the aftermath of the attacks on our homeland on September 11?

□ 2115

Mr. NADLER. Well, I do not remember the exact date, but people were talking about this commission not long after 9/11. And, in fact, in early 2002 they were doing it. In July 2002, I quoted this before, the administration issued a statement of policy opposed to the creation of such a commission. In July of 2002, which meant in the spring of 2002, people were pushing it. So 2 years ago, or 2½ years ago.

Mr. DELAHUNT. Right, Mr. Speaker, better than 2½ years at this point in time this concept was introduced. We know from newspaper reports, from statements made by the leaders of the Republican Party in this House, as well as statements made by President Bush and others in the administration that there was a reluctance to cooperate with the 9/11 Commission.

Mr. NADLER. Well, there was a reluctance to have a 9/11 Commission, then there was a reluctance to cooperate with the 9/11 Commission, because, remember, they had to beg and threaten, threaten subpoenas to get information out of the administration. Then they had to threaten subpoenas to get witnesses before the commission. Then there had to be heavy political pressure because, with all these delays, they could not finish their work by the legislatively mandated time at the end of May; and so they sought a 2-month extension, and the administration and the Republican leadership of the House said no. So there had to be heavy pressure from the Democrats, from the public, from the families of the victims to get them the extension so they could finish their job.

Then, when they got the extension and they made their recommendations at the end of July, and they said, okay, now it is time to move on this, then the Republican leadership in the House said, we cannot move on this. We will not have time to do it before the election, maybe until next year. Then there was heavy pressure from the Democrat leadership, from Democrats and the families of the victims, and others, and, finally, finally, the Republicans have now said, only in the last couple of weeks, that they are now going to try to have legislation enacted before the election.

And I am glad the Republican leadership has flip-flopped once again on this, because at least I will say this, when they are pressured by the Democrats, when they are pressured by the families of the victims, when they are pressured by the American people, when they are pressured by the media, at least on this subject, they flipflop in the right direction, toward what they should have been doing earlier.

Mr. DELAHUNT. Well, Mr. Speaker, again, I guess my frustration, if the gentleman will continue to yield, is that in the aftermath of our national tragedy, if this proposal, and I presume it was put forward sometime from September of 2001, several months thereafter, if it had been acted on in good faith, with full cooperation from the White House, with the support of both parties in this House and in the Senate, we very well might have had the exact same report that we now have, that was presented to the American people just recently, months if not years ago so that we could have been in a position in the distant past to have acted in a responsible, thoughtful way to adopt those limitations that passed through the legislative process. Where would we have been?

Mr. NADLER. Mr. Speaker, reclaiming my time, I would agree with the gentleman. It is very clear that had we acted with dispatch, the commission could have been appointed at least a year or 16 months earlier than it was, and it could have had its report ready a year or 16 months earlier than it did, and we could have acted on that report a year or 16 months earlier than we will, and we could have started implementing these things.

This is part of a pattern. And the pattern is that despite these flipflops, despite this bowing to Democratic pressure to act, this administration, this House, the Senate still is not doing nearly enough to make this Nation safer. Osama bin Laden is still at large. We did not finish the job in Afghanistan. The Taliban has reemerged. The illegal drug trade is booming in Afghanistan. The warlord disarmament is behind schedule. Why? Because we took the resources away. In the fall of 2002, we started taking the resources, the troops who could have founded Osama bin Laden, the Rangers who knew how to look, and we took them away to put them in Iraq.

Mr. Speaker, I want to read two paragraphs from an article in the current issue of the American Prospect about the war on terrorism. It says, ''The President, as he revealed last week, doesn't think,'' and this is an article by Matthew Yglesias. The title is ''Surrender Monkey in Chief.''

''The President, as he revealed last week, doesn't think he can win the war on terrorism. That is a bit of an off-message remark for a man whose reelection campaign is predicated on the notion that only he can win the war on terrorism. Worse, the statement suggests the President has only a passing familiarity with the generally accepted meaning of the term 'war on terrorism.'

''Even stranger than this, however, is what the President said he thinks is possible. 'I think you can create conditions so that those who use terror as a tool are less acceptable in parts of the world.' Total victory may indeed be setting the bar too high, but is it so unreasonable to expect the President to promise that his policies will reduce the incidence of terrorism, mitigating the problem if not completely solving it? Apparently so.

''George Bush not only won't bring us total safety, he won't even make us safer. Instead he will make those who threaten us 'less acceptable.' He won't

thwart their efforts to achieve their goals, the imposition of a neofundamentalist Caliphate on the Islamic world, followed by God knows what. He will simply discourage them from 'using terror as a tool' to advance that goal. It's a starkly pessimistic vision.''

Now, that is the paragraph from this article by Matthew Yglesias in the American Prospect, but it is quite correct. The President, Mr. Speaker, will not even recognize the nature of this war. He keeps calling it a war against terrorism. But the fact is we are not fighting against terrorism as a technique, nor, are we, in fact, fighting against all people who use terrorism as a technique. We are not at war with the Irish Republican Army, who do not threaten the United States. We are not at war with the Baath terrorists who threaten Spain, but not the United States. We are not at war with the Tamil Nadu terrorists who want a separate Nadu state in Sri Lanka, and who use terrorism against the Sri Lankans but not against the United States.

We are at war against Islamic terrorists, against those in the Muslim world who think it their duty, who think it their religious mission to carry on a Jihad, to carry on a religious war using terrorist messages against the West in general and the United States in particular. That is who we are at war against. And if we do not admit who we are at war against, who have declared war on us, it is very difficult to define the war properly and the measures necessary to wage that war properly.

That is one of the reasons why the President badly mistakes and the Vice President badly mistakes, and most of the speakers at the Republican convention last week badly mistake when they conflate the war in Iraq with the war on terrorism. The war in Iraq is a different war. Iraq is not part of the terrorist threat.

Saddam Hussein was a standard fascist thug dictator, of whom there are, unfortunately, 40 or 50 in the world.

Mr. DELAHUNT. If the gentleman would yield on that, Mr. Speaker.

Mr. NADLER. I will yield.

Mr. DELAHUNT. I think we all agree, and there is not a single individual in this House that would disagree with the statement that Saddam Hussein represented the kind of a despot and the kind of thug and the kind of dictator that we all find reprehensible. But what I find ironic is that in our effort to undermine and to defeat Saddam Hussein, we have now allied ourselves with similar thugs, with similar despots, with similar reprehensible heads of state.

I find it fascinating that Secretary of Defense Rumsfeld visits Uzbekistan and praises the President of Uzbekistan, Ivan Karimov, who to call a thug is a disservice to the term thug. He is absolutely a replica of Saddam Hussein. There are some 6,000 political prisoners today in Uzbekistan. And what do we hear from the White House, what do we hear from the Department of State? Nothing. Nothing. Yet when we read the Department of State's report on human rights abuses in Uzbekistan, it is damning. It is damning.

What do we hear about the thug, the despot by the name of Turkman Bashi, who resides in Turkmenistan, who is also our new friend and ally, who by the way not only is a thug but is clearly a psychopath? Maybe the gentleman is unaware of this, but he changed the month of January, the name January, and named it after himself. But he has displayed a certain filial affection for his mother, because he then went forward and changed the name of the month of April and named it after his mother. And these are our new friends.

Mr. NADLER. Reclaiming my time, Mr. Speaker, I understand that that is the case. I also understand that that is part of the problem. We are engaged in a very serious war with the Islamic terrorists. We may have to ally ourselves, and I am not going to criticize the President on this point, we may have to ally ourselves, as we did in the Cold War, sometimes justifiably, sometimes not, with not-too-presentable allies against the people who really threaten us.

Winston Churchill, the great anti-Communist Winston Churchill, was a great anti-Communist for many years; and he also, of course, warned the world, and the British in particular, against the Nazis. And he went to war against the Nazis. Britain finally went to war against Germany. When Germany invaded Poland in 1939, Churchill became Prime Minister in 1940, and he rallied the British and rallied the Free World against the Nazis. And when the Nazis invaded the Soviet Union, who had been their allies and who Churchill hated, Churchill was asked, and he offered all aid to Stalin, who was another thug, Churchill was asked how can you say something nice about Stalin? Churchill said, I expect that if Hitler invaded hell I should find something nice to say about the Devil. So I am not going to criticize.

Mr. DELAHUNT. If the gentleman will yield just for a moment.

Mr. Speaker, I respect the gentleman's point. I guess what I am underscoring, though, is the repeated claim of a certain morality, a certain moralism, the distinction between good and evil. Yet the truth is we are allying ourselves, for convenience purposes, to individuals that are as evil as Saddam Hussein, who by the way we allied ourselves with back in the 1980s.

Mr. NADLER. The fact is, that is true. We are doing that. We did that in the 1980s and 1970s and 1960s, and there was lively debate in this country, and it is a pragmatic debate. Sometimes you have to ally with bad people because of the danger presented by other bad people. The question whether you should is sometimes a question of pragmatism, is it really necessary? Is it really necessary in order to advance the greater cause of survival, the survival of liberty or the physical survival of the United States?

Now here I want to get back to the main point I wanted to make. Iraq's Saddam Hussein is a fascist thug. Terrible. But there are 30 or 40 others just as terrible. We do not seek to go to war against all of them to change those regimes. The only justification for going to war against another country, with the possible exception if it is committing genocide, is self-protection: to protect the United States, to protect our own people, to protect our friends and allies against invasion, against attack.

□ 2130

But because we attacked Iraq which was not a threat to the United States, we diverted resources from the real war against the Islamic terrorists. We did not find Osama bin Laden in Afghanistan. Dick Clarke, the former National Security Director, testified we had specialized troops in Afghanistan that could have found him, but they were taken away and the job was given to Afghanistani warlords. Who knows who gave them the higher pay, us or Osama bin Laden. They did not do the jobs because our troops were taken to Iraq. Now we have now shifted the resources back, so Dick Clarke says, well, we will find Osama bin Laden, but in those 2 years, al Qaeda has morphed. It has become many different organizations. It has become Hydra-headed. So capturing Osama bin Laden will not give us the yield in increased safety that doing so 2.5 years ago might have done.

And why did we do that, to deal with a threat that we now know, and we should have known then, there were no weapons of mass destruction in Iraq? There were no nuclear weapons in Iraq. We had no operational connections with al Qaeda, to quote the 9/11 Commission findings, no real reason to go to war with them at all except the President now retroactively says they were nasty people. Sure, they were nasty people; but that does not justify going to war and having 1,000 American troops killed so far, and thousands of Iraqi citizens killed so far because we decided it would be nice to have a democratic regime there. Sure it would. I do not know if it is going to happen. The more likely result is prolonged quagmire and civil war in Iraq.

The fact is that should not have been on the front burner. We should have finished the job in Afghanistan and finished the job in going after al Qaeda.

Equally to the point, we spent $200 billion in Iraq, a total waste of money, and between the $200 billion that we have spent in Iraq so far and the trillions of dollars of tax cuts to the wealthy this administration and this country have passed, this administration is not willing to spend the money on what they should spend the money on to protect us. This administration does not take seriously enough the terrorist war being waged against us by the Islamic jihaadists.

From before 9/11, when the Bush administration ignored many warnings, to this day, this administration refuses to spend the money necessary to protect the American people. Two months after 9/11, there were proposals in this House to spend $10 billion to protect our nuclear and chemical facilities and our transportation terminals against attacks which could kill or wound thousands of people. The administration opposed those proposals. Those proposals died. On ABC News tonight we saw pictures of trains going across tracks a few blocks from here, trains carrying chlorine gas and other lethal chemicals, unprotected; trains that, if attacked with a rocket-propelled grenade that pierced those cars, would loosen clouds of chlorine which could kill hundreds of thousands of people in Washington.

This administration refuses to spend the money to buy the weapons-grade plutonium and uranium in the former Soviet Union which could easily be smuggled out to make atomic weapons because they care more about tax cuts for the wealthy and this misbegotten quagmire in Iraq than about protecting the American people from the real threats.

When I saw in real-time, and I was watching on television, I saw the second plane go into the World Trade Center, I had two thoughts immediately. My first thought, my God, this is a terrorist attack. And my second thought was thank God they do not have access to nuclear weapons. Three thousand people were killed. If that had been a 10-kiloton nuclear bomb, which is a baby as they go these days, it would have been half a million people, and yet we are not doing what we should to make sure that that will not happen.

I just finished reading a rather terrifying book by Graham Allison, ''Nuclear Terrorism,'' which predicts flatly if we do not change our policies and start showing some real urgency, that within 10 years there will be nuclear explosions in New York, Chicago, Los Angeles and Washington, and God knows where else. Millions of Americans will die, but this administration is dragging its feet.

The 9/11 Commission and leading nonproliferation experts say the administration has been too lax in securing nuclear weapons and materials in Russia and other parts of the former Soviet Union.

Mr. Speaker, the knowledge of how to make nuclear weapons is widespread. When President Bush said that if given weapons-grade material, weapons-grade plutonium and uranium, Iraq could build a nuclear bomb within a year, he was correct; but so could 20 other countries, if given the weapons-grade material, build a nuclear bomb within a year. So could al Qaeda, and so could a lot of sophisticated terrorist groups. The problem is getting that weapons-grade nuclear material. That is what countries spend millions of dollars to do. That is why we built Hanford and Oak Ridge in World War II. That is why Iran and Pakistan are trying to get lots of centrifuges, but you have to get hold of that material. Hundreds and hundreds of tons of it are lying around, enough to build thousands of bombs, in the former Soviet Union, guarded by a colonel who may not have been paid lately just waiting to be sold on the black market or smuggled to al Qaeda.

We have an agreement with the Russians under the Threat Reduction Initiative of Nunn-Lugar. Again, that is a bipartisan initiative. Senator Nunn is a conservative Democrat; Senator LUGAR, Republican chairman of the Foreign Relations Committee. That bipartisan initiative was passed in 1991 to acquire that material. We have an agreement with the Russians to do it over a 30-year period.

Mr. DELAHUNT. Mr. Speaker, if the gentleman would yield, given what happened on September 11, 2001, it just makes common sense to accelerate the Nunn-Lugar efforts to reduce that 30 years to a significantly shorter period of time, make it months rather than 30 years, to protect not just the homeland, but to protect the world from a nuclear disaster.

Mr. NADLER. Mr. Speaker, I certainly agree with the gentleman. The 9/11 Commission in their final report said, ''Outside experts are deeply worried about the U.S. Government's commitment and approach to securing the weapons and highly dangerous materials still scattered in Russia and other countries of the former Soviet Union.''

Mr. DELAHUNT. Mr. Speaker, I wonder out loud whether that $200 billion that we have already expended of taxpayers' dollars in Iraq, if that had been diverted to deal with the real enemy, and I think the gentleman makes an excellent point, it is absolutely essential that we agree to identify the enemy that poses a threat to the United States. I am not referring again to nation states.

Mr. NADLER. The problem is that there seems to be an obsession in the Bush administration with nation states, Iraq being one of them. The real enemy here is not nation states right now. The real enemy are the Islamic terrorist groups, al Qaeda, Hamas, Hezbollah and various others. They keep morphing and having new names and groups. They work together. They have tremendous technical sophistication. They have a lot of people, and they have the ability to threaten us with nuclear weapons.

Let me say, to quote Daryl Kimball, the executive director of the Arms Control Association, ''All of the experts I know recommend that the most urgent task to prevent terrorist networks from getting their hands on such materials is to secure the stockpiles of these materials where they exist, and the prime location is Russia and the former Soviet Union.''

Before September 11, 2001, the Bush administration intended to eliminate funding for this program, eliminate it, but they did reverse course after the terrorist attacks. Most critics agree that the pace is too slow and the scope is too narrow.

Mr. DELAHUNT. Mr. Speaker, how much on a yearly basis is expended by this White House?

Mr. NADLER. We are now spending about $400 million a year.

Mr. DELAHUNT. Four hundred million dollars annually over a 30-year period, my math was never too good, but it clearly pales in comparison to the $200 billion that we have already expended in Iraq.

Mr. NADLER. Mr. Speaker, I agree with the gentleman. To quote Joseph Cirincione, the Director for Nonproliferation of the Carnegie Endowment for International Peace, the author of the book ''Deadly Arsenals & Tracking Weapons of Mass Destruction,'' we should be aiming to do all of this in the next 4 years, and Senator KERRY must have read that book because his proposal is to do it in 4 years.

Mr. DELAHUNT. Mr. Speaker, I do not want to get into politics, but I think the gentleman makes an excellent point with clarity by identifying the issue, and the issue is it is important that we all understand what enemy are we describing and talking about when we talk about a threat to the United States.

The administration continues to suggest that somehow by invading Iraq, we will have deterred terrorism, but the reality is it is just the opposite. Attacks are on the rise throughout the world. An NBC News analysis that was viewed on September 2, just last week, showed that of the roughly 2,930 terrorism-related deaths since 9/11, 58 percent of them have occurred this year. That is in excess of 1,700. We just picked the paper up this past weekend and witnessed a horrific incident.

Mr. NADLER. Mr. Speaker, 3 years after 9/11, the number of terrorist incidents is going up. The number of recruits for these terrorist groups are increasing far faster than we can kill or decapitate them. They have morphed and decentralized so even if we capture the people around bin Laden, or even bin Laden, it will not matter as much as if we had done it 2.5 years ago because new leaders have arisen.

To finish, and this is the Director of the Carnegie Endowment for International Peace talking about securing all of the nuclear materials in the next 4 years, ''What we should be doing is implementing a very aggressive program to go out and secure and eliminate all potential source of nuclear weapons and materials that terrorists might obtain, whether in the former Soviet Union, Afghanistan, Iran, or more than 40 countries that run research reactors.'' Would this be expensive? Yes. But we could do it annually for the price of 1 month of operations in Iraq, 3- to $4 billion a year for 4 years would do the trick, and yet President Bush has tried to cut this funding repeatedly.

What I find baffling is why the White House has insisted on attacking the most peripheral elements of the WMD threat, like Iraq, while ignoring, largely ignoring, the central threat, nuclear proliferation. The upshot, and this is a quote from a column in the New York Times by Nicholas Kristof a month ago, in fact a month ago and 2 days, ''The upshot is that the risk that a nuclear explosion will devastate an American city is greater now than it was during the Cold War, and it is growing.''

So the first thing we should be doing is spending our money, the money that we are now wasting on a tax cut for the rich, the money that we are wasting on the quagmire in Iraq. A far more important use of it is to control the production cycle for nuclear materials. That is how you shut off the risk of nuclear explosions.

The second thing, this administration inspects only 2 percent of the 6 million shipping containers that come into this country every year, any one of which could hide a chemical, biological, or nuclear weapon inside it.

I had an amendment on the floor of this House a year ago to insist that we inspect every container. When I say inspect every container, I do not mean that someone has to go through it by hand. That has to be done in some cases, but in most cases you set up a machine that operates through neutrons or neumasons, which is probably a better technology. It costs a couple of million dollars for the machine, and you set it up in Singapore or Hong Kong, and it is like a car wash. You take the container on a truck or train chassis through it, and it tells you what is in it.

□ 2145

It tells you the elements. It is spectroscopic. If you see uranium in it or plutonium, then maybe you look through it. And if you see a lot of nitrogen where it should not be, then you say maybe there are explosives in there and you look through it. You could do this again for a couple of billion dollars a year, inspect every container before it gets put on a ship in a foreign port bound for the United States.

When I brought this up on the floor of the House, the distinguished chairman of the appropriations subcommittee said, No, we don't need to do that. We will inspect the high-risk containers. I said, Mr. Chairman, the terrorists know that. They'll put the bombs in the low-risk containers. If you read the book ''America the Vulnerable'' by Steve Flynn who served under Presidents Bush and Clinton and Reagan, you see exactly how a very innocent container with innocent stuff in it from perfectly legitimate, reputable firms can have a bomb or a biological weapon or a radiological bomb, a dirty bomb placed in it in various ways while it is in transit.

We must inspect these. You can then, after inspecting them, put certain electronic things on it that communicates with a GPS satellite and tells you if it has been tampered with or opened or moved on board this ship before it comes into port here. Then you can hold that ship outside American territorial waters. Why we are not doing that is again beyond me.

The Bush administration, if there is a nuclear attack in this country, if there is a radiological bomb, a dirty bomb in this country and if it comes in by container, will have a lot to explain.

And another question. Why are we spending $100 billion on an antiballistic missile system? We are told, assuming it worked, which it does not yet, but eventually it will, we are told that the ABM is necessary in case some rogue state, North Korea, Iran, whoever, should get three or four atomic bombs and wished to attack the United States. But a rogue state that got three or four atomic bombs and wished to attack the United States would not put the atomic bomb on a missile.

Aside from the fact that it is harder to design an atomic bomb to put on a missile than in a shipping container, a missile has a return address. If, God forbid, a nuclear explosion occurred in an American city or cities, our radar would tell us where that missile came from and that regime would know, that dictator would know that if they did that, they would cease to exist, their country would cease to exist and they would cease to exist half an hour later. It is called deterrence. It works against nation states who are rational.

What they would do would be to take that bomb, put it in a shipping container, ship comes into the United States, New York or Los Angeles or wherever, explodes and we do not know who to retaliate against. That is the real danger. That is how the danger will occur to this country and that we are doing virtually nothing against, certainly not spending $100 billion.

Mr. DELAHUNT. Yet meanwhile, and these are very valid points that you are making, the United States is bogged down in Iraq. Reports from media outlets just this week, the Secretary of Defense, Mr. Rumsfeld, and the Chairman of the Joint Chiefs of Staff, General Myers, now admit that we have lost control of parts of Iraq. The number of cities not under U.S. or central government control is growing. Pause and think of that for a moment. First Fallujah, then Ramadi, Baqubah and Samarra, now Najaf and Karbala, perhaps soon part of Baghdad City itself, Sadr City. This is reported by the New York Times. The reality is that security is so bad that a U.S. general says it may be necessary to delay or skip over voting in violent areas in order to hold elections in January. But clearly what would that do to the legitimacy of the interim government? What would that do to the future of democracy in Iraq?

Mr. NADLER. Clearly, to answer your question, there will be no legitimacy. There is no legitimacy for that government there now. There will be no legitimacy for any government that is a result of elections in which large parts of the country do not participate, and I think it is probably illusory at this point to hope that there is going to be a democratic regime in Iraq any time soon.

But what this really points out, what these facts really point out is that this administration through very ill-advised policies, through not doing what Senator KERRY and others urged a year and a half ago, to internationalize it, to say to other countries, we will surrender to you the monopoly, we will share it with you, we will share with you the decision-making power, we will share with your companies the business contracts for reconstruction if you send in your troops to help reconstruct and if you help do this. They are not going to do it now. But if this had been done, then it might have been possible to have the Iraqi people see what is going on there as an international reconstruction of their country, rather than an American occupation, because an occupation will bring forth as it now has a nationalist insurgency resulting in a real quagmire. I do not know how to get out of it. The worst problem is we are now deeply engaged in a quagmire that no one has a good idea how to get out at this point.

Mr. DELAHUNT. The gentleman's point is corroborated by an American military officer. Let me read what a U.S. officer in Sadr City, which is that restive part, a slum area, if you will, in Baghdad, what he said. He spoke on condition of anonymity, but this was reported in Jane's Weekly, a highly respected defense journal published in Britain. I am quoting him now:

''We're supposed to turn our zones over to the Iraqi National Guard by October. They are not ready for that. So unless it is coincidence, it seems politically driven bearing in mind the Presidential election in November. I know how it must have felt in Vietnam. Everything we do is driven by political considerations. We don't have enough forces to stay here. We move into Sadr City and then we leave and each time the Mahdi Army, that is the army of the Mullah Saddah, comes straight back in.''

That is the reality of Iraq at this moment in time, and it is only worsening and it is underscored by what happened this week. Tragically, tragically, the 1,000th U.S. hero was killed in Iraq.

Mr. NADLER. And tragically that is going to continue. But Iraq is essentially, despite the fact that we are spending $200 billion so far, despite the fact that 1,000 Americans so far have been killed and 6 or 7,000 wounded, Iraq is a side show in the war of terrorism that is being waged against us by the Islamic jihadists and we are not directing our attention and our resources toward where they are really needed because we are diverted by Iraq.

As I said before, Saddam Hussein was not a real threat to this country. He

had terrible will, he had terrible intentions; but we had him contained. He did not have the weapons. He did not have the capability. We had him contained with the no-fly zones, and we had him deterred.

The real threat to the United States in the Middle East is Iran, because Iran is not a fascist dictatorship. Iran is a religious fanatic dictatorship. Religious fanatics cannot be deterred. You cannot deter a suicide bomber. If Saddam Hussein had gotten nuclear weapons, which he was nowhere near getting, the CIA said 7 to 10 years, and we knew that before we attacked them. But had he gotten nuclear weapons, deterrence would have stopped him from using them, because he was a fascist dictator, not a religious fanatic, and he did not want to just kill himself and his whole country.

But the mullahs in charge, the ayatollahs in charge in Iran are religious fanatics and unless that regime is changed, and there is a lot of domestic opposition to it and maybe we will be saved by regime change, by domestic insurrection, but if that does not happen, they are trying to get nuclear weapons; and if Iran gets nuclear weapons, if a religious dictatorship, religious fanatic dictatorship gets nuclear weapons, they may very well use them. They say they would. You read the speeches of Mr. Rafsanjani, the former president, the current chairman of the council of expediency. He says they would use it. They say they want to destroy American civilization, and you have to take them at their word. We cannot permit this regime if it survives to have nuclear weapons, even if that should mean a few years down the road the necessity for military action because they might use those nuclear weapons simply for the greater glory of Allah. They say they would. You have to believe them. If it became necessary, if President Bush or President KERRY or their successor 5 years from now or 8 years from now came before this House and said, based on our intelligence, we know that the Iranians are about to get nuclear weapons, and we know that they would use them and we must stop them now, and therefore I ask authorization for action, who would believe that President?

We cried wolf in Iraq. Like the fabled shepherd boy who cried wolf, we have no credibility, not this administration certainly and even another administration will have a long way to go to regain the credibility of the United States and of our intelligence agencies. To deal with a nonexistent phantom threat in Iraq, we have made the problem of dealing with a very possibly real mortal threat in Iran in years to come 40 or 50 times more difficult because that is where the threat might really be.

Mr. DELAHUNT. I just want to read into the RECORD a quote by a former distinguished Member of this body that commanded respect on both sides of the aisle. I refer to a good Republican from Nebraska, Doug Bereuter, who was the vice chair of the Permanent Select Committee on Intelligence and, as you well know, one of the most respected Members of this House. In a farewell letter to his constituents, this is what he had to say:

''It was a mistake to launch the invasion of Iraq.'' And to underscore the point that the gentleman from New York was making, ''Our country's reputation around the world has never been lower and our alliances are weakened. Now we are immersed in a dangerous, costly mess and there is no easy and quick way to end our responsibilities in Iraq without creating bigger future problems in the region and in general in the Muslim world.''

I daresay what he is saying is our credibility is at its lowest point probably in modern American history. That does present a threat to our national security as we go forward.

Mr. NADLER. I thank the gentleman and I thank Representative Bereuter for being honest and being right. Unfortunately, he is right. We are in a quagmire in Iraq. We must extricate ourselves. I do not know how, frankly. We must extricate ourselves, and we must get our priorities straight. We have a war being waged against us by the Muslim terrorists, not by all Muslims, but by the Muslim terrorists. There is a civil war going on in the Muslim world. We must have Radio Free Islam. We must try to help the moderates against the jihadists.

But we must also protect ourselves. We must fight the terrorists, but we must lead a worldwide civilized effort against the Islamic terrorists. To do that we have to have credibility around the world. We have to have alliances around the world. It is not wrong to have alliances. When Vice President CHENEY said, shamefully, that if Senator KERRY is elected President, our country would not be safe, I think it more accurately could be said the other way around, because this administration does not have its priorities straight. It is not protecting us against the threat of Islamic jihadists having nuclear weapons, as they will if we do not get control of those nuclear materials as fast as possible, if we do not spend $3 billion or $4 billion a year for the next 4 years and get them the heck out of Russia and Uzbekistan and Pakistan and the 40 countries around the world.

We are at risk if we do not protect our ports by having every container inspected electronically or by hand before it is put on a ship bound to the United States. We are at risk if we do not protect our nuclear facilities and our chemical facilities and our transportation facilities in this country, if we do not harden this country.

We have been talking about this, but we will not spend the money. This administration talks a great game about national security, but it will not spend the money. It will spend it in Iraq, it will spend it on an ABM system against a nonexistent threat, but against the real threats of nuclear terrorism, of nuclear explosions in this country, against the real threats of bombs coming in in a container, of the real threat of missiles, of shoulder-fired missiles being launched on American airliners, against the real threat of our nuclear facilities, our chemical facilities, our transportation facilities being targeted, we are not spending the money because they care about Iraq, they care about the ABM, they care about the tax cuts for the rich, but they do not seem to really care about the safety and security of the American people; or if they do care, they do not seem to understand where the real dangers are coming from.

□ 2200

We must secure the nuclear materials. We must protect the containers and other shipping facilities abroad. We must protect the ships coming here. We must harden our nuclear and chemical and transportation facilities, and this will cost a lot of money. And we must ally with other countries in a worldwide alliance against the Muslim terrorists so that when a cell is broken up in Hamburg by German intelligence, by German police work, that helps us. We must have a worldwide effort here, and we must spend the money on the real threats and not on these phantom threats that this administration is preoccupied with.

SOCIAL SECURITY AND THE BUDGET

The SPEAKER pro tempore (Mr. CARTER). Under the Speaker's announced policy of January 7, 2003, the gentleman from Michigan (Mr. SMITH) is recognized for 60 minutes as the designee of the majority leader.

Mr. SMITH of Michigan. Mr. Speaker, those that have tuned into the previous presentation I think understand that there are many challenges facing the United States of America. There are many needs, whether it is health or education or welfare or more money for transportation or more money for national security. I think we need to pause for a moment sometime and ask ourselves how far and how much money should be spent by the Federal Government in solving an unlimited array of problems. National security certainly is important, and we have upped our stakes and upped our expenditures for national security.

I came to Congress 12 years ago; and when I came in, I said I was going to serve six terms. So this is my final term in Congress. Several priorities I set for myself that I thought were important for the Federal Government to deal with, and one was balancing the budget and the other was trying to change Social Security so it becomes solvent, so it stays viable for so many of our senior Americans that need that money to stay out of the poverty level.

I am going to talk for some minutes tonight about overspending, and predominantly I am going to concentrate on what I have been very interested in, and that is keeping the solvency of Social Security.

The overexpenditure of Federal funds this year is now $574 billion. We are spending $574 billion more than what is coming in in revenues to the Federal Government. Some people have bragged in the last several weeks that the new budget analysis says that we have lowered the deficit spending for 2004. The fact is that we have lowered it some. Some use the figures $422 billion, and I want to explain, Mr. Speaker, why that is misleading and technically untrue. 422 billion is the money that we are borrowing to pay for our overspending, not including what we borrow from Social Security. So if we, I think, were fair with the Social Security Administration and the trust fund and future generations, then the real amount that we are overspending this year is $574 billion. The estimated overexpenditure for next year again is over $500 billion. Last year it was over $500 billion. The year before that it was over $500 billion.

How do we put that money into perspective? Well, the Federal budget in 2004 is $2.4 trillion approximately. We are a country that is now 228 years old. It took the first 200 years to amass a debt of $500 billion. Now we are going deeper into debt $500 billion every year. What does that mean? I do not think it takes a genius economist to understand the implication that that has for future generations. Somebody is going to have to deal with that debt.

This is a pie chart. And one of the areas on the pie chart, just around the 3:30 to 5 o'clock area, the purple section on the pie chart, is interest which represents 14 percent of total Federal spending. Fourteen percent of total Federal spending is what we are paying in interest, and this is at a time when interest rates are relatively low; and it does not consider how much we are going deeper and deeper into debt every year. So the implication of what we are paying in interest, roughly $300 billion a year, becomes a responsibility of our kids and our grandkids. If we are a family, if we are a business, we do not simply continue to go deeper and deeper into debt without any plans of ever paying it back. And the Federal Government does not have any plans of paying it back.

What we found out politically is that if Members of Congress, Members of the House, Members of the Senate, the White House, promise more solutions to more of the problems that we have in this country, in this world, they are more apt to get reelected. So what we have been doing is in two areas putting a tremendous burden on our kids and our grandkids. One is the overspending that we just talked about. The other is overpromising and overpromising means that we are making promises that we do not have the money to pay for. And the economists with the green eyeshades call that unfunded liability.

Let me just briefly go around the pie chart of expenditures. Social Security is the largest expenditure of the Federal Government. Some people say why do we put Social Security as part of a Federal expenditure in the budget? It is a separate program. The reason is that the Supreme Court on two occasions now has said that Social Security taxes are simply another tax, benefits are simply another benefit program passed by the Congress and signed by the President. So 21 percent of the Federal budget is now spent for Social Security benefits, roughly $500 billion a year. Medicare is 12 percent, but it is growing rapidly with the addition of the prescription drug bill.

Medicare and Medicaid will overtake Social Security within the next 15 to 20 years. Other entitlements, 10 percent; domestic discretionary spending, 16 percent. We have 13 appropriation bills. We have now filed, by the way, the 12th appropriation bill. Hopefully we can complete the appropriation process before the election so the people of the country know what we are doing in terms of spending instead of coming back in a lame duck session, which I consider dangerous with the temptation of overspending. Twelve appropriation bills are represented by the 16 percent. One of the appropriation bills, defense, is 20 percent. We spend most of the year arguing about the 16 percent of the Federal budget that we spend in those 12 appropriation bills.

I want the Members to take a quick look at the overpromising that we mentioned. This is one of the trustees of Medicare and of Social Security. These are his estimates of unfunded liabilities, the amount that we have promised over and above the revenues coming in in a payroll tax, the FICA tax. The Social Security and Medicare trustees have calculated that we have $73.5 trillion in unfunded liabilities. Medicare part A, which is mostly the hospitals, 21.8 trillion; Medicare part B, 23.2 trillion; Medicare part D, the new drug program, $16.6 trillion. So the prescription drug program that we recently passed adds $16 trillion to unfunded liabilities that somehow, some way, sometime our kids or our grandkids or our great grandkids are going to have to figure out a way to come up with those revenues to pay the interest on this huge amount of borrowing.

Let me just mention what I consider another serious ramification of this overspending, that is, where we are getting the money. Whom do we borrow the money from when we overspend $574 billion this fiscal year 2004? Seventy percent of that net increase that we need in borrowing comes from foreign interests. So here are foreign countries, foreign individuals that are lending and buying our Treasury bills because they figure it is a fairly good investment for the time being.

What if some of these countries, such as China, which is amassing one of the largest, fastest-growing trade deficits that has extra U.S. dollars that is buying our Treasury bills, not to mention the equities in the United States that they are buying, what if they say some day, We think you are treating us unfairly in this trade agreement and we just might have to pull our money out of the United States? Economically it would be a disaster if this large amount of money that we depend on coming from foreign countries and foreign interests were pulled out of the United States. They are investing in the United States. That is a good sign. They are investing in the United States because they figure it is a good place to invest their money. What if someday, sometime that we continue to overspend to the extent that our economy is no longer the strongest, the best economy in the world, they decide to invest elsewhere?

I am just suggesting, Mr. Speaker, that not only is overspending bad, but it makes us more vulnerable as these Treasury bills are bought up by foreign interests.

Again, an unfunded liability is the amount of money that we would have to put in a bank account that is going to return, at least with inflation and the time value of money, to accommodate what we are going to owe for the next 75 years in these programs.

The next chart shows what we have to take out of the general fund, out of the money that we spend for health, welfare, transportation, military. This is the amount of money that we are going to have to take out of the general fund to accommodate the entitlement programs of Medicare, Medicaid, and Social Security over the next 75 years. And as we see, simply 16 years from now, it is going to be 28 percent of the general fund budget that is going to have to be contributed to accommodate the needs of these entitlement programs. That is probably not realistic.

So what are we going to do? We are either going to increase borrowing, where we have talked about the disadvantages of simply continuing to borrow more and more money, or we are going to have to dramatically increase taxes. One of these days we are going to have to increase taxes.

I will not go through the whole chart, but if we do not increase taxes and get additional revenues from someplace else, and already there is a suggestion by the trustees that we could increase the payroll tax now by 15 percent to accommodate our needs, and the fact is that most working Americans now pay more in the payroll tax than they do in the income tax. But by 2030 without an increase in tax, we are going to have over 50 percent of the general fund budget that is going to have to be contributed to these entitlement programs.

This is a quick birds-eye view of the Social Security problem. Surpluses coming in until about 2018, they diminish. The surpluses are coming in from

Social Security simply because the Greenspan Commission in 1983 increased taxes and reduced benefits so much that there was extra surplus money coming in. And what of course has happened to that surplus is this Chamber and the Senate and the White House has spent all of that extra money coming in from Social Security for other government programs.

□ 2215

It is not there anymore. So the trustees are guessing that by 2018 there is going to be less revenues coming in from the payroll tax than can accommodate the promises for Social Security. Then a huge future of deficits, and nobody is guessing where the money should come from.

We are talking about a lot of things in this election, as you decide who your next Congressman is going to be, as you decide who your next President is going to be. What we are not talking enough about is what we are going to do about these huge challenges that are facing us in these programs, especially Social Security and Medicare.

Senator KERRY has said on his Web site, and let me quote that, that he will not raise taxes on Social Security, he will not raise the retirement age, he will not cut benefits for those that rely on Social Security, he will not in any way privatize the program. I really do not know what else Senator KERRY plans to do.

There are only a couple of ways to solve Social Security, or a combination. You either bring in more revenues, or you cut benefits, or it is a combination of both. It is not complicated. So why are people not talking about solutions for Social Security? Why have the Republicans not come up with a proposal for solving this tremendously important program for so many seniors? Why have the Democrats not?

I have introduced a Social Security bill every session since I have been in Congress. The attacks on me for my first Social Security bills were, ''Do not vote to reelect NICK SMITH. He is trying to ruin Social Security and take your Social Security away.'' Social Security solutions have been demagogued to the extent that most Members of Congress, most politicians, are afraid to come out with a proposal to solve Social Security.

I was chairman of the Social Security Task Force. We held hearings for about a year. We ended up with both the Democrats and Republicans on that task force agreeing to the fact that Social Security was going broke, and that the longer we put off a solution to solve Social Security, the more drastic that solution would have to be. Of course, that has been my experience over the six Social Security bills that I have introduced that have been scored by the Social Security Administration to keep Social Security solvent.

My last Social Security bill that I introduced last year is much more drastic. It requires additional borrowing from the general fund that we pay back 60 years from now simply because of, if you remember the chart, the surpluses coming in from Social Security are diminishing, and those are going to run out. Then we are going to have to come up somehow with the money to pay back Social Security.

Social Security works this way: Benefits are highly progressive and based on earnings. That means that lower-income people, they get back 90 percent. If you are low-income, you get back 90 percent of the wages you were making on the average during those working years. If you are a high-income person, then you get back as low as about 15 percent of the income you were receiving from Social Security. So that is why it is highly progressive. The lower-income people get back a much higher percentage of their working years' benefits.

At retirement, all of a worker's wages up to the tax ceiling are indexed to present value using wage inflation. In other words, they do not average in what you were making 20 years ago or 30 years ago, they average in, in effect, what that job would be paying today. That is what they add up for your best 35 years to decide what your average earnings are, and therefore what your benefits are going to be.

Here is how benefits are calculated: Ninety percent of earnings up to $7,344 is going to be what the low-income earner gets back; 32 percent of the earnings between the $7,344 and $44,000; and then 15 percent you get back of your earnings above $44,286. Early retirees receive adjusted benefits. In fact, if you delay retirement over 65, then you get an increase in benefits for those years that you delay benefits.

I put this last blip in, because so many people complain about the abuses of the Supplemental Security Income that is administered by Social Security, but does not come out of the Social Security Trust Fund.

When we started Social Security in 1934, Franklin Roosevelt started it, people during the Great Depression were going to the poorhouse. His idea was if there can be some forced savings during your working years, you will have a program that gives you more social security in your retirement years. So in 1934, we started the Social Security program.

It was created not to be the sole income of retirees, but to be one of a three-legged stool. As I visited the Archives, in fact, they have the brochures back in those years of the three-legged stool; one being your pension benefits from work, one being what you save yourself, and the other Social Security programs. But now more and more people are depending on Social Security as their main source of retirement income.

Social Security was supposed to be one of the legs of the three-legged stool to support retirees. It was supposed to go hand-in-hand with personal savings and private pension plans.

Let me tell you something interesting in terms of the debate and arguments between the House and the Senate when we formed Social Security. The Senate actually passed a bill that it would be privately owned bank accounts by the individual workers, but that they could not take out that money until they retired. But it would be their money, and if they died before age 65, then it would be passed on to their heirs.

The House, on the other hand, passed legislation that said the government should take in all of this money, control it, and then promise a fixed benefit at retirement. So if a person died before age 65, they would not get anything.

It worked very well in those early years. But the compromise between the House and the Senate, with some of the concerns about the investments of the great stock market crash of the late 1920s and early 1930s, the compromise was that we have the Social Security plan that we have today, which means that government takes in all of the money, and if there is any extra, government spends it on something else and still continues to promise benefits.

What we have done, because it is politically popular, we have expanded the Social Security benefit program to include spouses and then to include early retirement. In 1965, we amended the Social Security Act to start the Medicare program that now is going to overtake the base Social Security program as a cost item.

The fact is that Social Security is a system stretched to its limits. Seventy-eight million baby-boomers begin retiring in 2008, Social Security spending exceeds tax revenues in 2017, and Social Security Trust Funds go broke in 2037.

The Social Security Trust Funds, however, there is going to be less money coming in from Social Security than we need to pay in benefits starting in 2017 and 2018, so where is the government going to come up with that money? I suspect the easy way will be borrowing more money. Of course, that means enticing more foreign investors to invest in our Treasury bills.

We are going to pay it back, but the fact is the $1.4 trillion the government now owes in Social Security does not accommodate the $12 trillion unfunded liability for Social Security. Again, let me repeat that we would have to put around $11.8 trillion in a savings account today drawing the interest that would reflect inflation and the time value of money to accommodate what is going to be needed over the next 75 years to keep our Social Security promises.

We know how many people there are and when they will retire. This is what the Social Security trustees do. We know that people will live longer in retirement. We know how much they will pay in and how much they will take out. Payroll taxes will not cover benefits starting in 2017, and the shortfalls

will add up to $120 trillion between 2017 and 2075.

This is all sort of downer news. But the good news, Mr. Speaker, is more and more people are aware that Social Security is a huge problem. We are talking about it a little bit in some of the campaigns.

Alan Greenspan, Chairman Alan Greenspan on several occasions now has said, look, do not put it off any longer. You have got to do something to keep Social Security solvent. It is not fair to future retirees to simply let them go on thinking that they are going to receive these benefits, and then the money is not going to be there when they retire. So, hooray for Alan Greenspan.

But when Alan Greenspan, the Chairman of the Fed, said that in committee, both Republicans and Democrats jumped on him, saying, look, no way. We are going to protect our seniors. We are not going to reduce benefits, and we are not going to increase taxes.

Well, you cannot do it that way.

This is a quick picture of the demographic problems we are running into. People are living longer, and the birth rate is going down. Therefore, when you have a program that is pay-as-you-go, that depends on current workers to pay in their payroll tax that within 5 days goes out to pay benefits, if you do not have a growing working population, then you are in trouble. That is the problem with Social Security.

In 1940, we had 28 people working, dividing between them what is needed for each retiree. In the year 2000, it went down to three people working, dividing between those three one person's Social Security benefits. By 2025, in the United States there is going to be two people working paying in benefits for Social Security.

Here is the danger. Here is what I tell the business community, the National Association of Manufacturers, in encouraging them to be more aggressive in supporting Social Security reform: That if we do nothing, the danger is increasing the payroll tax. And what does that mean? That means we become less competitive in this country.

Look at France. Guess what the payroll tax is in France to accommodate their senior retired population? It is over 50 percent. So no wonder France is complaining and demonstrating and striking to try to get better returns on their wages, and no wonder their economy is tremendously challenged.

Germany just went over 40 percent of their payroll tax to accommodate their senior population. If we do not do anything and we simply keep putting off the problem, then we are destined to have the kind of tax increase that is going to make us less competitive in a world economy that is challenging us more and more every year, and that is a huge challenge.

I chair the Subcommittee on Research of the Committee on Science, and what we are looking at is a lot of our talent is moving overseas. As we become more and more restrictive on homeland security, for example, it means that it is tougher and tougher for foreign students to get into our universities to do their graduate work in math or physics or chemistry, in the sciences. That is what we have depended on. Half of our research in the United States that is government-funded, that is, most all of our basic research, has been done by foreign students. The other part of that problem is that our seniors in high school have scored very low on international tests in science and math.

So our challenges are huge, to do a better job in education; to do a better job in our homes, with parents encouraging their students; to do a better job to encourage more students to achieve in science and math if we are going to start holding some of these foreign students out of our country.

Some people have suggested, in fact I wrote a letter to the editor of the Wall Street Journal when there was an op-ed saying if our economy grows, that is going to fix Social Security. Here is why that is not true. Social Security benefits are indexed to wage growth.

□ 2230

In other words, if the economy grows and more people are working and wages go up, that means that your benefits are going to also go up eventually. When the economy grows, workers pay in more in taxes, but also will earn more in benefits when they retire. Growth makes the numbers look better now, but leaves the larger hole to fill later. The administration has used these short-term advantages for the last 16 years to say, well, maybe the economy will work us out of this problem.

I have incorporated in the bill that I introduced last year, I have incorporated some of President Clinton's ideas on how to deal with the Social Security problem. I have incorporated some of President Bush's ideas, and it has now been scored by the Social Security Administration that it will keep Social Security solvent. A lot of people, and I have given maybe 200 speeches around my district and the United States on Social Security, a lot of people say, well, if Congress would keep their hands off the surplus coming in from Social Security, everything would be okay. I wanted to show this chart to show what is needed versus what the trust fund is.

The trust fund now, with interest that has accrued every year, is $1.4 trillion. What is needed for the unfunded liability for Social Security is $12.2 trillion. So we are going to pay the trust fund back, but it is not even going to come close to accommodating the need of up until 2075, what is needed in Social Security. Shortfalls will add up to $120 trillion in future dollars, but that means right now the unfunded liability, $12 trillion, would have to go into a savings account, returning at least interest that accommodates inflation.

Social Security as a total unfunded liability of $12 trillion. The Social Security trust fund contains nothing but IOUs. To keep paying promised Social Security benefits, the payroll tax will have to be increased by nearly 50 percent, or benefits will have to be cut by 30 percent.

Hang on, everybody. Hang on, Mr. Speaker. This is tough going. This is sort of a 35-minute tutorial on Social Security, and if everybody knows everything on these charts, they probably know more than most Members of the House and the Senate and many of the economists. But what is satisfying is that more and more people are talking about it. And I think it is good to ask the Members of Congress and the candidates for President what their plan is for saving Social Security and Medicare.

But on the other hand, a campaign year is probably not a good time to force a solution, simply because it is so easy to scare half of the retirees in this country that depend so much on Social Security. So you can understand how they can be swayed in their vote of who they vote for, and just the suggestion that the opposing candidate is going to take away their Social Security benefits. So I think our best chance is in the first year of a 4-year term of the President. So I am hoping, whether it is KERRY or Bush, that they will not dig a hole so tight that it limits real solutions to keep this program solvent for a long time, hopefully forever.

Social Security is not a good investment. That is what this chart shows. The real return of Social Security is less than 2 percent, and that compares to over 7 percent for the market, on average. So if you invested in equities and keep them at least 12 years, your average return is 7 percent.

This shows that minorities get less, a negative return from their investment in Social Security. That is because the average return, the average life span of a black male is 62 years old, and it is interesting that that was the average life span when we started Social Security. Up until about 1940, the average age of death was about 62; but even from the very beginning, the benefit entitlement did not start until age 65. So you can see Social Security worked very well in those early years, because most people did not live long enough to start collecting benefits.

The average return that the average Social Security recipient gets is just under 2 percent. This is what the market pays on average, 7 percent. However, the Wilshire 5,000 actually earned 11.86 percent, and that was over and above inflation, over the decade that ended January 31, 2004. So even in the slump years of equities, these 5,000 stocks of the Wilshire average still was over, almost 12 percent return on investment. Again, that compares to an average of 7 percent for the average retiree, for the money they pay in in Social Security.

This is how long you have to live after retirement to break even on the money that you and your employer sent in on Social Security. In 2005, you have to live 23 years after you retire; and as you see, it goes up to 26 years after 2015. That is because we keep increasing the amount that you pay in.

Here is the danger. Here is maybe the most important chart I think of why we need to do something with Social Security. And that is historically, every time we have had a problem with less money coming in than what we need to pay benefits, we have increased taxes and reduced benefits. Here is the history of tax increases. In 1940, it went up to 2 percent from the 1 percent, to $3,000. In 1960 we ran a little short of money, so we tripled the tax rate up to 6 percent, and we increased the base to $4,800. In 1980, we increased the tax rate to 10.16 percent, and increased the base to $25,900. In the year 2000, we increased the tax rate to 12.4 percent of the first $26,700. In 2004, we did not increase the tax; but the base has gone up to, it is now $89,000 base that you pay Social Security taxes on. I think I mentioned most all working Americans, 78 percent of families pay more in the payroll tax than they do the income tax.

So to increase taxes I think is a bad idea; it is a wrong idea. It is bad for the economy. Let us encourage the kind of changes in Social Security that are going to tend to help the economy by helping more money in investing.

I am going to briefly run through my Social Security bill. It is scored by the Social Security Administration actuaries to restore the long-term solvency of Social Security. There is no increase in the retirement age, no changes in the COLA, the cost of living annual payments, or, there is no changes in the benefits for any senior or near-term seniors. Solvency is achieved through higher returns from worker accounts and slowing the increase in benefits for the highest earning retirees.

So what I do is I add another ben point. Remember earlier when we talked about the high income gets 15 percent of their wages. I add another ben point that is 5 percent that results in slowing down the increase in benefits for high-income retirees. I mean, somehow it is going to take money. That is one of the benefits.

The Social Security trust fund continues. Voluntary accounts would start at 2.5 percent of income and would increase to 8 percent of income by 2075. And the personally owned worker savings account is voluntary, number one. And number two, we guarantee that they are going to have as much return and revenue and retirement benefits from that personally owned retirement account as they would from the traditional Social Security. So with that guarantee, we assume that everybody under 50 years old at least is going to have that kind of personally owned account where they own the money. If something happens to them before they reach retirement age, it is going to be passed on to their heirs instead of the Federal Government. Investments would be safe, widely diversified, and investment providers would be subject to government oversight. The government would supplement the account of workers earning less than $35,000 to ensure that they build up significant savings.

This is one of President Clinton's ideas. I think it was the USA account he called it, as I recall. It simply says, for those lower-income workers, so that they can experience the magic of compound interest, we will add a little bit to their personally owned savings account so that even modest workers can retire as much wealthier retirees.

All worker accounts would be owned by the worker and invested through pools supervised by the government, something like the Thrift Savings Plan that all Federal employees have now. Regulations would be instituted to prevent people from taking undue risk, and workers would have a choice of three safe index funds with more options after their balance reaches $2,500. And even then, it has to be an investment determined by the Secretary of the Treasury that is a safe investment.

And for my last three charts, accounts are voluntary and participants would receive benefits directly from the government, along with their accounts. Government benefits would be offset based on the money deposited into their accounts, not on the money earned; and workers could expect to earn more from their account than from traditional Social Security.

These are some things that have concerned me a little bit in terms of fairness. To be politically correct, maybe I should say fairness to spouses; but, in truth, it is fairness to women. So these are some provisions that I have included in the bill. For married couples, account contributions would be pooled and then divided equally between husband and wife. In other words, everything that the husband is allowed to invest in his private account would be added to the amount that the wife is allowed to invest in her private account. They would be added together and divided by two, so both the husband and the wife would have identical investments in their personally owned account. It would increase surviving spouse benefits to 110 percent of the higher earning spouse's benefit.

Right now, if the husband dies, the wife is entitled to 100 percent of the husband's benefit, and then she loses whatever benefit she was getting.

It is important that we look at ways to keep more and more people in their own homes, rather than going to nursing homes and going on Medicaid. So increasing this benefit 110 percent is estimated to keep a lot more people in their own homes rather than going to nursing homes. And the last change is stay-at-home mothers with kids under 5 would receive retirement credit in the way their Social Security benefits are calculated.

Here is some additional provisions in the bill, just briefly. Increased contribution limits for IRAs and 401(k)s and pension plans to increase more personal efforts at savings. A 33 percent tax credit for purchase of long-term care insurance up to $1,000, $2,000 per couple per year. Low-income seniors would be eligible for a $1,000 tax credit for expenses related to living in their own home, and households caring for dependent parents would also be eligible for a $1,000 credit for expenses.

Back to the beginning of my presentation. We are faced with a lot of challenges, a lot of problems. And what we have to face up to is how many problems should the Federal Government, through increased taxes or increased borrowing, solve. And somehow, people that go to the ballot box and elect Members of Congress and elect their President are going to have to make eventually that decision: How much do we want to go in debt in this country? How vulnerable do we want to be to the foreign investments that are now buying up more and more of our equities and our Treasury bills?

So I just plead with, Mr. Speaker, through you to all America, as we go through this election year in November, consider some of the ramifications of the huge challenges, in addition to national security. How much should we be spending in addition to the programs that we just debated earlier this evening that we are going to be voting on tomorrow, a program that it is hard to object to, but it is a new $80 million program that sets up a Federal Government fund in schools to try to reduce suicide rates.

□ 2245

To me, I am still debating how to vote on that bill because I am concerned about that increased borrowing and expanding government programs at a time when we are going so deep in debt and when the interest on that debt is eating up a larger and larger share of our Federal budget.

IRAQ WATCH

The SPEAKER pro tempore (Mr. CARTER). Under the Speaker's announced policy of January 7, 2003, the gentleman from Washington (Mr. INSLEE) is recognized for half the time remaining to midnight, approximately 37 minutes.

Mr. INSLEE. Mr. Speaker, we have come here tonight, my colleagues the gentleman from Massachusetts (Mr. DELAHUNT), the gentleman from Ohio (Mr. STRICKLAND) and others who may join us, as a part of our continued obligation under the Iraq Watch to present a discussion and an honest critique of the administration's policy in Iraq. My colleagues and I have been engaged in this series of discussions now for several months, and we have done this for one simple purpose. We do not intend to allow the incredible commitment by

our armed services that are now engaged in Iraq to be forgotten on the floor of the House of Representatives.

Too often, people are sent into combat and then forgotten, and what the Federal Government did or did not do in sending them into combat is given little discussion and little note, but tonight of all nights, we think it is appropriate and vital for this chamber to discuss what this Federal Government did and did not do to lead us into our current predicament in Iraq. It is most appropriate for us to do this because tonight we have the very sad duty to report, as now Americans know, that we have lost 1,000 American lives in Iraq, a war started by a President under the belief and statement that weapons of mass destruction threatened the security of the United States.

Based on that statement made by the President from the chamber standing behind me some time ago, over 1,000 Americans have lost their lives, and those 1,000 Americans are from 49 States and members of every political party. They are short and tall, rural and urban, and they all served under the flag of the United States and did their duty proudly.

We, on a bipartisan basis, honor them because, no matter what they thought of their commander-in-chief's decision to go to war, they gave their highest measure of devotion to their duty, and we honor it, everyone in this chamber.

I would like to also not forget the men and women who tonight are rebuilding their shattered bodies from injuries, over 7,000 people, many of whom suffered very, very difficult injuries who tonight are recovering in our hospitals across America, in the Mideast and in Europe. Anyone who has talked to those soldiers and seen the incredible courage in their eyes when they are sitting there with pins in their legs and arms and missing limbs, and you ask them how they are doing and they say I am doing fine, sir; and you ask them what their plans are, and they say I want to get back to my unit as fast as I can; anyone who has seen those young soldiers would be incredibly proud of our people in Iraq.

But this does not reduce or obligation to hold the Federal Government accountable for its numerous mistakes in Iraq. It heightens that obligation to blow the whistle on the repeated, continued misjudgments, misstatements, incompetence, negligence and carelessness that has led to this situation in Iraq, and tonight we are going to discuss them.

I would like to, if I can, start this discussion with five rosy projections that, unfortunately, we have suffered in Iraq as a result of this administration's rosy projections. I just want to list these quickly.

Rosy projection number 1: This administration, and in the persons of the President, flew out to an aircraft carrier with a jaunty looking flight suit, landed on the deck of the carrier, proclaimed mission accomplished with a giant banner on the superstructure of that carrier. Since the President told us mission accomplished, over 800 Americans have died in Iraq. The President's rosy projections were sadly wrong, and there is an emptiness in households and families across America as a result of that wrong rosy projection.

Number 2: The President told us that as soon as we could stand up a new government, this new government would be embraced with the warmth of the Iraqis, with rose petals not only at our feet but at the new government's feet, and that this bearing up of support for the Iraqis and their new flag would bring peace and milk and honey to Iraq. Since this new government has been ''stood up,'' we have had an increase in the number of Americans killed in Iraq. Another rosy projection by this President that was flat wrong.

Number 3: The President told us by now we would have a secure Iraq, beginning to be capable of having elections. Well, what did we read in the newspapers yesterday? The fact is that huge swaths of Iraq under this administration's policies have been given over to the Taliban and their associates, the militias in Iraq. Fallujah, the place where these folks desecrated the body of four contractors, that our proud marines went in there to do battle, this administration has given up to a militia that essentially is in cahoots with the Taliban and a fundamentalist regime, and we have that now called a ''no-go zone.'' Same in Ramadi, same in Najaf, same in parts of Sadr City. The fact of the matter is the President's policies have ceded huge parts of Iraq to what he says is the enemy. Rosy projection number 3, that we have essentially given up trying to disarm these militias and kicked the can down the road where eventually our military people are going to have to encounter these militias are now arming themselves and building themselves up in these ''no-go zones.'' Rosy projection number 3 that our people are paying for.

Number four: The President told us that Iraq would pay for this. You recall the projection by Mr. Wolfowitz who came here and said that Iraqi oil was going to pay for this. Sad joke on the American taxpayers. We are now over $200 billion into it with hundreds of billions of dollars to come, with no projection of how long it will be. Wildly optimistic, and in fact, we find out that the money we have appropriated cannot even be spent because of the lack of planning for the post-conventional war situation in Iraq. Because of this administration's lack of having a plan for the peace, only 2 percent of the money we have appropriated has actually been spent in Iraq of the $18 billion. They will get around to spending it, and U.S. taxpayers will pay through the nose for it, but the fact that this administration had such a rosy projection is going to cost us over hundreds of billions of dollars to the American taxpayer. Rosy projection that was wrong, number 4.

Number 5: The President implicitly told us that there would not be war profiteering and gouging in Iraq in these hundreds of billions of dollars of taxpayer money, but in fact, we found that Halliburton, this corporation with incredible ties to this administration, has already been subject to millions of dollars of cost overruns which they cannot account for, that the Pentagon is now trying to get our money back for. In fact, they have talked about withholding 15 percent of further payments to Halliburton as a result of this lack of credibility to American taxpayer dollars. Rosy projection number 5.

So we would like to say that this President's projections have been accurate, but the sad fact is we stand here tonight with 1,000 Americans who have given their lives in Iraq. We have a continued tale of failed administration policies in Iraq, and this Nation deserves accountability for the people who have made these decisions in Iraq, which have cost us so dearly in life and treasure.

In fact, when you look at this entire administration, which has bungled this operation so badly, you cannot find a person who has essentially been held accountable for their multiple failures. There has not been essentially a person who has lost a vacation day or had their little perks taken away or their corner office.

This administration has a response to the American people when they are criticized. They simply say you are not an American if you criticize this administration. We are here to say it is not only a duty to criticize, a right to criticize this administration, it is a duty, and we are fulfilling it.

Mr. STRICKLAND. Mr. Speaker, will the gentleman yield?

Mr. INSLEE. I yield to the gentleman from Ohio.

Mr. STRICKLAND. Mr. Speaker, I thank my friend from Washington State for yielding.

It is a sad fact that just yesterday we observed the 1,000th death of a soldier in Iraq, and that is a tragedy. When you think of what that means, not only to the individual lives that have been lost, but when you think of the pain and tragedy of the families who are left behind, the moms and dads, the children, the loved one's wives, husbands and so on, they will have to endure the rest of their lives without their loved one.

I sometimes talk to people about this war, and they seem sort of uninvolved. The war seems to be something that is distant to them. They know of no one who is currently serving in Iraq. They know of no one who has been lost or terribly injured over there, but I say to them, if you are a mother or a father and you have a child, a son or a daughter, especially a teenage son or a daughter, you had better be paying attention to what is happening in terms of this war.

Senator MCCAIN has said publicly that it is possible this war will require our soldiers to be in Iraq for 10 or 20 years, and if the administration currently in power and the people who are advising this President remain in power and they continue the same kind of foreign policy that we currently have, I believe it is inevitable that we will have to impose a military draft. So every mom and dad who does not want to see their son or daughter sent to fight this war in Iraq ought to be paying attention.

□ 2300

I would just like to take a few moments to share with my colleagues here, the gentleman from Pennsylvania (Mr. HOEFFEL), and the gentleman from Washington State (Mr. INSLEE), and my friend, the gentleman from Massachusetts (Mr. DELAHUNT). We hear a lot of talk, and there have been a lot of political charges about the $87 billion supplemental bill. The President recently made the accusation, I believe at his speech in New York, implying that when Senator JOHN KERRY voted against the $87 billion, he was voting to deprive our troops of body armor, and so I would just like to share the truth about the body armor issue.

I would remind my friends that the war began in March of 2003. March of 2003. And at that time, long before there was ever a vote on the $87 billion, in fact 7 or 8 months before that vote occurred, this administration, this President, this Secretary of Defense sent our American soldiers into Iraq in that initial assault, an invasion of Iraq, without protective body armor.

The body armor that I am talking about is the interceptor vest, the body armor that was first available, I believe, in 1998. It is a high-tech piece of equipment. It is made of Kevlar, with ceramic plates. These ceramic plates have the ability to stop an AK–47 round. We knew, because they were used in the Afghanistan conflict, which was the war on terror, by the way, we knew that they were used in Afghanistan and that they protected American lives. The Pentagon has indicated that a number of American soldiers were probably saved because they had interceptor vests, this body armor.

When we sent our soldiers into Iraq in March of 2003, thousands of them went into that country without this protective body armor. And I repeat, this was months before the $87 billion vote on the supplemental request.

Now, last September, in September of 2003, I received a letter from a young soldier in Baghdad. He happened to be a West Point graduate, a gung-ho Army guy. He said to me in that letter, Congressman, I am so proud of what we are trying to do here, of the effort we are making to help these people. But he said to me in that letter, Congressman, the men that are serving with me are asking me why they do not have this body armor for protection, this interceptor vest.

That was in September of 2003. I wrote Secretary Rumsfeld a letter that September, and I asked him how many of our soldiers had been killed or unnecessarily wounded because they were not protected with body armor. I asked him to commit to us that he would not make this protection available to foreign troops until all of our American troops were protected, because there were reports in the press that we were making these interceptor vests available to some of the foreign troops before our troops were equipped. And I asked him if he could give me a date certain when all of our troops would have this protection.

Now, that letter I sent to Secretary Rumsfeld in September of 2003, long before the vote on the $87 billion supplemental.

I received a letter on October 27 from General Myers, the Chairman of the Joint Chiefs of Staff. He said that Secretary Rumsfeld had asked him to respond to my letter. And in his letter to me, General Myers said that they expected that our troops would be equipped with this body armor by December of 2003.

Lo and behold, the very next day, on October 28, I received a letter from Secretary Rumsfeld's chief of staff; and in his letter he said it would probably be November of 2003. So even Secretary Rumsfeld and General Myers were not able to agree on the issue.

In regard to my question about how many troops had been killed or wounded without this protection, I was told in the letter from Secretary Rumsfeld that they did not collect that information on the battlefield, so he could not answer that question for me. Well, at least, I thought, I can believe what Secretary Rumsfeld has said and General Myers, that our troops will be protected by November or December.

Lo and behold, before we left this city for the Christmas holidays, I am talking about last year, the Pentagon held a briefing; and in that briefing a high-level Pentagon spokesperson told us that our troops would probably not be equipped with this body armor until January of 2004.

Now, I emphasize the war started in March of 2003. Now they are saying it is going to be January of 2004 before they are equipped. So I wrote a second letter to Secretary Rumsfeld in mid-January of this year. I reminded him that he had failed to keep his word regarding having our troops protected with this body armor by November, and I asked him once again to please step up to the plate, accept responsibility, and provide this equipment to our troops.

Finally, in March of 2004, one entire year after the war started, the war started in March of 2003, finally in March of 2004 I get a letter from the Pentagon telling me that at that point all of our troops had been given this lifesaving protection.

It was not Senator KERRY that made the decision to send our troops into combat without this protection. The responsibility rests with George W. Bush, the President; with Secretary Rumsfeld, the Secretary of Defense. That is where the responsibility rests. And it troubles me that the President would stand before the American people and fail to accept responsibility.

The President talks a lot about accepting personal responsibility, and yet he is trying to shift the blame for our troops going without this vital equipment, when it was the President and the Secretary of Defense that sent our troops into battle. And for those who may listen to this discussion and question me, I would just urge all Americans to check with the soldiers that are or have been in Iraq. Ask them how long they went without this protection. Ask them how many of their friends were injured, some of them killed, unfortunately killed because they were not adequately protected.

That is the truth. I have the letters that I sent to Secretary Rumsfeld and the letters that I received from him, which I would be happy to make available to every Member of this Chamber to verify what I have shared with my colleagues this evening.

Mr. Speaker, I yield back to the gentleman from Washington.

Mr. INSLEE. Mr. Speaker, I was just going to offer an answer on how long it was until they got body armor. It was too long. And it is unfortunate that the same people that made that mistake are still running the show in Iraq and not one of them has been held accountable for this foul-up, and we are demanding accountability.

Mr. Speaker, I will now yield to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Speaker, I thank the gentleman for yielding to me, and I just want to follow up on the point the gentleman from Ohio (Mr. STRICKLAND) has made, and I welcome my friend, the gentleman from Pennsylvania (Mr. HOEFFEL), as well.

I found it particularly offensive that the President of the United States stood up once more and misled the American people and did not accept responsibility. As the gentleman indicated, the body armor issue was well-known or should have been well-known to this administration prior to the invasion of Iraq. It was clear. It was something that we all again repeatedly encouraged, and with the leadership of the gentleman from Ohio (Mr. STRICKLAND) presumed the matter was being attended to, and it was represented to us that it was being attended to. It had nothing to do with the $87 billion supplemental budget.

Mr. STRICKLAND. If the gentleman will yield for one moment, Mr. Speaker.

Mr. DELAHUNT. Of course.

Mr. STRICKLAND. In the letters I received from Secretary Rumsfeld and General Myers, there was never a mention of a shortage of money. They said there was a shortage of materials, which means that there was a failure

to plan ahead. We knew months before this war began that we would likely need this body armor, and yet the plans were not made.

The fact is that initially they were not even wanting to give the body armor to all the troops. In the letters that I received from General Myers, he said that the body armor was initially planned only for the troops that were on foot. If a soldier was in a Humvee or in some other mechanized vehicle, they were not even issued body armor, and there were no plans to issue body armor to these. Only those who were foot soldiers, basically, were to be provided with this protection.

Now, as my colleagues know, many of our soldiers that have been so terribly injured are injured as a result of being in vehicles and there are explosions and other kinds of artillery fire. This body armor could have protected many of them.

□ 2310

I am afraid some were wounded unnecessarily.

Mr. DELAHUNT. Mr. Speaker, it reminds me of the issue of weapons of mass destruction when the Polish Prime Minister at the request of the President of the United States made a commitment of Polish troops, obviously at some political risk to himself, and when it became clear that there were no weapons of mass destruction said publicly, ''We were misled.'' What does that do to the credibility of the United States when the Prime Minister of Poland, an ally, someone who has made a contribution of men and women of his nation in terms of the effort in Iraq, the military invasion, makes that statement?

Again, we have the example of David Kay, appointed by this President, who took the charge of this White House, who went to Iraq, who led the efforts to determine whether there were weapons of mass destruction, who concluded that there were none, and then later and subsequently when this White House, this President and this Vice President refused to accept unequivocally the conclusion reached by their own appointee that there were no weapons of mass destruction, then finally David Kay, a hawk on the war, by the way, spoke to the Guardian, an English newspaper and said, ''The administration's reluctance to make that admission was delaying essential reforms of U.S. intelligence agencies and further undermining its credibility at home and abroad.''

Admit the mistake, Mr. Bush, come clean with the American people, accept responsibility rather than shift it because of an election-year gambit. That is what that is about.

Mr. INSLEE. Mr. Speaker, I want to note one other thing that the administration needs to take responsibility about. The President during his speech during the Republican convention, which was quite a show, and some of us found Zell Miller mildly entertaining, there was a lot of discussion about Franklin Delano Roosevelt, and there was one thing that I really respected about President Roosevelt, and that is on December 8, 1941, after the Japanese had bombed Pearl Harbor, President Roosevelt did not suggest we bomb China, he focused on the group that attacked and killed thousands of Americans, which was the Japanese.

This President has not followed Franklin Delano Roosevelt's pattern. Roosevelt said, let us attack the enemy that has attacked us, which in our case was al Qaeda, a fundamentalist Islamic movement that this President has spent the last 2 years trying to confuse the American people, with some success, in confusing al Qaeda with Iraq, and he has done the equivalent of invading China after September 11, and we have suffered accordingly.

It is very important for us not to allow the power of propaganda to overwhelm the power of reason, and we cannot allow, with 1,000 Americans dead in Iraq, America to forget that this President had tried to whitewash the situation by calling the war in Iraq as the war on terror when there is no credible evidence of connection of Iraq with September 11, and the President and Vice President know it, and they keep saying it anyway.

The independent 9/11 Commission reached that conclusion despite the fact that the President and Vice President did everything they could to thwart the creation of the 9/11 Commission and now accept its recommendations enthusiastically.

Mr. INSLEE. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. HOEFFEL) who has led the discussion on this subject.

Mr. HOEFFEL. Mr. Speaker, I concur with everything that my colleagues have said this evening. For almost a year and a half, those of us engaged in Iraq Watch have been coming here raising questions and posing alternatives for our failed national policy.

The bottom line is, as the gentleman just said, we have lost our national focus on the real threat, which has been and remains Osama bin Laden and al Qaeda. We have allowed the Bush administration with its obsession with Saddam Hussein to distract us from what has been the real threat and obviously remains the real threat today.

We know the sordid history of misstatements and failed policies and misleading comments by the President and his top advisors. They misled us about the weapons of mass destruction. As the gentleman from Washington (Mr. INSLEE) said, they misled us about a nonexistent connection about Saddam Hussein, al Qaeda and 9/11.

The President misled us about how he would use the military power that he asked for in the fall of 2002. He said he would not use it until he exhausted diplomatic options. He broke that promise. He said he would not use it until he put together an international coalition such as his father had done 13 years before. Broke that promise. And he gave us a number of commitments to allow the international inspectors once back in Iraq to conclude and complete their work, and he did not allow them to finish their work before using this power.

The reality is while it is a good thing for Iraq that Saddam Hussein is out of power because he certainly was a murderous tyrant, it has not made America safer. This has reduced our status in the world and has made the challenges and the risks of the war on terror more difficult for America, not easier.

What really gripes me tonight, in addition to all of the things that we have mentioned, is what now seems to be the use of our American military in Iraq to suit the dictates of Iraqi domestic politics. We have lost 150 brave American soldiers in defeating the Iraqi Army. It took us 19 days, and our soldiers did everything we asked them to do and fought bravely. We have lost 850 equally brave Americans in what has turned out to be the occupation of Iraq, and I think a big reason for that is the misuse of our troops.

Let me quickly quote from a Washington Post article dated August 24, 2004, with the title ''In Najaf, Iraqi Politics Dictate U.S. Tactics.'' The point of this article published a few weeks ago is that Acting Prime Minister Allawi is deciding when American troops are used, when they are held back as suits his purposes for the domestic Iraqi political situation that he faces.

Mr. STRICKLAND. Mr. Speaker, if the gentleman would yield, the President frequently says, I will not allow our troops to be under the control of foreign commanders. Well, that may be technically correct, but what the gentleman has pointed out is the fact that our troops are serving at the behest of the Interim Iraqi Government. They are being told, you cannot go into this city, you can go into this city, you can go there, you cannot go there. It troubles me that young men and women from my district, from southern and southeastern Ohio, many of them have probably never traveled very far from home ever, are now in a foreign land, and they are basically serving the needs of the Iraqi Interim Government rather than looking out for the international interests of this Nation.

□ 2320

Mr. HOEFFEL. What enrages me is that the American politicians who whip themselves up into a foaming rage over the notion that someday, somehow, someway American troops might be under foreign generals' command in a U.N. peacekeeping force or something of the kind are completely silent when something much worse is happening here. Our troops today in Iraq are not under foreign generals' command, they are under the command of foreign politicians. It is outrageous. Let me read from this article and yield back. I do not want to monopolize this

time. But in this Washington Post article, August 24, 2004, entitled ''In Najaf, Iraqi Politics Dictate U.S. Tactics,'' at one part it says here in the article:

''If there is any doubt that the new Iraqi government is calling the shots in this country, the supporting evidence is mounting daily in Najaf. Here, on the order of interim Prime Minister Allawi, night raids bolt forward or are halted, bombs fall from the sky or remain snuggled beneath the wings of F–15s, howitzers roar or are silenced, and ambitious combined arms operations are meticulously planned and then shelved, only to be revived a day later when a shift in the political winds has been detected.''

A quote from Captain Brian Ennesser, intelligence officer for the First Cavalry's First Battalion, Fifth Regiment: ''This mission is like Normandy. Only instead of the weather, we're waiting on the politics.''

One more quote and I will yield back. Later in the article:

''Since the U.S.-led occupation authority transferred power to the Iraqis on June 28, the chain of command has kept its structure but changed personnel.'' A quote from Major General Peter Chiarelli, who commands the First Cavalry: ''It's civilian control of the military. That's what our system's all about.'' But the article then says: ''Except now the civilians are not Americans. They are Iraqis. And we are losing brave Americans because they are being put in the middle of disputes between Allawi and Sadr. They are being used to push forward domestic political agendas for this interim government that is interested in holding onto its power.''

It is my view that we need to refocus on the war on terror and Osama bin Laden and redeploy troops that are bogged down there. We have got 170,000 troops in the Iraqi theater, 140,000 in Iraq, 30,000 in Kuwait, peacekeeping, border patrol, police work. We have got one-tenth of that number, 17,000, in Pakistan and Afghanistan doing everything we ask them to do, working bravely around the clock but clearly not enough of a focus to get bin Laden and destroy al Qaeda.

We have lost our focus. We need to get our troops out of the midst of this domestic strife in Iraq and get them back to bases. We cannot abandon Iraq, but we do not have to be in daily patrol between these warring factions trying to feather their own nests and pursue their own domestic agendas. We can make sure that the country does not fall without having our troops in daily combat because of the inability of this administration to focus on what is really challenging this country, which is the problem in Afghanistan and Pakistan posed by Osama bin Laden and al Qaeda.

The SPEAKER pro tempore (Mr. CARTER). Under the Speaker's announced policy of January 7, 2003, the gentleman from Washington (Mr. INSLEE) is recognized for the remainder of the hour, approximately 23 minutes.

Mr. INSLEE. The point the gentleman has made is the cost that we have suffered in addition to this horrendous loss of life is that the real war on terrorism has been injured by the war in Iraq, and I want to talk about some of the ways that has happened.

Symptom number one of a failed war on terrorism: you do not finish the job against the enemy that attacked you, and we have not finished the job in Afghanistan which is the source of the attack of September 11. September 11 came from a group trained in the camps of Afghanistan; and we appropriately, on a bipartisan basis, started a war in Afghanistan because it was necessary, but now it is, in a way, abandoned by this administration because this administration has not given what we need in Afghanistan to finish the job, to build up a meaningful stable government in Afghanistan. The very place that attacked us has been put on the back burner.

Senator GRAHAM the other day disclosed that a year before the Iraq war started, General Franks or one of the generals told him that they had started to move Predators that were being used in the hunt for Osama bin Laden to get ready for the attack on Iraq. So we took our resources against, if I can use the 1941 example, out of the war on Japan and attacked Beijing.

Mr. STRICKLAND. I just want to point out that the person who was responsible for the attack on this country was Osama bin Laden. He has taken credit for that. He has boasted to the international community, to the world, that he was responsible for the attack upon our country. The President stood right at that podium and he said, Osama bin Laden can run, but he cannot hide. Well, he ran and thus far he has hidden. Osama bin Laden is somewhere free on the face of this Earth tonight planning the next attack upon our country. So the person who was responsible for attacking us has gone free and we have diverted our resources to Iraq, costing 1,000 of our soldiers' lives, 6 or 7,000, I guess nearly 7,000 injured now. And Osama bin Laden is a free man tonight.

Mr. INSLEE. I would like to add, Osama bin Laden is not only free physically, he is free apparently from the interest of the President of the United States who has not mentioned his name, as far as I can tell, for about a year. The man that he promised us he would get dead or alive, this President does not even allow his name to pass his lips because it may distract some of the attention from Iraq. That is way too free for my tastes.

I want to mention one other thing about why we have not been as successful with al Qaeda as we should have been. Obviously, cutting off the money of al Qaeda is extremely important. If you can kill the money trail, you can dry up some of their attacks on us. We found out we have more inspectors and investigators with the Department of the Treasury tracking American tourists who go to Cuba than we do tracking the money going to al Qaeda. We are spending over $200 billion a year in Iraq, but we cannot fund enough people to find Osama bin Laden and really cut off his money. We are more interested in Cuba and Iraq. That is a distortion.

One other thing I want to mention. We have a tremendous threat in this country, and the President is right about one thing, that there is a real threat against this country. One of those threats is there are 20,000, in a sense, loose nuclear weapons from the former Soviet Union that are not in secure locations tonight, that some terrorists could get ahold of. But what have we done to try to increase our rate of locking up that fissionable material so al Qaeda cannot get ahold of it since September 11? What has this administration done? Essentially nothing to improve our efforts to try to lock up that fissionable material. They have not increased their appropriation, as far as I know, a dime to get rid of this material that al Qaeda, we know, is interested in using to attack us. Why not? They are spending $200 billion in Iraq to chase weapons of mass destruction that there were zero weapons of mass destruction, zero nuclear weapons in Iraq. We know there are 20,000 nuclear weapons that are running around the former Soviet Union, some of which were locked up in a chicken shed with a little lock on it you could break with bicycle lock busters, literally; and this administration will not put more money into that effort to lock up those loose nukes. This is a misprioritization.

Mr. DELAHUNT. I appreciate this conversation tonight. I think what is interesting is that while we speak about Osama bin Laden, we have to be very clear that because of the delay that has occurred and the diversion of effort and resources into securing Afghanistan and nurturing democratic institutions, not only has Osama bin Laden, who is obviously a symbol to those who share his world view but has encouraged new groups, al Qaeda has morphed into a number of groups, some of which have names, some of which do not have names, and that terrorism is spreading throughout the world as we speak today. If the President is suggesting that the invasion of Iraq somehow served as a deterrence to these terrorists, he is absolutely wrong.

It is interesting to read that in terms of the efficacy of Iraq, of the invasion of Iraq, an NBC news analysis that was reported September 2 of this year showed that of the roughly 2,900 terrorist-related deaths since the 9/11 attacks on our homeland, 58 percent of them, in excess of 1,700, have occurred this year.

□ 2330

This year. So terrorism is burgeoning. We identified the wrong enemy, and now we are playing catch-up, and the world is more dangerous.

And I would like to just to conclude with a quote from someone whom we

all respect who has served this country well, a good Member of Congress, the Vice Chair of the Permanent Select Committee on Intelligence of this branch, a conservative Republican from Nebraska who retired recently to assume a new position of some stature in terms of foreign affairs, by the name of Doug Bereuter. He wrote a letter to his constituents because he recognized what we have been talking about, and this is what he said: ''It was a mistake to launch'' the invasion of Iraq. ''Our country's reputation around the world has never been lower.'' In other words, our credibility is suffering. ''And our alliances are weakened. Now we are immersed in a dangerous, costly mess, and there is no easy and quick way to end our responsibilities in Iraq without creating bigger future problems in the region and, in general, in the Muslim world.''

That is from Doug Bereuter, a good Member, someone who made substantial contributions to the debate and discourse in this House, who is a Republican with excellent conservative credentials.

This is nonpartisan. It should not be a partisan issue. This is about identifying the right enemy and taking the necessary action to defeat those who would harm the United States.

Mr. HOEFFEL. Mr. Speaker, will the gentleman yield?

Mr. INSLEE. I yield to the gentleman from Pennsylvania.

Mr. HOEFFEL. Mr. Speaker, I thank the gentleman from Washington (Mr. INSLEE). It has always been clear that we need to internationalize the challenge in Iraq, and we need to ''Iraqatize'' the challenge in Iraq. We need international support from what is happening. I do not believe this President can do it. But from the first day we should have been returning to the United Nations to do the reconstruction. We should have turned to NATO and the Arab League nations for security. Those countries are a lot closer to Iraq than we are and have a much bigger stake than we do in a stable Iraq. But we have not done that. We have done the occupation of Iraq with 90 percent of the troops being American and 90 percent of the money being American, and we have not yet stabilized that country.

Mr. DELAHUNT. Mr. Speaker, will the gentleman yield?

Mr. INSLEE. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Mr. Speaker, our occupation in Iraq is being characterized by ineffectiveness, by incompetence. If one just reads the daily newspaper and sees comments and admissions by the Secretary of Defense Mr. Rumsfeld and the Chief of the Joint Chiefs of Staff General Myers, the number of cities in Iraq that are no longer under the control of the Interim Iraqi Government and American occupation forces grows on a daily basis. Fallujah, Ramadi, Baquba, Samarra, Najaf, Karbala, and perhaps soon a significant section of Baghdad are no longer under the control of the Interim Iraqi Government. The Baath Party is experiencing a resurgence, President Bush, except Saddam Hussein is no longer the head of it.

Mr. STRICKLAND. Mr. Speaker, if the gentleman from Washington (Mr. INSLEE) would yield, what we have here is a situation where we have lost 1,000 of our troops, nearly 7,000 injuries, $200 billion has been spent, and we are in effect giving over Iraq to the bad guys. The President is not willing to admit it, but when we have huge cities and large geographic areas in Iraq where American soldiers cannot even enter, it seems to me that we are capitulating, that we are giving in and giving over this country that we have shed blood to try to liberate.

I would just like to say something, though. I know our time is nearly coming to an end. We have talked about several things here. What we have talked about I think can be characterized as miscalculation. That is the word the President used. He said he miscalculated. He miscalculated, and 1,000 soldiers have died. He miscalculated, and almost 7,000 soldiers have been injured. He miscalculated; over $200 billion of the taxpayers' resources have been spent there.

But this is what I would like to just emphasize in my closing remarks. The only people sacrificing really for this war are the soldiers who are fighting and risking their lives and the families back here at home who love them and who worry about them. They are the only ones sacrificing. None of us here in this Chamber are sacrificing, or over in the Senate Chamber, or down there at the White House. We do not have sons and daughters fighting this war. I think there may be two Members out of the 535 Members of the House and Senate with a child that is an Active-Duty soldier, and I do not know how many at the White House. I doubt if there are many, if any at all. And yet it is easy, it is easy, under those circumstances to talk tough, to say we will pay any price.

We are not paying a price. We are not even paying for this war. The cost of this war is being passed on to the children and the grandchildren that will follow us. They are the ones being asked to pay the cost of this war. What did the President asked us to do to sacrifice for this war? He told us to go shopping. He told us to go shopping. Where is the sacrifice other than those who are at this very moment risking their lives for us, the moms and dads who are grieving and will grieve for the rest of their lives over the loss of their son or daughter, the husbands and the wives and the children who will live out the rest of their lives without their loved one because of the miscalculation of this administration and their unwillingness to even recognize what they have done?

That is what bothers me. We all should be sacrificing and sharing in the sacrifice, but we are not being asked to do so. Go out and live our life. Go shopping, go to the ballgames, spend money, do what we want to do, and let someone else's kid fight this war for the Iraqi Interim Government. That is totally unacceptable.

Mr. INSLEE. Mr. Speaker, I would point out since the Republicans wanted to show respect for Franklin Delano Roosevelt, Roosevelt in the throes of World War II did not say, let us all enjoy a tax cut. He said, let us tighten our belts, grow victory gardens, buy Liberty Bonds, and get this job done. But this President is not willing to ask Americans to make those sacrifices for reasons that we have to ask ourselves why, but he will not do it.

And when we talk about the people whose lives are on the line in Iraq, there is a draft already going on in that country. There is a silent draft, and that silent draft is if one was in military service at any time in the last 2 years or 20 years by the sum of what they count, they are potentially going to haul them back in and send them to Baghdad, and that is what they are doing. There is a silent draft going on right now, and it is unfair to the families who had their lives disrupted, who thought their military service was over. And thousands of Americans are getting dragged off of their jobs and away from their families this month because of the poor planning that went on.

□ 2340

I want to mention, just talking about the future if I can, as Laurel and Hardy said, you know, this is a fine mess that we are in. But the question is, what do we do now? Because we are in it, and we are in it together. Republicans are in it, Democrats are in it, urban and rural, we are all in this mess together, so what are we going to do?

Let me suggest that there are some things we need when it comes to a leader of America right now to find a way to solve the problem in Iraq. I would suggest there are three things we need in a leader right now, in a President right now.

Number one, we need a President who can have the respect and good working relationship with the rest of the world, to try to get the rest of the world to pitch in and help in Iraq. We need someone who has not burned his bridges with friends or potential allies, someone who has not offended the rest of the world, someone who has not ended up getting a 90 percent disapproval rating with some of our purported allies on our policy in Iraq, someone who can really lead a world alliance. We have to ask whether we have a President who is capable of that right now.

The second thing we need is we need a President who is willing to fire the boobs and incompetents who have made ridiculous decisions that have cost thousands of American lives and injuries. We need somebody who is

willing to clear the decks of the individuals who ought to be held accountable for the lack of body armor, the lack of armor, the poor planning, the decision now to let these militias go out and breed where our people are going to suffer eventually when we have to face them. These people need to go. We need a President who is not great friends with these people and who will not fire them. I have to seriously question whether we have a leader right now in the White House who is capable of that.

The third thing we need is we need a President who is basically willing to take a fresh approach in Iraq. We need a new strategy in Iraq. We need someone who is truly willing to break with the past, try new approaches, talk to different people, hire different staff, get new intelligence and get new strategies in Iraq.

Unfortunately, this President has a quality of refusing to change, no matter what the evidence is. The evidence be darned, he is going to continue the route he chose.

That is not good enough right now for America. We need better and we need a fresh approach. This country needs to ask whether we have a leader in the White House who is capable of adopting a fresh approach in Iraq. That is a serious question Americans will be asking this November, and I hope it is something they chew on.

I yield to the gentleman from Pennsylvania (Mr. HOEFFEL).

Mr. HOEFFEL. Mr. Speaker, I agree with the gentleman. Clearly we share the President's goals of creating a stable Iraq that can choose its own government. But the policies that he has chosen and the rigidity in which he has implemented those policies and the inability to change course when the policies are failing are clearly leading us to a disaster in Iraq, where our troops are in the middle of the domestic political striving of competing ethnic and religious interests, unable to stabilize the country because we are doing it alone, because we do not have the international support that we need, nor have we trained up the Iraqis that we fired from the Iraqi army and fired from the Iraqi border patrol. We have not trained up Iraqis to do the police work and the peacekeeping that they ought to be doing for themselves.

The President continues to act with arrogance, with a cowboy diplomacy and an unwillingness to admit error, compounded by the outrages expressed on the campaign trail, the intentional efforts to mislead Americans, trying to connect 9/11 with Hussein, which is a bogus connection, and with the Vice President saying the other day, outrageously, that if the voters make the wrong choice on November 2, that will lead to more acts of terror against this country.

I do not know that I have ever heard a more outrageous or reckless statement made by any leader of this country, unless it would be the President's statement himself in the summer of 2003 that they should ''bring it on,'' and 800 Americans have died since the President said that.

Mr. DELAHUNT. Mr. Speaker, if the gentleman will yield further, what the Vice President should do, he should reveal those statistics that I reported to you earlier about the increase in the incidents of terrorists' acts all over the world that are directly related to the failed policies of this administration.

To my left there is a photo of the President with an individual by the name of Ahmed Chalabi, who is the source of much of the faulty intelligence that the administration was looking for to base its case on for the American people.

Now we have the FBI investigating the Pentagon, the office of one Douglas Fife, to determine whether Mr. Chalabi received information that was passed on to Iran, to Iran, about our policy initiatives and considerations relative to Iran.

Here we have the President of the United States with an individual which reports indicate, I am not reaching a conclusion, but which reports indicate was a spy or a double agent for Iran. This same gentleman was in this Chamber during the State of the Union address by this President last January and sat up directly behind the First Lady.

Now, I have to tell you, to follow up on the gentleman from Washington's point, I would think that anyone who was involved or connected or listened to Mr. Chalabi, who, by the way, was a convicted felon in Jordan for embezzlement of some $300 million from a bank in Jordan and had to flee Jordan, anyone who listened to that individual should have been fired a long time ago. What an embarrassment to this administration, what an embarrassment to the United States.

Mr. STRICKLAND. If the gentleman will yield for a moment, I remember being in the Chamber that night of the State of the Union address and looking up there and seeing Mr. Chalabi. I believe Mr. Chalabi was fairly close to Vice President Dick Cheney.

Now, the accusations are, as the gentleman says, and they are credible accusations, yet to be proven but under investigation, that Mr. Chalabi got information from a member of this administration, from the Pentagon, took that information and shared it with Iran. Iran, this country that we all now recognize is developing nuclear weapons, probably a much greater threat to this country directly than Iraq ever was, and it is under investigation that this man took information and shared it with Iran. If that proves to be true, that is a terribly, terribly serious thing that has happened.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RYAN of Ohio (at the request of Ms. PELOSI) for today and the balance of the week on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BROWN of Ohio) to revise and extend their remarks and include extraneous material:)

Mrs. MCCARTHY of New York, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. CONYERS, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. BERKLEY, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. WALDEN of Oregon) to revise and extend their remarks and include extraneous material:)

Mr. KIRK, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, September 9.

Mr. KING of Iowa, for 5 minutes, today.

Mr. HENSARLING, for 5 minutes, September 13. (The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. BLUMENAUER, for 5 minutes, today.

Mr. PEARCE, for 5 minutes, today.

BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on September 7, 2004 he presented to the President of the United States, for his approval, the following bill.

H.R. 5005. Making emergency supplemental appropriations for the fiscal year ending September 30, 2004, for additional disaster assistance.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 11 o'clock and 47 minutes p.m.), the House adjourned until tomorrow, Thursday, September 9, 2004, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

9416. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on U.S. military personnel and U.S. individual civilians retained

as contractors involved in supporting Plan Colombia, pursuant to Public Law 106–246, section 3204 (f) (114 Stat. 577); to the Committee on Armed Services.

9417. A letter from the Acting Under Secretary for Acquisition, Technology, and Logistics, Department of Defense, transmitting notification that the Group II Mission Computer Replacement Program (GrIIM RePr), manufactured by Northrop Grumman Space Technology (NGST), is a commercial item and, therefore, is excluded from core logistics capability requirements, as well as the justification for such a decision, pursuant to 10 U.S.C. 2464(c); to the Committee on Armed Services.

9418. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting Authorization of Major General John F. Sattler, United States Marine Corps, to wear the insignia of the grade of lieutenant general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

9419. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the next higher grade in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

9420. A letter from the Comptroller, Department of Defense, transmitting the Department's quarterly report as of June 30, 2004, entitled, ''Acceptance of contributions for defense programs, projects and activities; Defense Cooperation Account,'' pursuant to 10 U.S.C. 2608; to the Committee on Armed Services.

9421. A letter from the Director, Defense Security Cooperation Agency, transmitting notification with respect to a proposed Letter of Offer and Acceptance (LOA) to sell defense articles and services, pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

9422. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report covering defense articles and services that were licensed for export under section 38 of the Arms Export Control Act during FY 2002, pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

9423. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's annual report entitled ''Report to Congress on Arms Control, Nonproliferation and Disarmament Studies Completed in 2003,'' pursuant to 22 U.S.C. 2579; to the Committee on International Relations.

9424. A letter from the Chairman, Christopher Columbus Fellowship Foundation, transmitting pursuant to the Accountability of Tax Dollars Act, the Foundation's quarterly financial statement, prepared by the U.S. General Services Administration; to the Committee on Government Reform.

9425. A letter from the Executive Director, Consumer Product Safety Commission, transmitting the Commission's inventories of Commercial and Inherently Governmental Activities for Year 2004 as pursuant to the Federal Activities Inventory Reform Act; to the Committee on Government Reform.

9426. A letter from the Chief Executive Officer, Corporation for National and Community Service, transmitting the semiannual report of the Office of the Inspector General for the period October 1, 2003 through March 31, 2004, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

9427. A letter from the Director, Office of White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9428. A letter from the Director, Office of White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9429. A letter from the Director, Office of White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9430. A letter from the Acting Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting in accordance with Section 647(b) of Division F of the Consolidated Appropriations Act, FY 2004, Pub. L. 108-199, and the Office of Management and Budget Memorandum 04-07, the Department's report on competitive sourcing efforts for FY 2003; to the Committee on Government Reform.

9431. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9432. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9433. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9434. A letter from the Director, Office of Human Resources Management, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9435. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9436. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, ''Contract Awarded by the Water and Sewer Authority Was Poorly Monitored and Managed''; to the Committee on Government Reform.

9437. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, ''Certification of the Sufficiency of the Washington Convention Center Authority's Projected Revenue and Excess Reserve to Meet Projected Operating and Debt Service Expenditures and Reserve Requirements for FY 2005''; to the Committee on Government Reform.

9438. A letter from the Secretary, Department of the Interior, transmitting the 2003 Annual Report for the Office of Surface Mining Reclamation and Enforcement (OSM), pursuant to 30 U.S.C. 1211(f), 1267(g), and 1295; to the Committee on Resources.

9439. A letter from the Assistant Secretary for Policy, Management and Budget, Department of the Interior, transmitting a draft bill ''To amend the Federal Land Transaction Facilitation Act of July 25, 2000 to remove the timeframe that limits the Secretary of the Interior's use of decisions in the Bureau of Land Management land use plans to dispose of lands, to reallocate funds for land acquisitions and other uses, to extend the sunset provision currently contained in the Act and for other purposes''; to the Committee on Resources.

9440. A letter from the Assistant Attorney General, Department of Justice, transmitting a letter responding to the DNA Analysis Backlog Elimination Act of 2000's grant reporting requirement with respect to Fiscal Years 2002 and 2003 funds and conveys, for greater clarity of the DNA analysis backlog issue, the study to assess the number of untested rape examination kits that currently exist nationwide, as required by Pub. L. 107-273, the 21st Century Department of Justice Appropriations Authorization Act; to the Committee on the Judiciary.

9441. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule — Documentation of Nonimmigrants Under the Immigration and Nationality Act, as Amended--Elimination of Crew List Visas [Public Notice: 4654] (RIN: 1400-AB49) received July 30, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

9442. A letter from the Senior Staff Attorney, United States Court of Appeals for the First Circuit, transmitting an opinion of the United States Court of Appeals for the First Circuit (No. 03-1922 — Dieudonna Georcely v. John Ashcroft (July 12, 2004)); to the Committee on the Judiciary.

9443. A letter from the Senior Staff Attorney, United States Court of Appeals for the First Circuit, transmitting an opinion of the United States Court of Appeals for the First Circuit (No.03-1922 — Dieudonna Georcely v. John Ashcroft (July 12, 2004)); to the Committee on the Judiciary.

9444. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; White River, Clarendon, Arkansas [CGD08-04-022] (RIN: 1625-AA09) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9445. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Rigolets Pass, New Orleans, LA. [CGD08-04-025] received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9446. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations: Newtown Creek, Dutch Kills, English Kills, and their tributaries, NY. [CGD01-04-076] received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9447. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation: Inner Harbor Navigation Canal, LA [CGD08-04-026] (RIN: 1625-AA09) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9448. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations: Jamaica Bay and connecting waterways, NY. [CGD01-04-080] received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9449. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations: Raritan River, NJ. [CGD01-04-091] received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9450. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge

Operation Regulations; CSX Railroad, Manatee River Mile 4.5, Bradenton, FL. [CGD07-04-015] (RIN: 1625-AA09) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9451. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations: Mystic River, MA [CGD01-04-030] (RIN: 1625-AA09) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9452. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone Regulations; Elliot Bay and Lake Washington, WA [CGD-13-04-033] (RIN: 1625-AA87) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9453. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Areas, Anchorage Grounds, Safety and Security Zones; Tall Ships Rhode Island 2004, Narragansett Bay, Rhode Island [CGD01-04088] (RIN: 1625-AA87) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9454. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Cape Fear River, Eagle Island, North Carolina State Port Authority Terminal, Wilmington, NC [CGD05-04-116] (RIN: 1625-AA87) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9455. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Shelter Cove, Hilton Head Island, SC [COTP Savannah-04-066] (RIN: 1625-AA00) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9456. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Time Warner Cable Fireworks — Boston, Massachusetts [CGD01-04-081] (RIN: 1625-AA00) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9457. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Democratic Governors Association Fireworks Display — Boston, Massachusetts [CGD01-04-046] (RIN: 1625-AA00) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9458. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bridge Demolition, Raritan River, Perth Amboy, NJ [CGD01-04-087] (RIN: 1625-AA00) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9459. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zones; Democratic National Convention, Boston, MA [CGD01-04-002] (RIN: 1625-AA87) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9460. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Captain of the Port Hampton Roads Zone, Hampton Roads, VA [CGD05-04-067] (RIN: 1625-AA87) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9461. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Ohio River Mile 119.0 to 119.8, Natrium, WV [COTP Pittsburgh-03-030] (RIN: 1625-AA00) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9462. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone: Coronado Bay Bridge, San Diego, California [COTP San Diego 04-015] (RIN: 1625-AA87) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9463. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Coast Guard Activities New York Fireworks Displays [CGD01-03-102] (RIN: 1625-AA00) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9464. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Northeast Ohio [CGD09-03-202] (RIN: 1625-AA00) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9465. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River Mile Marker 778.0 to 781.0, Osceola, AR [COTP Memphis 04-001] (RIN: 1625-AA00) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9466. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Atlantic Intracoastal Waterway and Connecting Waters, Vicinity of Marine Corps Base Camp Lejeune, North Carolina [CGD05-03-167] (RIN: 1625-AA00) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9467. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Annual Kennewick, Washington, Columbia Unlimited Hydroplane Races [CGD13-04-034] (RIN: 1625-AA08) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9468. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Atlantic Ocean, Atlantic City, NJ [CGD05-04-129] (RIN: 1625-AA08) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9469. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Enforcement of SOLAS Requirements [USCG-2004-17615] received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9470. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Unauthorized entry in Cuban territorial waters [USCG-2004-17509] (RIN: 1625-AA86) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9471. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Mandatory Ballast Water Management Program for U.S. Waters [USCG-2003-14273] (RIN: 1625-AA52) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9472. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Carriage of Navigation Equipment for Ships on International Voyages [USCG-2002-13057] received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9473. A letter from the Attorney, Office of Aviation Enforcement and Proceedings, Department of Transportation, transmitting the Department's final rule — Civil Penalties [Docket No. OST-2004-18560] (RIN: 2105-AD40) received July 14, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9474. A communication from the President of the United States, transmitting notification of his intention to designate Iraq as a beneficiary developing country under the Generalized System of Preferences (GSP)any such designation, pursuant to Public Law 104—188, section 1952(a)(110 Stat. 1917); (H. Doc. No. 108—211); to the Committee on Ways and Means and ordered to be printed.

9475. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a semi-annual report to Congress on the continued compliance of Armenia, Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, Ukraine, and Uzbekistan with the Trade Act's freedom of emigration provisions, as required under the Jackon-Vanik Amendment, pursuant to 19 U.S.C. 2432(c) and (d) 19 U.S.C. 2439(b); to the Committee on Ways and Means.

9476. A letter from the Secretary, Department of Agriculture, transmitting the Department's report entitled, ''Herger-Feinstein Quincy Library Group Forest Recovery Act Pilot Project Status Report to Congress FY 2003''; jointly to the Committees on Resources and Agriculture.

9477. A letter from the Deputy Assistant Secretary, Economic Development Administration, transmitting the annual report on the activities of the Economic Development Administration for Fiscal Year 2002, pursuant to 42 U.S.C. 3217; jointly to the Committees on Transportation and Infrastructure and Financial Services.

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:

Mr. SMITH of New Jersey: Committee on Veterans' Affairs. H.R. 4768. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into certain major medical facility leases, to authorize that Secretary to transfer real property subject to certain limitations, and for other purposes; with amendments (Rept. 108–663). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 2960. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Brownsville Public Utility Board water recycling and desalinization project (Rept. 108–664). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 4027. A bill to authorize the Secretary of Commerce to make available to the University of Miami property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration on Virginia Key, Florida, for use by the University for a Marine Life Science Center; with an amendment (Rept. 108–665). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 4617. A bill to amend the Small Tracts Act to facilitate the exchange of small tracts of land, and for other purposes; with amendments (Rept. 108–666, Pt. 1). Ordered to be printed.

Mr. POMBO: Committee on Resources. S. 1003. An act to clarify the intent of Congress with respect to the continued use of established commercial outfitter hunting camps on the Salmon River (Rept. 108–667). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 4606. A bill to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, and for other purposes; with an amendment (Rept. 108–668). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 4508. A bill to amend the National Parks and Recreation Act of 1978 to require the Secretary to permit continued use and occupancy of certain privately owned cabins in the Mineral King Valley in the Sequoia National Park (Rept. 108–669). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 4586. A bill to provide that making limited portions of audio or video content of motion pictures imperceptible by or for the owner or other lawful possessor of an authorized copy of that motion picture for private home viewing, and the use of technology therefor, is not an infringement of copyright or of any right under the Trademark Act of 1946; with an amendment (Rept. 108–670). Referred to the Committee of the Whole House on the State of the Union.

Mr. ISTOOK: Committee on Appropriations. H.R. 5025. A bill making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005, and for other purposes (Rept. 108–671). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Agriculture discharged from further consideration. H.R. 4617 referred to the Committee of the whole House on the State of the Union.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. TOM DAVIS of Virginia: Committee on Government Reform. H.R. 4341. A bill to reform the postal laws of the United States; referred to the Committee on the Judiciary for a period ending not later than September 28, 2004, for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(k), rule X (Rept. 108–672, Pt. 1). Ordered to be printed.

TIME LIMITATION OF REFERRED BILL

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

H.R. 4617. Referral to the Committee on Agriculture extended for a period ending not later than September 8, 2004.

PUBLIC BILLS AND RESOLUTIONS

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

By Ms. PELOSI (for herself, Mr. HOYER, Mr. MENENDEZ, Mr. CLYBURN, Mr. SPRATT, Mr. GEORGE MILLER of California, Ms. DELAURO, Mr. MATSUI, Ms. HARMAN, Mr. SKELTON, Mr. TURNER of Texas, Mr. LANTOS, Mr. LARSON of Connecticut, Mr. FRANK of Massachusetts, Mr. CONYERS, Mr. OBERSTAR, Mr. RANGEL, Mr. EVANS, Mr. RAHALL, Mr. WAXMAN, Mrs. LOWEY, Mr. GEPHARDT, Mr. THOMPSON of California, Mr. NADLER, Mr. SCHIFF, Mr. MCGOVERN, Mr. MARKEY, Mr. BISHOP of Georgia, Mrs. TAUSCHER, Mr. COOPER, Mr. BACA, Mr. TIERNEY, Mr. HOEFFEL, Mr. KENNEDY of Rhode Island, Mr. CARDOZA, Mr. THOMPSON of Mississippi, Mr. ABERCROMBIE, Mr. ANDREWS, Mrs. JONES of Ohio, Mr. ORTIZ, Ms. ESHOO, Mr. HOLT, Ms. MCCARTHY of Missouri, Mr. BERRY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ISRAEL, Mr. REYES, Mr. RODRIGUEZ, Ms. LORETTA SANCHEZ of California, Mr. HILL, Mrs. DAVIS of California, Mr. LARSEN of Washington, Mr. MARSHALL, Mr. STUPAK, Mr. DELAHUNT, Mrs. MCCARTHY of New York, Ms. WATSON, Mr. WEINER, Mr. STARK, Mr. FATTAH, Mr. PALLONE, Mr. BLUMENAUER, Mr. CUMMINGS, Ms. MILLENDER-MCDONALD, Mr. OLVER, Mr. EMANUEL, Ms. JACKSON-LEE of Texas, Mr. CASE, Mr. HASTINGS of Florida, Mr. SMITH of Washington, Mr. SERRANO, Mr. LAMPSON, Mr. ACKERMAN, Mr. ENGEL, Mr. CROWLEY, Mr. HINCHEY, Mr. LANGEVIN, Mrs. CHRISTENSEN, Mr. BUTTERFIELD, Mr. BISHOP of New York, Ms. WOOLSEY, Mr. ROTHMAN, Mr. PAYNE, Ms. BORDALLO, Mrs. MALONEY, Mr. MEEK of Florida, Mr. MEEHAN, Mr. PRICE of North Carolina, Mr. MCINTYRE, Mr. UDALL of New Mexico, Mr. NEAL of Massachusetts, Mr. STRICKLAND, Ms. BALDWIN, Mr. BECERRA, Mr. ALLEN, Mr. PASCRELL, Mr. DOOLEY of California, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. FARR, Mr. LYNCH, Mr. PETERSON of Minnesota, Mr. RUPPERSBERGER, Mr. DAVIS of Florida, Mr. BAIRD, Mr. ACEVEDO-VILA, Ms. WATERS, Mr. JACKSON of Illinois, Mr. SHERMAN, and Mr. JEFFERSON):

H.R. 5024. A bill to implement the recommendations of the National Commission on Terrorist Attacks on the United States by establishing the position of National Intelligence Director, by establishing a National Counterterrorism Center, by making other improvements to enhance the national security of the United States, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committees on Armed Services, International Relations, Ways and Means, Financial Services, the Judiciary, Transportation and Infrastructure, Government Reform, Energy and Commerce, Science, and Rules, 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. LEVIN (for himself, Ms. PELOSI, Mr. HOYER, Mr. RANGEL, Mr. MATSUI, Mr. MENENDEZ, Mr. SPRATT, and Mr. CLYBURN):

H.R. 5026. A bill to require the President to take certain actions to enforce the textiles and apparel safeguard with respect to imports from the People's Republic of China; to the Committee on Ways and Means.

By Ms. GINNY BROWN-WAITE of Florida (for herself, Mr. FOLEY, Mr. BOYD, Mr. MEEK of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Mr. CRENSHAW, Mr. HASTINGS of Florida, Ms. CORRINE BROWN of Florida, Mr. STEARNS, and Ms. ROS-LEHTINEN):

H.R. 5027. A bill to designate the facility of the United States Postal Service located at 411 Midway Avenue in Mascotte, Florida, as the ''Specialist Eric Ramirez Post Office''; to the Committee on Government Reform.

By Mrs. JONES of Ohio (for herself, Mr. LATOURETTE, Mr. KUCINICH, Mr. PASCRELL, and Mr. STRICKLAND):

H.R. 5028. A bill to allow a waiver or exemption of certain requirements for restricted airspace if security is not reduced; to the Committee on Transportation and Infrastructure.

By Mr. LATOURETTE (for himself and Mr. KUCINICH):

H.R. 5029. A bill to allow a waiver or exemption of certain requirements for restricted airspace if security is not reduced; to the Committee on Transportation and Infrastructure.

By Mr. MICHAUD:

H.R. 5030. A bill to amend the Trade Act of 1974 to provide trade adjustment assistance to the services sector and for communities, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Veterans' Affairs, 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. NETHERCUTT:

H.R. 5031. A bill to amend the Bank Holding Company Act of 1956 to clarify the application of the credit card bank exception to certain limited purpose credit card banks serving community banks, and for other purposes; to the Committee on Financial Services.

By Mr. SAXTON:

H.R. 5032. A bill to require the Nuclear Regulatory Commission to consider certain criteria in relicensing nuclear facilities, and to provide for an independent assessment of the Oyster Creek Nuclear Generating Station by the National Academy of Sciences

prior to any relicensing of that facility; to the Committee on Energy and Commerce.

By Mr. SHAYS:

H.R. 5033. A bill to suspend temporarily the duty on certain meatless frozen food products; to the Committee on Ways and Means.

By Mr. THOMPSON of California:

H.R. 5034. A bill to amend title II of the Social Security Act to require waiver of the 5-month waiting period for entitlement to benefits based on disability in the case of a terminally ill beneficiary; to the Committee on Ways and Means.

By Mr. WEINER:

H.R. 5035. A bill to require the Secretary of Homeland Security to provide the same screening of all passengers and property that will be carried aboard a passenger aircraft operated in the United States by a person other than an air carrier as is provided for all passengers and property that are carried aboard a passenger aircraft operated by an air carrier, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MENENDEZ:

H. Res. 756. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. HYDE (for himself and Mr. LANTOS):

H. Res. 757. A resolution expressing the sense of the House of Representatives on the anniversary of the terrorist attacks launched against the United States on September 11, 2001; to the Committee on International Relations, and in addition to the Committees on Armed Services, Transportation and Infrastructure, and the Judiciary, 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. BROWN of Ohio (for himself, Mr. GUTKNECHT, Ms. DELAURO, Mr. SANDERS, and Mr. EMANUEL):

H. Res. 758. A resolution opposing the inclusion in future free trade agreements of provisions that would have the effect of restricting, undermining, or discouraging the enactment or implementation of legislation authorizing the importation of prescription drugs, and for other purposes; to the Committee on Ways and Means.

By Mr. ROHRABACHER:

H. Res. 759. A resolution commending the Festival of Children Foundation for its outstanding efforts on behalf of children and expressing the support of the House of Representatives for the designation of a ''Child Awareness Month''; to the Committee on Education and the Workforce.

By Mr. ROYCE (for himself, Mr. LANTOS, Mr. HYDE, Mr. WELDON of Pennsylvania, Mr. HOYER, Mr. SAXTON, Mr. CHABOT, Mr. PENCE, Mr. BERMAN, Mr. BELL, Mr. GALLEGLY, Mr. STENHOLM, Mr. ENGEL, Mr. CHANDLER, Mr. JONES of North Carolina, Mr. SHERMAN, Mr. BURGESS, Mr. KING of Iowa, Mr. KING of New York, Mr. ROGERS of Alabama, Mr. SULLIVAN, Mr. BAIRD, Mrs. JO ANN DAVIS of Virginia, Mrs. MYRICK, Mr. FLAKE, Mr. BURTON of Indiana, Mr. WILSON of South Carolina, Mr. FALEOMAVAEGA, Mr. SMITH of New Jersey, Mr. MILLER of Florida, Mr. BARRETT of South Carolina, Mr. POMBO, Ms. MCCOLLUM, Mrs. MILLER of Michigan, Mr. BOOZMAN, Mr. BARTLETT of Maryland, Mr. MCCOTTER, Mr. WOLF, Mr. BRADLEY of New Hampshire, Mr. CALVERT, Mr. HOEKSTRA, Mr. SOUDER, Mr. PITTS, Mr. GOODE, Mr. LARSEN of Washington, and Mr. FORBES):

H. Res. 760. A resolution condemning the series of terrorist attacks against the Russian Federation that occurred in late August and early September 2004; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BACA:

H.R. 5036. A bill to extend the patent numbered RE 38,014 (BIEBERSTEIN) for a period of 2 years; to the Committee on the Judiciary.

By Mr. WU:

H.R. 5037. A bill for the relief of Rogelio Gallegos-Herrera; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 111: Ms. HERSETH.
H.R. 117: Mr. MCHUGH.
H.R. 195: Mr. TAYLOR of North Carolina.
H.R. 434: Mr. DUNCAN and Mr. GOODLATTE.
H.R. 476: Mr. MORAN of Virginia and Mr. BARTLETT of Maryland.
H.R. 573: Ms. ESHOO.
H.R. 643: Mr. TIERNEY.
H.R. 664: Mr. ANDREWS.
H.R. 677: Mr. BUTTERFIELD, Mr. DAVIS of Alabama, Mr. LYNCH, Mr. PORTER, and Mr. SCOTT of Georgia.
H.R. 785: Ms. LINDA T. SANCHEZ of California.
H.R. 814: Mr. LAMPSON, Mr. ENGEL, Mr. OLVER, and Mr. CLAY.
H.R. 869: Ms. MCCOLLUM.
H.R. 880: Mr. LARSEN of Washington.
H.R. 1124: Mr. RYAN of Ohio.
H.R. 1316: Mr. KIRK.
H.R. 1477: Mrs. CHRISTENSEN, Mr. WYNN, Mr. JEFFERSON, and Mr. TOWNS.
H.R. 1532: Mr. MCINTYRE.
H.R. 1634: Mr. SMITH of New Jersey and Mr. FORD.
H.R. 1673: Mrs. DAVIS of California.
H.R. 1726: Mr. EDWARDS.
H.R. 1749: Mr. HASTINGS of Washington and Mr. TAYLOR of North Carolina.
H.R. 1758: Mr. HARRIS and Mr. FORD.
H.R. 1793: Mr. KNOLLENBERG.
H.R. 1868: Mr. FILNER.
H.R. 1884: Mr. PRICE of North Carolina.
H.R. 1919: Ms. WATSON and Mr. KUCINICH.
H.R. 1993: Mr. SERRANO.
H.R. 1994: Mr. GRIJALVA.
H.R. 1998: Mr. BURR.
H.R. 2011: Mr. SHERMAN.
H.R. 2060: Mr. PORTER.
H.R. 2366: Mr. FATTAH and Mr. RANGEL.
H.R. 2387: Mr. ENGEL and Mr. PLATTS.
H.R. 2404: Mr. HOLT.
H.R. 2426: Mr. ALLEN.
H.R. 2509: Mr. HEFLEY.
H.R. 2615: Ms. JACKSON-LEE of Texas.
H.R. 2735: Mr. GREEN of Texas, Mr. TIERNEY, and Mr. SULLIVAN.
H.R. 2743: Mr. BASS and Mr. COX.
H.R. 2916: Mr. MCDERMOTT.
H.R. 3014: Mr. FRANK of Massachusetts and Mr. FILNER.
H.R. 3058: Mr. DAVIS of Alabama.
H.R. 3092: Mr. CRAMER.
H.R. 3111: Ms. SOLIS, Mrs. JONES of Ohio, Mr. WATT, Mr. LINCOLN DIAZ-BALART of Florida, Mr. BROWN of Ohio, Mr. REYNOLDS, Mr. MEEKS of New York, Mr. ENGEL, Mr. SWEENEY, Mr. VISCLOSKY, and Mr. CUNNINGHAM.
H.R. 3192: Mr. OLVER and Mr. GREEN of Texas.
H.R. 3194: Mr. GORDON.
H.R. 3201: Mr. CHANDLER.
H.R. 3242: Mr. SIMMONS and Mr. LARSON of Connecticut.
H.R. 3281: Mr. DUNCAN.
H.R. 3297: Mrs. LOWEY.
H.R. 3309: Ms. LEE.
H.R. 3339: Mr. HOSTETTLER.
H.R. 3355: Mr. CHANDLER.
H.R. 3384: Mr. ANDREWS and Mr. PALLONE.
H.R. 3385: Mr. FOSSELLA.
H.R. 3405: Mrs. LOWEY.
H.R. 3438: Mr. SANDERS, Mr. PLATTS, Mr. SCHIFF, and Mr. SERRANO.
H.R. 3455: Mr. RAHALL.
H.R. 3482: Mr. BOSWELL.
H.R. 3523: Ms. BALDWIN and Mr. MOORE.
H.R. 3558: Mr. JOHNSON of Illinois.
H.R. 3643: Mr. CHOCOLA, Mr. FILNER, Ms. DELAURO, and Mr. GERLACH.
H.R. 3676: Ms. WATSON.
H.R. 3729: Ms. JACKSON-LEE of Texas, Mr. MANZULLO, Mr. SHIMKUS, Ms. LINDA T. SANCHEZ of California, Mr. BAIRD, Mr. RADANOVICH, Mr. STARK, Mr. PITTS, Mr. MORAN of Virginia, Mrs. DAVIS of California, Ms. LORETTA SANCHEZ of California, Mr. ACEVEDO-VILA, Mr. BISHOP of Georgia, Ms. CORRINE BROWN of Florida, Mr. MEEHAN, Mr. BACA, Mr. DELAHUNT, Mr. BERMAN, Mr. LAMPSON, and Mr. RUPPERSBERGER.
H.R. 3755: Mr. LANGEVIN.
H.R. 3767: Mr. ORTIZ.
H.R. 3777: Mr. BASS.
H.R. 3816: Mr. ANDREWS and Ms. LINDA T. SANCHEZ of California.
H.R. 3834: Mr. GARY G. MILLER of California.
H.R. 3881: Mr. RYAN of Ohio.
H.R. 3953: Mr. HERGER and Mr. PLATTS.
H.R. 4016: Mrs. MCCARTHY of New York.
H.R. 4026: Mr. HYDE and Mr. PALLONE.
H.R. 4067: Mr. CUMMINGS, Mrs. JONES of Ohio, Mr. KENNEDY of Rhode Island, Mr. KUCINICH, Ms. LINDA T. SANCHEZ of California, and Mrs. TAUSCHER.
H.R. 4082: Mr. MCGOVERN and Mrs. MALONEY.
H.R. 4101: Mrs. LOWEY, Mr. ENGEL, Mr. WEINER, and Mr. HOLT.
H.R. 4102: Mr. ACEVEDO-VILA, Mr. MEEKS of New York, Mr. MCDERMOTT, Ms. BORDALLO, and Mr. ISRAEL.
H.R. 4169: Mr. TERRY and Ms. GRANGER.
H.R. 4182: Mr. OLVER and Mr. FILNER.
H.R. 4232: Ms. JACKSON-LEE of Texas, Mr. BURGESS, Mr. LAMPSON, and Ms. GRANGER.
H.R. 4233: Mr. BASS.
H.R. 4313: Mr. CROWLEY and Mr. ANDREWS.
H.R. 4325: Mr. CUMMINGS.
H.R. 4338: Mr. SIMPSON.
H.R. 4367: Mrs. MCCARTHY of New York, Mr. ETHERIDGE, Mr. BERRY, Mr. SERRANO, Mr. DEUTSCH, Mr. BLUMENAUER, Mrs. DAVIS of California, Mr. BROWN of Ohio, Mr. VAN HOLLEN, and Mr. FATTAH.
H.R. 4374: Mrs. CAPPS and Mrs. MCCARTHY of New York.
H.R. 4391: Ms. BALDWIN, Mr. BACA, Mr. TOM DAVIS of Virginia, Mr. CUNNINGHAM, and Mrs. DAVIS of California.
H.R. 4420: Mr. HERGER, Mr. BLUNT, Mr. CUNNINGHAM, Mr. CHABOT, and Mr. BURTON of Indiana.
H.R. 4431: Mrs. WILSON of New Mexico.
H.R. 4446: Mr. LATOURETTE.
H.R. 4449: Ms. MCCARTHY of Missouri, Mr. GEORGE MILLER of California, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. KUCINICH.
H.R. 4521: Mr. HINOJOSA.
H.R. 4544: Mr. WEINER and Mr. NADLER.
H.R. 4571: Mr. GARY G. MILLER of California, Mr. CHOCOLA, Mrs. BLACKBURN, Mr. HOSTETTLER, and Mrs. MYRICK.
H.R. 4585: Ms. WOOLSEY.
H.R. 4595: Mr. BACA, Mr. LARSEN of Washington, Mr. NADLER, Mr. FROST, Mr. WYNN, Mr. SOUDER, and Mrs. DAVIS of California.

H.R. 4603: Mr. MCHUGH.
H.R. 4616: Mr. GREEN of Wisconsin.
H.R. 4628: Ms. SOLIS, Mr. ABERCROMBIE, Mr. WEXLER, and Mr. FRANK of Massachusetts.
H.R. 4634: Mr. EHLERS, Mr. PLATTS, Mr. LUCAS of Oklahoma, Mr. BOEHLERT, Mr. MCHUGH, Mr. LEACH, and Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 4662: Mr. ROHRABACHER.
H.R. 4670: Mr. PRICE of North Carolina.
H.R. 4673: Ms. LEE.
H.R. 4682: Mr. PASTOR, Mr. ACKERMAN, Mr. THOMPSON of California, Mr. CONYERS, Mr. DELAHUNT, Mr. BACA, Mr. WYNN, Ms. MAJETTE, and Mrs. BONO.
H.R. 4693: Mr. VISCLOSKY.
H.R. 4701: Mr. CROWLEY.
H.R. 4702: Mr. BISHOP of Georgia, Mr. GREEN of Wisconsin, and Mr. ENGLISH.
H.R. 4706: Ms. LOFGREN, Mr. BERMAN, Mrs. JONES of Ohio, Mr. STARK, Mrs. DAVIS of California, Ms. BERKLEY, and Mrs. LOWEY.
H.R. 4711: Mr. MARSHALL and Mr. BROWN of South Carolina.
H.R. 4730: Mr. NEY.
H.R. 4773: Mr. GARRETT of New Jersey.
H.R. 4776: Mr. RAMSTAD, Mr. PAYNE, Mr. FRANK of Massachusetts, Mr. HOLDEN, Mr. SIMMONS, Mr. MARSHALL, Mr. GORDON, Ms. DELAURO, and Mr. OSBORNE.
H.R. 4792: Mrs. TAUSCHER, Mr. FATTAH, Mr. EVANS, Mr. ABERCROMBIE, and Mr. FILNER.
H.R. 4793: Mr. SANDERS, Ms. MILLENDER-MCDONALD, Mr. SERRANO, and Ms. KILPATRICK.
H.R. 4802: Mr. FRANK of Massachusetts, Mrs. JONES of Ohio, Mr. LATOURETTE, Mr. RUPPERSBERGER, Mr. UDALL of Colorado, Mr. MCGOVERN, and Mr. KUCINICH.
H.R. 4826: Ms. MCCARTHY of Missouri and Mr. FORD.
H.R. 4843: Mr. NEY.
H.R. 4858: Mr. CASE, Mr. GRIJALVA, Mr. SCOTT of Georgia, Mr. LATOURETTE, Mr. MARSHALL, and Ms. MCCOLLUM.
H.R. 4875: Mr. MEEKS of New York, Mr. TURNER of Texas, Mr. DOOLITTLE, Mr. FEENEY, and Mrs. JO ANN DAVIS of Virginia.
H.R. 4892: Mr. NEUGEBAUER and Mr. ROGERS of Alabama.
H.R. 4897: Mrs. LOWEY.
H.R. 4904: Mr. RUPPERSBERGER.
H.R. 4956: Mr. SANDERS, Mr. CASE, and Mr. UDALL of New Mexico.
H.J. Res. 62: Mr. MEEHAN.
H. Con. Res. 247: Mr. DAVIS of Illinois.
H. Con. Res. 366: Mrs. MILLER of Michigan and Mr. BUTTERFIELD.
H. Con. Res. 390: Mrs. LOWEY.
H. Con. Res. 391: Mr. LARSEN of Washington.
H. Con. Res. 461: Mr. RAMSTAD and Mr. EHLERS.
H. Con. Res. 463: Mr. MORAN of Virginia.
H. Con. Res. 486: Mr. STENHOLM, Mr. MCDERMOTT, Mr. GRIJALVA, and Ms. MCCARTHY of Missouri.
H. Res. 466: Mr. BLUMENAUER.
H. Res. 570: Mr. FATTAH, Mr. ISRAEL, Mrs. MALONEY, Mr. GONZALEZ, and Mr. CLAY.
H. Res. 586: Mr. ABERCROMBIE.
H. Res. 641: Mr. WILSON of South Carolina and Mr. SMITH of Washington.
H. Res. 716: Mr. FRANK of Massachusetts.
H. Res. 744: Mr. PITTS and Mr. BLUMENAUER.
H. Res. 746: Mr. FILNER.
H. Res. 747: Mr. CONYERS, Ms. KILPATRICK, Mr. MEEKS of New York, Mr. PAYNE, Mr. TOWNS, Mr. RUSH, Mrs. CHRISTENSEN, Mr. OWENS, and Mr. RANGEL.
H. Res. 751: Mr. KING of New York, Ms. HARRIS, and Mr. BELL.

AMENDMENTS

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

H.R. 5006

OFFERED BY: MR. HEFLEY

AMENDMENT NO. 5: At the end of the bill (before the short title), insert the following:

SEC. ____. Total appropriations made in this Act (other than appropriations required to be made by a provision of law) are hereby reduced by $1,425,000,000.

H.R. 5006

OFFERED BY: MR. HAYWORTH

AMENDMENT NO. 6: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by the National Labor Relations Board to exert jurisdiction over any organization or enterprise pursuant to the standard adopted by the National Labor Relations Board in San Manuel Indian Bingo and Casino and Hotel Employees & Restaurant Employees International Union, AFL-CIO, CLC and Communication Workers of America, AFL-CIO, CLC, Party in Interest, and State of Connecticut, Intervenor, 341 NLRB No. 138 (May 28, 2004).

H.R. 5006

OFFERED BY: MRS. JOHNSON OF CONNECTICUT

AMENDMENT NO. 7: In title I, in the item relating to OCCUPATIONAL HEALTH AND SAFETY ADMINISTRATION, after the aggregate dollar amount insert the following: ''(reduced by $25,000,000)''.

In title II, in the item relating to OFFICE OF THE SECRETARY, after the aggregate dollar amount insert the following: ''(increased by $25,000,000)''.

In title II, in the item relating to OFFICE OF THE SECRETARY, after the fourth dollar amount, insert the following: ''(increased by $25,000,000)''.

H.R. 5006

OFFERED BY: MR. GREEN OF TEXAS

AMENDMENT NO. 8: In title II, in the item relating to ''HEALTH RESOURCES AND SERVICES ADMINISTRATION—HEALTH RESOURCES AND SERVICES'', insert after the first undesignated paragraph the following undesignated paragraph:

In addition, for carrying out section 340 of the Public Health Service Act (relating to the healthy communities access program), $104,000,000.

H.R. 5006

OFFERED BY: MR. ALLEN

AMENDMENT NO. 9: At the end of title II (before the short title), insert the following:

SEC. ____. For research on outcomes of health care items and services (including the comparative clinical effectiveness of prescription drugs), as authorized by section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173), $50,000,000.

H.R. 5006

OFFERED BY: MR. ALLEN

AMENDMENT NO. 10: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to enforce any requirement that a school be identified for improvement, corrective action, or restructuring under section 1116 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316 et seq.), or to otherwise implement any penalty or sanction applicable to a State, a State educational agency, a local educational agency, or a school under such part A, if the amount appropriated in this Act for the purpose of carrying out such part A for fiscal year 2005 is less than $20,500,000,000, as authorized to be appropriated for such purpose in section 1002(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6302(a)).

H.R. 5006

OFFERED BY: MR. LOBIONDO

AMENDMENT NO. 11: In title II, amend section 221 (page 65, line 19, through page 68, line 2) to read as follows:

SEC. 221. (a) Notwithstanding section 412.23(b)(2) of title 42 of the Code of Federal Regulations, none of the funds appropriated by this Act may be expended by the Secretary of Health and Human Services to treat a hospital or unit of a hospital that was certified by the Secretary as an inpatient rehabilitation facility on or before June 30, 2004, as a subsection (d) hospital (as defined in section 1886(d)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B))) until, not later than 60 days after the date on which the report under subsection (b) is issued, the Secretary, taking into account the recommendations in such report—

(1) determines that the classification criteria of hospitals and units of hospitals as inpatient rehabilitation facilities under such section 412.23(b)(2) are not inconsistent with such recommendations; or

(2) promulgates a regulation providing for revised criteria under such section 412.23(b)(2), which regulation shall be effective and final immediately on an interim basis as of the date of publication of the regulation.

(b) The study referred to in subsection (a) is a study by the Comptroller General of the United States directed in the statement of managers accompanying the conference report on the bill H.R. 1 of the 108th Congress regarding clinically appropriate standards for defining inpatient rehabilitation services under such section 412.23(b)(2).

(c) The aggregate amount appropriated under title II for ''Centers for Medicare and Medicaid Services—Program Management'' is hereby reduced by $3,500,000.

H.R. 5006

OFFERED BY: MR. LATOURETTE

AMENDMENT NO. 12: Page 23, after line 2, insert the following new section:

SEC. __. Section 13 of the Fair Labor Standards Act of 1938 (29 U.S.C. 213) is amended by adding at the end the following new section:

''(k)(1) The Secretary of Labor shall not promulgate any rule under subsection (a)(1) that exempts from the overtime pay provisions of section 7 any employee who earns less than $23,660 per year.

''(2) The Secretary shall not promulgate any rule under subsection (a)(1) concerning the right to overtime pay that is not as protective, or more protective, of the overtime pay rights of employees in the occupations or job classifications described in paragraph (3) as the protections provided for such employees under the regulations in effect under such subsection on March 31, 2003.

''(3) The occupations or job classifications to which paragraph (2) applies are as follows:

''(A) Any worker paid on an hourly basis.
''(B) Blue collar workers.
''(C) Any worker provided overtime under a collective bargaining agreement.
''(D) Team leaders.
''(E) Computer programmers.
''(F) Registered nurses.
''(G) Licensed practical nurses.
''(H) Nurse midwives.
''(I) Nursery school teachers.
''(J) Oil and gas pipeline workers, field workers, and platform workers.
''(K) Refinery workers.
''(L) Steel workers.
''(M) Shipyard and ship scrapping workers.
''(N) Teachers.
''(O) Technicians.
''(P) Journalists.
''(Q) Chefs.
''(R) Cooks.

''(S) Police officers, including sergeants.
''(T) Firefighters, including sergeants.
''(U) Emergency medical technicians and paramedics.
''(V) Waste disposal workers.
''(W) Day care workers.
''(X) Maintenance employees.
''(Y) Production line employees.
''(Z) Construction employees.
''(AA) Carpenters, mechanics, and plumbers.
''(BB) Iron workers.
''(CC) Craftsmen.
''(DD) Operating engineers.
''(EE) Laborers.
''(FF) Painters.
''(GG) Cement masons and stone and brick masons.
''(HH) Sheet metal workers.
''(II) Utility workers.
''(JJ) Longshoremen.
''(KK) Stationary engineers.
''(LL) Welders.
''(MM) Boilermakers.
''(NN) Funeral directors.
''(OO) Athletic trainers.
''(PP) Outside sales employees and inside sales employees.
''(QQ) Grocery store managers.
''(RR) Financial services industry workers.
''(SS) Route drivers.
''(TT) Assistant retail managers.

''(4) Any portion of a rule promulgated under subsection (a)(1) after March 31, 2003, that modifies the overtime pay provisions of section 7 in a manner that is inconsistent with paragraphs (2) and (3) shall have no force or effect as it relates to the occupation or job classification involved.''.

H.R. 5006

OFFERED BY: MR. STEARNS

AMENDMENT NO. 13: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds appropriated by this Act may be expended by the Secretary of Health and Human Services to carry out the modification of coverage policy number 35-26 of the Medicare Coverage Issues Manual R125CM announced by the Secretary on July 15, 2004, in the press release entitled ''HHS ANNOUNCES REVISED MEDICARE OBESITY COVERAGE POLICY–Policy Opens Doors to Coverage based on Evidence'' until the date on which the Secretary submits to Congress a report containing the Secretary's estimate of the increased costs to the medicare program by reason of such modification of coverage policy.