

### REPUBLICANS PLAYING THE ROLE OF GRINCH

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

Mr. PALLONE. Mr. Speaker, the role of the Grinch this year is being played by House Republicans. Rather than spreading holiday cheer this month, House Republicans have done their best to make life more difficult for millions of Americans.

House Republicans want to force college students to pay an additional \$5,200 in college loans. House Republicans plan to take away school lunches from thousands of school children who desperately need the nutritional value that these lunches provide. House Republicans are willing to cut the home heating assistance program for low-income families just before the long winter season. And House Republicans plan to penalize America's seniors who don't sign up for a prescription drug plan before May 15, despite all the confusing information that is coming out of the Bush administration.

Mr. Speaker, it is time House Republicans changed their ways, because nobody wants to be around the Grinch in December.

### MEDICARE INFORMED CHOICE ACT

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

Mrs. CAPPS. Mr. Speaker, 1 month ago, elderly Americans were finally able to start choosing among plans to provide them prescription drug coverage. In less than a month, these benefits will go into effect. But now these seniors are expressing their outrage. The choices they have to make are so complex it was imperative that CMS get them accurate information. But instead, CMS sent out inaccurate information. In addition, they told seniors that they basically had to get their information off the Web or by calling a hotline, but delays on the hotline are enormous, and most seniors are not comfortable using the Internet.

So now they are having to make critical, complex choices that are going to affect their health care with far too little assistance. We need to act to help them. Let us not turn our backs on America's seniors. Let us give them all of 2006 to make this important choice without penalty, and let us make sure that they can make a switch if they make the wrong choice.

Let us pass the Medicare Informed Choice Act.

### HURRICANE KATRINA

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

Ms. WATSON. Mr. Speaker, over the last 3½ months, this Republican Congress has failed to act to meet the critical needs of Hurricane Katrina survivors. The few proposals the Republican leadership has put forward fail to go far enough in meeting the challenges of restoring the gulf coast region.

The Congress has yet to enact a clear housing plan for the survivors still living in tents and waiting for promised trailers that have not appeared. Many families may lose their rental assistance at the end of December. And economic revitalization is moving at a snail's pace, with only about 5 percent of small business disaster loan applications approved so far.

Even Republicans have begun to criticize the delay by the administration and the Republican Congress in getting assistance to the gulf coast region. Last week, Mississippi Governor Haley Barbour, a former Chairman of the Republican National Committee, said his State's ability to recover has been severely hampered by Congress's delay in approving more money.

This Congress must not adjourn for the year until we enact measures to address this critical need.

### WAIVING POINTS OF ORDER AGAINST FURTHER CONFERENCE REPORT ON H.R. 3010, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Mrs. CAPITO. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 596 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 596

*Resolved*, That upon adoption of this resolution it shall be in order to consider the further conference report to accompany the bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. FOLEY). The gentlewoman from West Virginia (Mrs. CAPITO) is recognized for 1 hour.

Mrs. CAPITO. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my friend and colleague from California (Ms. MATSUT), 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, H. Res. 596 is a rule waiving all points of order against the conference report accompanying H.R. 3010 and against its consideration. This rule provides that the conference report shall be considered as read.

Mr. Speaker, the underlying legislation is one of the most important measures we consider each year. The underlying legislation will fund a broad array of programs improving the health, education and lifestyle of many Americans. I would like to congratulate the chairman and ranking member of the full committee and subcommittee for their hard work on this essential spending bill.

Mr. Speaker, the future of America hinges on the success of our future generations and their ability to compete with the rest of the world. In order for our children to succeed, they must be equipped with a high-quality education. I am happy to say that since Republicans took control of Congress, funding for the Department of Education has doubled; more recently, over the last 5 years, total education spending has increased by nearly 50 percent. Our children will benefit from an improved educational system that will enhance their ability to succeed and better prepare that next generation of workers.

The fundamental root of all education is reading. As we enter the holiday season, many families will join together in reading holiday stories providing wonderful memoirs for years to come. Unfortunately, some children are not able to read at the appropriate grade level. Included in this legislation is \$1 billion for reading programs that will enable States to eliminate the reading deficit through science- and research-based reading programs.

I am also very pleased that the TRIO and GEAR UP programs are included in this all-important funding package. These programs assist low-income, first-generation college students in their transition from high school to college. This is a difficult transition for any student, but especially those who are the first in their family to attend college. We must continue to support programs like TRIO and GEAR UP so that these students will continue to flourish.

Mr. Speaker, another important responsibility we have is to ensure that our citizens have access to health care facilities and treatments. Included in this legislation is a \$66 million increase in funding for community health centers that are so vitally important across this Nation, but especially in rural States, much like my home State of West Virginia. In the last 5 years, Congress has increased funding for these critical components of our health care delivery system by 48 percent.

I am especially pleased with the increased rural health funding included in this conference report. Millions of Americans across the country, including a majority of my West Virginia constituents, are faced with drastically different health care challenges because they reside in rural areas. This conference report includes a \$90 million increase in funding for rural health programs. Included in this package are funds for the Office of Rural Health and

Research Policy, Rural Health Outreach Grants, Area Health Education Centers, and Medical Training.

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These programs will improve rural health care delivery through continued research, improved technology, and development of health care professionals in rural America.

The National Institutes of Health, NIH, continues to serve our Nation well by developing new treatments and cures for the many diseases that plague our society. With a total funding level of the \$28.6 billion, the researchers at NIH will be able to continue this mission so we may become a healthier Nation and global society.

A key aspect of a healthier society is one where all citizens have access to prescription drugs; and I am proud to say since November 15, Medicare-eligible beneficiaries have been able to sign up for a prescription drug benefit under Medicare. The resources provided in the underlying legislation will allow the Centers for Medicaid and Medicare Services to properly conduct that outreach effort that is so important that will hopefully enroll every senior that stands to benefit from this program.

Mr. Speaker, we are all aware of the challenges that can potentially face all Americans this coming winter, so the high cost of natural gas is something we are very concerned about. In this bill, the State formula grants for the Low Income Home Energy Assistance Program, LIHEAP, are funded at over \$2 billion; and we fund an additional billion dollars included in the House-passed Deficit Reduction Act passed earlier this month.

As with any appropriation legislation, we had tough choices to make. These choices are particularly difficult when dealing with the sensitive health and education issues like the ones in this bill. The Committee on Appropriations allocated the available resources in this bill in a manner that emphasizes those programs most important to our Nation.

Mr. Speaker, this is solid legislation that I believe all Members will be able to support.

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

Ms. MATSUI. Mr. Speaker, I yield myself such time as I may consume, and thank the gentlewoman from West Virginia (Mrs. CAPITO) for yielding me this time.

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

Ms. MATSUI. Mr. Speaker, today we consider House Resolution 596, the rule allowing consideration of the conference report accompanying the fiscal year 2006 Labor-HHS and Education appropriations bill. If the debate looks familiar to our constituents watching from home, it should. Just before Thanksgiving, the House considered a conference agreement almost exactly like the one before the House this

morning. The House voted to reject that shortsighted agreement. It was a striking rebuke of a majority out of touch with concerns of average Americans, and yet here we are again with an agreement that is almost word for word the exact agreement from 3 weeks ago. This new version simply moves around a small amount of money, robbing Peter to pay Paul.

What seems to have been skipped was a discussion of the fundamentally flawed priorities, and there was no discussion of what the American people need, merely what it would take for a few more votes. This means that No Child Left Behind funding is still cut by \$779 million, a maximum Pell grant award is still frozen for the fourth straight year, and there is still no new funding for student financial aid and support programs. The bill still provides \$4 billion less than Republicans promised for special education through IDEA.

Further, this agreement provides only thin and shortsighted support for innovative research going on today on universities and colleges across the Nation. Hardworking families rely on these advances to ease the suffering or even cure a loved one's illness, but this agreement threatens this hope.

Earlier this month, the UC Davis Cancer Center, the only federally designated cancer center in the central valley of California, discovered a way to improve early detection of breast cancer. And just before Thanksgiving, UC Davis research shed light on how some cancer patients contract chemotherapy-induced leukemia.

These are two examples of living-saving advances among dozens in the University of California system. And they are a reality because of Federal investment. Two out of every three research dollars to the UC system are from the Federal Government. Sadly, misguided priorities, like the ones contained in this conference report, threaten to limit these types of advances.

Mr. Speaker, my local newspaper, the Sacramento Bee, noted earlier this month that today's challenges demand shared sacrifice and better priorities. The paper argued, rightly so, that "the majority in Congress is more intent on locking in President Bush's tax cuts than paying for war, natural disaster, and essential public services for the Nation's most vulnerable people." I could not agree more.

Mr. Speaker, I urge my colleagues once again to reject this conference report.

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

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

I would like to respond to the gentlewoman's assertion that this is the second time around, which it most certainly is. Adjustments were made. There were many folks on our side of the aisle who had concerns about the rural health provisions, I among those folks, because we are heavily reliant on

our community health centers. Many adjustments were made, as I mentioned in my opening statement, to address some of the issues of rural health.

When we talk about priorities, this bill is chock full of America's priorities, and certainly education is one of them. I would like to review that in this bill there is \$100 million more for those special education needs. As I said 3 weeks ago, is this going to solve the problem? Is this enough money to meet every need for every challenged child and every family of a challenged child? Certainly not. But we are getting there and working towards that.

In terms of Pell grants and affordability of higher education, it is at an all-time high, \$4,050; and there is an additional \$812 million to meet those challenges for those seeking higher education.

There is a particular emphasis in this bill for math and science. We hear about our students who cannot compete in the global economy, how students are not going into the math and science fields and we are getting left behind by those around the world. This will strengthen the K-12 math and science education.

Again, I would like to mention the TRIO and GEAR-UP programs because they are particularly significant in my State, very effective and long-standing, and I am pleased they are going to be there to help that first-time college student meet the challenges as they move towards higher education.

Another important program is Job Corps. It is a labor program that helps those students transition and move from education to the workforce in a very forceful way and a very successful way.

I realize that choices have to be made in these difficult areas of health, education and labor; but the choices we have made here I think are good solid choices, and I support the rule and the underlying legislation.

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

Ms. MATSUI. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I thank the gentlewoman for the time.

Let me simply make a couple of comments in response to assertions made by the gentlewoman from West Virginia. She caught my attention when she said, and made much of the fact, that since the Republicans have taken control of the House, education funding has essentially doubled. Let me put that in perspective and challenge that statement. This bill is part of a three-part strategy which over the next 5 years will cut funding for education, for social services, for health care, for the people targeted by this bill by \$48 billion over a 5-year period.

With respect to education, this bill is the first time in 10 years that the Congress will actually have cut education. With the across-the-board cut which is going to be attached to this bill before

the week is over, we will wind up cutting education by over \$600 million below last year.

Now, the Republicans say, "Oh, that is okay because we added so much money over the last 10 years." With all due respect, that is rewriting history. The Republican majority in this House had to be dragged kicking and screaming into supporting education at all. They came to power with the demand to abolish the Department of Education. Their very first action rescinded billions of dollars including education funding. They tried three out of the next 4 years to make deep cuts in education. Each time they were blocked by the Democratic minority and by some assistance that we got from the Republican majority in the Senate and from the White House then occupied by Bill Clinton.

Today the fact is that over the past 10 years we have had \$18 billion more in education than would have been there if we had passed the Republican House education and labor appropriation bill. So for the Republicans to claim that they have added money to education is a joke.

It reminds me of the orphan who kills his parents and then throws himself on the mercy of the court because he is an orphan. The fact is, if the Republican majority in this House had their way, education would have been funded \$18 billion less than it has been funded over the previous decade.

With respect to some of the other claims that have been made this morning, with respect to title I, we are going to have an actual reduction in title I by the time the across-the-board cut actually passes. No Child Left Behind programs have been cut by \$779 million.

The gentlewoman mentioned NIH. The fact is that with the across-the-board cut that is going to be attached to this bill, NIH funding will decline by \$129 million, there will be fewer research grants provided there than we had 2 years ago.

She mentioned community health centers. The fact is that this bill contains \$238 million less than the amount requested by the Bush administration, and this bill totally terminates the entire community-access program to provide health care to people who do not have insurance.

So all I would say is, if you vote for this bill, if you vote for the across-the-board cut, and if you voted for the Republican reconciliation action last week, you will have cut support for people who are helped by this bill by \$48 billion over the next 5 years, and you will have used 50 percent of that money to put in the pockets of the richest 1 percent of the people by way of tax cuts. It is an outrageous piece of legislation.

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

Mr. Speaker, I would like to respond. I have been in Congress for 5 years, and I have great respect for my colleague

who has many more years and much experience, much more experience than I do. But my understanding of a conference report, which we are addressing now, it cannot be amended, it cannot be attached to and it cannot have any spending cut attached to it. He is leading me and others to believe that when we step up to vote for this, we will be voting for an across-the-board 1 percent cut. I find that incredulous because I know there will be no such vote placed on this bill. I want the general public viewing this to realize we are voting on a tough bill.

The appropriation is for labor and education and health services, but we are not voting on an across-the-board cut when we vote for this bill. We have made several choices here. We have put more money into reading which I think is vital. Over the past 5 years, incredible amounts of money have been put into pulling the reading skills up in elementary school and improving that vital part of our educational system.

We have worked on increasing special ed funding. I think we can all agree that the needs there are tremendously important across the country. We have improved that as well.

So I think for the understanding to be that this bill is going to be coupled with an across-the-board cut that means this is less than what it is, I find that to be disingenuous; and, quite frankly, I do not think that is quite actually what is going to occur.

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

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Ms. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY) to respond.

Mr. OBEY. Mr. Speaker, let me simply say in response to the gentlewoman's comments, the Republican leadership and the Republican caucus has already made clear that they intend to attach a further 1 percent across-the-board cut in all discretionary spending before we leave here for the Christmas holidays. The fact is that the bill before us today is just for openers. And when you put this bill together with the 1 percent cut that they intend to make across the board, and then when you add that to the humongous cuts that they made over the next 5 years in the reconciliation bill last week, they are already on the hook for that. That means, over the next 5 years, there will be a cumulative cut in programs to help the people targeted by this bill of \$48 billion.

Mrs. CAPITO. Mr. Speaker, I continue to reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I thank the gentlewoman, and I want to thank the gentleman from Wisconsin for pointing out to this House that the across-the-board cut which he speaks about is going to only exacerbate the

underfunding, which already exists in this particular bill. And I thank the gentleman for that point.

I also want to state that this House, at the request of the administration, over the last few years has passed massive tax cuts that have helped to accelerate the wealth of this country upward, while when it comes to social programs, we are looking at cuts.

I want to speak to education. The education cuts brought before us today in this new conference report are not any better for students than those that were voted down by the House on November 17. Like that conference agreement, the bill before us today demonstrates that education is not a priority for this House's majority. This conference agreement provides a mere \$11 million increase for Head Start.

I will bet, Mr. Speaker, that there are some of our wealthiest citizens who are achieving tax breaks in the millions, who together, pooling their tax breaks, would exceed the amount of money being given to Head Start that they call an increase. The fact of the matter is that Head Start is a pivotal program for preschool age children in low-income families across this country. And at current funding levels, it, unfortunately, serves about only half of the children eligible for its services. Now, this is not adequate, and it is not right. This program, which has been repeatedly found to have dramatically increased the academic performance of students, deserves more than a piddling \$11 million when you compare it to where the money is going in this budget and in the fiscal policies of this administration.

This conference agreement cuts school improvement funding by 6 percent and flat funds teacher quality grants. These grants, which are used to recruit qualified teachers and support teacher development, are critically important to efforts to improve student achievement.

Rather than strengthening the Pell Grant program and increasing access to higher education for low-income students, the conference agreement maintains the current maximum Pell Grant at \$4,050. At this level, the maximum Pell Grant only covers 39 percent of the tuition of the average 4-year public college, making a mockery of its status as the foundation of student aid for the poorest students.

What are our priorities? The votes Members cast today on this conference agreement will show our priorities. Our priorities ought to be education, and they ought to be doing something about adult training grants which, unfortunately, have been cut in this conference report, and youth training grants, which, unfortunately, have been cut in this conference report.

What are our priorities? To continue the acceleration of wealth upwards in this country, or to make sure that all Americans get a chance to be recognized in this budget?

It is time to say no to this policy.

Ms. MATSUI. Mr. Speaker, I would just urge my colleagues once again to reject this conference report, and I yield back the balance of my time.

Mrs. CAPITO. Mr. Speaker, I urge all of my colleagues to support this fair rule and the underlying legislation, where critical dollars will fund our Nation's education system, health care delivery system and numerous other benefits. With this funding, low-income Americans will be better prepared for a long cold winter with the \$2 billion funding in LIHEAP. Our seniors will greatly benefit from the money provided allowing CMS to conduct outreach to our Medicare beneficiaries to sign up for the new prescription drug benefit. The \$90 million included for Rural Health Delivery is vitally important to rural America. These are all important programs that will improve the way of life for countless Americans.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

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CONFERENCE REPORT ON H.R. 3199,  
USA PATRIOT IMPROVEMENT  
AND REAUTHORIZATION ACT OF  
2005

Mr. GINGREY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 595 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 595

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3199) to extend and modify authorities needed to combat terrorism, and for other purposes. All points of order against the conference report and against its consideration are waived.

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

Mr. GINGREY. Mr. Speaker, for the purpose of debate only, I yield 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), 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 595 waives all points of order against the conference report and against its consideration.

I rise today in support of House Resolution 595 and the underlying conference report for H.R. 3199, the USA PATRIOT and Terrorism Prevention Reauthorization Act of 2005.

Mr. Speaker, I would first like to take this opportunity to thank Chairmen SENSENBRENNER and KING for all of their work in shepherding H.R. 3199 initially in the committee and then on the floor and now through the con-

ference. This conference report demonstrates this Congress's commitment to find common ground in order to move solid and important legislation for the good and safety of the American people. This conference report is the culmination of 4 years of thorough hearings, extensive oversight, representing a collaborative effort to strengthen and fine tune our law enforcement needs and civil security needs as originally provided by the 2001 USA PATRIOT Act.

Like most Americans, I fully cherish and celebrate our constitutionally protected civil liberties, while also recognizing the need for strengthened national security with thorough and proper oversight. And this Congress has demonstrated and will continue to demonstrate a clear commitment to oversight in order to better achieve the essential and proper balance between necessary protective measures and our sacred civil liberties granted to us by the United States Constitution.

As I mentioned, when the House first considered this legislation back in July, Mr. Speaker, H.R. 3199, like most legislation considered before this House, is not perfect. In an ideal world, it would not be necessary, but today's world is sadly far from ideal. Today, America faces a grave threat from enemies who cowardly operate in the darkness of shadows, waiting with the intent to kill innocent people in the name of their hateful ideology. Therefore, we must never again be caught with our guard down.

This Congress must act and must act decisively and deliberately to provide our law enforcement with the tools they need to protect and to save American lives, both here and abroad.

With respect to the provisions of this legislation, Mr. Speaker, this conference report will make permanent many vital law enforcement tools made available for use against suspected terrorists by the USA PATRIOT Act while establishing 4-year sunsets on a few provisions such as section 206, FISA, Foreign Intelligence Surveillance Act, multi-point wire taps, section 215, FISA business record provisions and finally, the Lone Wolf provision.

With respect to section 206, it is important to recognize that the ability to track terrorists through the use of multi point or roving wire taps is essential because it allows law enforcement to follow a terrorist, rather than a telephone.

Mr. Speaker, terrorists are not reliant on two Dixie cups and a piece of string to coordinate and plot terrorist attacks. They have access to a universal and a vast array of communication technologies, and our laws must take this fact into account.

Additionally, this conference report, through section 215, ensures that law enforcement will still have the ability, under thorough and extensive oversight, let me repeat, under thorough and extensive oversight, to seek out in-

formation on terrorists without tipping them off and thereby potentially compromising security and costing lives.

Again, Mr. Speaker, it should be emphasized to all Americans that the USA PATRIOT Act did not establish any new law enforcement capabilities but rather extended techniques long available for use against organized crime or drug trafficking to be used against suspected terrorists as well. If these are acceptable tools against some dope-pushing thug, then they should be acceptable tools against terrorists who seek to destroy American lives and rip apart the very fabric of this great Nation.

Without question, this Congress must, and I trust, will continue to remain vigilant with thorough oversight to protect our Constitution, to protect our civil liberties and to protect our national security.

Mr. Speaker, I encourage all of my colleagues to support the rule and the underlying conference report, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Georgia (Mr. GINGREY) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

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

Mr. MCGOVERN. Mr. Speaker, I rise today in strong opposition to H.R. 3199. While this conference report makes some improvement to the current PATRIOT Act, it fails to address some major deficiencies, and in many ways, it makes the current situation worse.

The original intent of the PATRIOT Act was to provide our law enforcement officials with the necessary tools to make our country more secure. While maintaining national security is absolutely a necessary responsibility of Congress, it can and must be achieved without compromising our civil liberties.

Unlike the proponents of H.R. 3199, the American people do not believe that security and liberty are mutually exclusive goals. A delicate balance between enhancing security and protecting liberty needs to be present. But unfortunately, this bill before us today falls far short to achieving this appropriate balance.

Mr. Speaker, back in 2001, when the PATRIOT Act was enacted, 16 provisions were sunsetted or authorized for a certain period of time because of their controversial nature and also due to the hurried manner in which they were drafted; 14 of these 16 provisions are made permanent by this conference report. And while three of the most contentious provisions have been sunsetted for 4 years, even that is too long.

Section 215, commonly referred to as the Library Records Provision, grossly expands the Federal government's ability to seize records and investigate citizens' reading habits without any notification.