

help to reduce the over-reliance on incarceration for the addicted. We must do all that we can to maximize the impact of drug courts across the Nation.

I applaud the work that the Maryland Drug Treatment Court Commission is doing and I congratulate all of the dedicated drug court professionals and graduates from Maryland and around the country.

#### EARMARK DECLARATION

### HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 22, 2008*

Mr. CARTER. Madam Speaker, I rise today to submit documentation consistent with the new Republican Earmark Standards.

Requesting Member: Congressman JOHN R. CARTER.

Bill Number: H.R. 5658—The Duncan Hunter National Defense Authorization Act for Fiscal Year 2009.

Account: Military Construction, Army.

Legal Name of Receiving Entity: Fort Hood, TX.

Address of Receiving Entity: U.S. Army Garrison, Fort Hood, Bldg. 1001, Rm W321, Fort Hood, TX 75544.

Description of Request: I have secured \$18,288,000 in authorization funding in H.R. 5658 in the Military Construction, Army account for a Chapel with Religious Education Center project at Fort Hood, TX.

This project will construct a standard design chapel complex and religious education center. Primary facilities include a chapel complex, religious education center, administrative area, conference rooms, library, multipurpose activity area, kitchen and storage areas, fire alarm and fire suppression systems, connection to Installation Energy Management Control System (ECMS), and building information systems. Special foundations are required due to the expansive soils. Supporting facilities include electrical, water, sanitary sewer, and natural gas utilities; storm drainage; chilled water distribution; paving, walks, curbs and gutters; security lighting, information systems; landscaping and site improvements. Heating will be provided by self-contained natural gas units. Access for the handicapped will be provided. Comprehensive Interior Design package is required. Anti-terrorism/Force Protection (AT/FP) measures include mass notification system, structural reinforcement, special doors and windows, high curbing, and other measures to maintain stand-off distance.

Fort Hood, Texas is a strategic installation for the Army. This project was programmed to receive funding in Fiscal Year 2012, but was identified by the garrison commander as the highest unfunded priority in Fiscal Year 2009. The project is necessary to improve psychological and spiritual care for the soldiers and their families.

Military Construction projects are always 100% funded by the U.S. Federal government so there is no opportunity for matching funds.

### DUNCAN HUNTER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009

SPEECH OF

### HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 21, 2008*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5658) to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2009, and for other purposes:

Mr. BACA. Mr. Chairman, I stand here in support of H.R. 5658, the Duncan Hunter Defense Authorization Act of FY 2009.

Just a few months ago, we reflected on the 5-year anniversary of this war. Today we send a message to our troops that we are with them.

This bill authorizes additional funds for the needs of our troops overseas, and more importantly will authorize a pay raise larger than that requested by the President.

During these hard economic times of recession, foreclosures, and high gas prices, our military families need all our help and support. This bill prohibits fee increases in TRICARE and expands available health care services.

This bill is a step in the right direction, with directives for the Afghanistan conflict, and more accountability of the Iraqi government and contractors.

Today we make our commitment to the Americans we represent, and their sons, daughters, husbands, wives, sisters and brothers serving as part of the Armed Forces. They are fighting a war that is not their fight.

In my district alone, 13 families will sit at their dinner table without a loved one. To these families in my district and those throughout the Nation, I thank you for your service, your sacrifice and your love for this Nation. You are the back bone of the Armed Forces.

I urge my colleagues to keep our commitment to our troops, redirect this war in the right direction and vote for H.R. 5658.

### INTRODUCTION OF FAIRNESS IN NURSING HOME ARBITRATION ACT

### HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 22, 2008*

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, I rise today to introduce the Fairness in Nursing Home Arbitration Act of 2008 to protect one of our most vulnerable groups: the elderly. This legislation is designed to make unenforceable all pre-dispute, mandatory binding arbitration clauses in contracts between long-term care facilities and their residents. Let me be clear: I am supportive of the principles of arbitration, so this legislation will not prohibit arbitration. Instead, it will simply ensure that residents have the choice whether to arbitrate a dispute after it has arisen.

The Subcommittee on Commercial and Administrative Law, which I chair, has held three hearings this term on issues related to the

Federal Arbitration Act. During these hearings, witnesses testified that many businesses utilize arbitration agreements to the disadvantage of consumers by limiting constitutional rights, imposing unreasonable costs, and creating a system in which consumers are likely to lose even when they file a valid claim.

The long-term care industry is one stark example where businesses draft take-it-or-leave-it admission agreements for prospective residents that include pre-dispute mandatory arbitration clauses. A witness at the Subcommittee's October 25, 2007 hearing on H.R. 3010, the Arbitration Fairness Act of 2007, testified that the "current system of binding mandatory arbitration employed by nursing homes creates a playing field that is tilted in favor of nursing homes and against frail, vulnerable residents who suffer terribly at the hands of their caregivers. Sadly these residents are, all too often, the victims of abuse by their caregivers. They should not be further abused by an arbitration system that dispenses anything but justice."

After hearing several stories of abhorrent conditions in nursing homes and how arbitration clauses have effectively silenced residents who want to improve those conditions, I am introducing this legislation to make unenforceable pre-dispute mandatory arbitration clauses and to restore to residents and their families their full legal rights. Residents and their families will no longer have to worry about losing their right to a jury trial when they are going through the emotional and traumatic process of searching for long-term care facilities and then choosing the perfect one. I understand the emotional toll and the sense of vulnerability when moving a loved one and his belongings into the care of strangers at a nursing home. My father was recently placed into a nursing home, and one of the last things I wanted to worry about was whether he was forgoing his legal rights when he entered it. Instead, I wanted to focus solely on the quality and range of services the facility would provide him. This legislation will allow families and residents to retain their legal rights while they look for that perfect long-term care facility.

Several groups, including the AARP, the Alzheimer's Association, the National Senior Citizens Law Center, and many others who advocate on behalf of the elderly and consumers, support this legislation. Already a similar bipartisan bill has been introduced in the Senate. I am optimistic that Congress can soon send a bill to the President for his signature so that nursing home residents will retain their choice whether to arbitrate a dispute.

I urge my colleagues to join me, Representatives ILEANA ROS-LEHTINEN, JOHN CONYERS, HANK JOHNSON, DENNIS KUCINICH, and WILLIAM DELAHUNT, and take the important step of co-sponsoring this bipartisan legislation.

#### TRIBUTE TO MEGHAN NORTH LAMPO

### HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 22, 2008*

Mr. MOORE of Kansas. Madam Speaker, I rise today to pay tribute to a young constituent whose life tragically ended way too early, as the result of an automobile accident.