

I believe that his nomination constitutes an extreme circumstance, an extraordinarily extreme circumstance; yet there can be no filibuster based upon this deal that was negotiated. His view that the eighth amendment protection against cruel and unusual punishment does not bar certain inhumane treatment of prison inmates, and this was repudiated by the United States Supreme Court. Again, I believe this is an extraordinary circumstance which again was negotiated away.

The same thing, I hope people look at Justice Owen once again. She was nominated for the fifth circuit. She is known for her dissents opposing women's rights and reproductive rights and favoring corporate interests against consumers and workers.

Mr. Speaker, we are not talking about nominees with a record of impartiality and informed reflection when making decisions. These are administration choices who were nominated, nominated under the threat of a filibuster. Heaven knows whom the administration will nominate now that that threat is gone.

The American public needs to understand that this entire process, the entire process, just threatening the nuclear option, is an abuse of power. It was designed to water down our constitutional systems of checks and balances and to turn the Congress into a rubber stamp for the President.

So I appeal to my colleagues in the other body to uphold our constitutional system of checks and balances and to at least vote against these extreme nominees that are coming forward. Extraordinary circumstance, I ask the Members, what constitutes an extraordinary circumstance when we look at nominees who affect the decisions that affect our daily lives, our children's lives?

The SPEAKER pro tempore (Mr. WESTMORELAND). Under a previous order of the House, the gentleman from Missouri (Mr. CLEAVER) is recognized for 5 minutes.

(Mr. CLEAVER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### CHRONIC FATIGUE AND IMMUNE DYSFUNCTION SYNDROME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, over 800,000 Americans have chronic fatigue syndrome, CFS, also known as chronic fatigue and immune dysfunction syndrome, or CFIDS. This is a complex and debilitating medical disorder characterized by profound exhaustion, intense widespread pain, and severe problems with memory and concentration. It usually lasts for years; and recovery, in the few cases where that occurs, is slow and unpredictable.

Because the symptoms of CFS are common to other conditions and no diagnostic tests exist, it is often overlooked by health care providers. In fact, government studies show that only 15 percent of those who have CFS have been diagnosed by their doctor. It is even more difficult for CFS patients to get appropriate symptomatic treatment or to obtain disability benefits if they become too disabled to work.

The cause of CFS is not yet known. Much of what we do know about CFS has been documented by researchers funded by the National Institutes of Health and the U.S. Centers for Disease Control and Prevention. Here are some facts: women age 30 to 50 are at greatest risk for developing CFS, and Latinos and African Americans are at greater risk for CFS than Caucasians or Asians. Children can get CFS too, although it is more common in teens than younger children. The condition may begin suddenly as with the flu, or it may build gradually over time. Physical or mental exertion makes symptoms significantly worse.

Individuals with CFS are severely impacted by the disease; and according to the CDC studies, their functional status is the same as or worse than those suffering from obstructive pulmonary disease, osteoarthritis, and coronary heart disease. People with CFS often lose the ability to maintain full-time employment, attend school, and participate fully in family life. Symptomatic treatment can provide some improved quality of life, but is generally inadequate in helping patients return to normal activity levels. The Nation's economy is also seriously affected. The annual direct cost of lost productivity due to CFS is \$9.1 billion, an amount equivalent to our largest corporations' annual profits. This sum does not include medical costs or disability benefits.

There is hope, though. The Department of Health and Human Services has chartered a CFS Advisory Committee that meets quarterly to advise the Secretary for Health on research and on education policy as it relates to CFS. The CDC is conducting promising research that may lead to a diagnostic test. Other researchers are following important leads that may improve treatment and deepen understanding of the way CFS affects various body systems. However, in fiscal year 2004, just \$15 million was spent by the Federal Government to conduct research on this devastating illness.

CFS consistently ranks at the bottom of the NIH funding charts; and even during the period when Congress was doubling the NIH budget, support for CFS research declined. A June 2003 commitment by NIH Deputy Director Vivian Pinn to issue a request for applications for CFS has not been fulfilled. The Secretary for Health has not yet acted on a set of 11 recommendations delivered by the CFS Advisory Committee on August 23, 2004.

Many challenges remain, and more Federal funding is needed to answer

basic questions. CFS warrants the support of this Congress, and we must find a way to do more for the hundreds of thousands of Americans affected by this serious illness.

#### HONORING FALLEN SOLDIER LANCE CORPORAL LAWRENCE R. PHILIPPON AND THE STRENGTH OF HIS FAMILY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. LARSON) is recognized for 5 minutes.

Mr. LARSON of Connecticut. Mr. Speaker, I rise to speak of the inspiration and strength of Ray and Leesa Philippon and their family in confronting the ultimate sacrifice, the loss of their son Lance Corporal Lawrence R. Philippon, who on Mother's Day, May 8, tragically lost his life while serving his country in Iraq. In 2002 Lance Corporal Philippon answered his country's call to service and joined the United States Marine Corps. Again stepping forward for his country, Lance Corporal Philippon came up and gave up his position with the Washington, D.C. Color Guard to become an infantryman with the 3rd Battalion Second Marines deployed to Al Qaim, Iraq.

In the eulogy, Ray Philippon spoke of his son's courage, his ability to overcome life's obstacles, his Forrest Gump-like philosophical manner in dealing with life. He was proud of his family, his fidelity to the Marine Corps, his commanders, his President. He was 22 years old.

Ray Philippon; his daughter, Emilee; and Olivia Lawrence, Larry's fiancée, spoke eloquently and emotionally. How this father, a veteran himself, found the strength and composure to deliver a compelling, humorous, and heartfelt tribute to his son is among the remarkable traits of the human character. He transcended his pain and heartache and credited his strength as coming from his son. He capped his comments with a final salute to his son that left no dry eye in the church.

Reverend Miller quoted Scripture and the New Testament, repeating the refrain: "No greater love can a man have than to lay down his life for his friends."

Governor Rell rose and spoke tearfully and with empathy as both a mother and the State's chief executive. Her heartfelt response, her grace veiled only by her tears of motherly sympathy, were equally moving.

As we all pause this Memorial Day to honor the fallen, our hearts are filled with gratitude for those brave soldiers, like Lance Corporal Philippon, who have laid down their lives for their country but also for their families who gave their sons and daughters to military service. In honor of those soldiers and families, I hereby submit for the RECORD his mother's farewell, a letter Leesa Philippon composed on Mother's Day, the day she learned of her son's death. This letter's sincerity, love, and

implicit truth comes shining through as radiant and bright as her love for her son. I hereby submit this letter for the RECORD, which reads:

"My Dear Sweet Boy Larry, I know how busy you were on Mother's Day. Your commanding officer's message apologized that mothers may not get a call on their special day. I knew that if you could find a way, you would call. Your voice always calmed my fears. The day passed, and, again, I prayed for your safe return home. I detailed my prayers, trying to think of every danger you might encounter. No IEDs, no enemy mortars, no friendly fire, no disease. And, God, please bring Larry home safe, unharmed and of sound mind and body. But then they came, two Marines marching to my door, carrying a cross that was so very painful to bear.

"Larry, you played such a huge part in our lives. You were a Guidon bearer and team leader all along. You marched through our lives and led us to wonderful places. You imprinted your love on our hearts. It was a joy to watch you grow and play. We laughed endlessly at your antics on and off fields of grass and ice. You led us on an incredible patriotic journey with your badge of courage. We anxiously waited those 13 long weeks of boot camp to pass and we would be able to hold you in our arms again. You conquered Infantry school and you called home every day, keeping us informed from foxholes, rifle ranges, and even bars. I will never forget answering the phone and hearing my 21-year-old son say 'Hi, Mommy.' Your daily calls home meant so much to me.

"Marching on, you paraded us through our Nation's capital. You impressed us with your precision and pride. You walked in the sunshine all the way. We watched you soar even higher the day that you waltzed Olivia into our life. She fit so well into our plans, and I knew she would take good care of you. I was happy to share you with her. Then your dream to deploy came true and our hearts with dread. Oh, Larry, how thankful I was to go and see you before you left. That time I spent with you is so precious to me. You introduced me to your Marines. You were always mindful to ask them to curtail their leatherneck language in front of your mom, saying to them, 'Hey, this is my mom. Watch your mouth.'

"Then it came time to say good-bye. I prayed, and God graced me with calmness so that I could look you in the eyes. Without a quiver in my voice, I opened my heart and told you how deeply I loved you, how happy I was to be your mother and that I would see you when you came home. Olivia and I stood side by side. We held each other up as we watched the buses filled with courageous and brave Marines drive away. You'll be happy to know that Olivia picked up that Guidon and has called me every day. Oh, dear Larry, no one will ever fill your magic shoes. So

many people loved you. It is so evident in these past days. Our home has been filled with love from family, friends, community, and even those we never met. You will continue to guide us into the future of your family. We must regroup and, as we learned entering the Marine Corps, 'adapt and overcome; we thank God for your presence in all our lives. He is working so faithfully to turn the evil that took you away from us into everlasting love. Your flag will continue to wave in our hearts. We proudly stand and watch you lead your fallen comrades to the Gates of Heaven.

"Look for me when I get there, and we will walk hand in hand together again.

"Semper Fi, love always, Mom."

#### TRICARE COVERAGE TO GUARD AND RESERVE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi (Mr. TAYLOR) is recognized for 5 minutes.

Mr. TAYLOR of Mississippi. Mr. Speaker, I cannot help but be moved by what the gentleman from Connecticut (Mr. LARSON) just had to say. It seems with all too much frequency, on a daily basis, either in the local media, the national media, we are learning of young Marines, young National Guardsmen, young members of the Army and Navy who have given their lives in Iraq.

Right now, 40 percent of all the force in Iraq and Afghanistan are Guardsmen or Reservists. That is something that is very different from previous wars. In fact, in the Vietnam War, very few Guardsmen and Reservists were sent over there. In the first Gulf War, there was a substantial call-up. But I do not think at any time in our Nation's recent history have we ever seen so many Guardsmen and Reservists serving. If Members take the time to look at the casualty reports, they will know that not only are 40 percent of the people serving over there Guardsmen and Reservists, but a very high new number of the people who are wounded, a very high number of the people who lose their lives are in the Guard and Reserve.

Last Friday I had the great privilege to visit some Mississippians at Walter Reed. I asked the folks on the floor if I could visit every wounded Mississippian. It might surprise some people to find out of the five soldiers that I was able to visit, every one of them was a Guardsmen or Reservist.

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Young William Brooks, a student at Mississippi State University, in a Humvee that ran over a mine, lost both legs. Young Corporal Rice, of Hattiesburg, Mississippi, lost a leg with the Marine Corps Reserve. Specialist Yancy, a reservist in the heating and air conditioning business back home. Young Elliot Smith, who lost a foot with the 115th Mississippi National Guard.

The stories go on. It is not unique to Mississippi. But what is I think a unique burden that is borne by our Guardsmen and Reservists is that unlike their regular counterparts that they serve next to every day, they are not afforded an opportunity to buy into our Nation's health care system.

It is called TRICARE, and it is not free. They do have to pay into the system. They have to pay even more if they want their family covered. But right now, if you are a Guardsman or Reservist, you cannot even buy in. One of the things we found out is that 20 percent of all our Nation's Guardsmen and Reservists do not have health insurance. Twenty percent of our Nation's Guardsmen and Reservists also, coincidentally, were found unfit for duty when they were called up, and it might well be because of this lack of health insurance.

Last week in the House Committee on Armed Services I offered an amendment, along with seven of my Republican colleagues and a number of Democrats, to see to it that TRICARE was extended to every Guardsman and Reservist, not just those returning from Iraq and Afghanistan.

After a spirited debate and over, by the way the objections of the committee chairman, the ranking member, the gentleman from New York (Mr. McHUGH), by a vote of 32 to 30, the committee decided to extend TRICARE coverage to every single member of our Nation's Guard and Reserve, because we felt like they deserved it.

Sometime between 1 o'clock in the morning when this passed and 6 o'clock Thursday evening, the gentleman from California (Chairman HUNTER) informed me right there in the back of the room that there was a budgetary concern about this, that there was some mandatory spending associated with the bill, that the gentleman from Iowa (Chairman NUSSLE) of the Committee on the Budget was going to raise a point of order.

I would like to remind my colleagues that on 21 occasions already this year, 21 major pieces of legislation came to this floor where they waived every budgetary restraint. Sometimes it was so people like Paris Hilton could inherit tens if not hundreds of millions of dollars without paying any taxes on it. Sometimes it was for things like the prescription drug benefit for seniors, that we were told at the time would cost our Nation \$435 billion, but it turns out it is really going to cost \$1.2 trillion over the next 10 years. But they waived budgetary rules for that.

The one time they selectively chose to enforce the budgetary rules was over \$5 million for a very narrow bracket of National Guardsmen who happen to be Federal employees who are already on FEHBP and who might want to enroll in TRICARE. So the same folks who in the past 4 years have added over \$2 trillion to the national debt, giving the wealthiest Americans, the political contributor class of America, enormous