

Statement of FY2006 Advance Appropriations Under Section 401 of S. Con. Res. 95—Reflecting Action Completed as of July 9, 2004

(In millions of dollars)

	<i>Budget Authority</i>
Appropriate Level .....	23,158
Current Level:	
Interior Subcommittee:	
Elk Hills .....	0
Labor, Health and Human Services, Education Subcommittee:	
Employment and Training Administration .....	0
Education for the Disadvantaged .....	0
School Improvement .....	0
Children and Family Services (Head Start) .....	0
Special Education .....	0
Vocational and Adult Education .....	0
Transportation and Treasury Subcommittee:	
Payment to Postal Service ....	0

	<i>Budget Authority</i>
Veterans, Housing and Urban Development Subcommittee:	
Section 8 Renewals .....	0
Total .....	0

Current Level over (+) / under (–)  
Appropriate Level .....

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, July 12, 2004.

Hon. JIM NUSSLE,  
Chairman, Committee on the Budget,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2005 budget and is current through July 9, 2004. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2005. The budget resolution figures incorporate revisions submitted by the Committee on the Budget to

the House to reflect funding for wildland fire suppression and for technical reasons. These revisions are authorized by sections 312 and 313 of S. Con. Res. 95.

Since the beginning of the second session of the 108th Congress, the Congress has cleared and the President has signed the following acts that changed budget authority, outlays, or revenues for 2005:

The TANF and Related Programs Continuation Act of 2004 (Public Law 108-262);

The Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004 (Public Law 108-264);

The Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265);

The GAO Human Capital Reform Act of 2004 (Public Law 108-272);

An act to renew import restrictions on Burma (Public Law 108-272).

In addition, the Congress has cleared the following legislation for the President's signature: The AGOA Acceleration Act of 2004 (H.R. 4103).

This is my first report for fiscal year 2005.

Sincerely,  
DOUGLAS HOLTZ-EAKIN,  
Director.

Enclosure.

FISCAL YEAR 2005 HOUSE CURRENT LEVEL REPORT AS OF JULY 9, 2004  
(In millions of dollars)

	Budget authority	Outlays	Revenues
Enacted in previous sessions:			
Revenues .....	n.a.	n.a.	1,482,831
Permanents and other spending legislation .....	1,179,653	1,133,168	n.a.
Appropriation legislation <sup>1</sup> .....	0	391,841	n.a.
Offsetting receipts .....	-398,008	-398,008	n.a.
Total, enacted in previous sessions .....	781,645	1,127,001	1,482,831
Enacted this session:			
TANF and Related Programs Continuation Act of 2004 (P.L. 108-262) .....	122	138	0
Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004 (P.L. 108-264) .....	-1	-1	0
Child Nutrition and WIC Reauthorization Act of 2004 (P.L. 108-265) .....	66	57	0
GAO Human Capital Reform Act of 2004 (P.L. 108-271) .....	1	1	0
An act to renew import restrictions on Burma (P.L. 108-272) .....	0	0	-11
Total, enacted this session: .....	188	195	-11
Passed, pending signature: AGOA Acceleration Act of 2004 (H.R. 4103) .....	0	0	-32
Entitlements and mandatories: Difference between enacted levels and budget resolution estimates for appropriated entitlements and other mandatory programs .....	383,884	361,995	n.a.
Total Current Level <sup>1</sup> .....	1,165,717	1,489,191	1,482,789
Total Budget Resolution .....	2,012,726	2,010,964	1,454,637
Current Level Over Budget Resolution .....	n.a.	n.a.	28,152
Current Level Under Budget Resolution .....	847,009	521,773	n.a.
Memorandum:			
Revenues, 2005-2009:			
House Current Level .....	n.a.	n.a.	8,687,742
House Budget Resolution .....	n.a.	n.a.	8,638,287
Current Level Over Budget Resolution .....	n.a.	n.a.	49,455

<sup>1</sup> For purposes of enforcing section 311 of the Congressional Budget Act in the House, the budget resolution does not include Social Security administrative expenses, which are off-budget. As a result, the current level excludes these items.

Source: Congressional Budget Office.

Notes.—n.a. = not applicable; P.L. = Public Law. Numbers may not sum to total because of rounding.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. SOLIS) is recognized for 5 minutes.

(Ms. SOLIS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. GEORGE MILLER of California 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 Texas (Mr. GREEN) is recognized for 5 minutes.

(Mr. GREEN of Texas 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 Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. 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.)

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

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

DEMOCRATS CHOSE LIBERAL CANDIDATES FOR PRESIDENT AND VICE PRESIDENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Georgia (Mr. KINGSTON) is recognized for 60 minutes as the designee of the majority leader.

Mr. KINGSTON. Mr. Speaker, I wanted to rise tonight to talk a little bit about the upcoming election, which I understand is on everybody's minds these days.

It is interesting, Mr. Speaker, that we are in a position in America now

that, with 50 States, the Presidential election actually seems to boil down to 12 to 18 States that are still in contention. I guess my home State of Georgia they have decided is probably going to go to Mr. Bush, and your home State of Texas certainly is going to go for Mr. Bush. And then there is other States, like California, that will go for Mr. KERRY. And then, of course, there is North Carolina, which is wide open, despite the fact that Mr. KERRY has chosen a running mate that is from that State.

I think it is interesting as we contrast the two tickets to see what one stands for and the other one stands for. But never before has the Democrat party chosen the first and fourth most liberal Members of the Senate to represent it in the Presidential campaign. It is even more liberal than the disastrous Mondale-Ferraro ticket of 1984.

Here we have, if you think this through a minute, JOHN KERRY scored a 97 percent liberal rating in 2003. He beat out BARBARA BOXER from California. He beat out HILLARY CLINTON. HILLARY CLINTON got an 89 percent liberal rating. And TED KENNEDY. Now, if I was to ask the good folks in Texas, well, who is the most liberal Member of Congress, of the Senate, they are always going to say TED KENNEDY. Well, not so. JOHN KERRY has the 97 percent rating, and KENNEDY is sitting at a mere 88 percent, almost a moderate by JOHN KERRY's standards. And then TOM DASCHLE, a guy we like to curse quite often back home for his stances, he is at 80 percent. So here is JOHN KERRY, 97 percent; TOM DASCHLE, 80 percent.

The Florida Times Union pointed out that, "While KERRY is from the North and EDWARDS is nominally from the South, there is absolutely no philosophical balance whatsoever." I think that is true.

EDWARDS has made a lot of money practicing law, and so he is heavily supported by the trial lawyers. In fact, he has received over \$11 million from law firms, and that was per the KENNEDY campaign. You can find that on [www.newsmax.com](http://www.newsmax.com).

The trial lawyers are weighing in heavily on this race, and for those of us trying to make healthcare more affordable and more accessible, we know what a problem frivolous medical lawsuits are. Yet that seems to be what JOHN EDWARDS has made his money on.

It is interesting what JOHN KERRY said just a couple of months ago, in February, during the campaign. He said, "EDWARDS says he is the only one who can win the South, yet he can't even win his own State." I guess things have changed.

It is interesting also, and I will often say about Mr. Bush, he takes the NASCAR crowd and the mom and dad with 2½ kids and two income families, people who are out there working.

There was an article in the New York Post, actually, I think it was in USA Today and a number of other newspapers, that showed JOHN KERRY's five

houses, and they were five mansions, and it had this picture of JOHN KERRY snowboarding.

I will ask you, Mr. Speaker, how many guys do you know over 60 years old who know how to snowboard? There just are not too many of them. Yet KERRY is shown very proudly snowboarding. I guess since he bought five ski resorts to learn how. He wanted to flaunt it a little bit. But, to me, if you have a guy that age and he knows how to snowboard, he has not only too much money, but he has too much time on his hands as well.

So where did these people, men of the people, make their announcement? In a union hall? Certainly the Democrats get a lot of good support from unions. Did they make it in an African American church? They said over and over again, we want the African American vote. Did they do it in Boston or North Carolina?

No, they made the announcement at Mrs. Kerry's estate in Pennsylvania. Just for those of you who come from middle-class backgrounds, an estate is what rich people call their houses.

It is interesting that JOHN KERRY wanted to get a middle class, regular guy to be his running mate, somebody who was just like us. And I guess in his world, a guy like JOHN EDWARDS, who is worth a mere \$50 million, that is middle-class. After all, when you got a net worth of a billion, what is a guy at \$50 million?

So, these two small town guys got together at the estate at Pennsylvania and they broke tea and crumpets to tell the masses that they were ready to lead the world.

Well, I will say this: I would rather have my President know NASCAR from a church softball game than know Sauvignon Blanc from brie and merlot.

The House Democrats' leadership has announced that one of the Democrat campaigns for the fall will be to repeal the Medicare prescription drug plan. Now, does that make any sense whatsoever? I do not know why Mr. KERRY would want to repeal the Medicare prescription drug bill.

This is the first time in history that low-income seniors are getting up to \$600 in free prescription drugs. It is the first time that seniors are getting about a 50 percent discount, once we get the program going, on their prescription drugs, and I think it is a good first step. Prescription drug coverage is very, very important to the lives of seniors these days.

If you go into almost any audience, almost any age, and you say how many of you in this room have to take or have somebody in your family who has to take five to six to seven to eight pills each and every day to survive, well, about 70 percent of the hands go up. But if you asked that same question to a similar audience back in 1965 when Medicare started, no one would raise his hand, because it was not out there then.

Now we have these miracle drugs, and these miracle drugs help us to live

longer with less pain and do more things, stay active and stay out of hospitals and nursing care. And yet we get from the House Democrat leader that they want to repeal the prescription drug bill. That does not make sense.

But I guess if you are worth \$1 billion like JOHN KERRY, millions of dollars like JOHN EDWARDS, it does not matter to you what the cost of it is. They are not the kinds of people who, when the gas goes from \$1.60 to \$1.72, they do not drive around the next block looking for the best deal so they can pump it themselves.

Several House Democrats have asked that the United Nations monitor the Presidential elections. Now, you know, you could understand that maybe at Tammany Hall, the Chicago machine, or maybe down in Texas when LBJ was running against Coke Stevenson, you might want somebody to come in to monitor the election.

But here we are Americans. We do not need the United Nations to come in and tell us anything. We want to cooperate with the United Nations where it is mutually in the best interests of everyone. But can you imagine, Mr. Speaker, Members of the United States Congress writing Kofi Annan and asking him to send election monitors to the United States of America? I would be embarrassed to go home and, despite my partisanship, try to spin that to a constituency. I think that is just such an insult to people.

We are getting a lot of complaints that we are not spending enough on intelligence, and yet if you look at what our budget has done since 9/11, it spiked. What I see as an appropriator is that a lot of people are getting their budgets I think in many cases over-swelled or overgrown because they are saying it is in security.

But if you look at it, candidate KERRY not only has voted for amendments to cut intelligence, they have often authored amendments to cut intelligence, and that does not quite make sense to me for somebody turning around and saying that we are not spending enough.

□ 2100

Mr. Speaker, I wanted to go on with this fascinating Democrat Presidential ticket, although I will say, while it is fascinating, it certainly has no diversity of philosophy whatsoever. If we look at where they are on certain things, they voted pretty much down the line together. They opposed many of the Bush initiatives on fighting terrorism, and they opposed Bush initiatives for reducing taxes. They have supported pretty much across the board any kind of pro-abortion legislation. Just to give an example, they both voted against the 2001 and 2003 tax cuts. They voted against the full marriage tax penalty relief. They voted against the child tax credit. They voted against fully repealing the death tax, and they both voted against the energy bill, and they both oppose free

trade agreements. Litigation this year in America alone will be \$233 billion, that is 2.23 percent of our entire GDP, yet these are the most pro-trial lawyers candidates that we have ever had run for office.

Mr. KERRY has voted at least six times against banning partial-birth abortion. While on the campaign trail, he skipped a vote on passage of the partial-birth abortion bill. I always feel strongly that when one is in office, one is paid to vote and one should be there for their votes, but he skipped a heck of a lot of them.

He was one of 14 Senators who voted against the Defense of Marriage Act in 1996, which would have banned the Federal recognition of gay marriage and same-sex partners. And in 2003, he said he might eventually support gay marriage if it became publicly acceptable. Well, I guess that is kind of couching his words.

EDWARDS said in response to President Bush's proposed constitutional amendment, I am against the President's constitutional amendment on banning gay marriage.

I am going to skip around. There are a lot of things here. But our colleague, the gentleman from Indiana (Mr. PENCE), has actually written something about the qualifications of a Vice President. The gentleman from Indiana (Mr. PENCE) has a BA in American history from Hanover College, so he is a bit of a historian. But he looked into what was the average years of experience that Vice Presidents had, and he found out that out of 46 previous Vice Presidents, only three engaged in public service for less than 10 years prior to being elected. One of them was a Secretary of Agriculture during the Great Depression, another was a Governor of Indiana, and another was a war hero who turned Congressman and was offered the mission to Spain by President Pierce. So these guys have all had a lot of experience.

The Democrat nominee JOHN EDWARDS has not served a single term in one Chamber of one branch of our Federal Government. If elected, his 6 years, or 5 at this time, I do not think we could give the guy 6 when he is not there all the time, would represent one of the fewest years of preparations to serve as President of the United States as anybody has ever had. His experience would be 20 percent of the average years of experience of previous Vice Presidents. The gentleman from Indiana (Mr. PENCE) has given us a pretty good list.

Now, what is interesting is we are not going to hear much from the media about this. The media is going to ask him such tough questions as: Is it true your dad worked in a mill? Whereas when Dan Quayle was appointed by Mr. Bush Senior, all kinds of questions: Senator, what makes you think you are qualified to become President in the event something unfortunate should happen to Mr. Bush? What is it that would make you qualified? He

spent 12 years in Congress with a special emphasis on national security work, but that was not enough. What executive experience do you have? I once worked in the Governor's office in Indiana, Quayle said. And I would admit, not that much. Reporters asked about Quayle's nonservice in Vietnam. Others asked if Quayle had any connection to the Iran-Contra scandal. Others asked about a lobbyist who apparently donated to a golf trip that he had, even though there was no other connection. That is what they wanted.

Then they asked questions about his money: Senator Quayle, it has been quoted that your net worth is \$20 million, is that correct? And if so, isn't this going to put off the blue color vote and the low-income vote. One reporter said to Mr. Quayle: "Since you don't want the Republican Party to seem like the party for the rich, why pick another millionaire for a running mate?"

All of these I would say, they are fair questions; but it is interesting that the press is not going to ask these questions of the Democrat candidate. We can say liberal media, but of course that would be being redundant.

One would have to say that EDWARDS in 2004 does not measure up to Quayle in 1988. Quayle had 12 years in Congress. He ran for the House in 1976 and won. He was reelected in 1978. He ran for the Senate in 1980, at that time beating Democrat Senator Birch Bayh. He was reelected in 1986, winning 61 percent of the vote which, by the way, was the largest landslide ever in the Indiana Senate race.

For his part, EDWARDS has never run for public office before winning the 1998 North Carolina race, and he only got 51 percent in that. As the 2004 race approached, EDWARDS faced very iffy prospects with reelection; and we know that our colleague, RICHARD BURR, was running for that seat with or without EDWARDS as the incumbent, and all the pollsters and experts said this guy is vulnerable. He has not been home. And as for money, the reporter who asked if Quayle's net worth was \$200 million, he was way off. It turns out that Quayle's net worth at the time was less than \$1 million.

Now, I know that his wife had wealth and I am not sure how the trust reads, so I am not going to say that is just \$1 million versus \$50 million or whatever EDWARDS is worth, but EDWARDS is a very successful trial lawyer who has led the life of Riley, and I think to say that he is just a regular middle-class guy is silly, if nothing else.

EDWARDS' youthful experience and the Vice President's age and demeanor, the two men were not that far apart in age when they were chosen for the job. EDWARDS is 51. CHENEY was 59 when George Bush chose him as his running mate. And if we go on down the list, it is interesting that the questions and the scrutiny that Dan Quayle had to live up to, we are not hearing anything from the folks in the media in terms of EDWARDS, and we hope that we will.

Jumping around a little bit and getting back to KERRY, some of his more outstanding votes of note lately was KERRY voted against the \$87 billion to fund American troops in Iraq and Afghanistan, and that included programs like additional body armor. And, Mr. Speaker, we have been to Iraq and Afghanistan. We know how important that is. We heard lots of complaints by folks, making sure that everybody had all the body armor that they wanted. In fact, the gentlewoman from California (Ms. PELOSI), the Democrat leader, tried to make a big issue that we did not have enough body armor going around, and yet it is her party's nominee who voted against it.

And then in 1994, this is very disturbing, right after the first attack on the World Trade Center, this was when Mr. Clinton was President and chose to not do anything, or not do much about it, KERRY had proposed to gut the Select Committee on Intelligence budget by \$6 billion, and that was right after the first attack on the World Trade Center. If we go back to 1990, Mr. KERRY wanted to cut \$10 billion from the defense budget.

The other thing, and I do not have the quote right in front of me, but Mr. LIEBERMAN who ran against Mr. KERRY said that we do not need a flip-flopper. And there is all kinds of evidence of him flip-flopping.

There are some ways, though, a group called the Black Five, and I am not sure what that is, but they came up with a way to decide if you should vote for JOHN KERRY. They said, How do you know for sure, and one way to do it is you could take this test. If you believe that the AIDS virus is spread by the lack of Federal funding, you might want to vote for JOHN KERRY. If you believe that the same school system that cannot teach fourth graders how to read is somehow the best qualified to teach those same kids all about sex, you might want to vote for JOHN KERRY. If you believe that guns in the hands of law-abiding Americans are more of a threat than U.S. nuclear weapons technology in the hands of Chinese Communists, you might want to vote for JOHN KERRY. If you believe there was no art before Federal funding, JOHN KERRY is your guy.

If you believe that global temperatures are less affected by cyclical, documented changes in the Earth's climate and more affected by Americans driving SUVs; I got a laugh when I saw the SUVs. What was it that KERRY was speaking to, Mr. Speaker? Who was the crowd? It was a Detroit group. I think they were auto workers or maybe a chamber of commerce in the Detroit area, and he was saying, I am proud that we have SUVs. And actually, it is interesting, he had a fleet of cars.

I guess if you have five mansions around the world, you need a fleet of cars because, heaven knows, you would not want to rent. By the way, on that subject, his main residence, this man of the people we are talking about, his

main resident in Beacon Hill, Massachusetts, is valued at over \$6.6 million. That is his main residence. I do not know if my colleagues know this story, but one time Mrs. Kerry got some parking tickets for parking over in front of a fire hydrant. Now, what would you do if you were a liberal Democrat? Under that circumstance, you would think, I would pay the fine. In fact, I would send a little more because I believe in government, and I want to help subsidize government. This is a great chance. No. Instead, they simply moved the fire hydrant.

Now, I am telling my colleagues, that is some serious money. When your wife gets a ticket for parking in front of a fire hydrant and you have the fire hydrant moved, you have some money. But that is the approach to government.

They also, though, have a 90-acre family estate near Pittsburgh. That is valued at \$3.7 million. Then they have a ski vacation home in Idaho that is a \$5 million job purchased in 1988, and then there is the waterfront estate in Nantucket Harbor. This beachfront property is valued at about \$9.1 million, and KERRY tools around the sound in his 42-foot power boat that is worth \$695,000. What a guy of the people. I mean, I can just see him driving around in the pickup truck, going down to the little cafeteria down the street and joining the coffee club and talking about how gas prices jumped from \$1.75 to \$1.78, and how that is going to set them back.

□ 2115

And of course here in Washington a 23-room townhouse in Georgetown valued at \$4.7 million, I do not know why the guy wants to move in the White House. That is certainly a cut in lifestyle, although I think it has got a pretty cool plane and your own police force and things he would like.

Getting back to this Blackfive thing, if one is against capital punishment but supports abortion on demand, JOHN KERRY is your guy. If one believes that businesses create oppression and government creates prosperity, JOHN KERRY is your guy. If one believes that hunters do not care about nature but loony activists in Seattle do, JOHN KERRY is your guy. If one believes that self-esteem is more important than actually doing something to earn it, JOHN KERRY is your guy.

There is a number of other tests that this group has, and I might just recommend that people look at [www.blackfive.net](http://www.blackfive.net) and just take the test for themselves.

We have been joined, Mr. Speaker, by the gentleman from Florida (Mr. MARIO DIAZ-BALART), and I wanted to yield the floor for him.

And is the gentleman from Georgia (Mr. GINGREY) with us? Well, I apologize for overlooking the gentleman. I thought the gentleman just wanted to hear some brilliance and was waiting for the next speaker to give it.

Let me yield to the gentleman from Florida.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I thank the gentleman for yielding.

When I was listening to the gentleman a little while ago and he was mentioning about how Mr. KERRY tries to portray himself as one of the regular folk and he was talking about how he, frankly, is one of the very privileged folk, I think that kind of explains, though, some of his votes and some of the things that he says after some of his votes.

If the gentleman will recall that he voted against President Bush's tax relief plan in 2001 and also in 2003. By the way, that tax relief plan, i.e., in other words, government taking a little bit less of the people's money, it is not a gift that the government has given, just the government taking a little bit less of people's money, that is the reason why we are finally now in this economic upturn. And, again, they might try to scream and complain, but the bottom line is everybody has had to recognize that, because of that, the economy is doing much better.

But then since it is working and since more people are getting jobs and since over a million jobs have been created in the last year because of the President's leadership, and then they said, well, but the President's tax cuts were tax cuts on the rich. And, Mr. Speaker, again, I am in awe of what I hear up here sometimes. I am new here. This is my first term, and I am sometimes in awe of what I hear up here.

The tax cuts that the President proposed and this Congress passed, Senator KERRY, now, he would know what a tax cut on the rich is, obviously, because he is very wealthy, and nothing wrong with that, but I do not know about the State of Massachusetts. It is a different world. We know that the State of Massachusetts is a different world. It is the State that gave us JOHN KERRY and TED KENNEDY.

But, in Florida, everybody dies. In Florida, eventually everybody dies, and one of the tax cuts that this President supported, proposed and Senator KERRY voted against is the death tax. Again, I do not know about Massachusetts, but in the State of Florida not only the wealthy die.

One of the tax cuts that Senator KERRY voted against, saying now that it is a tax cut on the rich, was the marriage penalty relief. Now, I do not know about other parts of the country, but in the State that I am privileged to represent here in Congress, which is Florida, not only the wealthy get married. Working people get married as well. And yet Senator KERRY voted against it, saying, oh, that is a tax cut on the rich.

He voted against the child tax credit, for example. Now, again, I do not know about the State that he represents, the State where maybe everybody has nine houses that are worth millions of dollars, but in Florida where people work

awfully hard, and I am pretty sure that throughout the country they do, not only do the wealthy get married, not only do the wealthy have children, not only do the wealthy die.

A colleague of ours in Florida said that at least one would think that we could agree that there should be no taxation without respiration, at least, but, no, Senator KERRY believes that that is wrong, that we have to tax people when they get married, we have to tax people if they have children, we have to tax people if they have small businesses, and, yes, we even have to tax people after they are dead, after they are dead. And yet, Mr. Speaker, he keeps saying that those are tax cuts on the rich.

I think maybe the explanation is what the gentleman was saying a little while ago, that he lives in a different place. I do have to admit, though, because I have seen a lot of things and I have heard a lot of things that to my point of view just do not make sense, like these are tax cuts on the rich, these tax cuts that I just mentioned, but maybe it is just a different world. I have to admit, though, that I give Senator KERRY credit, and I have heard this time and time again. One has got to give him credit for something that I, this humble servant, believed was impossible. When Senator KERRY has made TED KENNEDY the conservative senator of Massachusetts and when we look at the rankings, Senator KERRY is even more liberal, even more of an extreme left-winger than Senator Ted Kennedy. I did not think that was possible. Only Senator KERRY has been able to do so.

And he has, by the way, picked a very charming, very eloquent man as his running mate, who is the fourth most liberal Member of the Senate. He could have gone and picked a number of people out there. No, he had to pick somebody that was almost as liberal as himself.

Mr. Speaker, in that sense, the ticket of McGovern and Shriver, not since McGovern has there been a more left-wing extreme point of view put forward by the Democratic ticket as the ticket that is now in front of the American people. And, again, when they voted against repealing the death tax, when they voted to increase the child tax credit, in other words, when they voted against lowering taxes on families for their children, when they voted against the full marriage penalty relief, it goes to show us that, yes, it is absolutely true, hard to believe, that that ticket now is more left-wing and more liberal than even TED KENNEDY. It is hard to believe, but, yes, that ticket is more left-wing, more radical, more liberal, or at least equally to the ticket that McGovern headed in 1972, I believe, before my time, but it is hard to see a more left-wing extremist ticket, except for the one that the Democratic party has put forward.

Mr. KINGSTON. If the gentleman would yield, I wanted to underscore

that. I have some of Mr. EDWARDS' rating groups, and the gentleman has established already that Mr. KERRY is more liberal than Mr. KENNEDY, with a 97 percent liberal rating compared to Mr. KENNEDY's 88 percent. But here was NARL, which is the National Abortion Rights League, they gave Mr. EDWARDS 100 percent for the last 4 years in a row. The National Right to Life has given him a 0. The AFL-CIO pronoun vote, 100 percent for the last 3 years. The Federal Employees Union, 91 percent, then 100 percent, 100 percent.

National Taxpayers Union, Mr. EDWARDS, 22 percent, but that is up from 12 percent 3 years ago; Americans for Tax Reform, 0 percent, down from 5 percent last year; and then Citizens Against Government Waste, 13 percent in terms of being probusiness. The National Federation of Independent Businesses, small businesses, has given Mr. EDWARDS a 0 percent. Privately, if one shows up, they get a 70 percent on their rating, but he has got a 0 percent. U.S. Chamber of Commerce has given Mr. EDWARDS 15 percent.

Why are these important? These are important because these are folks who help job creation, job impact, and if we are interested in jobs, we do not want somebody with a 15 percent U.S. Chamber rating and a 0 percent National Federation of Independent Businesses.

Mr. MARIO DIAZ-BALART of Florida. If the gentleman would yield, when one sees that, so he clearly likes raising taxes. He even supported a 50 percent gas tax, per gallon gas tax increase. Now I do not know about the gentleman, but in the State of Florida, gas is relatively expensive right now, and if the people out there think gas is too cheap, no problem, they have got a good person to vote for in November. That is Senator KERRY, who, again, has supported a 50 percent per gallon gas tax increase.

Mr. KINGSTON. And at the same time blocked the energy bill that would have given us more affordable energy in alternative energy sources, fuel cell, hydrogen cell research and a lot of good stuff. He helped block that bill because the travelers did not like it.

Mr. MARIO DIAZ-BALART of Florida. And, again, there are certain things that just boggle the mind. For example, he voted for giving the President authorization to go after Saddam Hussein, to take out Saddam Hussein, and then when our troops are on the field and when they are giving their all, including, unfortunately, their lives to protect our freedoms, to do the job that Senator KERRY himself voted to authorize, then he votes against the \$87 billion to give them the equipment that they need on the field. That is that famous quote when he says, well, "I voted for it before I voted against it."

I guess he must have been embarrassed at his vote, but it gets worse now. There are so many reasons why he is the most extreme liberal left-winger

since McGovern. He proposed gutting the intelligence budget, the intelligence budget by \$6 billion, not long after the first World Trade Center bombing.

And so, again, we see some of these votes, and we just do not understand. How is it possible? We never know where he is today. If we ask him today, he may have changed four or five times, but he clearly supported going into Iraq but then does not support giving our troops the equipment that they need.

Now, that should not surprise us, because years earlier he tried to cut the intelligence budget, to really destroy the intelligence budget, and I have got some quotes of his that are just unbelievable. In the 1997 CONGRESSIONAL RECORD, May 1 quote, he said, "Now that the struggle," the Cold War, in other words, "is over, why is it that our vast intelligence apparatus continues to grow?" Excuse me? Why are we spending so much money on intelligence?

Well, we know what happens when we do not prepare, when we are not strong and when we do not have adequate intelligence.

Again, these are things that boggle the mind, and maybe part of the explanation is because he has seven homes. God bless him. I do not have a problem with that, but maybe that is why he thinks that cutting taxes on married people is cutting the tax on the rich. Maybe that is why he thinks when taxes are cut on people who die, estate taxes, that that is cutting taxes on the rich. Maybe that is why he believes that cutting taxes to small business is cutting taxes on the rich. It is not. It is cutting taxes on real American people, and when taxes are cut, we do not give anything. Government is not giving a gift. Government, all it is doing is taking a little bit less of the people's money. Is that wrong? No. It is the right thing to do morally, and it is also helping our economy.

Mr. KINGSTON. Let us yield to the gentleman from Georgia (Mr. GINGREY) a minute. He wanted to talk.

Mr. GINGREY. Well, I thank the gentleman, my colleague from Georgia and the gentleman from Savannah for yielding a little time and especially since I was actually not scheduled to be part of this colloquy. I know there are a number of other Members here who want to join in the discussion.

But I was just back in my office doing a little paperwork and catching up on some things and watching C-SPAN, and as the gentleman from Georgia and the gentleman from Florida began to discuss some facts about the presumptive Democratic nominee, Mr. KERRY, that it is important that the American people know I felt compelled to come down and hopefully not take more than 3 or 4 minutes, because there is something that I want my colleagues in this Chamber to know, and hopefully they will share this with their constituents, the American people.

See, there is one thing, only one that I can think of, really, that I share that I have in common with the presumptive Democratic nominee, Mr. KERRY. We both share the same religion. We are both Roman Catholics. And, Mr. Speaker, this is what I want to share with my colleagues. The presumptive Democratic nominee for President, he recently made two very interesting statements. Mr. KERRY, a constant supporter of abortion rights throughout his whole 20-year career in this United States Senate, now says he believes that life actually does begin at the moment of conception.

Let me repeat that. He believes that life actually does begin at the moment of conception.

Nevertheless, Mr. KERRY continues to insist that he is ideologically pro-choice because of his firm belief in "separation of church and State."

Now, I assume Mr. KERRY is referencing the establishment clause of the Constitution, which declares that our government shall establish no State religion and that citizens are free to worship God in the manner of their individual choosing. Indeed, freedom of religion, not freedom from religion.

□ 2130

Madam Speaker, the unalienable rights to life, liberty, and the pursuit of happiness are proclaimed in the Declaration of Independence and guaranteed by our Constitution, so it would seem that JOHN KERRY would, by his own words, believe that life begins at conception, would, through his pro-choice stance, be in direct contrast to the most important guarantee of our charter documents.

Mr. KERRY goes on to say that his Roman Catholic belief that the moment of conception is the same moment life is created, that should not be imposed on those whose faith through other religions do not share that same belief. He should not impose that other on other religions because they may not share that same belief.

Madam Speaker, I wonder, I wonder which particular religion Mr. KERRY is referencing. In my 11th district of Georgia I have attended services at many churches, synagogues, houses of worship of different denominations. All of the religions I have encountered firmly, firmly believe in the sanctity of life which God creates at the moment of conception.

Now, Mr. KERRY recently spoke from Pittsburgh just the other day about giving kids a chance at full citizenship by strengthening Early Start and Head Start. Madam Speaker, the best way to guarantee our youth a chance at full citizenship is by guaranteeing their constitutional unalienable right to life.

Madam Speaker, I would remind Mr. KERRY, the presumptive Democratic Presidential nominee that almost 40 million children since the 1973 Roe v. Wade decision have been denied an Early Start or Head Start. Indeed, they were given no start whatsoever.

So, Madam Speaker, I would hope those who wish to become the President of our Nation would have the courage to stand up for their belief in life at conception regardless of how recently they may have come to this conclusion. Many Presidential hopefuls try to have their cake and eat it too. We have been hearing a lot of that discussion here tonight, and I agree with it; but you absolutely cannot have it both ways on such an important issue as the sanctity of life. And I thank my colleagues for giving me an opportunity to come down and share that with you and with the other Members of this body on both sides of the aisle.

I am going to talk about that more and more. I think we need to make sure that we understand. How in the world could someone be for life and against life, be for the sanctity of life at conception and be pro-choice? It is incongruous. I thank the gentleman from Georgia (Mr. KINGSTON) for allowing me to share this evening with my colleagues.

Mr. KINGSTON. I thank the gentleman for joining us. We have been joined by another physician, member of the House, the gentleman from Texas (Mr. BURGESS), and wanted to point out, Madam Speaker, that the gentleman from Texas (Mr. BURGESS) was a practicing OB-GYN until his election to Congress.

Mr. BURGESS. Madam Speaker, I thank the gentleman from Georgia (Mr. KINGSTON) for yielding to me this evening.

I felt compelled to come and talk a little bit about the issues this evening. We have been hearing a lot about the relative preparedness or unpreparedness for the second highest office in this land to which they have been nominated, and that is actually not what I wanted to speak about this evening; but I would rather speak about the experience or the preparation that that individual does have, and that is in his profession as a trial lawyer.

The Wall Street Journal on Thursday of last week in its lead editorial, the last paragraph says, "Our runaway tort system is a genuine problem that is causing economic harm, and far more importantly, it is distorting the cause of justice. American politics typically responds to such problems, but in this case, the power of the tort bar centered on Democratic Senators has blocked even the most modest fixes. If this compromise fails this year, we will know for sure that this issue deserves to be joined until the Presidential campaign."

That is the Wall Street Journal's lead editorial from the end of last week.

As far as the issue of the medical civil justice system or the medical liabilities system in this country, we have had some legislation passed in this House twice in the past year and a half, but the action has been blocked on the other side of the Capitol. And what is the cost, Madam Speaker, what

is the cost of doing nothing in this regard?

Well, between 1994 and 2001, the typical medical liability award increased by 176 percent to \$1 million. That is from "Liability of Medical Malpractice: Issues and Evidence"; Joint Economic Committee, May of 2003.

The National Journal cited in the issue just last week that \$230 billion was the cost to this country of the medical civil justice system last year; and of that \$230 billion, about one-fifth went to compensate patients for actual damages. About an equal amount, about a fifth, a little less than that, 19 percent, was the payment for the trial lawyers' part of that, a fifth went to the insurance companies, and one quarter of that amount went to pay the exploding costs of non-economic damages.

The American Medical Association in its Medical Liability Reform Fact Sheet last year said 60 to \$108 billion per year would be saved in health care costs by placing a reasonable limit on noneconomic damages. Not eliminating them entirely, but placing a reasonable limit. "Defensive medicine is a potentially serious social problem. If fear of liability drives health care providers to administer treatments that do not have worthwhile medical benefits, then the current liability system may generate inefficiencies much larger than the costs of compensating malpractice claimants." This may lead to reductions of 5 to 9 percent in medical expenditures without an increase in the quality of medical care.

The study by McClellan in 1996 in 1996 dollars estimated that \$50 billion dollars a year could be saved in the Medicare system by the elimination of some practices of defensive medicine. There is a significant human impact as well. Doctors are leaving practice, and we are losing that critical human capital that we as citizens of this country and of our States have paid to educate.

There is a perinatologist in my community who left his practice about a year after entering practice because he could no longer afford the six-figure liability premium. He went to work for Perot Systems, a medical information systems consultant; but the fact is, he is not practicing perinatology. The State paid for his education. The State paid for his education in medical school and residency, and now we will never see the benefit of that payment because this individual was driven from his practice by the high cost of the liability insurance.

At Methodist Medical Center in Dallas last year, we lost a neurosurgeon because he could not afford the six-figure liability premium that he was faced with, putting the whole trauma system in the north Texas network at risk.

Madam Speaker, even more importantly than that, the cost of the human capital that is now being extracted on our youngest citizens and citizens as they contemplate what careers to pur-

sue, individuals in undergraduate school and medical school and in high school, look at the medical profession and turn away because of the crisis in medical liability, and it is so unnecessary. Some reasonable fixes have been proposed by this House. They have been blocked on the other side of the Capitol; and, unfortunately, one of the individuals who is at the root of blocking those commonsense reform is now the nominee for the second highest office in this land.

So I would say I am not so much concerned about the experience that he lacks in the administrative side of the government. I am far more concerned about the type of experience he brings from the plaintiffs' bar. I do not believe that this issue can get a fair hearing with that individual sitting in the second highest office of the land.

Mr. KINGSTON. Madam Speaker, I thank the gentleman for joining us tonight and also for giving your perspective. I wanted to ask the doctor a few questions, if I could, before he leaves. How long did the gentleman practice medicine?

Mr. BURGESS. For 25 years.

Mr. KINGSTON. What was your specialty?

Mr. BURGESS. Obstetrics and gynecology.

Mr. KINGSTON. In that field, how big is the problem of malpractice as you the gentleman know it firsthand?

Mr. BURGESS. It is causing doctors to leave the practice of medicine. There is no question about it. I saw it myself.

The gentleman from Georgia (Mr. GINGREY) and I are perhaps the poster children for that. We left our practices and came to the relative safety of the United States Congress to avoid the pernicious medical liability climate. In south Texas along the Rio Grande Valley, it is a crisis of epic proportions. And until we passed some State reforms this past year, in September of last year, doctors were leaving the State in significant numbers. Malpractice insurers were leaving the State. We had gone from 17 insurers to four; and the policies were very, very restricted that were being written.

Since we put in some very, very basic reforms, some very, very basic curtailments of noneconomic damages, the insurers in the State of Texas have now increased to 12, insurance prices have come down significantly. The crisis has been adverted to some degree in Texas, but it remains a nationwide problem.

Mr. KINGSTON. As the gentleman talks to physicians, if someone said, name the top three problems physicians are faced with right now, would malpractice be one of them?

Mr. BURGESS. Certainly that would be at the top of the list. Reimbursement rates from HMOs is going to be second. The slow rate of payment from insurance companies and HMOs would probably rank as third.

Mr. KINGSTON. So unless we address the frivolous medical liability suits in

our country, the cost of medicine will skyrocket and the availability is going to shrink?

Mr. BURGESS. I think access is going to be severely, severely restricted. A woman who is the head of the Columbia University residency program, an OB-GYN, Columbia University has a very good residency program, perhaps second only to Parkland Hospital where I did my residency, this individual told me that currently they were accepting people into their residency program that 5 years ago they would not have even interviewed. That is, the quality of applicant has dropped off so significantly because people simply fear this issue. They see no reason to enter a life where there is going to be this much uncertainty. So it is really extracting a high toll as far as the availability of our future providers, not just what is happening right now, but what is happening for our children and our children's children.

Mr. KINGSTON. I thank the gentleman. If we have the Edwards-Kerry trial lawyer ticket, we probably will not have any serious medical liability reform, would we?

Mr. BURGESS. That is my firm belief as well.

Mr. KINGSTON. Madam Speaker, I think we had a good discussion here today. I notice my friends on the other side of the aisle are here chomping at the bit and I know are eagerly awaiting freedom of speech, equal time; and my friend from California is grabbing the mike right now for a discussion.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. HARRIS). The Chair will remind all Members to refrain from improper references to individual Senators. While references to Members in their capacity as presumptive nominees for the Presidency and Vice Presidency are not prohibited, references to other Members of the Senate must be consistent with clause 1 of rule XVII.

#### WHO IS IN CONTROL?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, I would like to say to my friend from Georgia, when he is talking about past Vice President Dan Quayle, what he needed to do was know how to spell potato.

Madam Speaker, last week President Bush was asked what distinguishes Vice President DICK CHENEY from Senator JOHN EDWARDS, JOHN KERRY's Vice Presidential running mate. Mr. Bush's haughty reply was, "DICK CHENEY can be President."

This implied criticism of Senator EDWARDS, who happens to sit on the prominent Senate Intelligence Committee. And this is quite laughable be-

cause Senator EDWARDS actually has more experience than George W. Bush did at the time he ran for office in the year 2000.

The appalling part of this comment is that not only could DICK CHENEY be President, he has performed the functions of the Presidency. Since day one, DICK CHENEY has wheeled, dealt and cajoled his way to accomplish his dangerous, self-serving, neo-conservative agenda.

DICK CHENEY has chomped at the bit to finish the job he started in 1991 as Secretary of Defense when the United States first went to war with Iraq. In the year 2003 when President Bush needed to make the case for going to war with Iraq, it was DICK CHENEY who met with the intelligence analysts at the CIA to determine whether Iraq possessed nuclear weapons.

Vice President CHENEY claims that he did not strong-arm these analysts into adopting his view that Iraq was in possession of weapons of mass destruction. Despite what I am sure were CHENEY's best and most benevolent intentions, the Vice President of the United States probably registered quite a bit of influence with a bunch of career CIA analysts who were likely to give him the evidence he wanted, whether it was true or not. And it was Vice President CHENEY, not President Bush, the Commander in Chief, who gave the unsuccessful order to shoot down the hijacked planes on September 11. At a time when America was being attacked, it was Vice President CHENEY who made the important decisions.

By now this pattern should be quite clear. Vice President CHENEY does the real work of the administration, making the key decisions in our times of greatest need.

□ 2145

When George Bush says that DICK CHENEY can be President, he is right, but that says more about President Bush's own failure of leadership than it says anything about Vice President CHENEY's abilities.

Mr. Speaker, the American people deserve better. They deserve better than a man-behind-the-man presidency. Senator JOHN EDWARDS will not be the kind of Vice President who will falsify intelligence for the purposes of sending our young men and women to war. As a member of the Senate Intelligence Committee, he knows better.

We need leaders who will not abdicate the Constitution in the name of political opportunism, a Presidential team that will pursue smarter policies than those of the current administration.

I have introduced H. Con. Res. 392, the SMART security resolution, which provides a much smarter national security platform than the one we currently have. SMART stands for Sensible, Multilateral, American Response to Terrorism. SMART security means confronting the threat of terrorism not by creating more terrorism, as the

Bush administration has done in Iraq, but by striking at the very heart of the real terror networks.

SMART would cut off financing for terrorist groups and would break up of their organizations around the world, engaging the international community in this process, the same international community the Bush administration so callously disregarded in its march to war.

SMART security provides a better path for America than the one we are currently on. Could DICK CHENEY be President? Sure, if you do not mind the fact that the real President is asleep at the wheel, but JOHN EDWARDS, who could step in for JOHN KERRY on a moment's notice, will not be a shadow President because JOHN KERRY will lead this country on a truly smart path.

The voters will decide in November what they want: an administration that unnecessarily sent American troops into a war that has cost the lives of thousands, or a Kerry-Edwards administration that will be smart about America's national security.

#### ELECTIONS, NOT FEAR, MAKE AMERICA STRONG

The SPEAKER pro tempore (Ms. HARRIS). Under a previous order of the House, the gentleman from Washington (Mr. McDERMOTT) is recognized for 5 minutes.

Mr. McDERMOTT. Madam Speaker, elections, not fear, make America strong.

I just returned this afternoon from my district. All last weekend, everywhere I went in Seattle people kept asking me the same question, are they really going to take away our election? Now, I did not go to the secret briefing that they had last week. It is my practice and my policy not to go to secret briefings.

The day after the briefing, however, there was a stunning administration press conference revealing that the Department of Homeland Security thinks we should all be more afraid but that things are not bad enough to raise the terror alert level from yellow, and we should all be vigilant, but not about anything specific.

Now, that secret meeting that they had the day before had everybody's mouth zipped shut in this place. Then they go out on the street and say what they told us not to talk about; and, by the way, we need to figure out how to legally delay the election, just in case. That was the bottom line, what they were talking about. The homeland security spokesman referred to this as an effort "to determine what steps need to be taken to secure the election." Please, folks, could we not at least avoid the Orwellian language?

Now we have got the people flooded with fear, and the conspiracy theorists are having a field day. It is everywhere, in all the clips today in the paper, everywhere all across the country just