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

DESIGNATION OF THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore laid before the House the following communication from the Speaker: WASHINGTON, DC, September 8, 2004. I hereby appoint the Honorable Lee Terry to act as Speaker pro tempore on this day. J. DENNIS HASTERT, Speaker of the House of Representatives.

PRAYER
The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, may Your grace and peace permeate this Chamber. Let the atmosphere of this fall session encourage lively debate, but always with mutual respect. May everyone’s work reveal gracious manners and a manifest personal kindness. Fill this place with spoken wisdom and attentive listening. May daily work, various conversations and structured meetings bring personal satisfaction, prove productive for the American people, and give You glory, now and forever. Amen.

THE JOURNAL
The SPEAKER pro tempore. The Chair has examined the Journal of the last day’s proceedings and announces to the House his approval thereof. Pursuant to clause 1, rule 1, the Journal stands approved.

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

Ms. Solis led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

TV AFFECTS SEXUAL BEHAVIOR OF TEENS
(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

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

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

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

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

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

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

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

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

HOMEOWNERSHIP AT AN ALL-TIME HIGH
(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

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

We passed tax cuts for all Americans allowing them to keep more of their own money. We passed the American
Mr. BLUMENAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.

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

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

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

PRESIDENT AN OUTSTANDING LEADER IN WAR ON TERROR

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

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

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

THE ECONOMY, UNEMPLOYMENT, AND MEDICARE PREMIUMS

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

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

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

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

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

PAYING TRIBUTE TO OUR TROOPS

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

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

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

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

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

CALLING UPON THE VICE PRESIDENT TO APOLOGIZE

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

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

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

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

HONORING CARLY PATTERSON

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

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

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

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

Great job, Carly Patterson. We are proud of you. God bless you. We all salute you.
BEING LESS CRITICAL OF THE PRESIDENT  

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

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

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

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

EXPRESSING ALARM ABOUT AMERICA’S SHRINKING FLEET  

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

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

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

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

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

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

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

DEMANDING THE TRUTH

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

Mr. McDERMOTT. Mr. Speaker, The New York Times today says: “U.S. Conceding Rebels Control of Regions of Iraq. Pentagon is not certain when central areas can be secured.” Iraq has come to that. From the day the President launched his crusade, we feared that casualties would mount, and they have. One thousand brave Americans have died.

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

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

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

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

BUSH ECONOMIC POLICIES NOT WORKING

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

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

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

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

ELECTION OF MEMBER TO COMMITTEE ON ARMED SERVICES

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

The Clerk read the resolution, as follows:

H. Res. 756

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

COMMITTEE ON ARMED SERVICES: Mr. Stenholm.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HONORING OLYMPIC GOLD MEDALIST ANDRE WARD

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

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

Andre began boxing at the age of 9. After learning the basics of boxing from his father, Andre began training with his godfather and current coach, Virgil Hunter. Within one year, Andre won his first tournament, and at age 14 began a winning streak that spanned 6 years and roughly 90 fights. During
that time. Andre would go on to win two U.S. national championships along with several other major national tournaments.

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

ECONOMY SUFFERING UNDER BUSH ADMINISTRATION

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

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

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

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

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

BUSH ADMINISTRATION UNDERFUNDS HOMELAND SECURITY

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

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

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

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

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

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

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

HEARTFELT SYMPATHY AND CONDOLENCES FOR RUSSIA

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

Mr. BAIRD. Mr. Speaker, we have a lot to do today in the House of Representatives, as we do every day; and we will undoubtedly talk about a number of matters of great importance. But whatever the disagreement there can be, there must be no excuse for this sort of barbarity.

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

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

POLITICS OF HOPE VERSUS POLITICS OF FEAR FOR AMERICA

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

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

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

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

EXPRESSING INDIGNATION RESULTING FROM COMMENTS OF VICE PRESIDENT

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

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

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

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

ARE WE SAFER NOW THAN 4 YEARS AGO?

(Mr. SHERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)
Mr. SHERMAN. Mr. Speaker, are we safer now than we were 4 years ago? We have spent billions and 1,000 of our best have died in Iraq. But spending blood and treasure without wisdom will not necessarily make us safer. And while we have as a unified Nation dealt with al Qaeda and Afghanistan, we have ignored the nuclear weapons programs of Iran and North Korea. Our policy toward those two greatest threats has been “hear no evil, see no evil.”

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

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

VICE PRESIDENT CHENEY’S SCARE TACTICS

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

Mr. MEEKS of New York. Mr. Speaker, I rise this afternoon to denounce Vice President Cheney’s disgusting and inappropriate remarks yesterday while campaigning. The Vice President’s consistent attacks have reached an all-time low, even for him, and that is saying a lot for the most polarizing, divi-

tive Vice President in the history of the United States.

We were not attacked because we were Democrats. We were not attacked because we were Republicans. We were attacked because we were Americans, and the question is where is this administration leading us? Mr. CHENEY and the question is where is this ad-

Attacked because we were Americans, because we were Republicans. We were Democrats. We were not attacked from the tragic milestone of 1,000 American fatalities in Iraq.

Today we mourn with the families who have lost their loved ones. They can try to change the subject, Mr. Speaker, but he cannot change the fact that over and over and over again this administration has made the wrong choices in Iraq. Here we are, no weapons of mass destruction, 1,000 American fatalities, thousands and thousands of wounded and $200 billion later.

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

VICE PRESIDENT CHENEY REACHED A NEW LOW

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

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

I hope everyone realizes what the Vice President is up to. He is desper-

ately trying to change the subject from the tragic milestone of 1,000 American fatalities in Iraq.

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

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OUTRAGE OVER INCREASE IN MEDICARE PART B PREMIUMS

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

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

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

The fact of the matter is that this 17 percent increase that is unaffordable for many seniors is a direct result of Republican policy and the Bush administra-

tion’s policy, and it has to stop.

We need a change of administration. We need a President, JOHN KERRY, who is going to worry about senior citizens, address their needs, address the rising costs of health care, address the Medi-

care concerns, provide a true prescrip-

tion drug benefit.

This premium increase is just an indi-

cation of what we would see over the next 2-years if the Republicans con-

tinue in power in this House. It has to stop. We have to stop this up and see the result of the Bush policies and what it means for their Medicare pro-

gram.

LOSS OF SOLDIERS’ LIVES

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

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

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

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

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

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

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

The Clerk read the resolution, as fol-

ows:

H. Res. 754

Resolved. That at any time after the adop-
tion of this resolution the Speaker may, pur-
suant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5006) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005, and for other pur-
poses. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and con-
trolled by the chairman and ranking minor-
ity member of the Committee on Appropria-
tions. After general debate the bill shall be
considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XIX are waived except: sections 1045, 5006, and 5007. Where a point of order is sustained against a section, a point of order against a provision in another part of such section may be made only against the portion of the section and not the entire section. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose by rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. TERRY). The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour. Ms. PRYCE of Ohio. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

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

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

After general debate, an amendment, if offered, to an amendment may do so as long as it complies with the regular rules of the House.

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

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

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

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

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

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

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

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

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

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

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

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

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

This legislation also recognizes the critical role that teachers play in the education of our Nation’s students. We all remember those teachers who in the wake of the attacks of September 11, spent spare time and their own funds to help our military men and women by teaching English as a Second Language. We want to give every teacher tools to inspire their students. That is why this bill provides nearly $3 billion for grants to States to administer professional development programs for their teachers.

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

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

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

Good health is really the backbone to living a quality life. The Federal Government, through partnerships with State, local, and private entities, have made significant investments in medical research and health for years now. A few years ago, Congress fulfilled its commitment to doubling the budget of the National Institutes of Health, the medical research arm of the Federal Government. This truly was a remarkable goal and an even more remarkable achievement to meet such a goal. Since then, Congress has not rested on its laurels. We continue to provide significant increases in funding for NIH, as indicated by the $700 million increase in funds over last year’s level. This brings NIH funding to a record high of $23.5 billion.

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

President Bush and this Congress are committed to increasing Federal support for community health centers.
This bill expands the President’s Community Health Center initiative to increase the role of community health centers in our neighborhoods by funding the program at $1.8 billion, an increase of $200 million over last year.

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

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

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

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentlewoman from Ohio (Ms. SLAUGHTER) for her generous remarks.

Ms. SLAUGHTER. Mr. Speaker, appropriation bills are the truest expression of Congress’ priorities. All year long we may claim to support after-school programs and child care assistance, but when the bill restores funding for core job training to over $1.5 billion and provides another $1.5 billion to assist displaced workers. Mr. Speaker, the best part of this package is that it recognizes that we have limited resources, yet still meets America’s needs with those resources. It demonstrates that funding America’s priorities can be both generous and responsible.

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

**NATIVITY**

Native households had a real median income in 2003 ($44,347) that was not different from 2002 ($44,731), while the income of foreign-born households experienced a real decline of 3.5 percent to $37,499. Households maintained an uninsured rate of 12.8 million in 2003, which is about the same as rates for those of the other race groups. Comparison of 2-year moving averages (2001–2002 and 2002–2003) shows that the uninsured rate for American Indians and Alaska Natives did not change.

**HEALTH INSURANCE COVERAGE**

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

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

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

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

**REGION**

Real median income of household incomes did not change between 2002 and 2003 in three of the four regions, while income in the South declined 1.5 percent to $39,623, the South had the lowest median income of any region. In 2003, the median income of households in the Northeast was $46,742, in the Midwest, it was $44,731, and in the West, it was $46,820.

**RENTAL**

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

**INCOME INEQUALITY**

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

Between 2002 and 2003, the real income of the household at the 20th percentile (that is, the income delineating the 40th and 60th percentiles did not change) between 2002 and 2003, from 12.7 million to 13.2 million in 2003. The uninsured rate for those working full-time increased from 16.6 percent in 2002 to 17.5 percent in 2003. The comparable rates for those working part-time or not working did not change.

**CHILDREN'S HEALTH INSURANCE COVERAGE**

The percentage and number of children (people under 18 years old) without health insurance did not change between 2002 and 2003, at 11.4 percent and 8.4 million, respectively. The likelihood of health insurance coverage varied among children by poverty status, age, race, and Hispanic origin. Children in poverty were more likely to be uninsured than the population of all children. The uninsured rate for non-Hispanic White children, was 11.4 percent and 8.4 million, respectively. The uninsured rate for those in each lower category of income was higher. Of those 18 to 64 years old in 2003, full-time workers were more likely to be covered by health insurance (82.5 percent) than part-time workers (76.2 percent) or nonworkers (74.0 percent). The uninsured rate for those working full-time increased from 16.6 percent in 2002 to 17.5 percent in 2003. The comparable rates for those working part-time or not working did not change.

**RACE AND HISPANIC ORIGIN**

Most people (80.4 percent) were covered by a health insurance plan related to employment for some or all of 2003, but the proportion declined from the previous year. This decline essentially explains the fall in total private insurance from 12.8 million to 13.2 million, their uninsured rate was unchanged at 32.7 percent.

The proportion of children who were without health insurance did not change, remaining at 11.4 percent of all children, or 8.4 million, in 2003. Of those 18 to 64 years old in 2003, to 243.3 million (84.4 percent of the population) had government insurance, including Medicare, Medicaid, and military health care (3.5 percent).

**RACE AND HISPANIC ORIGIN**

In 2003, the uninsured rate for Blacks was unchanged at about 19.5 percent, and the rate for Asians unchanged at about 18.7 percent. The uninsured rate rose for non-Hispanic Whites (from 9.7 percent to 10.2 percent). Among Hispanics, the uninsured rate was unchanged at 32.7 percent, whereas the number of Hispanics without coverage increased from 12.8 million to 13.2 million in 2003.

The 3-year averages of the uninsured rates by race and Hispanic origin (2001–2003) show that people who reported American Indian and Alaska Native race were more likely to be uninsured than any other racial group. While 21.0 percent of Hispanic children did not have any health insurance in 2003, the comparable rates among children for whom a single race was reported were 7.7 percent for non-Hispanic White children, 14.5 percent for Black children, and 12.4 percent for Asian children.

**RISE AND HISPANIC ORIGIN**

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**ECONOMIC STATUS**

The likelihood of being covered by health insurance rises with income. Among people in households with annual incomes of less than $25,000 in 2003, 75.8 percent had health insurance; the level increased with income up to 91.5 percent for those with incomes of $75,000 or more. Compared with 2002, the coverage rate was unchanged for those with household incomes more than $75,000, whereas rates fell for those in each lower category of income.

Of those 18 to 64 years old in 2003, full-time workers were more likely to be covered by health insurance (82.5 percent) than part-time workers (76.2 percent) or nonworkers (74.0 percent). The uninsured rate for those working full-time increased from 16.6 percent in 2002 to 17.5 percent in 2003. The comparable rates for those working part-time or not working did not change.
Most importantly, this bill does nothing to address the recently announced, just last week, over the holiday, the 17 percent hike to Medicare premiums, which is the largest premium increase in the 40-year history of Medicare. For seniors living on fixed incomes, this means a demand on their budgets to pay another $11.60 for doctors’ visits per month.

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

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

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

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

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

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

The news that 144,000 jobs were created in August was no solace, since our economy is still 1.2 million jobs short of where it was in 2000. At this rate, the current administration will be the first in our history to see fewer non-farm jobs created at the end of 4 years. A 10 percent cut to farm offices is certainly not helpful. And funding Job Corps at a paltry $1.5 billion and providing only $25 million for community college training initiatives are also troubling decisions.

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

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

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

My colleague, the gentleman from Wisconsin (Mr. GOEY), will offer an amendment to block enforcement of the final overtime rule with one exception. It would allow an increase to the salary threshold for low-wage workers from $8,600 to $23,600. Last year, this was approved, by a vote of 205 to 203, a similar measure that would have stopped the Department of Labor from rolling back the 40-hour workweek. As we all know, at the insistence of this administration, that provision was stripped but found in the final fiscal year 2005 omnibus appropriations bill, even though it had passed both Houses.

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

The Republican-led Senate voted 99:0 to protect overtime rights for workers in 55 job categories because they had no confidence in the administration’s claims. Any work paid on an hourly basis Blue collar workers Any work provided overtime under a collective bargaining agreement Team Leaders Computer programmers Registered Nurses Licensed practical nurses Nurse midwives Nursery school teachers Oil and gas pipeline workers Oil and gas platform workers Rediery workers Steel workers Shipyard and ship scrapping workers Teachers Technicians Journalists Chefs Police Officers Firefighters Fire sergeants Police sergeants Emergency medical technicians Paramedics Waste disposal workers Day care workers Maintenance employees Production line employees Construction employees Carpenters Mechanics Plumbers Iron Workers Craftsmen Operating engineers Laborers Painters Cabinets masons Stone and brick masons Sheet metal workers Utility workers Longshoremen Stationary engineers Welders Boilermakers Funeral directors Athletic trainers Outside sales employees Inside sales employees Grocery store managers Financial services industry workers Route drivers Assistant retail managers

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

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

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

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

The administration has guaranteed overtime protection for 6.7 million working Americans, and it is a reform that was needed and it was overdue. We have not seen millions of workers lose their overtime pay. In fact, we have watched as 1.3 million additional Americans have gained their right to claim overtime pay.
The previous system was outdated, it was unfair, and the Bush administration deserves credit for reforming the system, even though they knew the political interests aligned against the President would try to frame it as a negative.

The old status quo was a 54-year-old regulation. That is what the critics are claiming was fair. Under that regulation, someone earning as little as $8,000 would be classified as a white collar employee and prevented, prevented, from receiving overtime pay. No more, Mr. Speaker. This new policy is worker-friendly, it is fair, and I support the rule.

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

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

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

Special education: Both political parties posed for political holy pictures in terms of how much we are going to try to do for handicapped children, and yet this bill provides $2.5 billion less than the promises laid out in the budget resolution which gave us a little bit over 2 percent. The bill only goes up a little over 2 percent above last year’s level, and obviously we had to make some very tough priority choices in that last year.

That is why these squeezes are made necessary.

So, Mr. Speaker, I am going to ask the House to vote against the previous question on the rule. I urge the House to do just that when the opportunity comes in just a few moments.

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

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

Title I alone, which is the major program, will restore $5.5 billion more to education, which will invest $200 million more in workforce training, invest an additional $1.6 billion to provide more assistance to the 45 million people we work with in health care, and make a series of other adjustments that will make this a far more progressive and humane bill. The only way we can do that is if we defeat the motion on the previous question on the rule. I would urge the House to do just that when the opportunity comes in just a few moments.

Another area that is of interest to our Members is special education, IDEA, and we added a billion dollars to this program above last year that brings the total to over $11 billion. In Title I, we added a billion dollars over last year for a total of $13.3 billion. In addition to aid to education, this bill contains funding for great State of Ohio and the chairman of the Subcommittee on Labor, Health and Human Services, Education and Related Agencies.

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

'This bill distributes over $122.5 billion, and it does things for people. It is my belief, and I think we can be proud as a Congress for what we are doing here. It funds over 500 discretionary programs, and every one of those programs is important to people in this Nation. But, importantly, also, it stays within the 302(b) allocation and the constraints that were established in the budget resolution. It would be easy to go over because these programs are something that are very sensitive, but I think we have tried very hard, and we had a bipartisan effort in the subcommittee, to meet the needs and aspirations without exceeding the budget.

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

The bill only goes up a little over 2 percent above last year’s level, and obviously we had to make some very tough priority choices in that last year. We are going to try to shave that tax cut for the most well-off people in this society so we can continue to meet our obligations to the least well-off people in our society.

That is why this bill is a monument to misinformation and embarrassment to the institution, in my view, if this institution pretends that it cares about making the long-term investments in our economy and in our kids that are necessary.

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

The Community Access Program, which attempts to provide access to decent, decent work for poor people, is eliminated. The After School Center Program, which is an effort to see to it that kids do not go home to an empty nest after they finish the school day and can still receive some meaningful instruction, that program is frozen. NIH, National Institutes of Health, which do the basic research on all disease: smallest increase in 19 years. Now on how they will be able to get along with a mere $89,000, I do not know the cuts are not necessitated, as was indicated on the majority side, because we are at war; these cuts are necessitated because the majority has decided that their top priority is to provide people who make a million dollars a year with the opportunity to go on a tax cut for next year. That is why these squeezes are made necessary.

We have to do for handicapped children, and yet the Members of this subcommittee, to give the public an opportunity to be heard on how these programs affect them and what is important to them.

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

An area of great interest to our Members is special education, IDEA, and we added a billion dollars to this program above last year that brings the total to over $11 billion. In Title I, we added a billion dollars over last year for a total of $13.3 billion. In addition to aid to education, this bill contains funding for great State of Ohio and the chairman of the Subcommittee on Labor, Health and Human Services, Education and Related Agencies.
emergency rooms that really need that access. It provides medical help to the people that are without means. I think expansion of the community health center service is very important. We support the proposal of the President in his budget.

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

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

We added $388 million to the Centers for Disease Control. Because we have a freer flow of people around the world: SARS, the West Nile virus, hepatitis, influenza, and other emerging global disease threats. And the watchdog, the protection for all of us, is done effectively by the Centers for Disease Control. They are on the cutting edge. Recognizing that, we put an increase in $29 million over 2004 to deal with some of these threats to all of us.

I would like a few words about the bill and will in the general debate, but I think overall the bill, given the constraints that we had in terms of the allocation, we have done a fair job. I think fair in the sense that it reflects the lack of access to health care and recognizing the valiant work of Americans who work every day to make the engine of this country run.

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

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

This bill does not affirm what we call access to health care by minorities. Hispanic males and African American females were in the highest obesity at-risk groups when data was evaluated. African American men are at least 50 percent more likely to develop lung cancer than white men. African American men are twice as likely to be diagnosed for prostate cancer as white men. We have a problem in the lack of access to health care and retraining. And, of course, we have a problem with respect to community health centers in promoting more of those in our community. Access to health care is a key to good health care, particularly for those who are uninsured.

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

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

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

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

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

In January of 2001, the No Child Left Behind Act was signed into law, and we are now beginning to see the benefits of these bold policies. In the past couple of months, many States have reported
the number of schools in need of improvement is actually decreasing. In fact, in my home State of Delaware, 128 of our 173 schools have met adequate yearly progress, up from 75 in the last school year. This is remarkable news, and I congratulate the county and the teachers who are working hard to meet the rigors of No Child Left Behind.

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

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

I want to point out that this amendment is fully paid for. It offsets the increased costs of the programs by slightly scaling back the 2001 and 2003 tax cuts for those with incomes above $1 million. Under this amendment, their average tax cut would go from $127,000 to $99,000. Still a very substantial tax cut. I think most people making that kind of money are willing to accept this modest cut, especially since it will help improve the quality of life for so many less-privileged Americans and help America.

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

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

I urge a “no” vote on the previous question.

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

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

There was no objection.

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

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

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

This carefully crafted package reflects the Federal Government’s commitment to ensuring that children with special needs and the teachers working in classrooms have the tools they need to succeed. This package also reflects the government’s commitment to seeing that men and women looking for new jobs receive the helping hand and training that they need to bring home a paycheck.

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

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

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

Prior to QUADRIENNE, H.R. Res. 754—RULE ON H.R. 5006 FISCAL YEAR 2005 LABOR/HHS/EDUCATION APPROPRIATIONS

At the end of the resolution, add the following:

"Sec. 2. Notwithstanding any other provision of this resolution, the amendment printed in section 3 shall be in order without intervention of any point of order and before any other amendment offered by Representative OBSY of Wisconsin or a designee. The amendment is not subject to amendment except for pro forma amendments or to a decrease in the House."
Control, Research, and Training"; after
"$4,228,778,000" insert "(increased by
$100,000,000)".

In title II, under the heading "National Can-
cer Institute" and "$4,970,020,000" insert
"(increased by $63,486,000)".

In title II, under the heading "National Heart,
and Blood Institute"; after "$2,963,990,000" insert
"(increased by $38,639,000)".

In title II, under the heading "National Insti-
tute of Dental and Craniofacial Research," after
"$3,380,000" insert "(increased by
$5,137,000)".

In title II, under the heading "National Insti-
tute of Diabetes and Digestive and Kidney Dis-
ees"; after "$1,726,196,000" insert
"(increased by $22,563,000)".

In title II, under the heading "National Insti-
tute of Neurological Disorders and Stroke"; after
"$1,545,625,000" insert "(increased by
$20,149,000)".

In title II, under the heading "National Insti-
tute of Allergy and Infectious Diseases"; after
"$4,440,007,000" insert "(increased by
$54,622,000)".

In title II, under the heading "National Insti-
tute of General Medical Sciences", after
"$1,909,810,000" insert "(increased by
$23,548,000)".

In title II, under the heading "National Insti-
tute of Child Health and Human Develop-
ment"; after "$1,280,915,000" insert "(in-
creased by $16,698,000)".

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

In title II, under the heading "National Insti-
tute of Environmental Health Sciences", after
"$165,027,000" insert "(increased by
$8,474,000)".

In title II, under the heading "National Insti-
tute of Aging"; after "$1,056,666,000" in-
sert "(increased by $13,762,000)".

In title II, under the heading "National Insti-
tute of Arthritis and Musculoskeletal and
Skin Diseases"; after "$615,378,000" insert
"(increased by $6,719,000)".

In title II, under the heading "National Insti-
tute of Deafness and Other Communica-
tion Disorders"; after "$300,567,000" insert
"(increased by $5,130,000)".

In title II, under the heading "National Insti-
tute of Nursing Research"; after
"$139,118,000" insert "(increased by
$1,815,000)".

In title II, under the heading "National Insti-
tute on Alcohol Abuse and Alcoholism"; after
"$1,041,201,000" insert "(increased by
$5,761,000)".

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

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

In title II, under the heading "National Hum-
an Genome Research Institute", after
"$492,000,000" insert "(increased by
$6,223,000)".

In title II, under the heading "National Insti-
tute of Biomedical Imaging and Bio-
engineering"; after "$297,647,000" insert
"(increased by $3,886,000)".

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

In title II, under the heading "National Cen-
ter for Complementary and Alternative Medicine", after
"$121,116,000" insert "(increased by
$1,579,000)"

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

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

In title II, under the heading "National Lib-
rary of Medicine"; after
"$331,947,000" insert
"(increased by $1,432,000)".

In title II, under the heading "Office of the
Director"; after "$305,614,000" insert
"(increased by $14,719,000)".

In title II, under the heading "Substance Abuse
and Mental Health Services Admin-
istration, Substance Abuse and Mental Health
Services"; after "$3,270,360,000" insert
"(increased by $46,000,000)".

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

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

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

In title II, under the heading "Children and
Families Services Programs", after
"$8,305,000,000" insert "(increased by
$10,686,000)"; after "$10,686,000" insert
"(increased by $80,000,000)" and after
"$710,088,000" insert "(increased by
$90,000,000)".

In title II, under the heading "Administra-
tion on Aging, Services Programs", after
"$70,000,000" insert "(increased by
$10,000,000)"

In title II, in the third paragraph under the
heading "Public Health and Social Services
Emergency Fund", after "$1,942,247,000" in-
sert "(increased by $16,000,000)" and after
"$1,959,810,000" insert "(increased by
$100,000,000)"

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

In title II, under the heading "Education for the
Disadvantaged", after
"$15,335,735,000" insert "(increased by
$7,849,390,000)" insert
"(increased by $7,727,686,000)" and after
"$7,037,592,000" insert "(increased by
$233,036,000", each appearance of $631,162,000" insert
"(increased by $80,000,000)" and after
"$227,686,000"

In title II, under the heading "School Im-
provement Grant Program"; after
"$3,641,501,000" insert "(increased by
$425,000,000)"

In title II, under the heading "Special Edu-
cation", after "$12,176,101,000" insert
"(increased by $1,200,000,000)" and after
"$5,560,447,000" insert "(increased by
$1,200,000,000)"

In title II, under the heading "Student Fi-
nancial Assistance", after "$14,755,794,000" insert
"(increased by $2,000,000,000)" and after
"$4,451,500" insert "(increased by $450,000)"

At the end of the bill (before the short
title), insert the following new section:
"Sec. 39. In the case of taxpayers with ad-
justed gross income in excess of $1,000,000, for
the tax year beginning in 2005 the amount of
tax reduction resulting from enactment of the
Economic Growth and Tax Relief Re-
conciliation Act of 2001 and the Jobs and
Growth Tax Relief Reconciliation Act of 2003
shall be reduced by 30 percent.

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

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

The question was taken; and the
Speaker pro tempore announced that the
ayes appeared to have it.
Mr. REGULA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. R. 5006, and that I may include tabular material on the same.

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

There was no objection.

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

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

□ 1152

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5006).

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

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

Mr. Chairman, Federal education spending has more than doubled since fiscal year 1996, from $23 billion to nearly $60 billion today. We have found a teacher that has made a difference in the key areas that most directly improve our children’s education.

As I mentioned, the bill would increase spending in this bill in the key areas of education by $1 billion. Title I by $1 billion. Title I provides funding for reading programs has tripled to over $1.3 billion, and importantly so. Reading is critical to a child’s development. At the school level, Title I helps schools to help principals, teachers and aides to enter the field of teaching and to strengthen and maximize the skills of those already in the classroom. It gives hope to every child seeking a cure.

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

We applaud their hard work and dedication, and support them in this bill by providing funding to encourage people to enter the teaching profession and to strengthen and maximize the skills of those already in the classroom. It would urge young people that are thinking about a career to give consideration to being in a classroom, where they can touch the lives of children. Often when I speak to large groups out in the district, I say, how many of you who read the newspaper who have made a difference in your life? Almost every hand in the room goes up.

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

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

Mr. Chairman, many of my colleagues speak with me about the financial demands of special education on...
their local school districts. We also hear from parents about the need to support adequate special education funding to ensure their special-needs children receive a quality and equal education opportunity.

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

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

1200

The sharp rise in college costs continues to be a barrier to many students. Pell grants help ensure access to postsecondary education for low and middle-income undergraduate students by providing grants that help meet college education needs. The bill continues to support a maximum Pell College education needs. The bill continues to support a maximum Pell grant of $4,050, while also including $12.9 billion for Pell grants, an increase of $623 million over last year.

Health and Human Services

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

Mr. Chairman, similar to the Department of Education, we have more than doubled the funding for HHS since fiscal year 1996: $28.9 billion in fiscal year 1999 to $62.2 billion for fiscal year 2005. I think that is a tremendous increase under the circumstances, but will meet real needs.

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

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

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

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

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

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

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

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

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

Our commitment to a child’s well-being does not rest with Healthy Start. We have provided nearly $9.9 billion for Head Start, a program designed for preschoolers from low-income families.

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

Additional support for the President’s initiatives in this bill include: $55 million for the Compassion Capital Fund, which helps faith-based and community organizations increase their effectiveness and enhance their ability to provide social services to those most in need. Mr. Chairman, $129 million for violent crime reduction programs; $110 million for abstinence education, an increase of nearly $65 million over the fiscal year 2004 level.

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

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

In the labor area.

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

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

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

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

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

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

The French philosopher de Touqueville came to America in the 1800s and wanted to see what makes this country different, and he observed, “America is great because she is good. If America ceases to be good, America will cease to be great.” This bill is about the goodness of America. This bill is a perfect example of the taxpayers of this country are providing funds to help others. It is a perfect example of caring for each other, and I think that is very much a part of the goodness of America.

Someone once said, “Hope deferred makes the heart sick, but a desire fulfilled is a tree of life.” We give hope to people who want better education. We give hope to people who want better health, and we give hope to those who are seeking retraining in order to get a job. This is very important in what this bill does for the people of this Nation. I think the people desire a good education, they desire meaningful jobs, and they desire good health.

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

Mr. Chairman, at this time I will submit a detailed table of the bill into the RECORD.
# LABOR-HEALTH AND HUMAN SERVICES-EDUCATION—FY 2005 (H.R. 5006)

## Amounts in thousands

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### EMPLOYEE BENEFITS SECURITY ADMINISTRATION

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<th>Bill vs. FY 2004 Comparable</th>
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### PENSION BENEFIT GUARANTY CORPORATION

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### EMPLOYMENT STANDARDS ADMINISTRATION

#### SALARIES AND EXPENSES

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### SPECIAL BENEFITS

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### SPECIAL BENEFITS FOR DISABLED COAL MINERS

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### ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

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<td>(81,000)</td>
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<td>SALARIES AND EXPENSES</td>
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(Amounts in thousands)
## Mine Safety and Health Administration

### Salaries and Expenses

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<th>FY 2004</th>
<th>FY 2005</th>
<th>Bill vs. FY 2004 Comparable</th>
<th>Bill vs. FY 2005 Request</th>
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<td>Coal Enforcement</td>
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<td>Assessments</td>
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## Bureau of Labor Statistics

### Salaries and Expenses

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<tr>
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<th>FY 2004</th>
<th>FY 2005</th>
<th>Bill vs. FY 2004 Comparable</th>
<th>Bill vs. FY 2005 Request</th>
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<td>Prices and Cost of Living</td>
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## Office of Disability Employment Policy

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<th>FY 2005</th>
<th>Bill vs. FY 2004 Comparable</th>
<th>Bill vs. FY 2005 Request</th>
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## Departmental Management

### Salaries and Expenses

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<th>FY 2005</th>
<th>Bill vs. FY 2004 Comparable</th>
<th>Bill vs. FY 2005 Request</th>
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<td>Trust Funds</td>
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<td>314</td>
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<td>314</td>
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<td>VETERANS EMPLOYMENT AND TRAINING</td>
<td>FY 2004</td>
<td>FY 2005</td>
<td>Bill vs. FY 2004</td>
<td>Bill vs. FY 2005</td>
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<td>194,098</td>
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| OFFICE OF THE INSPECTOR GENERAL |
|----------------------------------|---------|---------|-----------------|-----------------|
| Program Activities               | 59,043  | 64,029  | +4,386          | ---             |
| Trust Funds                      | 5,696   | 5,561   | -135            | ---             |
| **Total, Office of the Inspector General** | **65,739** | **69,590** | **+4,251** | --- |
| Federal Funds                    | 59,643  | 64,029  | +4,386          | ---             |
| Trust Funds                      | 5,696   | 5,561   | -135            | ---             |

| Total, Departmental Management   | 634,304 | 577,406 | -79,999         | -22,201         |
| Federal Funds                    | 436,041 | 377,425 | -58,616         | -22,193         |
| Trust Funds                      | 198,263 | 199,981 | +1,710          | -8              |

| WORKING CAPITAL FUND             |
|----------------------------------|---------|---------|-----------------|-----------------|
| Working capital fund             | 13,768  | 25,000  | -10,232         | -15,000         |
| **Total, Title I, Department of Labor** | **15,283,808** | **15,179,349** | **-104,460** | **-279,091** |
| Federal Funds                    | 11,484,601 | 11,383,063 | -101,538         | -279,091         |
| Current Year                     | (8,933,801) | (8,839,286) | (93,516) | (-279,091) |
| FY 2006                          | (2,551,000) | (2,544,000) | (7,000) | (-279,091) |
| Trust Funds                      | 3,799,207  | 3,706,266  | -9,941          | -17,426         |

Title I Footnotes:
1/ Two year availability.
### TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES

#### HEALTH RESOURCES AND SERVICES ADMINISTRATION

**HEALTH RESOURCES AND SERVICES**

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<th>FY 2005 Request</th>
<th>Bill</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
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<td>Free Clinics Medical Malpractice</td>
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<td>National Health Service Corps:</td>
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<td>Field placements</td>
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<td>45,506</td>
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<td>Recruitment</td>
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<td>124,397</td>
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**Health Professions**

Training for Diversity:

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<th>FY 2005 Request</th>
<th>Bill</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
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<tr>
<td>Centers of excellence</td>
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<td>Health careers opportunity program</td>
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<td>Faculty loan repayment</td>
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<td>1,313</td>
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<td>Scholarships for disadvantaged students</td>
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Training in Primary Care Medicine and Dentistry:

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<th>FY 2005 Request</th>
<th>Bill</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
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<td>Interdisciplinary Community-Based Linkages:</td>
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<td>Area health education centers</td>
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<td>29,206</td>
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<tr>
<td>Health education and training centers</td>
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<td>Allied health and other disciplines</td>
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<td>11,849</td>
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<td>Geriatric programs</td>
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<td>31,805</td>
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<tr>
<td>Quentin N. Burdick pgn for rural training</td>
<td>6,016</td>
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<td>Subtotal, Interdisciplinary Comm. Linkages</td>
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Health Professions Workforce Info & Analysis:

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<th>FY 2005 Request</th>
<th>Bill</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
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<tbody>
<tr>
<td>Public Health Workforce Development:</td>
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<tr>
<td>Public health, preventive med. &amp; dental pgn</td>
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<td>Subtotal, Public Health Workforce Development</td>
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Nursing Programs:

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<th>Bill</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
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<tr>
<td>Advanced Education Nursing</td>
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<td>53,634</td>
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<tr>
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<td>41,765</td>
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<td>Nursing workforce diversity</td>
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Health Professions:

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<th>Bill</th>
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Other HRSA Programs:

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<td>Hansen's Disease Services</td>
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<td>Universal Newborn Hearing</td>
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<td>Organ Transplantation</td>
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<td>Cord Blood Stem Cell Bank</td>
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<td>Telehealth</td>
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<tr>
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<td>Rural EMS</td>
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### Labor-Health and Human Services-Education—FY 2005 (H.R. 5006)

**Amounts in thousands**

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<th>Comparable</th>
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<td>Denali Commission</td>
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<td>Traumatic Brain Injury</td>
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<td>Black lung clinics</td>
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<td>Trauma Care</td>
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<td>Payment to Hawaii, treatment of Hansen's</td>
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<td>Other HRSA programs</td>
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<td><strong>Ryan White AIDS Programs:</strong></td>
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<td>Emergency Assistance</td>
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<td><strong>Comprehensive Care Programs:</strong></td>
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<td><strong>AIDS Dental Services:</strong></td>
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<td><strong>Education and Training Centers:</strong></td>
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<td>Family Planning</td>
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<td>Children's Hospitals Graduate Medical Education</td>
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<td>Health Care and Other Facilities</td>
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<td>Radiation Exposure Compensation Act</td>
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<td>+300</td>
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<td><strong>Health Care Integrity and Protection Data Bank:</strong></td>
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<tr>
<td><strong>User Fees:</strong></td>
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<td>Community Access Program</td>
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<tr>
<td><strong>Total, Health resources and services:</strong></td>
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<td>6,022,833</td>
<td>6,305,333</td>
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<td>+282,500</td>
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<tr>
<td><strong>Total, Health resources &amp; services program level:</strong></td>
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<td>(6,047,833)</td>
<td>(6,330,333)</td>
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<td>(+282,500)</td>
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<tr>
<td><strong>Evaluation tap funding:</strong></td>
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<td>(25,000)</td>
<td>(25,000)</td>
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<td>Liquidating account</td>
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## LABOR-HEALTH AND HUMAN SERVICES-EDUCATION—FY 2005 (H.R. 5006)
(Amounts in thousands)

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<td>Birth Defects/Developmental Disabilities/Disability and Health</td>
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<td>Chronic Disease Prevention and Health Promotion</td>
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<td>915,425</td>
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<td>Environmental Health</td>
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<td>Epidemic Services and Response</td>
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<td>Immunization</td>
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<td>Subtotal, Program level</td>
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<td>654,070</td>
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<td>Infectious Disease Control</td>
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<td>(4,477,878)</td>
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### NATIONAL INSTITUTES OF HEALTH

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<th>Bill</th>
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<th>Bill vs. Request</th>
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<td>National Institute of Dental &amp; Craniofacial Research</td>
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<td>1,671,803</td>
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<td>National Institute of Neurological Disorders &amp; Stroke</td>
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### Labor-Health and Human Services-Education—FY 2005 (H.R. 5006)

(Amounts in thousands)

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<th>FY 2005 Request</th>
<th>Bill</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
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**Substance Abuse and Mental Health Services Admin.**

**Mental Health:**

- Programs of Regional and National Significance... 240,796
- Mental Health block grant........... 412,840
- Evaluation Tap Funding.............. (21,805)
- Children's Mental Health............ 102,354
- Grants to States for the Homeless (PATH)........ 49,760
- Samaritan Initiative................ 10,000
- Protection and Advocacy............. 34,820

**Subtotal, Mental Health..........................** 840,370

**Substance Abuse Treatment:**

- Programs of Regional and National Significance... 419,219
- Substance Abuse block grant........................ 1,699,946
- Evaluation Tap Funding............................. (79,200)

**Subtotal, Substance Abuse Treatment...............** 2,119,165

**Subtotal, Program level..........................** 2,190,365

**Substance Abuse Prevention:**

- Programs of Regional and National Significance... 198,458
- Program Management and Buildings and Facilities... 75,915
- Evaluation Tap funding (NA)......................... (16,000)

**Subtotal, Program level..........................** 91,915

**Total, Substance Abuse and Mental Health.......** 3,233,086

**Evaluation Tap funding...........................** (117,050)

**Total, SAMHSA program level....................** (3,350,058)
### AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

**Research on Health Costs, Quality, and Outcomes:**
- Evaluation Tap funding (NA).......................... $245,695,000
- Reducing medical errors (non-add).................. $4,500,000

**Subtotal (including Evaluation Tap funding)**.......................... $245,695,000

**Health Insurance and Expenditure Surveys:**
- Evaluation Tap funding (NA).......................... $55,300,000

**Program Support:**
- Evaluation Tap funding (NA).......................... $2,700,000
- Total, AHRQ Evaluation Tap funding (NA)............ $303,695,000

**Total, Public Health Service appropriation**.......................... $42,066,967
**Total, Public Health Service program level**......................... $42,680,831

### CENTERS FOR MEDICARE AND MEDICAID SERVICES

**GRANTS TO STATES FOR MEDICAID**

- Medicaid current law benefits.......................... $172,706,067
- State and local administration.......................... $9,067,320
- Vaccines for Children.................................. $980,196

**Subtotal, Medicaid program level**.......................... $192,763,583

- Less funds advanced in prior year....................... (-51,861,366)
- Total, Grants to States for medicaid.................... $140,892,217

- New advance, 1st quarter............................... $58,416,275

### PAYMENTS TO HEALTH CARE TRUST FUNDS

- Supplemental medical insurance.......................... $94,518,000
- Hospital insurance for the uninsured.................... $197,000
- Federal uninsured payment................................ $168,000
- Program management...................................... $201,100

**Subtotal, Payments to Trust Funds, current law**.............. $95,084,100

- New Advance FY 2006..................................... $5,216,900

**Total, Payments to Trust Funds, current law**................... $95,084,100

### PROGRAM MANAGEMENT

- Medicare reform funding 2/3/4................................ $1,000,000
- Research, Demonstration, Evaluation..................... $77,781
- Medicare Operations..................................... $1,701,038
- H.R. 3103 funding (NA).................................. $720,000

**Subtotal, Medicare Operations program level**..................... $2,421,038

- Revitalization plan..................................... $29,619
- State Survey and Certification.......................... $251,252
- Federal Administration................................. $577,146

**Total, Program management. Limitation on new BA**.............. $2,636,846
**Total, Program management. program level**.................... $3,356,846

### Total, Center for Medicare and Medicaid Services

- Federal funds............................................. $287,029,418
- Current year.............................................. $284,392,572
- New advance, FY 2006.................................... $58,416,275

**Total, Center for Medicare and Medicaid Services**............. $335,609,265
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<td>Individual Development Account Initiative</td>
<td>24,695</td>
<td>24,912</td>
<td>24,912</td>
<td>+217</td>
</tr>
<tr>
<td>Rural Community Facilities</td>
<td>7,164</td>
<td>7,184</td>
<td>7,184</td>
<td>+7,184</td>
</tr>
<tr>
<td><strong>Subtotal, Community Initiative Program</strong></td>
<td>64,217</td>
<td>57,404</td>
<td>64,588</td>
<td>+371</td>
</tr>
<tr>
<td>National Youth Sports</td>
<td>17,884</td>
<td>---</td>
<td>18,000</td>
<td>+106</td>
</tr>
<tr>
<td>Community Food and Nutrition</td>
<td>7,238</td>
<td>---</td>
<td>7,238</td>
<td>-7,238</td>
</tr>
<tr>
<td><strong>Subtotal, Community Services</strong></td>
<td>731,264</td>
<td>552,350</td>
<td>710,086</td>
<td>-21,196</td>
</tr>
<tr>
<td>Domestic Violence Hotline</td>
<td>2,982</td>
<td>3,000</td>
<td>3,000</td>
<td>+18</td>
</tr>
<tr>
<td>Family Violence/Battered Women’s Shelters</td>
<td>125,648</td>
<td>125,648</td>
<td>125,648</td>
<td>---</td>
</tr>
<tr>
<td>Early Learning Fund</td>
<td>33,560</td>
<td>---</td>
<td>---</td>
<td>-33,580</td>
</tr>
<tr>
<td>Faith-Based Center</td>
<td>1,386</td>
<td>1,400</td>
<td>1,400</td>
<td>+14</td>
</tr>
<tr>
<td>Mentoring Children of Prisoners</td>
<td>49,701</td>
<td>50,000</td>
<td>50,000</td>
<td>+299</td>
</tr>
<tr>
<td>Independent Living Training Vouchers</td>
<td>44,734</td>
<td>60,000</td>
<td>50,000</td>
<td>+5,266</td>
</tr>
<tr>
<td>Promoting Responsible Fatherhood and healthy marriages</td>
<td>---</td>
<td>50,000</td>
<td>50,000</td>
<td>-50,000</td>
</tr>
<tr>
<td>Abstinence Education</td>
<td>70,049</td>
<td>181,920</td>
<td>105,046</td>
<td>+34,997</td>
</tr>
<tr>
<td>Program Direction</td>
<td>(4,500)</td>
<td>(4,500)</td>
<td>(4,500)</td>
<td>---</td>
</tr>
<tr>
<td><strong>Total, Children and Families Services Programs</strong></td>
<td>8,841,469</td>
<td>9,106,025</td>
<td>8,985,663</td>
<td>+144,164</td>
</tr>
<tr>
<td><strong>Current Year</strong></td>
<td>(7,441,469)</td>
<td>(7,706,025)</td>
<td>(7,553,863)</td>
<td>(+144,164)</td>
</tr>
<tr>
<td>FY 2006</td>
<td>(1,400,000)</td>
<td>(1,400,000)</td>
<td>(1,400,000)</td>
<td>---</td>
</tr>
<tr>
<td>Evaluation Tap Funding</td>
<td>(10,500)</td>
<td>(4,500)</td>
<td>(10,482)</td>
<td>(-18)</td>
</tr>
<tr>
<td><strong>PROMOTING SAFE AND STABLE FAMILIES</strong></td>
<td>305,000</td>
<td>305,000</td>
<td>305,000</td>
<td>---</td>
</tr>
<tr>
<td>Discretionary Funds</td>
<td>99,363</td>
<td>200,000</td>
<td>105,000</td>
<td>+5,617</td>
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<td></td>
<td>FY 2004 Comparable</td>
<td>FY 2005 Request</td>
<td>Bill</td>
<td>Bill vs. Comparable</td>
</tr>
<tr>
<td>-------------------------</td>
<td>--------------------</td>
<td>-----------------</td>
<td>------</td>
<td>---------------------</td>
</tr>
<tr>
<td>Payments to States for Foster Care and Adoption</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Foster Care</td>
<td>4,974,200</td>
<td>4,895,500</td>
<td>4,895,500</td>
<td>-78,700</td>
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<tr>
<td>Adoption Assistance</td>
<td>1,699,700</td>
<td>1,770,100</td>
<td>1,770,100</td>
<td>+70,400</td>
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<tr>
<td>Independent living</td>
<td>140,000</td>
<td>140,000</td>
<td>140,000</td>
<td>---</td>
</tr>
<tr>
<td>Total, Payments to States</td>
<td>6,813,900</td>
<td>6,805,600</td>
<td>6,605,600</td>
<td>-630</td>
</tr>
<tr>
<td>Less Advances from Prior Year</td>
<td>-1,745,600</td>
<td>-1,767,700</td>
<td>-1,767,700</td>
<td>-22,100</td>
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<tr>
<td>Total, Payments, current request</td>
<td>5,068,300</td>
<td>5,037,900</td>
<td>5,037,900</td>
<td>-30,400</td>
</tr>
<tr>
<td>New Advance, 1st quarter</td>
<td>1,767,700</td>
<td>1,767,200</td>
<td>1,767,200</td>
<td>-500</td>
</tr>
</tbody>
</table>

Total, Administration for Children & Families:
Current year: (22,570,720) (23,036,291) (22,774,326) (+203,606) (-261,965)
FY 2006: (4,367,700) (4,367,200) (4,367,200) (-500) ---

Administration on Aging:
Grants to States:
Supportive Services and Centers: 353,889 357,000 357,000 +3,111 ---
Preventive Health: 21,790 21,919 21,919 +129 ---
Protection of vulnerable older americans—Title VII: 19,444 18,559 18,559 -885 ---
Family Caregivers: 152,738 155,512 157,000 +4,488 +1,488
Native American Caregivers Support: 6,318 6,355 6,355 +37 ---
Subtotal, Caregivers: 159,056 161,867 163,355 +4,299 +1,488

Nutrition:
Congregate Meals: 386,353 388,646 392,148 +5,795 +3,502
Home Delivered Meals: 179,917 180,985 187,616 +7,631 +6,631
Nutrition Services Incentive Program: 148,191 149,183 150,414 +2,233 +1,231
Subtotal, Nutrition: 714,461 718,814 730,178 +4,717 +11,384

Subtotal, Grants to States: 1,268,640 1,278,159 1,291,011 +22,371 +12,852

Grants for Native Americans: 26,453 26,612 26,612 +159 ---
Program Innovations: 33,509 23,843 37,943 +4,434 +14,100
Aging Network Support Activities: 13,294 13,373 13,373 +79 ---
Alzheimer’s Disease Demonstrations: 11,883 11,500 11,500 -383 ---
White House Conference on Aging: 2,814 4,558 4,558 +1,744 ---
Program Administration: 17,324 16,482 16,482 -842 ---
Subtotal, Administration on Aging: 1,373,917 1,376,527 1,403,479 +20,562 +26,952

Office of the Secretary:
General Departmental Management:
Federal Funds: 174,811 180,045 180,045 +5,234 ---
Trust Funds: 5,816 5,851 5,851 +35 ---
Subtotal: (180,627) (185,896) (185,896) (+5,269) ---

Adolescent Family Life (Title XX): 30,946 54,349 31,229 +283 -23,120
Minority health: 55,190 47,236 47,236 -7,954 ---
Office of women’s health: 28,915 29,103 29,103 +188 ---
Minority HIV/AIDS: 49,544 52,838 52,838 +3,294 ---
Health care information technology: --- 50,000 25,000 +25,000 -25,000
IT Security and Innovation Fund: 14,847 18,400 14,847 --- -3,553
Evaluation tap funding (ASPE) (NA): (21,552) (21,552) (21,552) --- ---
Subtotal, General Departmental Management: 360,069 437,822 386,149 +26,673 -51,673
Federal Funds: 354,253 431,971 380,298 +26,045 -51,673
Trust Funds: 5,816 5,851 5,851 +35 ---
### OFFICE OF THE INSPECTOR GENERAL:

<table>
<thead>
<tr>
<th></th>
<th>FY 2004 Comparable</th>
<th>FY 2005 Request</th>
<th>Bill</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Funds</td>
<td>39,084</td>
<td>40,323</td>
<td>40,323</td>
<td>+1,229</td>
<td></td>
</tr>
<tr>
<td>HIPAA funding (NA)</td>
<td>(160,000)</td>
<td>(160,000)</td>
<td>(160,000)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total, Inspector General program level</strong></td>
<td>(199,084)</td>
<td>(200,323)</td>
<td>(200,323)</td>
<td>(+1,229)</td>
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</tr>
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### OFFICE FOR CIVIL RIGHTS:

<table>
<thead>
<tr>
<th></th>
<th>FY 2004 Comparable</th>
<th>FY 2005 Request</th>
<th>Bill</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Funds</td>
<td>30,607</td>
<td>32,043</td>
<td>32,043</td>
<td>+1,436</td>
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<tr>
<td>Trust Funds</td>
<td>3,284</td>
<td>3,314</td>
<td>3,314</td>
<td>+20</td>
<td></td>
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<tr>
<td><strong>Total, Office for Civil Rights</strong></td>
<td>33,901</td>
<td>35,357</td>
<td>35,357</td>
<td>+1,456</td>
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</tr>
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</table>

### POLICY RESEARCH:

<table>
<thead>
<tr>
<th></th>
<th>FY 2004 Comparable</th>
<th>FY 2005 Request</th>
<th>Bill</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Funds</td>
<td>(\ldots)</td>
<td>(\ldots)</td>
<td>(\ldots)</td>
<td>(\ldots)</td>
<td></td>
</tr>
<tr>
<td>Evaluation Tap funding (NA)</td>
<td>(20,750)</td>
<td>(28,750)</td>
<td>(20,750)</td>
<td>(\ldots)</td>
<td></td>
</tr>
<tr>
<td><strong>Total, Policy Research</strong></td>
<td>20,750</td>
<td>26,750</td>
<td>20,750</td>
<td>(-8,000)</td>
<td></td>
</tr>
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### MEDICAL BENEFITS FOR COMMISSIONED OFFICERS:

<table>
<thead>
<tr>
<th></th>
<th>FY 2004 Comparable</th>
<th>FY 2005 Request</th>
<th>Bill</th>
<th>Bill vs.Comparable</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retirement payments</td>
<td>228,064</td>
<td>241,294</td>
<td>241,294</td>
<td>+13,230</td>
<td></td>
</tr>
<tr>
<td>Survivors benefits</td>
<td>14,298</td>
<td>14,750</td>
<td>14,750</td>
<td>+452</td>
<td></td>
</tr>
<tr>
<td>Dependents' medical care</td>
<td>79,401</td>
<td>74,592</td>
<td>74,592</td>
<td>-4,809</td>
<td></td>
</tr>
<tr>
<td><strong>Total, Medical benefits for Commissioned Officers</strong></td>
<td>321,763</td>
<td>330,636</td>
<td>330,636</td>
<td>+8,873</td>
<td></td>
</tr>
</tbody>
</table>

### PUBLIC HEALTH AND SOCIAL SERVICE EMERGENCY FUND:

<table>
<thead>
<tr>
<th></th>
<th>FY 2004 Comparable</th>
<th>FY 2005 Request</th>
<th>Bill</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>HRSA Homeland security activities</td>
<td>542,649</td>
<td>503,649</td>
<td>542,649</td>
<td>(-39,000)</td>
<td></td>
</tr>
<tr>
<td>CDC Homeland security activities</td>
<td>1,507,211</td>
<td>1,509,571</td>
<td>1,637,760</td>
<td>+130,549</td>
<td>+128,189</td>
</tr>
<tr>
<td>NIH Homeland security activities</td>
<td>(\ldots)</td>
<td>47,400</td>
<td>47,400</td>
<td>(+47,400)</td>
<td>(-40,000)</td>
</tr>
<tr>
<td>Office of the Secretary Homeland security activities</td>
<td>64,438</td>
<td>64,438</td>
<td>64,438</td>
<td>(-)</td>
<td></td>
</tr>
<tr>
<td>Other PHSSEF Homeland security activities</td>
<td>49,705</td>
<td>100,000</td>
<td>60,000</td>
<td>+10,295</td>
<td></td>
</tr>
<tr>
<td><strong>Total, PHSSEF</strong></td>
<td>2,164,003</td>
<td>2,225,058</td>
<td>2,352,247</td>
<td>+188,244</td>
<td>+127,189</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>FY 2004 Comparable</th>
<th>FY 2005 Request</th>
<th>Bill</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total, Office of the Secretary</td>
<td>2,910,830</td>
<td>3,009,190</td>
<td>3,144,712</td>
<td>+225,882</td>
<td>+75,516</td>
</tr>
<tr>
<td>Federal Funds</td>
<td>2,909,720</td>
<td>3,060,031</td>
<td>3,135,547</td>
<td>+225,827</td>
<td>+75,516</td>
</tr>
<tr>
<td>Trust Funds</td>
<td>9,110</td>
<td>9,165</td>
<td>9,165</td>
<td>+55</td>
<td></td>
</tr>
<tr>
<td><strong>Total, Office of the Secretary</strong></td>
<td>2,910,830</td>
<td>3,009,190</td>
<td>3,144,712</td>
<td>+225,882</td>
<td>+75,516</td>
</tr>
</tbody>
</table>

### Title II Footnotes:

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

#### EDUCATION FOR THE DISADVANTAGED

**Grants to Local Educational Agencies (LEAs)**

<table>
<thead>
<tr>
<th>Basic Grants</th>
<th>FY 2004</th>
<th>FY 2005 Request</th>
<th>Bill</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advance from prior year</td>
<td>(2,011,272)</td>
<td>(1,883,584)</td>
<td>(1,883,584)</td>
<td>(-127,688)</td>
<td>---</td>
</tr>
<tr>
<td>Forward funded</td>
<td>5,150,529</td>
<td>6,150,508</td>
<td>6,150,508</td>
<td>+999,979</td>
<td>---</td>
</tr>
<tr>
<td>Current funded</td>
<td>3,479</td>
<td>3,500</td>
<td>3,500</td>
<td>+21</td>
<td>---</td>
</tr>
<tr>
<td><strong>Subtotal, Basic grants current year approx.</strong></td>
<td>5,154,008</td>
<td>6,154,008</td>
<td>6,154,008</td>
<td>+1,000,000</td>
<td>---</td>
</tr>
<tr>
<td><strong>Subtotal, Basic grants total funds available</strong></td>
<td>(7,165,280)</td>
<td>(8,037,592)</td>
<td>(8,037,592)</td>
<td>(+872,312)</td>
<td>---</td>
</tr>
</tbody>
</table>

**Basic Grants FY 2006 Advance**

- 1,883,584
- 883,584
- 883,584
- +1,000,000

| Subtotal, Basic grants, program level | 7,037,592 | 7,037,592 | 7,037,592 | --- |

**Concentration Grants**

| Advance from prior year | (1,365,031) | (1,365,031) | (1,365,031) | --- |
| FY 2006 Advance | 1,969,843 | 1,365,031 | 1,365,031 | --- |

| Subtotal, Concentration Grants program level | 1,365,031 | 1,365,031 | 1,365,031 | --- |

**Targeted Grants**

| Advance from prior year | (1,670,239) | (1,969,843) | (1,969,843) | (+299,604) | --- |
| FY 2006 Advance | 1,969,843 | 1,416,187 | 2,469,843 | +500,000 | -1,676,344 |

| Subtotal, Targeted Grants program level | 1,969,843 | 1,416,187 | 2,469,843 | +500,000 | -1,676,344 |

**Education Finance Incentive Grants**

| Advance from prior year | (1,541,759) | (1,969,843) | (1,969,843) | (+426,084) | --- |
| FY 2006 Advance | 1,969,843 | 793,499 | 2,469,843 | +500,000 | +1,676,344 |

| Subtotal, Education Finance Incentive Grants | 1,969,843 | 793,499 | 2,469,843 | +500,000 | +1,676,344 |

**Subtotal, Grants to LEAs, program level**

- 12,342,309
- 13,342,309
- 13,342,309
- +1,000,000

**Even Start**

- 246,910
- ---
- 246,910
- ---
- +246,910

**Reading First:**

| State Grants (forward funded) | 828,923 | 930,000 | 930,000 | +101,077 | --- |
| Advance from prior year | (195,000) | (195,000) | (195,000) | --- |
| FY 2006 Advance | 195,000 | 195,000 | 195,000 | --- |

| Subtotal, Reading First State Grants | 1,023,923 | 1,220,000 | 1,220,000 | +101,077 | --- |

**Early Reading First**

- 94,439
- 132,000
- 132,000
- +37,561

**Striving readers**

- ---
- 100,000
- 100,000
- +100,000

**Literacy through School Libraries**

- 19,842
- 19,842
- 19,842

**State Agency Programs:**

| Migrant | 393,577 | 393,577 | 393,577 | --- |
| Neglected and Delinquent/High Risk Youth | 48,395 | 48,395 | 48,395 | --- |

| Subtotal, State Agency programs | 441,972 | 441,972 | 441,972 | --- |

**Evaluation**

- 8,790
- 9,500
- 9,500
- +710

**Comprehensive School Reform Demonstration**

- 233,613
- ---
- 80,000
- -153,613
- +80,000

**Migrant Education:**

| High School Equivalency Program | 18,888 | 22,545 | +3,657 |
| College Assistance Migrant Program | 15,657 | 15,657 | --- |

| Subtotal, Migrant Education | 34,545 | 34,545 | 38,202 | +3,657 |

**Total, Education for the disadvantaged**

- 14,446,343
- 15,205,188
- 15,535,735
- +1,089,392
- +330,567

**Current Year:**

| FY 2006 | (7,063,042) | (7,821,587) | (8,152,434) | (+1,089,392) |
| (7,383,301) | (7,383,301) | (7,383,301) | --- |

| Subtotal, forward funded | (6,901,947) | (7,522,480) | (7,849,390) | (+947,443) |
| --- | --- |

**Bill vs. FY 2005 Request**

- Comparable
- Request

---

**Bill vs. FY 2006**

- Comparable
- Request

---
### IMPACT AID

<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2004</th>
<th>FY 2005</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basic Support Payments</td>
<td>1,063,667</td>
<td>1,063,667</td>
<td>+20,000</td>
<td>+20,000</td>
</tr>
<tr>
<td>Payments for Children with Disabilities</td>
<td>50,369</td>
<td>50,369</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Facilities Maintenance (Sec. 8006)</td>
<td>7,901</td>
<td>7,901</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Construction (Sec. 8007)</td>
<td>45,935</td>
<td>45,935</td>
<td>+1</td>
<td>---</td>
</tr>
<tr>
<td>Payments for Federal Property (Sec. 8002)</td>
<td>61,634</td>
<td>61,634</td>
<td>+1,366</td>
<td>+1,366</td>
</tr>
<tr>
<td><strong>Total, Impact aid</strong></td>
<td>1,229,526</td>
<td>1,228,527</td>
<td>+21,367</td>
<td>+21,366</td>
</tr>
</tbody>
</table>

### SCHOOL IMPROVEMENT PROGRAMS

<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2004</th>
<th>FY 2005</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
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</thead>
<tbody>
<tr>
<td>State Grants for Improving Teacher Quality</td>
<td>1,495,126</td>
<td>1,495,126</td>
<td>+19,874</td>
<td>+19,874</td>
</tr>
<tr>
<td>Advance from prior year</td>
<td>(1,150,000)</td>
<td>(1,435,000)</td>
<td>(1,435,000)</td>
<td>(+285,000)</td>
</tr>
<tr>
<td>FY 2006</td>
<td>1,435,000</td>
<td>1,435,000</td>
<td>1,435,000</td>
<td>-</td>
</tr>
<tr>
<td><strong>Subtotal, State Grants for Improving Teacher Quality, program level</strong></td>
<td>2,930,126</td>
<td>2,930,126</td>
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<tr>
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<td>(4,505,493)</td>
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<td>(1,435,000)</td>
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<td>(4,398,197)</td>
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### INDIAN EDUCATION

<table>
<thead>
<tr>
<th>Description</th>
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<th>FY 2005</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
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<td>Grants to Local Educational Agencies</td>
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<td>Federal Programs:</td>
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<td>Special Programs for Indian Children</td>
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<td>National Activities</td>
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### INNOVATION AND IMPROVEMENT

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<td>Transition to Teaching</td>
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<td>National Writing Project</td>
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<td>School Leadership</td>
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<td>Advanced Credentialing</td>
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<td>Charter Schools Grants</td>
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<tr>
<td>Credit Enhancement for Charter School Facilities</td>
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<td>Voluntary Public School Choice</td>
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### Labor-Health and Human Services-Education—FY 2005 (H.R. 5006)

(Amounts in thousands)

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<th>Bill</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
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<td>Fund for the Improvement of Education (FIE):</td>
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<tr>
<td>Current funded</td>
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<td>Subtotal, FIE</td>
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<td>Ready to Learn television</td>
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<td>Dropout Prevention Programs</td>
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<td>Close Up Fellowships</td>
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<td>Advanced Placement</td>
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#### Safe Schools and Citizenship Education

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<th>FY 2005</th>
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<td>Safe and Drug Free Schools and Communities:</td>
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<td>440,908</td>
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<tr>
<td>Advance from prior year</td>
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<td>---</td>
<td>(-330,000)</td>
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<td>FY 2006</td>
<td>---</td>
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<td>---</td>
<td>---</td>
</tr>
<tr>
<td>State Grants, program level</td>
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<td>440,908</td>
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</table>

<table>
<thead>
<tr>
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<th>Bill vs.</th>
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<td>National Programs</td>
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<td>Alcohol Abuse Reduction</td>
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<td>Mentoring Programs</td>
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<td>Character education</td>
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<td>Elementary and Secondary School Counseling</td>
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<td>Carol M. White Physical Education Program</td>
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<td>Civic Education</td>
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<td>State Grants for Incarcerated Youth Offenders</td>
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<td>838,897</td>
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<td>Current Year</td>
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<td>(838,897)</td>
<td>(801,369)</td>
<td>(-54,405)</td>
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<td>FY 2006</td>
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<tr>
<td>Subtotal, forward funded</td>
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<td>(440,908)</td>
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#### English Language Acquisition

<table>
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<th>FY 2004</th>
<th>FY 2005</th>
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#### Special Education

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<th>Bill</th>
<th>Bill vs.</th>
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<tbody>
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<td>State Grants:</td>
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<td>FY 2005</td>
<td>FY 2005 vs. FY 2004</td>
<td>Bill vs. FY 2004</td>
<td>Bill vs. FY 2005</td>
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<tr>
<td>COMP</td>
<td>COMP</td>
<td>Request</td>
<td>comparable</td>
<td>Request</td>
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<td>IDEA National Activities (current funded):</td>
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<td>Parent Information Centers</td>
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<td>Technology and Media Services</td>
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</tbody>
</table>
## Labor-Health and Human Services-Education—FY 2005 (H.R. 5006)

### (Amounts in thousands)

<table>
<thead>
<tr>
<th>FY 2004</th>
<th>FY 2005</th>
<th>Bill</th>
<th>Bill vs.</th>
<th>Bill vs.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comparable</td>
<td>Request</td>
<td></td>
<td>Comparable</td>
<td>Request</td>
</tr>
</tbody>
</table>

#### National Technical Institute for the Deaf (NTID):
- Operations: 53,118 | 53,118 | 54,105 | +987 | +987 |
- Construction: 365 | 685 | 1,685 | +1,320 | +1,000 |
- Total, NTID: 53,483 | 53,803 | 55,790 | +2,307 | +1,987 |

#### Gallaudet University:
- 100,205 | 100,205 | 104,000 | +3,795 | +3,795 |

#### Total, Special Institutions for Persons with Disabilities:
- 170,091 | 170,411 | 176,790 | +6,699 | +6,379 |

### Vocational and Adult Education

#### Vocational Education:
- Basic State Grants/Secondary & Technical Education
  - State Grants, current funded: 404,008 | 221,000 | 424,008 | +20,000 | +203,008 |
  - Advance from prior year: (791,000) | (791,000) | (791,000) | --- | --- |
  - FY 2006: 791,000 | 791,000 | 791,000 | --- | --- |
  - Subtotal, Basic State Grants, program level: 1,195,008 | 1,012,000 | 1,215,008 | +20,000 | +203,008 |
- National Programs: 11,852 | --- | 11,852 | --- | +11,852 |
- Tech-Prep Education Demonstration: 4,939 | --- | --- | -4,939 | --- |
- Occupational and Employment Information Program: 9,382 | --- | --- | -9,382 | --- |
  - Subtotal, Vocational Education: 1,327,846 | 1,012,000 | 1,333,525 | +5,679 | +321,525 |

#### Adult Education:
- State Grants/Adult basic and literacy education:
  - State Grants, current funded: 574,372 | 574,372 | 574,372 | --- | --- |
  - National Programs:
    - National Leadership Activities: 9,169 | 9,169 | 9,169 | --- | --- |
    - National Institute for Literacy: 6,692 | 6,692 | 6,692 | --- | --- |
  - Subtotal, National programs: 15,061 | 15,061 | 15,061 | --- | --- |
- Smaller Learning Communities, current funded: 8,698 | --- | 5,085 | -3,613 | +5,085 |
- Smaller Learning Communities, forward funded: 165,269 | --- | 96,613 | -68,656 | +96,613 |
- Community Technology Centers: 9,941 | --- | --- | -9,941 | --- |
  - Subtotal, Adult education: 590,233 | 590,233 | 590,233 | --- | --- |
- Total, Vocational and Adult Education: 2,101,987 | 1,602,233 | 2,025,456 | -76,531 | +423,223 |
- Current Year: (1,310,987) | (811,233) | (1,234,456) | (-76,531) | (+423,223) |
- FY 2006: (791,000) | (791,000) | (791,000) | --- | --- |
- Subtotal, forward funded: (1,292,348) | (811,233) | (1,229,371) | (-62,977) | (+418,138) |

### Student Financial Assistance

- Pell Grants -- maximum grant (NA): (4,050) | (4,050) | (4,050) | --- | --- |
- Pell Grants -- Regular Program: 12,006,738 | 12,830,000 | 12,830,000 | +823,262 | --- |
- Enhanced Pell grants for State scholars: --- | 33,000 | --- | --- | -33,000 |
- Federal Supplemental Educational Opportunity Grants: 770,455 | 770,455 | 794,455 | +24,000 | +24,000 |
- Federal Perkins Loans:
  - Capital Contributions: 98,764 | --- | --- | -98,764 | --- |
- LEAP program: 66,172 | --- | 66,172 | --- | +66,172 |
  - Total, Student Financial Assistance: 14,007,296 | 14,698,822 | 14,755,794 | +748,498 | +57,172 |
## LABOR-HEALTH AND HUMAN SERVICES-EDUCATION—FY 2005 (H.R. 5006)
(Amounts in thousands)

<table>
<thead>
<tr>
<th>FY 2004 Comparable</th>
<th>FY 2005 Request</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
</tr>
</thead>
</table>

### STUDENT AID ADMINISTRATION

<table>
<thead>
<tr>
<th>Item</th>
<th>FY 2004</th>
<th>FY 2005</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Costs</td>
<td>116,727</td>
<td>934,639</td>
<td>120,247</td>
<td>+3,520</td>
</tr>
<tr>
<td>Fed Direct Student Loan Reclassification (Leg prop.)</td>
<td></td>
<td>-795,000</td>
<td>-795,000</td>
<td></td>
</tr>
</tbody>
</table>

### HIGHER EDUCATION

#### Aid for Institutional Development:
- Strengthening Institutions                                           | 80,086  | 80,086  | 80,086              |                 |
- Hispanic Serving Institutions                                       | 93,983  | 95,873  | 95,873              | +1,880           |
- Strengthening Historically Black Colleges (HBCUs)                    | 222,764 | 240,500 | 240,500             | +17,736          |
- Strengthening historically black graduate insts.                     | 53,100  | 58,500  | 58,500              | +5,400           |
- Strengthening Alaska Native and Native Hawaiian-Serving Institutions | 10,935  | 6,137   | 10,935              |                 |
- Strengthening Tribal Colleges                                        | 23,267  | 23,753  | 23,753              | +466             |

Subtotal, Aid for Institutional development                           | 485,065 | 505,749 | 510,547             | +25,482          |

#### International Education and Foreign Language:
- Domestic Programs                                                   | 89,211  | 89,211  | 89,211              | +4,000           |
- Overseas Programs                                                   | 12,840  | 12,840  | 12,840              |                 |
- Institute for International Public Policy                           | 1,629   | 1,629   | 1,629               |                 |

Subtotal, International Education & Foreign Language                 | 103,880 | 103,880 | 101,860             | +4,000           |

#### Fund for the Improvement of Postsec. Ed. (FIPSE)
- Minority Science and Engineering Improvement                         | 8,889   | 8,889   | 8,889               |                 |
- Interest Subsidy Grants                                             | 1,988   | 1,500   | 1,500               | -488            |
- Tribally Controlled Postsec Voc/Tech Institutions                   | 7,185   | 7,185   | 7,185               |                 |
- Federal TRIO Programs                                               | 832,559 | 832,559 | 842,559             | +10,000          |
- GEAR UP                                                              | 296,230 | 296,230 | 318,230             | +20,000          |
- Byrd Honors Scholarships                                            | 40,758  | 40,758  | 40,758              | -40,758          |
- Javits Fellowships                                                   | 9,876   | 9,876   | 9,876               |                 |
- Graduate Assistance in Areas of National Need                        | 30,616  | 30,616  | 30,616              |                 |
- Teacher Quality Enhancement Grants                                   | 86,888  | 86,888  | 86,888              | +1               |
- Child Care Access Means Parents in School                            | 16,099  | 16,099  | 16,099              | +1               |
- Demonstration in Disabilities / Higher Education                     | 6,913   |         |                     | -6,913           |
- Underground Railroad Program                                         | 2,222   |         |                     | -2,222           |
- GPRA data/HEA program evaluation                                     | 988     | 988     | 988                 |                 |
- B.J. Stupak Olympic Scholarships                                     | 988     |         |                     | +988            |

Total, Higher education                                               | 2,092,642 | 1,977,028 | 1,976,056          | -116,586         |

### HOWARD UNIVERSITY

#### Academic Program
- Academic Program                                                     | 205,212 | 205,164 | 210,342             | +5,130           |
- Endowment Program                                                    | 3,552   | 3,600   | 3,552               | -48              |
- Howard University Hospital                                           | 29,999  | 29,999  | 29,999              |                 |

Total, Howard University                                               | 238,763 | 238,763 | 243,933             | +5,130           |

#### College Housing and Academic Facilities Loans Program:
- (CHAFL)                                                             | 769     | 578     | 578                 | -191             |
- HBCU Capital Financing Program -- Federal Adm.                      | 209     | 212     | 212                 | +3               |
## LABOR-HEALTH AND HUMAN SERVICES-EDUCATION—FY 2005 (H.R. 5006)
(Amounts in thousands)

<table>
<thead>
<tr>
<th>FY 2004 Comparable</th>
<th>FY 2005 Request</th>
<th>Bill</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>INSTITUTE OF EDUCATION SCIENCES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Research, development and dissemination</td>
<td>165,518</td>
<td>185,000</td>
<td>165,518</td>
<td>---</td>
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<tr>
<td>Statistics</td>
<td>91,664</td>
<td>91,664</td>
<td>91,664</td>
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<tr>
<td>Regional Educational Laboratories</td>
<td>80,000</td>
<td>80,000</td>
<td>80,000</td>
<td>---</td>
</tr>
<tr>
<td>Research and innovation in special education</td>
<td>78,125</td>
<td>78,125</td>
<td>78,125</td>
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<tr>
<td>Statewide data systems</td>
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<td>---</td>
<td>30,000</td>
<td>+30,000</td>
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<tr>
<td>Assessment:</td>
<td></td>
<td></td>
<td></td>
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<tr>
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<td>89,703</td>
<td>89,703</td>
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<tr>
<td>National Assessment Governing Board</td>
<td>5,060</td>
<td>5,129</td>
<td>5,129</td>
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<tr>
<td>Subtotal, Assessment</td>
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<td>94,832</td>
<td>94,832</td>
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<td>Total, IES</td>
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<td>449,621</td>
<td>526,804</td>
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<td>DEPARTMENTAL MANAGEMENT</td>
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<td></td>
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<tr>
<td>PROGRAM ADMINISTRATION</td>
<td>420,379</td>
<td>429,778</td>
<td>421,055</td>
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<tr>
<td>OFFICE FOR CIVIL RIGHTS</td>
<td>88,305</td>
<td>92,401</td>
<td>90,248</td>
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<td>OFFICE OF THE INSPECTOR GENERAL</td>
<td>46,624</td>
<td>50,576</td>
<td>47,790</td>
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<tr>
<td>Total, Departmental management</td>
<td>555,308</td>
<td>573,155</td>
<td>559,093</td>
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<tr>
<td>Total: Elementary and Secondary Education Act programs</td>
<td>24,478,026</td>
<td>24,901,337</td>
<td>24,803,103</td>
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<tr>
<td>Total, Title III, Department of Education</td>
<td>58,246,623</td>
<td>59,974,807</td>
<td>60,317,016</td>
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<tr>
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<td>(15,022,301)</td>
<td>(15,022,301)</td>
<td>(15,022,301)</td>
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<tr>
<td>Agency / Program</td>
<td>FY 2004 Comparable</td>
<td>FY 2005 Request</td>
<td>Bill vs. FY 2004 Comparable</td>
<td>Bill vs. FY 2005 Request</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------</td>
<td>--------------------</td>
<td>----------------</td>
<td>-----------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td><strong>TOTAL - RELATED AGENCIES</strong></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Armed Forces Retirement Home</td>
<td>62,923</td>
<td>57,195</td>
<td>57,195</td>
<td>-5,728</td>
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<tr>
<td><strong>CAPITAL PROGRAM</strong></td>
<td>1,971</td>
<td>4,000</td>
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<tr>
<td><strong>TOTAL, AFRH</strong></td>
<td>64,894</td>
<td>61,195</td>
<td>61,195</td>
<td>-3,699</td>
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<tr>
<td>Committee for Purchase from People Who Are Blind or Severely Disabled 1/</td>
<td>4,697</td>
<td>4,672</td>
<td>4,672</td>
<td>-25</td>
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<tr>
<td>Corporation for National and Community Service 2/</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Volunteers in Service to America (VISTA)</td>
<td>93,731</td>
<td>96,428</td>
<td>93,731</td>
<td>-2,697</td>
</tr>
<tr>
<td>Volunteers in Homeland Security</td>
<td>9,876</td>
<td>15,000</td>
<td>5,000</td>
<td>-4,876</td>
</tr>
<tr>
<td><strong>NATIONAL SENIOR VOLUNTEER CORPS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Foster Grandparents Program</td>
<td>110,121</td>
<td>106,700</td>
<td>112,323</td>
<td>+2,202</td>
</tr>
<tr>
<td>Senior Companion Program</td>
<td>45,967</td>
<td>46,563</td>
<td>45,987</td>
<td>-567</td>
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<tr>
<td>Retired Senior Volunteer Program</td>
<td>58,156</td>
<td>58,084</td>
<td>58,156</td>
<td>-11,728</td>
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<tr>
<td>Senior Demonstration Program</td>
<td>1,397</td>
<td>1,397</td>
<td>1,397</td>
<td>-1,397</td>
</tr>
<tr>
<td><strong>SUBTOTAL, SENIOR VOLUNTEERS</strong></td>
<td>214,264</td>
<td>224,544</td>
<td>216,466</td>
<td>+2,202</td>
</tr>
<tr>
<td>Program Administration</td>
<td>38,469</td>
<td>39,363</td>
<td>38,000</td>
<td>+1,531</td>
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<tr>
<td><strong>TOTAL, DOMESTIC VOLUNTEER SERVICE PROGRAMS</strong></td>
<td>354,340</td>
<td>375,335</td>
<td>353,197</td>
<td>-1,143</td>
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<tr>
<td><strong>CORPORATION FOR PUBLIC BROADCASTING</strong></td>
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<tr>
<td>FY 2007 (current) with FY 2006 comparable</td>
<td>400,000</td>
<td></td>
<td>400,000</td>
<td>+400,000</td>
</tr>
<tr>
<td>FY 2006 advance with FY 2005 comparable (NA)</td>
<td>(390,000)</td>
<td>(400,000)</td>
<td>(400,000)</td>
<td>(+10,000)</td>
</tr>
<tr>
<td>FY 2005 advance with FY 2004 comparable (NA)</td>
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<td>(390,000)</td>
<td>(390,000)</td>
<td>(+12,242)</td>
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<tr>
<td>Digitalization program, current funded 3/</td>
<td>49,705</td>
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<td>49,705</td>
<td></td>
</tr>
<tr>
<td>Funds provided in P.L. 107-116 4/</td>
<td>(20,000)</td>
<td>(20,000)</td>
<td>(20,000)</td>
<td></td>
</tr>
<tr>
<td>Interconnection, current funded 3/</td>
<td>9,941</td>
<td></td>
<td>9,941</td>
<td></td>
</tr>
<tr>
<td>Funds provided in P.L. 107-116 4/</td>
<td>(75,000)</td>
<td>(60,000)</td>
<td>(60,000)</td>
<td>(-15,000)</td>
</tr>
<tr>
<td><strong>SUBTOTAL, FY 2005 APPROPRIATION</strong></td>
<td>59,646</td>
<td></td>
<td>59,646</td>
<td>(-59,646)</td>
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<tr>
<td><strong>SUBTOTAL, FY 2005 COMPARABLE</strong></td>
<td>(59,646)</td>
<td>(95,000)</td>
<td>(80,000)</td>
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</tr>
<tr>
<td>Federal Mediation and Conciliation Service</td>
<td>43,129</td>
<td>43,964</td>
<td>43,964</td>
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<tr>
<td>Federal Mine Safety and Health Review Commission</td>
<td>7,728</td>
<td>7,813</td>
<td>7,813</td>
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<tr>
<td>Institute of Museum and Library Services</td>
<td>262,240</td>
<td>261,743</td>
<td>261,743</td>
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<td>Medicare Payment Advisory Commission</td>
<td>9,245</td>
<td>9,905</td>
<td>9,905</td>
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<tr>
<td>National Commission on Libraries and Info Science</td>
<td>994</td>
<td>1,000</td>
<td>1,000</td>
<td>+6</td>
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<tr>
<td>National Council on Disability</td>
<td>3,021</td>
<td>2,873</td>
<td>2,873</td>
<td>-148</td>
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<tr>
<td>National Labor Relations Board</td>
<td>242,633</td>
<td>248,785</td>
<td>248,785</td>
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<tr>
<td>National Mediation Board</td>
<td>11,354</td>
<td>11,635</td>
<td>11,635</td>
<td>+281</td>
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<tr>
<td>Occupational Safety and Health Review Commission</td>
<td>9,805</td>
<td>10,516</td>
<td>10,516</td>
<td>+711</td>
</tr>
</tbody>
</table>
## Labor, Health and Human Services, Education, and Related Agencies Appropriations for FY2005

### (Amounts in thousands)

<table>
<thead>
<tr>
<th></th>
<th>FY 2004 Comparable</th>
<th>FY 2005 Request</th>
<th>Bill (S)</th>
<th>Bill vs. FY 2004 Comparable</th>
<th>Bill vs. FY 2005 Request</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Railroad Retirement Board</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dual Benefits Payments Account</td>
<td>118,298</td>
<td>108,000</td>
<td>108,000</td>
<td>-10,298</td>
<td>-</td>
</tr>
<tr>
<td>Less Income Tax Receipts on Dual Benefits</td>
<td>-7,953</td>
<td>-8,000</td>
<td>-8,000</td>
<td>-47</td>
<td>-</td>
</tr>
<tr>
<td><strong>Subtotal, Dual Benefits</strong></td>
<td>110,345</td>
<td>100,000</td>
<td>100,000</td>
<td>-10,345</td>
<td>-</td>
</tr>
<tr>
<td>Federal Payment to the RR Retirement Account</td>
<td>150</td>
<td>150</td>
<td>150</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Limitation on Administration</td>
<td>100,702</td>
<td>102,600</td>
<td>102,202</td>
<td>+1,500</td>
<td>-308</td>
</tr>
<tr>
<td>Inspector General</td>
<td>6,561</td>
<td>7,200</td>
<td>6,561</td>
<td>-839</td>
<td>-</td>
</tr>
<tr>
<td><strong>Social Security Administration</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Payments to Social Security Trust Funds</td>
<td>21,658</td>
<td>20,454</td>
<td>20,454</td>
<td>-1,204</td>
<td>-</td>
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<tr>
<td><strong>Supplemental Security Income</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal benefit payments</td>
<td>34,198,000</td>
<td>38,109,000</td>
<td>38,109,000</td>
<td>+3,911,000</td>
<td>-</td>
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<tr>
<td>Beneficiary services</td>
<td>100,000</td>
<td>45,929</td>
<td>45,929</td>
<td>-54,071</td>
<td>-</td>
</tr>
<tr>
<td>Research and demonstration</td>
<td>38,000</td>
<td>27,000</td>
<td>27,000</td>
<td>-11,000</td>
<td>-</td>
</tr>
<tr>
<td>Administration</td>
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<td>3,017,000</td>
<td>2,986,900</td>
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<td><strong>Subtotal, SSI program level</strong></td>
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<td>41,168,829</td>
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<tr>
<td>Less funds advanced in prior year</td>
<td>-11,080,000</td>
<td>-12,590,000</td>
<td>-12,590,000</td>
<td>-1,510,000</td>
<td>-</td>
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<tr>
<td><strong>Subtotal, regular SSI current year</strong></td>
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<td>28,608,929</td>
<td>28,578,829</td>
<td>+2,349,529</td>
<td>-30,100</td>
</tr>
<tr>
<td>Plus User Fee Activities</td>
<td>120,000</td>
<td>124,000</td>
<td>124,000</td>
<td>+4,000</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total, SSI, current request</strong></td>
<td>26,349,300</td>
<td>28,732,929</td>
<td>28,702,829</td>
<td>+2,352,529</td>
<td>-30,100</td>
</tr>
<tr>
<td>New advance, 1st quarter, FY 2006</td>
<td>12,590,000</td>
<td>10,930,000</td>
<td>10,930,000</td>
<td>-1,660,000</td>
<td>-</td>
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<tr>
<td><strong>Total, SSI program</strong></td>
<td>38,939,300</td>
<td>39,662,929</td>
<td>39,632,829</td>
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<td>-30,100</td>
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<tr>
<td><strong>Limitation on Administrative Expenses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>OASDI Trust Funds</td>
<td>4,070,369</td>
<td>4,454,000</td>
<td>4,412,700</td>
<td>+342,331</td>
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<td>HI/SMI Trust Funds</td>
<td>1,147,705</td>
<td>1,284,000</td>
<td>1,272,500</td>
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<td>Social Security Advisory Board</td>
<td>1,800</td>
<td>2,000</td>
<td>2,000</td>
<td>+200</td>
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<tr>
<td>SSA</td>
<td>2,973,300</td>
<td>3,017,000</td>
<td>2,986,900</td>
<td>+13,600</td>
<td>-30,100</td>
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<td><strong>Subtotal, regular LAE</strong></td>
<td>8,193,174</td>
<td>8,757,000</td>
<td>8,674,100</td>
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<td>User Fee Activities (SSI)</td>
<td>120,000</td>
<td>124,000</td>
<td>124,000</td>
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<tr>
<td><strong>Total, Limitation on Administrative Expenses</strong></td>
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<td><strong>Medicare Reform Funding</strong></td>
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<td></td>
<td></td>
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<td>HI/SMI trust funds mandatory spending 5/6/</td>
<td>(500,000)</td>
<td>---</td>
<td>---</td>
<td>-(500,000)</td>
<td>-</td>
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<tr>
<td>Medicare reform contingency fund 7/</td>
<td>---</td>
<td>100,000</td>
<td>---</td>
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### OFFICE OF INSPECTOR GENERAL

<table>
<thead>
<tr>
<th></th>
<th>FY 2004 Comparable</th>
<th>FY 2005 Request</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
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</thead>
<tbody>
<tr>
<td>Federal Funds</td>
<td>24,355</td>
<td>26,000</td>
<td>25,748</td>
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<tr>
<td>Trust Funds</td>
<td>63,324</td>
<td>66,000</td>
<td>65,359</td>
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<td><strong>Total, Office of Inspector General</strong></td>
<td><strong>87,679</strong></td>
<td><strong>92,000</strong></td>
<td><strong>91,107</strong></td>
<td><strong>+3,428</strong></td>
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<td>Adjustment: Trust fund transfers from general revenues</td>
<td>-3,093,300</td>
<td>-3,141,000</td>
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<tr>
<th></th>
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<th>FY 2005 Request</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
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<tr>
<td>Total, Social Security Administration</td>
<td>44,268,511</td>
<td>45,615,383</td>
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<tr>
<td>New advances, 1st quarter</td>
<td>(12,590,000)</td>
<td>(10,930,000)</td>
<td>(10,930,000)</td>
<td>(-1,660,000)</td>
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<td>Trust funds</td>
<td>5,283,108</td>
<td>5,806,383</td>
<td>5,752,559</td>
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<tr>
<td><strong>Total, Title IV, Related Agencies</strong></td>
<td><strong>45,959,995</strong></td>
<td><strong>46,864,769</strong></td>
<td><strong>47,057,801</strong></td>
<td><strong>+1,097,806</strong></td>
</tr>
<tr>
<td>Federal Funds</td>
<td>40,560,289</td>
<td>40,939,064</td>
<td>41,186,574</td>
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<tr>
<td>Current Year</td>
<td>(27,570,289)</td>
<td>(30,009,064)</td>
<td>(29,856,574)</td>
<td>(+2,286,285)</td>
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<tr>
<td>FY 2006 Advance</td>
<td>(12,590,000)</td>
<td>(10,930,000)</td>
<td>(10,930,000)</td>
<td>(-1,660,000)</td>
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<tr>
<td>FY 2007 Advance</td>
<td>(400,000)</td>
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<td>(400,000)</td>
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<td>Trust Funds</td>
<td>5,399,706</td>
<td>5,925,705</td>
<td>5,671,227</td>
<td>+471,521</td>
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**Title IV Footnotes:**
1/ FY 2005 House jurisdiction change--account moved from Transportation-Treasury Appropriations.
2/ Appropriations for Americorps are provided in the VA-HUD bill.
3/ Current funded.
4/ Requested funds for these activities are from previously appropriated funds.
7/ Two-year availability. Funds may be transferred between CMS and SSA.
### SUMMARY

<table>
<thead>
<tr>
<th>Item</th>
<th>FY 2004</th>
<th>FY 2005 Request</th>
<th>Bill</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
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<tr>
<td>Federal Funds</td>
<td>467,973,109</td>
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<td>Current year</td>
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<td>(387,271,603)</td>
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<td>2006 advance</td>
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<td>(96,597,691)</td>
<td>(96,597,691)</td>
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<td>2006 advance</td>
<td>(400,000)</td>
<td>(400,000)</td>
<td>(400,000)</td>
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<td>Trust Funds</td>
<td>11,844,869</td>
<td>12,477,283</td>
<td>12,405,505</td>
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<td>Grand Total</td>
<td>479,817,978</td>
<td>496,346,577</td>
<td>496,581,511</td>
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### BUDGET ENFORCEMENT ACT RECAP

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<tr>
<th>Item</th>
<th>FY 2004</th>
<th>FY 2005 Request</th>
<th>Bill</th>
<th>Bill vs. Comparable</th>
<th>Bill vs. Request</th>
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<tr>
<td>Mandatory, total in bill</td>
<td>340,041,821</td>
<td>353,451,511</td>
<td>353,451,511</td>
<td>+13,409,680</td>
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<tr>
<td>Less advances for subsequent years</td>
<td>-74,061,975</td>
<td>-77,712,390</td>
<td>-77,712,390</td>
<td>-3,650,415</td>
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<tr>
<td>Plus advances provided in prior years</td>
<td>55,883,966</td>
<td>74,061,975</td>
<td>74,061,975</td>
<td>+8,177,989</td>
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<tr>
<td>Total, mandatory, current year</td>
<td>331,863,822</td>
<td>348,801,096</td>
<td>348,801,096</td>
<td>+17,937,264</td>
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<tr>
<td>Discretionary, total in bill</td>
<td>139,776,157</td>
<td>142,895,066</td>
<td>143,130,000</td>
<td>+3,535,843</td>
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<tr>
<td>Less advances for subsequent years</td>
<td>-19,285,301</td>
<td>-18,885,301</td>
<td>-19,285,301</td>
<td>---</td>
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<td>Plus advances provided in prior years</td>
<td>19,229,267</td>
<td>19,275,301</td>
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<tr>
<td>Scorekeeping adjustments:</td>
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<tr>
<td>SSA User Fee Collection</td>
<td>-120,000</td>
<td>-124,000</td>
<td>-124,000</td>
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<td>---</td>
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<tr>
<td>Vaccines for children legislative proposal</td>
<td>---</td>
<td>-110,000</td>
<td>---</td>
<td>-110,000</td>
<td>+462,000</td>
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<tr>
<td>Medicaid/Medicare offsetting proposals</td>
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<td>HI/SMI user fees</td>
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<td>-165,000</td>
<td>-155,000</td>
<td>-155,000</td>
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<td>Medicare Hospital loans</td>
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<td>-200,000</td>
<td>-200,000</td>
<td>-200,000</td>
<td>+10,000</td>
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<tr>
<td>CDC Management/IT Savings</td>
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<td>-15,000</td>
<td>-15,000</td>
<td>-15,000</td>
<td>+10,000</td>
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<td>Welfare to Work rescission</td>
<td>-176,000</td>
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<td>+176,000</td>
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<tr>
<td>H-1B rescission</td>
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<td>-100,000</td>
<td>-100,000</td>
<td>-100,000</td>
<td>---</td>
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<tr>
<td>75 percent rule scoring</td>
<td>---</td>
<td>9,000</td>
<td>9,000</td>
<td>+9,000</td>
<td>+9,000</td>
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<tr>
<td>75 percent rule offset in CMS</td>
<td>---</td>
<td>-9,000</td>
<td>-9,000</td>
<td>-9,000</td>
<td>+9,000</td>
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<tr>
<td>Across the board admin. expenses reduction</td>
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<td>ESA Special benefits (offset. collections)</td>
<td>-64</td>
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<td>---</td>
<td>+54</td>
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<td>Total, discretionary</td>
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</tr>
<tr>
<td>Adjustment to balance with 2004 enacted</td>
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<td>---</td>
<td>---</td>
<td>+252,080</td>
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</tr>
<tr>
<td>Total, discretionary (FY 2004 enacted)</td>
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<td>+201,934</td>
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<tr>
<td>Grand total, current year (incl FY 2004 comparable)</td>
<td>471,287,901</td>
<td>492,125,162</td>
<td>492,327,096</td>
<td>+21,039,195</td>
<td>+201,934</td>
</tr>
<tr>
<td>Grand total, current year (incl FY 2004 enacted)</td>
<td>471,035,821</td>
<td>492,125,162</td>
<td>492,327,096</td>
<td>+21,291,275</td>
<td>+201,934</td>
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</tbody>
</table>
Mr. OBEY. Mr. Chairman, I yield myself 30 seconds.

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

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

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

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

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

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

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

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

Against the backdrop of record school enrollment nearly $1 billion in increased accountability requirements, and rising demands for college assistance, the Committee bill fails to match these growing demands with sufficient investment. The bill provides $2.0 billion (3.6 percent) increase over FY 2004 for the Department of Education's discretionary programs, continuing a downward slide in non-mandatory investments under the Bush Administration. No Child Left Behind

While all 50 states and 15,500 school districts are striving to achieve NCLB's worthy goals, most are doing so in many schools. Nonetheless, the Committee bill actually cuts NCLB funding $120 million below the Administration's request, while providing only $326 million (1.3 percent) more than FY 2004. In total, the bill provides $9.5 billion less than the funding promised in NCLB.

Fully funding Title I—which serves low-income children in schools with the greatest educational challenges—is the centerpiece of federal education reform efforts. Title I grants to school districts receive a $1 billion (6.1 percent) increase in the Committee bill, the same amount as the President's request. Despite this needed increase, Title I appropriations in FY 2005 would still fall $7.2 billion short of the President's request—accounting for most of the total $9.5 billion NCLB shortfall in the Committee bill.

A key concept in NCLB is that students who are falling behind receive tutoring and a broad array of enrichment services in school and community-based after school centers. Yet the Committee bill holds rigidly to the Administration's request, while providing only $81 million (1.8 percent) more than the President. Despite this needed increase, Title I appropriations in FY 2005 would still fall $7.2 billion short of the President's request—accounting for most of the total $9.5 billion NCLB shortfall in the Committee bill.

Title I is the centerpiece of NCLB and is critical to meeting America's educational challenges. For example, Title I ensures that students with disabilities, English language learners, and students who are falling behind are able to receive tutoring and a broad array of enrichment services in school and community-based after school centers. Yet the Committee bill holds rigidly to the Administration's request, while providing only $81 million (1.8 percent) more than the President.

The Committee bill makes only modest investments in America's future and most vulnerable students. The President requested $1 billion (9.9 percent) increase over FY 2004 for IDEA Part B State Grants, the same amount as the President's request. Under the Committee bill, the federal contribution to special education funding of nearly $300 million to help the nation's schools will increase from 18.7 percent in FY 2004 to 19.8 percent in FY 2005. Nonetheless, the Committee bill fails $2.5 billion short of the $13.8 billion increase last year by the Majority party when it passed H.R. 1330, the IDEA reauthorization bill.

College Assistance

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

The Committee bill, however, makes little progress in making college more affordable for disadvantaged students. The bill freezes the maximum Pell Grant for low-income college students at $4,050 for the second year in a row (2006), eliminates College Work-Study assistance, and cuts Perkins Loans by $99 million below last year's level.

College students will receive help with dramatic rising tuition costs such a $24 million (3.1 percent) increase for Supplemental Educational Opportunity Grants (SEOGs), and a restoration of the $68 million LEAP grants for state need-based student financial assistance programs, which the Administration sought to eliminate.

INVESTING LESS IN AMERICA'S LABOR FORCE

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

While the Committee bill provides a $25 million (1.7 percent) increase over FY 2004 to assist dislocated workers affected by mass layoffs, it denies 80 percent of the Administration's $250 million request for the Community College technical training initiative and eliminates the $90 million prison reentry initiative due to budget constraints. The bill slashes the Administration's proposed 2.8 percent increase for salaries and other operating costs for Job Corps, the highly successful initiative that helps hard-core disadvantaged and unemployed youth, to a 1.8 percent increase over FY 2004.
Unemployment remains unacceptably high with 6.0 million Americans out of work; how-
erve, the Committee bill actually cuts as-
sistance for individuals seeking jobs through the Employment Service, a bulwark for the
nation’s one-stop employment serv-
ices delivery system. State Employment
Service funding is cut to $696 million, a 10
percent reduction from FY 2004 and the low-
est level in more than 10 years. The Com-
mittee bill also rescinds $100 million in prior
funding, as requested by the Administration,
for the grants that help train 8.0 million
Americans in high-skill, high-wage jobs and
reduce the nation’s reliance on foreign work-
ers.

Further, funding to promote international
lab standards and combat abusive child
labor will be eviscerated with a 68 percent
cut in the Committee bill, which adds only $5
million above its level three years earlier.
The bill includes only $16 million for child labor projects com-
pared with the $82 million allocated in FY
2003.

FALLING SHORT OF THE PROMISE OF A SAFE AND
HEALTHY NATION

For the health-related programs of the De-
partment of HHS, the Committee’s bill falls short
of the President’s request to maintain the
health care safety net, protect the public
health, and advance medical research.

The measure does substantially increase
funding for Health Centers to expand a Glob-
aldisease Detection initiative at CDC, and provide modest increases for AIDS
drug assistance and chronic disease preven-
tion programs. In some respects it is an im-
provement over the President’s budget—it
rejects the Administration’s proposal to cut
bio-terrorism preparedness assistance to health care providers; and increases
the President’s proposed cuts in rural
health and health professions programs.

However, a number of health programs are
still cut below the current-year level by the
Committee bill. Examples include the
Healthy Communities Access Program, sev-
eral rural health programs, some health pro-
essions training programs (especially those
related to primary care and public health),
and block grants for public health services.

A large number of other programs have their
funding frozen, its second year in a row.
These freezes, while health care costs and the number of people needing
assistance for individuals seeking jobs through
health and health professions programs.

• The Committee bill terminates the Healthy
Communities Access Program (HCAP), which
makes grants to local consortia of hospitals, health centers, and other
providers to build better integrated systems
of care for the uninsured. This means that
roughly 70 communities will lose their exist-
ing three-year grants and about 35 new
grants will not be made.
• Repeals the Life Skills Access Grant—
which support primary health care, dental health,
mental health, and telemedicine projects—
are cut by 24 percent. Grants to improve
small rural hospitals are cut in half, funding
to help rural communities acquire the
defibrillators that can save the lives of heart
attack victims are cut by more than half, and
a small new program to help improve
emergency medical services in rural areas is
eliminated.

• Apart from grants to Health Centers, the
bill includes a small, $5 million increase for Low
Income Energy Assistance for people with
cold winters have increased the need for
LIHEAP. These same conditions have also
led to growing need for the Energy Depart-
ment’s Weatherization Assistance Program
(which was recently transferred to the Labor-HHS bill). However, the bill includes
no increase at all for Weatherization, reject-
ing the $64 million addition proposed by the
President.

The Child Care Block Grant has its funding
essentially frozen for the third year in a row
under the Committee’s bill, meaning a real
reduction in help for working families. Ap-
propriations for Head Start are $45 million
less than the amount proposed by the Presi-
dent. The bill includes a 17.5 percent cut in
the Administration’s request. The bill
includes a smaller, 1.8 percent cut in FY
2002 while the President wanted a 2.6 percent
increase of 2.6 percent

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

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

For the National Institutes of Health, the
Committee bill is identical to the Adminis-
tration’s budget request. It provides an in-
crease of 2.5 percent—the smallest in 19 years and significantly less than the 3.5
percent needed to cover estimated inflation
in biomedical research costs. Although the
Administration’s budget (and hence the Committee bill) would produce a
small increase in the number of new and re-
competing research project grants—revers-
ing a decrease that occurred in FY 2004—
it achieves that result only by assuming un-
typical tight limits on the average size of re-
search, grants, including cuts to ongoing re-
search projects and sharply reduced commit-
ment levels. If grant amounts were instead allowed
increase at normal rates, the number of new
grants would decrease for the second year in a row. Many of Congress, who have
given such letters in fact voted
for the Republican budget resolution which
has made it impossible for the committee to
consider these alternatives; it would have
produced for people with incomes over $1 million. Instead of tax cuts averaging
about $127,000, this top-income group would
have their tax cuts reduced to an average of
$13,000. Regrettably, these amendments were
defeated on party line votes. Had they been
adopted, we could:
• Invest $1.5 billion more in Title I instruc-
tional support, help an additional 357,000 low-
income students, and minority children in the poorest commun-
ities succeed in school;
• Invest $200 million more in after school
centers so that an additional 267,000 children,
who are responsible for taking care of them-
theselves after school each day, have a safe
and nurturing place to go after school;
• Invest $1.2 billion more to subsidize the
high costs of educating 6.9 million children with
disabilities;
• Provide a $450 increase in the maximum
payment for food stamps for sustenance of the
nia and low-national needs, and begin to restore its pur-
chasing power for more than 5 million low-
income students.

In addition, an additional 51,000 teachers
improve their instructional skills to become
highly qualified under NCLB; and
Ensure that 2,500 low-performing schools receive the assistance they were promised to implement effective, comprehensive reforms to raise their academic performance.

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

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

- Maintain the Healthy Communities Access Program, rather than terminating it as under the Committee bill, and add some funds to make up for lost ground in programs like the Maternal and Child Health Block Grant, Family Planning, and Community Mental Health Block Grant.
- Avoid any cuts in health professions training programs, add $35 million to Nurse Reinvestment Act programs to help stem the nursing shortage by providing more scholarships for nursing students and more support for nursing schools.

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

The decisions that have led to this unhappy situation have, in fact, already been made by the Republican majority members who have voted for the Republican budget resolution and against our efforts to modify it. This bill is the inevitable unhappy result of those decisions. The only way to achieve a more favorable final outcome is for this bill to move to conference with the Senate and be greatly altered to produce a more responsible result.
Democratic Amendment
to FY 2005 Labor-HHS-Education Appropriations

<table>
<thead>
<tr>
<th>Education</th>
<th>Increase Above Committee Bill Dollars in millions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Providing Title 1 reading and math instruction to 500,000 additional low-income children</td>
<td>1,500</td>
</tr>
<tr>
<td>Helping 267,000 additional children in working families to benefit from after-school learning opportunities</td>
<td>200</td>
</tr>
<tr>
<td>Increasing assistance to local communities for special education</td>
<td>1,200</td>
</tr>
<tr>
<td>Helping to put a highly qualified teacher in every classroom</td>
<td>225</td>
</tr>
<tr>
<td>Increasing the maximum Pell Grant by $450 to $4,500 to begin to restore the lost purchasing power of Pell Grants</td>
<td>2,200</td>
</tr>
<tr>
<td>Supporting effective school improvement through comprehensive school reforms at an additional 2,500 schools</td>
<td>228</td>
</tr>
<tr>
<td><strong>Total, Department of Education</strong></td>
<td><strong>$5,553</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Employment and Training</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Investing in training and job placement assistance for unemployed Americans</td>
<td>126</td>
</tr>
<tr>
<td>Promoting international labor standards and workers’ rights</td>
<td>74</td>
</tr>
<tr>
<td><strong>Total, Department of Labor</strong></td>
<td><strong>$200</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Health and Human Services</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Keeping up with costs of childhood immunization, and improving control of infectious diseases (including TB, STDs &amp; AIDS)</td>
<td>100</td>
</tr>
</tbody>
</table>
Preserving critical investments in medical research at NIH  500
Maintaining core health care “safety net” programs, especially for children and rural residents (including Community Access Program, Family Planning, etc).  333
Improving critical dental services for children and others lacking access to care  50
Helping to alleviate the shortage of nurses  35
Training doctors, dentists and other health professionals, especially for rural and underserved areas  25
Improving public health preparedness for bio-terrorism & epidemics  56
Helping low-income families with energy costs through LIHEAP  200
Maintaining access to child care and Head Start  180
Improving economic opportunity and community services (CSBG)  30
Assisting communities with refugee resettlement  32
Meals-on Wheels, Senior Centers, Family Caregiver Assistance and other help for older Americans  70

Total, Department of HHS  $1,611

TOTAL  $7,364

Offset

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

### FY 2005 LABOR-HHS-EDUCATION APPROPRIATIONS

*Program Level, $ in millions*

<table>
<thead>
<tr>
<th>Education Investments</th>
<th>FY 2004</th>
<th>FY 2005</th>
<th>FY 2005 Committee</th>
<th>FY 2005 Democrats</th>
<th>Democratic Amendment Compared To:</th>
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<tr>
<td></td>
<td></td>
<td>Request</td>
<td></td>
<td></td>
<td>Committee FY 2004</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Dollars  Percent</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Dollars  Percent</td>
</tr>
<tr>
<td><strong>Title 1 Grants to School Districts</strong></td>
<td>$12,342</td>
<td>$13,342</td>
<td>$13,342</td>
<td>$14,842</td>
<td>$1,500 11.2% $2,500 20.3%</td>
</tr>
<tr>
<td></td>
<td>$999</td>
<td>$999</td>
<td>$999</td>
<td>$1,199</td>
<td>$200 20.0% $200 20.0%</td>
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<tr>
<td><strong>IDEA Part B State Grants</strong></td>
<td>$10,068</td>
<td>$11,068</td>
<td>$11,068</td>
<td>$12,268</td>
<td>$1,200 10.8% $2,200 21.9%</td>
</tr>
<tr>
<td></td>
<td>18.6%</td>
<td>19.7%</td>
<td>19.7%</td>
<td>22.0%</td>
<td>$0 11.7% $0 18.3%</td>
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<tr>
<td><strong>Teacher Quality State Grants</strong></td>
<td>$2,930</td>
<td>$2,930</td>
<td>$2,950</td>
<td>$3,175</td>
<td>$225 7.6% $245 8.4%</td>
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<tr>
<td><strong>Pell Grants</strong></td>
<td>$12,007</td>
<td>$12,830</td>
<td>$12,830</td>
<td>$15,030</td>
<td>$2,200 17.1% $3,023 25.2%</td>
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<tr>
<td></td>
<td>$4,050</td>
<td>$4,050</td>
<td>$4,050</td>
<td>$4,500</td>
<td>$450 11.1% $450 11.1%</td>
</tr>
<tr>
<td></td>
<td>$308</td>
<td>$0</td>
<td>$80</td>
<td>$308</td>
<td>$228 284.6% $0 0.0%</td>
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<tr>
<td><strong>Subtotal, Department of Education</strong></td>
<td></td>
<td></td>
<td>$5,553</td>
<td></td>
<td>$8,168 0.0%</td>
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<tr>
<td><strong>Employment and Training Investments</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Dislocated Worker Assistance</strong></td>
<td>$1,454</td>
<td>$1,383</td>
<td>$1,479</td>
<td>$1,517</td>
<td>$38 2.6% $63 4.3%</td>
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<tr>
<td></td>
<td>$1,178</td>
<td>$1,100</td>
<td>$1,178</td>
<td>$1,216</td>
<td>$39 3.2% $38 3.2%</td>
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<tr>
<td><strong>Formula</strong></td>
<td>$276</td>
<td>$283</td>
<td>$301</td>
<td>$301</td>
<td>$0 0.0% $25 9.1%</td>
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<tr>
<td><strong>National Reserve</strong></td>
<td>$551</td>
<td>$763</td>
<td>$763</td>
<td>$763</td>
<td>$88 11.5% $0 0.0%</td>
</tr>
<tr>
<td><strong>Employment Service</strong></td>
<td>$110</td>
<td>$31</td>
<td>$36</td>
<td>$110</td>
<td>$74 209.1% $0 0.0%</td>
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<tr>
<td><strong>International Labor Affairs</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal, Department of Labor</strong></td>
<td></td>
<td></td>
<td>$200</td>
<td></td>
<td>$63 0.0%</td>
</tr>
<tr>
<td><strong>Health &amp; Human Services Investments</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Centers for Disease Control</strong></td>
<td>$1,142</td>
<td>$1,143</td>
<td>$1,149</td>
<td>$1,184</td>
<td>$35 3.0% $43 3.7%</td>
</tr>
<tr>
<td><strong>HIV/AIDS, STD and TB Control</strong></td>
<td>$643</td>
<td>$644</td>
<td>$654</td>
<td>$704</td>
<td>$50 7.6% $61 9.4%</td>
</tr>
<tr>
<td><strong>Immunization</strong></td>
<td>$369</td>
<td>$401</td>
<td>$401</td>
<td>$416</td>
<td>$15 3.7% $47 12.6%</td>
</tr>
<tr>
<td><strong>Infectious Disease Control</strong></td>
<td>$27,808</td>
<td>$28,541</td>
<td>$28,541</td>
<td>$29,041</td>
<td>$500 1.8% $1,233 4.4%</td>
</tr>
<tr>
<td><strong>National Institutes of Health</strong></td>
<td>$1,617</td>
<td>$1,836</td>
<td>$1,836</td>
<td>$1,867</td>
<td>$31 1.7% $250 15.5%</td>
</tr>
<tr>
<td><strong>Community Health Centers</strong></td>
<td>$170</td>
<td>$205</td>
<td>$170</td>
<td>$190</td>
<td>$20 11.8% $20 11.8%</td>
</tr>
<tr>
<td><strong>National Health Service Corps</strong></td>
<td>$104</td>
<td>$10</td>
<td>$0</td>
<td>$104</td>
<td>$104 n.a. $0 0.0%</td>
</tr>
<tr>
<td><strong>Community Access Program</strong></td>
<td>$730</td>
<td>$730</td>
<td>$730</td>
<td>$770</td>
<td>$40 5.5% $40 5.5%</td>
</tr>
<tr>
<td><strong>Maternal and Child Health Block Grant</strong></td>
<td>$98</td>
<td>$98</td>
<td>$98</td>
<td>$108</td>
<td>$10 10.2% $10 10.2%</td>
</tr>
<tr>
<td><strong>Healthy Start</strong></td>
<td>$278</td>
<td>$278</td>
<td>$278</td>
<td>$295</td>
<td>$17 6.1% $17 6.1%</td>
</tr>
<tr>
<td><strong>Family Planning</strong></td>
<td>$2,065</td>
<td>$2,080</td>
<td>$2,100</td>
<td>$2,130</td>
<td>$30 1.4% $65 3.1%</td>
</tr>
</tbody>
</table>
DEMOCRATIC AMENDMENT TO FULL COMMITTEE PRINT
FY 2005 LABOR-HHS-EDUCATION APPROPRIATIONS

Program Level, $ in millions

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2004</th>
<th>FY 2005</th>
<th>FY 2005 Committee</th>
<th>FY 2005 Democrats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural Health and Telemedicine</td>
<td>$111</td>
<td>$34</td>
<td>$88</td>
<td>$129</td>
</tr>
<tr>
<td>(Above line restores all programs to FY 2004 level, plus $10 million for Rural Health Outreach, $5 million for Telemedicine, and $4 million for Rural EMS).</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Substance Abuse and Mental Health Services</td>
<td>$3,351</td>
<td>$3,550</td>
<td>$3,392</td>
<td>$3,432</td>
</tr>
<tr>
<td>Dental Care Initiative</td>
<td></td>
<td></td>
<td>$50</td>
<td>n.a.</td>
</tr>
<tr>
<td>(Above line adds $10 million to National Health Service Corps, $10 million to Rural Health Outreach and $6 million to Health Professions, all for dental care, plus $24 million for Dental Shortage Area Grants under PHSA sec. 340G)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nurse Education</td>
<td>$142</td>
<td>$147</td>
<td>$147</td>
<td>$182</td>
</tr>
<tr>
<td>(Above line adds $15 million to scholarship &amp; loan repayments, $5 million each to advanced education nursing and diversity, $4 million each to education-practice-retention and faculty loan repayments, and $3 million to geriatric nursing.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health Professions Education</td>
<td>$294</td>
<td>$11</td>
<td>$269</td>
<td>$294</td>
</tr>
<tr>
<td>Public Health Emergency Fund</td>
<td>$2,164</td>
<td>$2,225</td>
<td>$2,369</td>
<td>$2,423</td>
</tr>
<tr>
<td>Low-Income Home Energy Assistance</td>
<td>$1,889</td>
<td>$2,001</td>
<td>$2,000</td>
<td>$2,200</td>
</tr>
<tr>
<td>Child Care Development Block Grant</td>
<td>$2,087</td>
<td>$2,100</td>
<td>$2,100</td>
<td>$2,200</td>
</tr>
<tr>
<td>Head Start</td>
<td>$6,783</td>
<td>$6,944</td>
<td>$6,899</td>
<td>$6,979</td>
</tr>
<tr>
<td>Community Services Block Grant</td>
<td>$642</td>
<td>$495</td>
<td>$628</td>
<td>$650</td>
</tr>
<tr>
<td>Community Services discretionary programs</td>
<td>$89</td>
<td>$57</td>
<td>$83</td>
<td>$90</td>
</tr>
<tr>
<td>Refugee &amp; Entrant Assistance</td>
<td>$448</td>
<td>$473</td>
<td>$491</td>
<td>$523</td>
</tr>
<tr>
<td>Older Americans Act programs</td>
<td>$1,374</td>
<td>$1,377</td>
<td>$1,403</td>
<td>$1,473</td>
</tr>
<tr>
<td>(Above line adds $20 million to Supportive Services, $25 million to Nutrition, $10 million to Family Caregivers and $2 million to Native American Caregivers, $4 million each to Native Americans and Protection of Vulnerable Older Americans and $5 million to Alzheimer's Disease grants)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal, Department of Health and Human Services</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Democratic Amendment Compared To:

<table>
<thead>
<tr>
<th>Committee</th>
<th>FY 2004</th>
<th>Dollars</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Committee</td>
<td>$25</td>
<td>9.2%</td>
<td></td>
</tr>
<tr>
<td>Democrats</td>
<td>$0</td>
<td>0.0%</td>
<td></td>
</tr>
</tbody>
</table>
### SUMMARY OF STATE EDUCATION FORMULA ALLOCATIONS

#### DEMOCRATIC AMENDMENT COMPARED TO COMMITTEE BILL

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

<table>
<thead>
<tr>
<th>Title</th>
<th>After School</th>
<th>IDEA Part B</th>
<th>Teacher Quality</th>
<th>Pell Grants</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>+$25,610,000</td>
<td>+$2,927,000</td>
<td>+$19,470,000</td>
<td>+$3,700,000</td>
<td>+$41,736,000</td>
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<tr>
<td>Alaska</td>
<td>+$4,027,000</td>
<td>+$980,000</td>
<td>+$3,631,000</td>
<td>+$1,108,000</td>
<td>+$1,716,000</td>
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<tr>
<td>Arizona</td>
<td>+$27,864,000</td>
<td>+$3,619,000</td>
<td>+$18,163,000</td>
<td>+$4,647,000</td>
<td>+$44,464,000</td>
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<tr>
<td>Arkansas</td>
<td>+$18,102,000</td>
<td>+$1,823,000</td>
<td>+$12,075,000</td>
<td>+$2,324,000</td>
<td>+$23,051,000</td>
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<tr>
<td>California</td>
<td>+$187,447,000</td>
<td>+$27,678,000</td>
<td>+$133,993,000</td>
<td>+$30,073,000</td>
<td>+$197,728,000</td>
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<tr>
<td>Colorado</td>
<td>+$15,473,000</td>
<td>+$1,762,000</td>
<td>+$15,382,000</td>
<td>+$2,639,000</td>
<td>+$24,202,000</td>
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<tr>
<td>Connecticut</td>
<td>+$13,794,000</td>
<td>+$1,617,000</td>
<td>+$13,699,000</td>
<td>+$1,853,000</td>
<td>+$3,299,000</td>
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<tr>
<td>Delaware</td>
<td>+$4,117,000</td>
<td>+$980,000</td>
<td>+$3,327,000</td>
<td>+$1,108,000</td>
<td>+$3,906,000</td>
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<tr>
<td>District of Columbia</td>
<td>+$5,235,000</td>
<td>+$980,000</td>
<td>+$1,673,000</td>
<td>+$1,108,000</td>
<td>+$5,906,000</td>
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<tr>
<td>Florida</td>
<td>+$62,613,000</td>
<td>+$9,152,000</td>
<td>+$68,360,000</td>
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<td>+$108,565,000</td>
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<tr>
<td>Georgia</td>
<td>+$48,534,000</td>
<td>+$5,986,000</td>
<td>+$31,929,000</td>
<td>+$6,688,000</td>
<td>+$51,107,000</td>
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<tr>
<td>Hawaii</td>
<td>+$5,339,000</td>
<td>+$980,000</td>
<td>+$4,197,000</td>
<td>+$1,108,000</td>
<td>+$5,472,000</td>
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<tr>
<td>Idaho</td>
<td>+$5,361,000</td>
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<td>+$5,712,000</td>
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<td>Illinois</td>
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<td>+$8,197,000</td>
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<td>Indiana</td>
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<td>Iowa</td>
<td>+$11,050,000</td>
<td>+$980,000</td>
<td>+$12,287,000</td>
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<td>+$21,923,000</td>
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<tr>
<td>Kansas</td>
<td>+$13,770,000</td>
<td>+$1,235,000</td>
<td>+$11,500,000</td>
<td>+$1,583,000</td>
<td>+$18,402,000</td>
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<tr>
<td>Kentucky</td>
<td>+$32,154,000</td>
<td>+$2,642,000</td>
<td>+$15,714,000</td>
<td>+$3,078,000</td>
<td>+$40,562,000</td>
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<tr>
<td>Louisiana</td>
<td>+$33,963,000</td>
<td>+$4,237,000</td>
<td>+$19,525,000</td>
<td>+$4,588,000</td>
<td>+$40,562,000</td>
</tr>
<tr>
<td>Maine</td>
<td>+$5,862,000</td>
<td>+$980,000</td>
<td>+$5,507,000</td>
<td>+$1,108,000</td>
<td>+$7,067,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>+$19,042,000</td>
<td>+$2,602,000</td>
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### SUMMARY OF STATE EDUCATION FORMULA ALLOCATIONS

**DEMOCRATIC AMENDMENT COMPARED TO COMMITTEE BILL**

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

<table>
<thead>
<tr>
<th>State</th>
<th>Title 1</th>
<th>After School</th>
<th>IDEA Part B</th>
<th>Teacher Quality</th>
<th>Pell Grants</th>
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*Note: Title 1, After School, IDEA Part B, and Teacher Quality estimates from the Congressional Research Service based on data provided by the U.S. Department of Education. Pell Grant estimates from American Council on Education based on data provided by the U.S. Department of Education.*
Mr. Chairman, I yield 4 minutes to the distinguished gentlewoman from New York (Mrs. LOWEY), a member of the subcommittee.

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

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

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

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

We allocate resources to State and local health departments, as well as hospitals, so they are equipped to respond to a mass incident, for which most hospitals are nowhere better prepared than they were on September 11. We prevent our most vulnerable from having to choose between food and heat. We help put kids through college, so they are equipped to recreate a pinnacle of the American dream.

These activities benefit every member of our society. However, because of the limited allocation provided by the Committee on the Budget, many important needs will remain underfunded. For example, last year Congress did not fulfill its obligation to fully fund the Title I program which serves the poorest children in America, and because of that, more than half our Nation’s school districts from Kansas to Minnesota, North Dakota to Pennsylvania, have turned to nonprofits, including the Boys and Girls Clubs of America, to fill the gaps. It is my hope that this provision will be included in the final Labor-HHS spending bill.

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

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

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

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

First, the basics. We will authorize in this bill spending of $142 billion plus for health, for education and for the American workers of this country in three major departments. This amounts to $3 billion more than we spent last year.

Mr. Chairman, an increase in the discretionary spending in these 3 areas of 2.4 percent. At the same time, we are keeping it within the subcommittee allocation and the limits of the budget resolution, and I think the chairman is to be commended for that.

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

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

I have been on this subcommittee for 10 years now, the 10 years that the Republicans have been in the majority in this Congress. And each year when this bill comes up, the majority puts forward a bill that spends an amount of money over and above the last year, and our friends on the Democratic side of the aisle object to the bill based on the fact that they would like to spend more money and tax more. When they object to the bill, Mr. Chairman, they will often say that it is not really the fault of the leadership of this committee, not the fault of the chairman of the full committee or the subcommittee; that it is the underfunding of the budget. We always agree which is at fault. What they really mean when they say this is that they wish a budget had been adopted so that taxes could be higher and that Federal spending could be higher, and indeed, that is their philosophy on the two sides of the aisle.

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

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

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

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

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

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

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

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

With a stagnant economic recovery that is creating too few jobs, jobs that generally pay $9,000 less than the ones lost, we should be giving our 8 million unemployed workers the tools that they need to retrain for this new and changing economy. Instead, this bill invests $26 billion less than the administration’s own request for employment and training assistance programs, including a devastating cut of $88 million to the Employment Service, almost 10 percent, the building block for the Nation’s one-stop employment centers.

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

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

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

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

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

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

Mr. GREEN of Texas. Mr. Chairman, I would like to thank my ranking member, also the chairman of the committee, for bringing this bill up today. I rise to highlight an important program that this bill fails to fund. The Congress has supported and funded the Community Access Program since its inception in 2000. The CAP program, the Community Access Program, has provided communities with much-needed grant funding to provide both preventive and primary care to their uninsured populations.

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

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

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

This is truly a case where an ounce of prevention is worth a pound of cure. I thank the committee for its work to increase funding for community health centers, which received $218 million over the President’s request, and that is great.

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

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

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

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

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

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

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

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

The experts say that by 2005 obesity and overweight will have overtaken smoking as the leading cause of death. And for our children, you have left in the bill, instead of allowing the administration to kill the so-called VERB bill, and all VERB stands for is action. There has been a 42 percent increase in obesity among children in the last 25 years. It takes $35 million to keep this program going. You have put $65 million in this rigorously evaluated program that is only now in year 3 of its 5-year period.

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

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

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

Mr. Chairman, this Labor, Health and Education bill is supposed to be the reauthorization of the No Child Left Behind. It allows $65 million for the No Child Left Behind program. It is a program that is supposed to protect the interests of schools which in fact invests in our children, which opens the door to the doctor’s office for the patient who lives on its underside and does not have access to regular health care. It is supposed to protect the interests of workers. This bill fails far short on all fronts.

This bill does nothing to help workers, to protect workers against the efforts of employers to cheat our overtime pay. It fails to offer the millions of dollars behind the No Child Left Behind legislation in terms of meeting our obligations to support the education of our
children. It brings to a screeching halt the healthy expansion of after-school programs. It does, in so many ways, fall short of where we ought to be; and it does that because the majority, as I said earlier, has made a decision that its top legislative priority is ever more and ever more and ever more tax cuts to people who are already very well off.

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

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

I would say, Mr. Chairman, that there is only one way in the long term that we can fix this problem, and that is to put a different person in the White House and a different majority in the House of Representatives and the Senate. Because what is really at stake in this election, in my view, as someone said on the other side of the aisle, what is really at stake is whether or not this country is going to continue to build a social safety net for the middle class, for the broad working class of the country. It is the result of the Republican majority’s dexterity of a skilled surgeon, balancing the critical issues of education, health, and research against the budget realities.

Mr. Chairman, we are coming out of a recession. And to the gentleman of Wisconsin, I would simply say it is really unclear to me if we had not cut taxes that we would have more money in the coffers to balance the books. I would have to say almost like a skilled surgeon, I may be the doctor on the committee, but he handled this with the dexterity of a skilled surgeon, balancing the critical issues of education, health, and research against the budget realities.

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

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

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

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

The single most significant program the Federal Government operates to help disadvantaged children under No Child Left Behind is title I. Again this year we see another $1 billion increase in Title I, about 8 percent over last year’s level. If we look at what has happened over the 4 years that the President has been in office, we will see these massive increases. But we can go back all of the way to the 10 years Republicans have been in Congress, and see that we have been leading the charge for these disadvantaged children by some 96 percent.

And the funding increases in just the first 2 years of President Bush’s term in office far outstrip the 8 years of the previous administration. Title I increases are continuing. That is our commitment to helping the disadvantaged students in our society get the kind of education they all deserve.

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

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

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

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

Mr. Chairman, I would simply like to say I am here to correct the gentleman’s numbers with a touch of humor because the argument he makes is similar to the child who kills his parents and then throws himself on the mercy of the court because he is an orphan.

The fact is if you look at the historical record over the last 10 years the House Republican majority had its way, we would have appropriated about $20 billion less for education over the last 10 years than the Congress wound up appropriating. The House Republicans had to be led kicking and screaming into supporting the increases which he now tries to claim credit for.

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

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

If the House Republicans had had their way, $3.4 billion less would have been spent on education of the poorest children in America than was actually appropriated, and 1 million low-income children would have been eliminated from the Title I program; $3.1 billion less would have been spent on special education; and 4 million children with disabilities than was actually appropriated if the House Republican majority had its way; $524 million less would have been spent on safe and nurturing places for children in the after-school hours than was actually appropriated if the House Republican majority had its way; and the maximum Pell grant would have been smaller in 5 of the last 10 years than the level actually approved, again if the House Republican majority had its way.

So I guess I am willing to accept the fact that the Republicans now want to borrow the money that we succeeded in...
putting into the education budget and borrow it so they can make on their own competing claims the education budget. I do not much care as long as we’ve got the money.

With that, Mr. Chairman, I urge Members of this Committee to try and make it possible to support more resources in this bill for education, health care, and worker protection.

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

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

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

I start by reiterating the observation that the ranking member, the gentleman from Wisconsin (Mr. OBEY), has made. It is very nice to get up and say with 100% accuracy, what is what we’ve spent. Those figures are undoubtedly accurate. What is not accurate, as the gentleman from Wisconsin (Mr. OBEY) so correctly pointed out, was that those were not the figures that the Republican House budget proposed in years past. That is, 100% of the money that has been going deeply into debt over the last 40 months. In fact, the President’s acceptance speech in New York says he wants fiscal restraint, but he has led this country, along with the Republican majority in this House and this Senate, from a $5.6 trillion surplus to a $3 trillion to $4 trillion deficit in 40 months. That is almost a $10 trillion turnaround from fiscal responsibility to fiscal irresponsibility in less than 4 years.

In addition to creating that deficit, every year that the President got his way. So, yes, the figures are higher, but they are not higher because the Republican Committee on the Budget proposed them as such.

Mr. Chairman, this bill, in my opinion, fails to meet the crucial priorities that the citizens of this great Nation expect and deserve in education, in health care, in medical research, and in many other areas. And, as you pointed out earlier, the President’s health care plan would mean that the less we have invested in NIH, the less money we will have to invest in making our people as strong and healthy as possible.

But as I have said before, this is not the fault, and I reiterate, not the fault of the gentleman from Wisconsin (Mr. OBEY). I do not sit on the Appropriations Committee, nor, in my opinion, was he very enthusiastic about the Committee on the Budget’s product. And it is certainly not a new phenomenon, the gentleman from Florida (Mr. YOUNG). As a matter of fact, earlier this year the gentleman from Florida (Mr. YOUNG) made the correct observation that the budget was not real, and the numbers projected in the budget were insufficient to meet the obligations of the Appropriations Committee on Appropriations to provide for the needs of the American people. That was the chairman of our committee speaking.

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

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

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

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

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

In addition, Head Start, a program that Ronald Reagan said was a success, George Bush I said it was a success, and Bill Clinton, possibly if it was a success, is cut by $45 million below the President’s request. Thousands of children will have no seat in Head Start, notwithstanding the fact that we think it works. Ryan White HIV/AIDS programs are largely frozen. The maximum Pell grant is frozen. And the Department of Labor is slated for an overall cut of $96 million.

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

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

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

Our health care system in this country is currently in peril. It is falling short on promise and contributing to the disabling illness and premature death of the people it is supposed to serve. The picture is the worst for African Americans who for almost every illness are impacted most severely and disproportionately—in some cases more than all other minorities combined. Every day in this country...
there are at least 200 African American deaths, which could have been prevented. Today we know that most of it happens because even when we have access to care, the medical evaluations and treatments that are made available to everyone else are denied to us—only in the private sector but in the public system as well.

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

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

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

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

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

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

If we have learned nothing in the last 10 years, we should have learned that cost containment strategies in our unequal system of care can never bring down healthcare costs.

We can only ensure that quality health care will be within the reach of future generations if we make a major investment in prevention and increasing access to care now.

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

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

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

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

Two hundred twenty-five million dollars for the Tribal Health 2002 initiative which urged “further research to identify sources of racial and ethnic disparities and assess promising intervention strategies” (Recommendation 8–1). Yet the Administration’s 2003 budget would cut these efforts. In the budget, total AHRQ funding falls from $500 million in 2002 to $251 million in 2003. About $192 million of the AHRQ budget is protected from the cutbacks, meaning that $49 million must be trimmed from the remaining $108 million of spending, a 46 percent cut. The EXCEED program and other research grants to study and reduce health disparities fall into this vulnerable $108 million.

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

Enforcement of regulation and statute is a basic component of a comprehensive strategy to address racial and ethnic disparities in healthcare, but it has been relegated to low priority status. The U.S. DHHS Office of Civil Rights (OCR) was charged with enforcing several relevant federal statutes and regulations that prohibit discrimination in healthcare (principally Title VI of the 1964 Civil Rights Act),
but the agency suffers from insufficient re-
sources to investigate complaints of possible
violations, and has long abandoned proactive,
investigative strategies.

Despite an increasing number of complaints
in recent years, funding for OCR remained
constant at zero throughout fiscal years 1998
through 2003. As a result, OCR’s ability to
address and resolve this, last year I re-
quested that the sum of $50 million be made
available to the Secretary to cover the costs of
investigations, including enforcement.

Not only did these requests fail to materialize,
but the agency suffers from insufficient re-
sources to investigate complaints of possible
violations, and has long abandoned proactive,
investigative strategies.

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

Unfortunately, the very same programs
highlighted by HHS in 1999 as successful
in addressing the problem that
aren’t working. Because we found a match that
is not indexed for average income level,
both which are Congressionally set, are
unavailable to cover individuals at 100 percent of
poverty—for the Virgin Islands it is closer to
the national average; (2) the
were matched 2 to 1 by local dollars—far
above our requirement. While many states are
covered, there are still a significant number of
children we won’t be able to help even if
we do not have enough Medicaid dol-
lars to pay for them, even though the
federal funds are matched 2 to 1 by local dollars—far
above our requirement. While many states are
covered, there are still a significant number of
children below the poverty level. About one-third of these qualify
for Medicaid, which as I indicated before,
never fully reimburses them. The rest of their
patients have no coverage whatsoever.

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IOM Report. Such efforts were supported by
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information and appropriate care. Failure to provide this care—even for religious, political or ideological reasons—jeopardizes women’s health and violates bedrock principles of medical ethics.

**OBEY OVERTIME AMENDMENT**

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

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

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

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

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

The purpose of the Jackson-Lee amendment relating to hepatitis C is to increase the research activities at the Centers for Disease Control for patients who are particularly at risk for the disease or resistant to conventional treatments—African-Americans, children and adolescents, renal dialysis patients, HIV/HCV positive patients, and patients with hemophilia.

Because hepatitis C is a communicable disease, I believe this is an important step in getting this public health issue under control.

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

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

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

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

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

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

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

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

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

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

The amendment, adopted during full committee consideration, is intended to protect the delivery of family planning services, hospita, medical centers, and even health insurance providers from being forced by the government to provide, refer, or pay for abortions.

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

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

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

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

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

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

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

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

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

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

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

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

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

One of Total Action Against Poverty’s programs, the CAA Harney Block Grant, provides a diverse array of education and training programs for low-income, unemployed, and underemployed adults residing in the Roanoke Valley Alleghany Regional Planning District. The centerpiece of this initiative is the Center for Employment Training, CET, which provides individualized training tailored to the local workforce. Local businesses help develop training and curricula, and facilitate the hiring of CET graduates.
I support the work and the difference that this agency, one of many like it across the U.S., is doing to make a difference in my district. I encourage my colleagues to support the Community Service Block Grant in the Labor-HHS bill.

The CHAIRMAN. All time for general debate has expired.

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

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

The Clerk will read.

The Clerk read as follows:

H. R. 5006

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

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

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES (INCLUDING REVISION)

For necessary expenses of the Workforce Investment Act of 1998, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by such Act, $2,649,728,000 plus reimbursements; of which $1,000,965,000 is available for obligation for the period October 1, 2005, through June 30, 2006, for any purpose otherwise specifically limited by law, and of which $1,178,192,000 shall be for activities described in section 137(c) of such Act; $1,228,000 which may be used for automation acquisitions and computer equipment purchases; $1,993,282,000, including $141,934,000, together with not to exceed $1,228,000 which may be used for amortization payments to States which had independent retirement plans prior to 1980, for the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by such Act, $2,649,728,000 plus reimbursements, of which $2,363,000,000 is available for obligation for the period October 1, 2005, through June 30, 2008, for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers. Provided, That funds appropriated in the H-1 B Nonimmigrant Petitioner Account that are available to the Secretary of Labor pursuant to section 280(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1356(a)(2)), $100,000,000 are rescinded.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

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

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of trade adjustment benefit payments and allowances as authorized by section 246, and for training, allowances for job search and relocation, and related State administrative expenses under part II of chapter 2, title II of such Act, including the benefits and services described under sections 123(c)(2) and 151(b) and (c) of the Trade Adjustment Assistance Reform Act of 2002, $76,874,000 shall be available for obligation by the States for the period October 1, 2005, through June 30, 2006, for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers. Provided, That funds appropriated in the H-1 B Nonimmigrant Petitioner Account that are available to the Secretary of Labor pursuant to section 280(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1356(a)(2)), $100,000,000 are rescinded.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, $111,934,000, together with not to exceed $3,540,914,000 (including not to exceed $1,228,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund including the benefits and services described under sections 123(c)(2) and 151(b) and (c) of the Trade Adjustment Assistance Reform Act of 2002, $76,874,000 shall be available for obligation by the States for the period October 1, 2005, through June 30, 2006, for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers. Provided, That notwithstanding any other provision of law, the funds provided herein shall be for activities described in section 137(c) of such Act, $391,227,000 shall be for activities described in section 132(a)(2)(A) of such Act, and $1,178,192,000 shall be for activities described in section 132(a)(2)(B) of such Act. Provided further, That $8,000,000 shall be for the construction and repair of buildings and other facilities, and the purchase of real property as authorized by such Act, $1,228,000 which may be used for automation acquisitions and computer equipment purchases.

For necessary expenses for the Employment Service, $517,000,000. Sài

For necessary expenses for carrying out the provisions of part I and section 246; and for the Unemployment Trust Fund including the Unemployment Insurance Account in the Employment Security Administration Account in the Unemployment Trust Fund, $2,463,000,000 plus reimbursements, of which $2,363,000,000 is available for obligation for the period October 1, 2005, through June 30, 2006, to fund activities authorized by such Act; $1,000,965,000 is available for obligation for the period October 1, 2005, through June 30, 2006, for any purpose otherwise specifically limited by law, and of which $1,178,192,000 shall be for activities described in section 137(c) of such Act; $1,228,000 which may be used for automation acquisitions and computer equipment purchases; $1,993,282,000, including $141,934,000, together with not to exceed $1,228,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund including the benefits and services described under sections 123(c)(2) and 151(b) and (c) of the Trade Adjustment Assistance Reform Act of 2002, $76,874,000 shall be available for obligation by the States for the period October 1, 2005, through June 30, 2006, for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers. Provided, That notwithstanding any other provision of law, the funds provided herein shall be for activities described in section 137(c) of such Act, $391,227,000 shall be for activities described in section 132(a)(2)(A) of such Act, and $1,178,192,000 shall be for activities described in section 132(a)(2)(B) of such Act. Provided further, That $8,000,000 shall be for the construction and repair of buildings and other facilities, and the purchase of real property as authorized by such Act, $1,228,000 which may be used for automation acquisitions and computer equipment purchases.

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

PENSION BENEFIT GUARANTY CORPORATION PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96-384, within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2005, for such Corporation: Provided, That none of the funds available to the Corporation for fiscal year 2005 shall be available for obligations for administrative expenses in excess of $266,330,000: Provided further, That obligations in excess of such amount may be incurred by the Office of Management and Budget and the Committees on Appropriations of the House and Senate as fiscal year 2005 obligations for administrative expenses.
reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $400,797,000, together with $2,021,000 which may be expended from the Special Benefits for Disabled Coal Miners, Occupational Safety and Health Act (the “Act”), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary, acting through the Bureau of Labor Standards, under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to $90,000,000 for fiscal year 2005 as a return of course tuition fees, otherwise authorized by law to be collected, and may utilize such funds for occupational safety and health training and education as provided.

That, notwithstanding 31 U.S.C. 3302, the Secretary of Labor is authorized, during the fiscal year ending September 30, 2005, to collect and retain fees paid to the Department of Labor by individuals who are engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That no funds appropriated for fiscal year 2005 for the purpose of the Black Lung Benefits program, as authorized by section 9501(d)(5): $32,646,000 for fiscal year 2005 is appropriate to Indian Tribes and Alaska Native Corporations to be transferred to the Employment Standards Administration for fiscal year 2005: Provided further, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act if the Secretary is applying the provisions of 29 U.S.C. 915 (including Social Security account number) as such regulations may prescribe.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, as amended by Public Law 107-275, (the “Act”), $256,000,000, to remain available until expended. For making after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Act, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV for the fiscal year 2005, $10,000,000, to remain available until expended.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

For necessary expenses for the Energy Employees Occupational Illness Compensation Act, $40,821,000, to remain available until expended.

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

BLACK LUNG DISABILITY TRUST FUND

In fiscal year 2005 and thereafter, such sums as may be necessary from the Black Lung Disability Trust Fund, to remain available until expended for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): $32,646,000 for transfer to the Employment Standards Administration for fiscal year 2005 to provide as part of such claim, such identifying information (including Social Security account number prescribed).

That, notwithstanding 31 U.S.C. 3302, the Secretary of Labor may reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a temporarily employed, disabled beneficiary: Provided further, That balances transferred to the Employment Standards Administration, for fiscal year 2005, $5,000,000, to remain available until expended. For the payment of compensation, benefits, and expenses:

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

(3) for personnel, payroll, and medical review, $13,096,000; and

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

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

For necessary expenses for the Occupational Safety and Health Administration, $461,599,000, including not to exceed $99,750,000 which may be suspended from the fair share of expenses to be incurred for the administration of the Federal Employees’ Compensation Act, $39,688,000 shall be made available to the Secretary as follows:

(1) for the costs of maintaining and modernizing automated data processing systems and telecommunications systems, $12,351,000;
When I offered my amendment to accelerate the adoption of health information technology into our health care sector as rapidly as possible. These innovative grants, the work that they are doing to establish a standard so that we are putting on the private sector to develop interoperable technologies is all exactly what needs to happen; and it is my hope that we will be able to accomplish the goal of this amendment, to provide the full $5 million that the new office, of which Mr. Braley is now the head as the national coordinator of information technology, that their full budget allocation request can be fulfilled.

I have talked with the gentleman from Ohio (Mr. REGULA) about this. Rather than pursuing this amendment further, I am going to withdraw it. But I did want to stress how important it is that we back this office with its full dollar amount. I hope that in the course of the development of this bill, that that goal will be fulfilled.

Mr. REGULA. Mr. Chairman, I move to strike the last word. I commend the gentlewoman for what she is trying to do here. My concern is that if we diminish the mission, we will have more people going into the hospital. Part of the objective of OSHA is to have safety in the workplace and get fewer people in. I think her desire to improve the quality programs that are embodied in this amendment, we will be sensitive to this in conference. We have no idea what the other body's bill is going to look like and where the emphasis is going to be. I appreciate the fact that the gentlewoman will withdraw her amendment, but we will keep this very much in mind.

Mrs. JOHNSON of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentlewoman from Connecticut.

Mrs. JOHNSON of Connecticut. I thank the chairman very much for his comments.

Mr. Chairman, I also want to say both to the gentleman from Ohio (Mr. REGULA) and also to the gentlewoman from Wisconsin (Mr. Obey) that you have brought forward for this body a very fine, balanced bill in a difficult era. The money that you have put into critical health care activities that the Federal Government funds, like the children's hospitals and also into public education as well as job training and a number of other areas is really a tribute to the kind of thoughtful leadership that this body can give.

I do withdraw my amendment, recognizing the importance and value of OSHA, and I appreciate your willingness to look at this critical function as you move this bill toward its final conclusion.

Mr. REGULA. I thank the gentlewoman for her contribution.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read. The Clerk reads as follows:

MINE SAFETY AND HEALTH ADMINISTRATION

For necessary expenses for the Mine Safety and Health Administration, $275,567,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger transportation, therefor, otherwise authorized and collected, to be available for mine safety and health education and training activities, notwithstanding 31 U.S.C. 3022; and, in addition, the Mine Safety and Health Administration may retain up to $1,000,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities; the Secretary is authorized to accept lands, buildings, equipment, and other contributions of public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds in the department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.
Mr. REGULA. Mr. Chairman, will the gentlewoman yield?

Ms. HOOLEY of Oregon. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I think the gentlewoman has a good amendment here. Congress desired to accept this, and I think in light of all the circumstances, the need for veterans’ employment and training is growing, and, therefore, I think this is a very positive amendment, and we would be willing to accept it at this point.

Ms. HOOLEY. Mr. Chairman, I thank the chairman for accepting the amendment.

Mr. OBEY. Mr. Chairman, will the gentlewoman yield?

Ms. HOOLEY of Oregon. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, we also would be happy to accept it on this side of the aisle. It is a good amendment.

Ms. HOOLEY of Oregon. Mr. Chairman, just very briefly, this is so our Guard and Reserves can go back to the job they left when they went overseas. The men and women of our Armed Forces fought for their country. They should not have to fight for their jobs when they return home, and I thank them for their amendment.

Mr. MCGOVERN. Mr. Chairman, I rise in support of the Hooley amendment.

All of us are incredibly grateful to the men and women of our armed forces, including our Guard and Reserves. Thousands of our Guard members and Reserve members have been activated, taking them away from their families, from their jobs, as well.

The Hooley amendment provides $5 million to the Department of Labor Veteran’s Employment and Training Program, specifically for a nationwide campaign to educate America’s employers about the Uniformed Services Employment and Reemployment Rights Act (USERRA).

USERRA spells out the responsibilities of employers of members of the National Guard and Reserve, and it explains the employment rights of those members. However, many employers and employees do not know about USERRA.

Mr. Chairman, the U.S. Chamber of Commerce has estimated that 70 percent of military reservists called to active-duty work in the United States do not know about USERRA, or the duties and obligations of employers or employees when they are called to duty. This amendment would provide funds to the Department of Labor to produce a poster—similar to the Family and Medical Leave poster—for employers to post at work sites.

Mr. Chairman, many employers across the country either do not know about USERRA, or they are only vaguely aware of it. By not complying with USERRA, employers put themselves at risk of facing Department of Labor investigations. Employers who comply with USERRA and employees before potential violations, we can protect employers from costly litigation, potential fines, and public embarrassment.

Mr. Chairman, H.R. 4477 would not create additional paper work or burden employers with difficult Department of Labor requirements. In fact, H.R. 4477 is an effort to educate employers and keep them from unknowingly breaking existing law.

I commend U.S. Representative HOOLEY for bringing her amendment to the floor today. By educating employers and employees about USERRA, we can assist them in working out any potential conflicts before employees are activated. I urge adoption of the Hooley amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY).

The agreement was agreed to.

The CHAIRMAN. Are there further amendments to this paragraph of the bill?

If not, the Clerk will read.

The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL
For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, for $264,653,000, to remain available until September 30, 2005, of which $2,000,000 is for the National Performance and Accountability Center, $2,875,000 is for the Workforce Management, $11,500,000 is for the Acquisitions Management, $5,000,000 is for the Information Management, $4,000,000 is for the External Investigations, $5,000,000 is for the Inspections Management, $4,000,000 is for the Grants Management, $1,000,000 is for the Program Evaluation, $1,000,000 is for the Offices and Support Functions, $1,000,000 is for the Inspector General’s office, $5,000,000 is for the Postal Security Programs, $5,000,000 is for the Postal Accountability and Reform Office, and $5,000,000 is for the Postal Board of Governors.

SEC. 202. Transfers to OIG.

Ms. HOOLEY of Oregon. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Mr. Chairman, I am pleased to announce that the Postal Accountability and Reform Act of 2003 (P.L. 108-171) provides for a transfer of $100 million from the Postal Service to the Office of Inspector General for the establishment of the Postal Accountability and Reform Office.

Mr. Chairman, I am pleased to announce that the Inspector General Act of 1978, as amended, requires that the Postal Accountability and Reform Office shall have jurisdiction for certain inspections and investigations. By the passage of this amendment, we will be able to reform the Postal Service. We will be able to establish a strong independent health care ombudsman who will be able to help employees and retirees in their healthcare choices. The amendment is similar to the amendment offered by the gentleman from Wisconsin, Mr. Boozman, and it is bipartisan.

I urge its adoption.

Mr. Boozman. Mr. Chairman, I appreciate the gentlewoman’s amendment.

I will support the bill, but would like to suggest that the amendment should also include the following:

- $5 million for a national campaign to educate America’s employers about USERRA.
- Additional funds for the Postal Accountability and Reform Office to strengthen its ability to investigate and enforce the law.
- Increased funding for the Office of Inspector General to improve its oversight role.

I urge consideration of this amendment.

The CHAIRMAN. The gentlewoman has a good amendment.

Mr. Chairman, I think the gentlewoman’s amendment is also a good one. It would bring additional funding to areas that are critical to the work of the Inspector General. I urge its adoption.

The CHAIRMAN. Are there further amendments to this paragraph of the bill?

If not, the Clerk will read.

The Clerk read as follows:

HEALTH, EDUCATION, AND HUMAN SERVICES
For salaries and expenses of the Department of Health and Human Services, including the Public Health Service, for the current fiscal year, $6,305,333,000, to remain available until September 30, 2005, of which $4,203,133,000 is for the Public Health Service and $2,102,200,000 is for the Food and Drug Administration.

AMENDMENT OFFERED BY MS. HOOLEY OF OREGON
Mr. REGULA. Mr. Chairman, I rise to offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. HOOLEY of Oregon:

In title I, in the item relating to “DEPARTMENT MANAGEMENT—VETERANS EMPLOYMENT SUPPORT PROGRAMS,” after the aggregate dollar amount, insert the following: “(increased by $5,000,000).”

In title II, in the item relating to “OFFICE OF THE SECRETARY—GENERAL ADMINISTRATIVE MANAGEMENT,” after the aggregate dollar amount, insert the following: “(reduced by $5,000,000).”
the Medicare rural hospital flexibility grants program under section 1820 of such Act: Provided, That of the funds made available under this heading, $256,000 shall be available until expended for capital improvements at the Villis W. Long Hansen’s Disease Center: Provided further, That in addition to fees authorized by section 47(b) of the Health Care Quality Act of 1966, $104,000,000 shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Prac- titioner Data Bank, and shall remain available until expended to carry out that Act: Provided further, That fees collected for the full disclosure of information under the “Health Care Quality Act, 1966” in section 502(a)(1) of the Social Security Act, $25,000,000 shall be available for carrying out the provisions of Public Law 104–73: Provided further, That of the funds made available under this heading, $250,000,000 shall be for the program under title III of the Public Health Service Act to provide for voluntary family planning projects: Provided further, That amounts pro- vided for this purpose under such title shall not be expended for abortions, that all preg- nancy counseling shall be nondirective, and that such amounts shall not be expended for any activity including the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: Provided further, That $303,872,000 shall be for State AIDS Drug As- sistance Programs authorized by section 2616 of the Public Health Service Act: Provided further, That amounts provided therein, $25,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out the provisions of the Public Health Service Act to fund section 2691 Special Projects of National Signifi- cance: Provided further, That notwithstanding section 302(a)(1) of the Social Security Act, Not to exceed $119,158,000 is available for carrying out special projects of re- gional and national significance pursuant to section 502(a)(1) of the Social Security Act.”

AMENDMENT OFFERED BY MR. GREEN OF TEXAS

Mr. GREEN of Texas. Mr. Chairman, I offer an amendment.

The Clerk reads as follows:

Amendment offered by Mr. Green of Texas: In title II, in the item relating to “HEALTH RESOURCES AND SERVICES ADMINISTRATION—HEALTH RESOURCES AND SERVICES”, insert after the first undesignated paragraph the following paragraph:

In addition, for carrying out section 340 of the Public Health Service Act (relating to the health communities access program), $104,000,000.

Mr. REGULA. Mr. Chairman, I re- serve a point of order.

Mr. GREEN of Texas. Mr. Chairman, I have an amendment that would re- store the 29 percent funded dollars in the Community Access Program, and, be- lieve me, I appreciate what the chair- man and the ranking member on the subcommittee and the full committee did with the resources that we have. I know there are more demand res- sources, but to actually cut off those dollars, the Community Access Program I think is something that this House and this Congress should not do.

With more than 44 million Americans currently living without health insur- ance, there is no doubt that too many Americans are going without necessary preventative health care. This lack of access to care comes at an extremely high cost both in human and budgetary terms. Millions of uninsured adults skip a recommended medical test or treatment. And 20 percent indi- cate that they have needed but have not received care for a serious health problem in the past year.

Without access to primary health care, the uninsured end up in our emer- gency rooms where treatment is ex- tremely expensive and taxpayers are footing the bill, either that or the shareholders in our for-profit corpora- tions.

This is where the Community Access Program, or the CAP program, comes in. This successful program was cre- ated 4 years ago to help local agencies coordinate preventative and primary health care efforts for uninsured individuals in their communities. CAP allows coordinat- ing efforts between the for-profit hospitals, the nonprofit, and the public health providers and literally everyone in the community to serve the people that are in need. CAP facilitates a community-based approach to preventative health care and allows the community to tailor its program spe- cifically to the needs of its uninsured population.

The CAP program has been instru- mental in providing health care to the uninsured in my hometown in Houston. Gateway to Care, the community ac- cess collaborative in Harris County, Texas, has used CAP funding to expand primary health care services by steer- ing uninsured individuals to the coun- try’s existing services, which the unin- sured rarely take advantage of. From CAP funds, Gateway has developed a nurse triage service that individuals use 7 or 8 days a week. So instead of someone showing up in the emergency room, they actually have a phone number to call, and maybe it is just a sinus infection and they can direct them to the closest clinic in their area instead of showing up at whether it is our for-profit or our public hospitals or our nonprofits. In- stead of calling 911 and having an am- bulance come to get them, these indi- viduals can speak with a qualified nurse who can help them determine the type of care they require.

Gateway has utilized this funding to increase the enrollment in the State’s CHIP program and to develop a stream- lined eligibility system among the four major safety net providers in our coun- try. Gateway’s achievements have helped hundreds of Houstonians access necessary health care services.

And yet Gateway is not alone in its successful use of this CAP funding. The program has funded more than 150 health care collaboratives in 42 States; so it is clear that CAP has touched most of us in this Chamber. CAP collaboratives are serving the unin- sured across America from Jacksonville, Florida, to Portland, Maine, from Anchorage, Alaska, to Los Angeles, California. They serve small areas like Concord, North Carolina, and urban areas like Houston.

Chairman, I will include for the RECORD a list of the American cities that have benefited from this success- ful program.

Because of the host of worthy health care programs in this bill, we do not have an offset, and I would like to withdraw the amendment.

I appreciate the chairman's courtesy in allowing me to talk about the amendment. I want my colleagues to understand the tremendous strides this program has made in providing primary health care to those 44 million Americans currently living without insurance. The program is worthy of our support. I hope that funding will be restored in conference.

Again, to the gentleman from Ohio (Chairman REGULA) and the gentleman from Wisconsin (Mr. OBEY), I appreciate their allowing me the time, and I thank them for the funds for the community health centers, but we still need the dollars to coordinate these community health centers.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Texas. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, let me simply say the gentleman is absolutely right. This is a program that was begun by Secretary Shalala, who recognized that it is not enough to provide money to health centers if we do not also provide a thoughtful way to coordinate programs and services. This is what makes some of these efforts workable, and that the workable is a disgrace at a time when we have seen the number of uninsured increase from 40 to 45 million people, that we are eliminating a program that is crucial to providing service in more than 20 communities around the country.

Mr. GREEN of Texas. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas? There was no objection.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

I appreciate the fact that the gentleman is withdrawing the amendment because there is not an offset, but I want to commend him for his thoughts on this issue because it is important. These centers are very important, and it is a classic example of what confronted us in the subcommittee, and that is, there is so much in the way of good things that need to be done, and we had to make priority judgments. We will keep this in mind as we go to conference, but I certainly think the need is out there.

Mr. GREEN of Texas. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Texas.

Mr. GREEN of Texas. Mr. Chairman, I thank the chairman for his comments.

Mrs. MCCARTHY of New York. Mr. Chairman, I move to strike the last word.

I am sorry that my colleague has withdrawn the amendment, and I hope they are going to be able to work this out further down the road.

But with that I also want to bring up what health care costs are because of assault weapons. Unfortunately, I have not been allowed to bring up the bill for a vote on assault weapons, but I just want to give the Members some health costs.

Death and injuries caused by firearms cost the U.S. about $100 billion a year. If we keep assault weapons off the streets, we can bring that down and use the money for our community centers in those areas that need it. This includes hospitalization, other medical care costs, rehabilitation, and lost productivity.

I hope that we can, before this week is over, bring up the assault weapons bill so that we can have the bill and reduce health care costs in this country.

The CHAIRMAN. Are there other amendments to this paragraph of the bill?

If not, the Clerk will read the text as follows:

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM ACCOUNT

Such sums as may be necessary to carry out the purpose of the program, as authorized by section 353 of the Higher Education Act of 1972, as amended as amended for administrative expenses to carry out the guaranteed loan program, including section 709 of the Public Health Service Act, $3,270,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to carry out the purposes of the Vaccine Injury Act, and renamed with respect to the Vaccine Injury Act, as amended, for administrative expenses to carry out the guaranteed loan program, including section 709 of the Public Health Service Act, $3,270,000.

Centers for Disease Control and Prevention Disease Control, Research, and Training

To carry out titles II, III, VII, XI, XV, XVIII, XX, XXI, XXII, and XXII of the Public Health Service Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act of 1977, sections 20, 21, and 22 of the Occupational Safety and Health Act of 1970, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980, including purchase and insurance of official motor vehicles in foreign countries; and purchase, hire, maintenance, and operation of aircraft, $4,228,776,000, of which $81,500,000 shall be available for the Development and Construction of Facilities Fund to purchase and insurance of official motor vehicles in foreign countries; and purchase, hire, maintenance, and operation of aircraft, $4,228,776,000, of which $81,500,000 shall be available for the Development and Construction of Facilities Fund to provide for the advancement, development, and construction of facilities, $3,270,000.

Provided, That such sums as may be necessary to carry out the purpose of the program, as authorized by section 353 of the Higher Education Act of 1972, as amended, for administrative expenses to carry out the guaranteed loan program, including section 709 of the Public Health Service Act, $3,270,000.

Provided further, That the Director may redirect the total amount made available under the authority of Public Law 101-502, section 3, dated November 3, 1990, to activities the Director may so designate: Provided further, That the Congress is to be notified promptly of any such transfer: Provided further, That not to $12,500,000 may be used for making grants under section 1509 of the Public Health Service Act to not more than 15 States, tribes, or tribal organizations: Provided further, That without regard to existing statute, funds appropriated may be used to proceed, at the discretion of the Centers for Disease Control and Prevention, with property acquisition, including a long-term ground lease, for construction on non-Federal land, to the construction of a replacement laboratory in the Fort Collins, Colorado area: Provided further, That notwithstanding any other provision of law, a single contract or related contracts for development and construction of facilities may be employed which collectively include the full scope of the project: Provided further, That the solicitation and contract shall contain the clause “availability of funds” found at 48 CFR 22.232-18.

AMENDMENT 4 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment as follows:

Amendment No. 4 offered by Ms. Jackson-Lee of Texas:

In title II, in the item relating to “CENSORS FOR DISEASE CONTROL AND PREVENTION-DISEASE CONTROL, RESEARCH, AND TRAINING”, in paragraph (2) of the first proviso, insert after the dollar amount (relating to the National Center for Health Statistics surveys) the following: “(increased by $2,500,000)”.

In title II, in the item relating to “NATIONAL CENTER ON MINORITY HEALTH AND HEALTH DISPARITIES”, leave out the dollar amount (relating to the National Center for Health Statistics surveys) and insert the following: “(increased by $1,500,000)”.

In title II, in the item relating to “CHILDREN AND FAMILIES SERVICES PROGRAMS”, in paragraph (2) of the first proviso, insert after the dollar amount the following: “(increased by $4,000,000)”.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me, because this is a very important debate, again add my appreciation to the members of the Committee on Appropriations, the chairman and ranking of the full committee, and, of course, the ranking and subcommittee chairman of this Labor-HHS.

I hope that the gentlewoman from New York (Mrs. McCARTHY) will rise to support this amendment and share her thoughts as well as our deadly health issue, and that is the use of guns and the resulting injuries and deaths that come about through that. I do add
my voice in this very short time for having the reauthorization of the assault weapons ban. I remember studying this issue in Houston, and I found that for an injured child, costs were at that time, some may 5 to 10 years ago, $60,000 per their care. I imagine it has only increased since that time. I hope that we will move in that direction.

I, too, raise an issue that I hope my colleagues will join me enthusiastically, and I also will acknowledge the hard work of a former colleague, Congresswoman Carrie Meek of Florida, who at most times when we came to the floor dealing with the appropriations, Labor-HHS, the Members can be assured she was speaking about the deadly disease of lupus.

Today I am proposing two amendments to the Labor-HHS-Education appropriations bill to further research and outreach on lupus, and I urge the Members to support these amendments. Lupus is a chronic, disabling, and potentially fatal condition in which the immune system attacks the body’s own organs and tissues. Lupus strikes primarily women, and it is twice as common among people of color. Currently it is estimated that 1.5 million to 2 million Americans have lupus. There is no cure for lupus. No new drugs have been approved to treat the disease in nearly 40 years, and no medically validated measure to diagnose and track the disease’s progression and how it exists.

I, too, am concerned about the National Institutes of Health and the more opportunities for research, and I hope in conference we can alter the configuration so that many researchers in labs around the country and professors will not be denied their opportunity to find the cure for lupus. That is why I am adding this small amount of dollars that is budget-neutral as evidenced and indicated by CBO.

Sprague-Pedersen's understanding of lupus combined with the threatening complications. Lack of un-

The purpose of these amendments is twofold. First, the amendment transfers $1.5 million to the account of the National Institute of Minority Health to increase educational programs on lupus for health care providers and for the general public.

Second, I am proposing to transfer $2.5 million to the Centers for Disease Control to expand the operation of the National Lupus Patient Registry. There are presently four pilot registry programs in Michigan and in Georgia. These pilot programs have been a good start, but additional data is needed to distinguish between environmental and other factors that cause lupus.

Let me say to my colleagues, no one knows when their neighbor, their friend, their constituent may be diagnosed. There is one strong point about this disease: It is not easily diagnosed, and many people live with it for a very long period of time. Mr. Chairman, that is why we do not know how many people really have lupus. I would ask my colleagues to join me in this effort and support this amendment, very, very well balanced, and, might I say, not violating CBO. I ask for support of this amendment.

Mr. REGULA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there are a couple of things that I would point out in opposition to this. Number one, we are already recognizing the need for health statistics. In this bill, we have increased the amount for this purpose by $21,960,000. This is an increase of almost 23 percent over last year.

Secondly, we have increased the amount for monthly health and health disparities reports by $5.3 million.

So it is not the case that we have ignored the subject. I think we have tried to deal within the constraints of what we have available, and to take the money out of the other program, I think, would be just a mistake at this point. Therefore, I would be in opposition to the amendment.

Mr. Chairman, I move to strike the last word.

Mr. Chairman, I must also reluctantly oppose the amendment, because I think it has an unintended effect. The amendment, as I read it, would actually result in a small across-the-board reduction in funding for virtually all public health agency programs, including the National Institutes of Health, and I do not think that is what we want to do.

Secondly, I would point out the gentlewoman has made quite clear in her remarks that she is attempting to add funding for a specific disease. In all of the years this subcommittee has funded the National Institutes of Health, it has never dictated to the National Institutes exactly how much money they should spend on any specific disease, and I do not think we ought to start now.

So I reluctantly would have to oppose the amendment and say that what we really need is an overall increase in funding for NIH so that we can attack lupus and dozens of other diseases that are causing great pain and suffering to people around the world.

Mrs. MCCARTHY of New York. Mr. Chairman, I move to strike the required number of words.

Mr. Chairman, I rise in support of the Jackson-Lee amendment. This amendment would increase funds for the National Center for Health Statistics surveys and for the National Center for Minority Health and Health Disparities.

The cost of health care for minorities is completely disproportionate. No one is this truer than when it comes to the cost of gun violence. Although African Americans and Hispanics make up only 12.1 and 12.5 percent of the U.S. population respectively, these groups suffered 36 percent of all firearm deaths in 2000.

In 2000, homicide with firearms took the lives of 5,699 African Americans. In 2000, homicide with firearms took the lives of 1,958 Hispanics.

In 2000, the death rate for firearm injuries was two times higher for the African American population than the Caucasian population. In 2000, firearms homicide was the leading cause of death for African Americans age 15 to 34.

The assault weapons ban expires September 13, and we are not allowed to bring it up on the floor. This is something that could go into our communities, save lives and keep down health costs.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentlewoman yield?

Ms. MCCARTHY of New York. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentlewoman.

Mr. Chairman, let me carefully say this adds more money to the NIH. We respectfully add the fact that it is not necessarily a specific designation for a specific disease. But might I say that because of the discrepancies in access to health care for minorities and access to health care of respect to those who are being treated for lupus and the definitive impact on minorities as it relates to minority women as it relates
to lupus, I would offer to say that this is an amendment that has vibrancy and is necessary without in any way under-mining or penalizing NIH.

I might also say that I have from the CBO that this is clearly budget-neutral and does not have an impact on the outlays.

So this is an amendment that is viable for my colleagues to support. I ask for all of my colleagues to look seriously at the opportunity for NIH to make its own determination on a very vital issue. The disease that is necessarily in need of both a cure and research.

I would also offer to say to my colleagues that when we speak about lupus, it is like a silent killer, because you can have it without knowing. You can have it without being diagnosed. Therefore, it is extremely important to be able to provide these additional resources.

I ask my colleagues to provide support for this amendment.

Mr. OBEY. Mr. Chairman, will the gentlewoman yield?

Ms. McCARTHY of New York. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I want to say today that I do not intend that the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) as written, but that is the effect of the amendment as written. I would move to strike the last word.

Mr. OBEY. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

Mr. LANGEVIN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we discuss the fine work that our doctors and scientists are performing with the help of Federal assistance. I want to make sure that we embarrass our colleagues are aware of the limitations on critical research that are currently in place. These restrictions, the current regulations that guide the National Institutes of Health, are stifling progress into curing chronic conditions and diseases that affect up to 100 million Americans, a number that dramatically increases when we consider the tens of thousands of Americans, is not able to do so?

Mr. Chairman, we owe it to our constituents to ensure that this research takes place ethically and with the full support of the Federal Government and as soon as possible. For far too many Americans, there is no time to waste.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do not totally disagree with my colleague, but just a little bit that just spoke, because there are limited directions of stem cell research that I think that we could all support, whether you are prolife, prochoice, which is not an issue in this case.

Dr. Larry Goldstein from the University of San Diego, California, my daughter interned with him, and he does genetic research.

I would like to remind my colleagues, first of all, that it was President George W. Bush that supported stem cell research in a certain line, that turned out to be tainted.

There are some folks and some doctors that would actually clone people for body parts, for the research. Americans support that, and I do not support cloning. But there is an area in which I think we can all come together.

Dr. Goldstein told me that quite often a woman invests her embryos because she is going to go through chemo or radiation treatments, and maybe she wants in vivo fertilization at a later date. But they do not save those eggs for 1,000 years. They discard them. They throw them away, because they cannot save them. They are thrown down the toilet.

In that case, why can we not use those stem cells to further research? They are not going to become life. They are going to be discarded, they are going to be thrown away.

I think that if you sit in the Subcommittee on Labor, Health and Human Services, Education and Related Agencies of the Committee on Appropriations during hearings, where they have children with unique diseases, I had one little girl 8 years old, and she said, "Congressman, you are the only person that can save my life."

If we can come together and work in this particular area, I do not support cloning, but if they are going to be discarded, why can we not use those to enhance/ save life?

I have asked the President, along with Mrs. Reagan and Mary Tyler Moore and others, to work in this direction.

There is a third area which Dr. Goldstein pointed out, where some stem cells that are so diseased it would be unethical to implant them. Doctors and researchers want to use those stem cells to be able to eliminate those diseases in children, and that is another area in which we can come together. Unfortunately, many of my colleagues, in my opinion, want to go too far. But I think we can all get around it and embrace an area in which the stem cells are going to be thrown away, they are going to be discarded, and we are going to do this. I say to my colleagues, to getting rid of diabetics. Let us come together on the issue.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to say that I absolutely agree with the gentleman who just spoke, and I congratulate him for the comments that he made. Everyone who has looked with any care whatsoever at this issue understands that there are massive ethical considerations surrounding this question. We need to try to work through those ethical considerations in a way that will bring people together on some very fundamental questions, rather
than pulling them apart. I think the gentleman has pointed to one way that can be done. I would caution those in this society who think that we can somehow stop science from engaging in the kind of research engaged by the gentleman from California, I would caution those who feel that we can stop that kind of research. We cannot. That kind of research will go forward. The only question is whether it will go forward in the United States or whether it will be somewhere else, and whether or not it will go forward under the auspices of the National Institutes of Health with all of the ethical considerations that they try to bring to bear on this issue, or whether it will be conducted by scientific teams that are not quite so careful about the ethical considerations involved.

I think that the gentleman from California has pointed out how we could move people forward on this issue in a way which is not destructive of anyone's ethical values. We need to start recognizing that we are dealing with real situations, real human beings; and humanity is not going to allow us to get in the way of attacking some of the medical problems that have been discussed by the gentleman from Rhode Island or by the gentleman from California; and I congratulate both of them for raising the issue this afternoon.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 26, line 18, insert after the aggregate dollar amount the following: "(increased by $1,000,000)"

Page 46, line 4, insert after the aggregate dollar amount the following: "(decreased by $1,000,000)"

Page 48, line 2, insert after the dollar amount the following: "(decreased by $1,000,000)"

Mr. OBEY. Mr. Chairman, I reserve a point of order against the amendment. We do not have a copy.

The CHAIRMAN. Will the gentleman from Wisconsin, Mr. OBEY, respond to the amendment?

Mr. REGULA. Mr. Chairman, I reserve a point of order against the amendment. We do not seem to have a copy of it either.

Mr. OBEY. Mr. Chairman, I reserve a point of order against the amendment. We do not seem to have a copy of it.

Mr. REGULA. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. A point of order is reserved by the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Ohio (Mr. REGULA).

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me again join the gentlewoman from New York (Mrs. Mccarthy) on the desire to attack another health issue and that is of course to see the ban on assault weapons reauthorized.

I rise to offer an amendment on another and very focused-growing epidemic in our country called hepatitis C. Mr. Chairman, I have an amendment that relates to this very grave matter as it is being distributed to my colleagues.
by substances such as chemicals, drugs, and alcohol. Current concern over viral hepatitis stems from the serious long-term health consequences for long-term sufferers.

Hepatitis C virus is one of six known types of the hepatitis virus. Hepatitis C has emerged as a major cause of chronic liver disease both in the United States and worldwide. It is of concern because of its potential for serious long-term health consequences, its pattern of infection among young, hard-to-reach risk groups, and the current lack of a vaccine or cure.

Some studies indicate that minority populations in the U.S. are disproportionately affected by the hepatitis C virus (HCV), and some reports have shown that African-Americans do not respond to treatment of chronic HCV infection with the same efficacy as whites.

HCV is a particular problem for patients co-infected with HIV. According to Dr. Raymond Chung, MD, director of the Center for Liver Diseases at Massachusetts General Hospital, “About 25 percent of those with HIV are co-infected with HCV, largely because these viruses share modes of transmission.” Treatment of patients co-infected with HCV and HIV is particularly challenging because many of the retroviral treatments traditionally used in HIV therapies are toxic to the liver. Better information about HCV will help to develop treatments that are effective for HIV and compatible with HCV.

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

Back in June of this year, I joined the “Hepatitis C Movement for Awareness” to call for a more aggressive, and better informed, national approach to the Hepatitis C epidemic in the United States. Hepatitis C infects 300 million people worldwide, including over 5.8 million Americans. Only 20% of those infected know they are infected. According to the Centers for Disease Control and Prevention, scientists are unsure how the virus is spread, or who is most likely to be infected. This deadly epidemic cannot be ignored any longer. We need action.

I commend the Hepatitis C Movement for Awareness for its tenacity and energy in galvanizing in Washington to make its case for change.

The grassroots movement made up of Veterans, victims of Hepatitis C, and other healthcare advocates, came to Washington to tell policymakers the pressing need for a viable national Hepatitis C policy. They feared that the present policies are based on worn out assumptions, and untested hypotheses. I agreed that more information was needed to help lawmakers craft appropriate legislation to address the epidemic of the rampant disease. I have been pressing the GAO for a comprehensive study of the past and present Hepatitis epidemic in the United States. We have to know where we stand, where mistakes have been made, and how we can do better. A devastating epidemic is raging in our communities.

The Hepatitis C Movement for Awareness graciously presented me with an award for progress made toward the GAO report. I appreciated receiving this award. But, what I appreciated more was at the friendship and cooperation of my constituents Ed Wendt, Tricia Lupole, and the whole Hepatitis C Movement for Awareness. Years ago, the gave me a wake-up call on the tragedy of the Hep C epidemic. Now, here I am in Washington, and the nation by pursuing this amendment.

I hope that my colleagues will join me in supporting this important amendment.

The CHAIRMAN. Does the gentleman from Ohio wish to make his point of order?

Mr. REGULA. Mr. Chairman, I withdraw my point of order, and I move to strike the last word.

Mr. Chairman, this amendment, if I understand it correctly, takes $1 million out of abstinence and puts it into CDC without any clarity as to how it would be used in CDC. We have over $4 billion in CDC already. I do not think that adding another $1 million would be significant in their total budget; and it is important that we keep that as tight as possible. Again, it is a rearranging of priorities, and for that reason I object to the amendment.

The CHAIRMAN. Does the gentleman from Wisconsin continue to reserve his point of order?

Mr. OBEY. Mr. Chairman, I withdraw my reservation, and I move to strike the requisite number of words.

Mr. Chairman, I would simply say that I would approve money if the Members have amendments to offer that at least provide each side of the committee with a copy of the amendment. I think it is a disservice to the House when amendments are sprung on the committee and we have no opportunity to review them. If we are shown them ahead of time, we can help Members draft them correctly so that they are in order.

So it seems to me it is in the interests of both people who offer these amendments and it is in the interests of the House for Members who are planning to offer amendments to provide us copies. It would seem to me a simple matter of common courtesy.

Mrs. MCCARTHY of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I support the Jackson-Lee amendment on hepatitis C. I spent over 30 years as a nurse before I came to Congress, and, unfortunately, hepatitis C is a disease of times. When it is diagnosed, it is far too late for so many of the patients. Unfortunately, the signs do not show up until the disease is very advanced, and because we are in a global world now and it is becoming a communicable disease, it is spreading more rapidly. Much more research needs to be done to see how we can stop this.

But I know one of the ways that we can have more money so we have the money for research is to try and stop the epidemic. It is being spent every single year because of gun violence. And with the assault weapons ban expiring on September 13, we are going to see more violence on our streets; we are going to see more of these patients in our trauma hospitals, which is going to drive up the cost of health care all the way around. That is a shame. That is preventable. We need, certainly, the administration to work with veterans affairs to back the health care providers around this country who all want to see the ban put in place.

If we do that, we can keep down health care costs because of the gun violence and have money go into research for hepatitis C and for so many other issues that all of us here care about.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentlewoman yield?

Mrs. MCCARTHY of New York. I yield to the gentleman from Texas.

Mr. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentlewoman for yielding.

I ask my colleagues to simply help us. It is simply asking $1 million for the hepatitis C and I thank the gentlewoman from New York (Mrs. McCarthy) for her information.

This bill, with all the hard work of the appropriators, and I really appreciate them, was sprung on Members on Labor Day weekend. My apologies for the amendment being at the last minute and it is supposed to be at the desk. It is now there, but I really ask my colleagues to look at the need. I also know my staff gave the amendment to both managers of the bill.

We are talking about 300 million worldwide, close to 10 million around the country, veterans, children and others infected with hepatitis C. The more we can do, the better off we are. I believe this is a well-grounded amendment that should warrant the support of our colleagues on both sides of the aisle, and I would ask my colleagues to support this.

As I indicated, CBO has indicated this is revenue-neutral, has no impact with respect to the issues at hand, and I would simply ask that this amendment be supported.

Mr. REGULA. Mr. Chairman, will the gentlewoman yield?

Mrs. MCCARTHY of New York. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I just want to point out, without the amendment, we have $2.5 million in the bill now for hepatitis C funding, and we recognize the importance of that, and we have done all that we could within the budget constraints, and there is a sizable amount that we could do.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentlewoman yield?

Mrs. MCCARTHY of New York. I yield to the gentleman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me just quickly say, I respect the gentleman, but I have to speak on this.

One of the problems we have is we are suffering because we have such a great percentage of our dollars going to the
tax cut. I think we can do more. Certainly what we have is what the gentleman has been able to do, but I believe this disease is so deadly that adding additional funds is a priority and should be a priority when we talk about health care and also inequity in health care, and I thank the distinguished gentleman.

The CHAIRMAN. Does any other Member wish to be heard on the Jackson-Lee amendment? If not, the question is on the amendment offered by the gentlewoman from Texas (Ms. Jackson-Lee).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. JACkson-Lee. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas (Ms. Jackson-Lee) will be postponed.

Are there any other amendments to this paragraph of the bill?

Mr. REGULA. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 42, line 7 be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The text of the bill from page 28, line 16 through page 42, line 7 is as follows:

**National Institutes of Health**

Cancer Institute

For carrying out sections 301 and title IV of the Public Health Service Act with respect to cancer, $4,870,025,000, of which up to $8,000,000 may be used for facilities repairs and improvements at the NCI-Frederick Federally Funded Research and Development Center in Frederick Maryland.

Heart, Lung, and Blood Institute

For carrying out section 301 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $2,965,959,000.

Institute of Dental and Craniofacial Research

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, $394,080,000.

Institute of Diabetes and Digestive and Kidney Diseases

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney disease, $1,736,186,000.

Institute of Neurological Disorders and Stroke

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, $1,055,666,000.

Institute of Allergy and Infectious Diseases (including transfer of funds)

For carrying out section 301 and title IV of the Public Health Service Act with respect to infectious diseases, $4,440,007,000: Provided, That $100,000,000 may be made available to International Assistance, Programs, “Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis”, to remain available until expended: Provided further, That up to $150,000,000 shall be for extramural facility grants to enhance the Nation’s capability to do research on biological and other agents.

Institute of General Medical Sciences

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, $1,959,810,000.

Institute of Child Health and Human Development

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, $1,289,915,000.

National Eye Institute

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, $671,578,000.

Institute of Environmental Health Sciences

For carrying out sections 301 and 311 and title IV of the Public Health Service Act with respect to environmental health sciences, $650,027,000.

Institute on Aging

For carrying out sections 301 and title IV of the Public Health Service Act with respect to aging, $1,055,666,000.

Institute of Arthritis and Musculoskeletal and Skin Diseases

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis and musculoskeletal and skin diseases, $351,378,000.

Institute on Deafness and Other Communication Disorders

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, $395,067,000.

Institute of Nursing Research

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, $139,198,000.

Institute on Alcohol Abuse and Alcoholism

For carrying out section 301 and title IV of the Public Health Service Act with respect to alcohol abuse and alcoholism, $441,911,000.

Institute of Drug Abuse

For carrying out section 301 and title IV of the Public Health Service Act with respect to drug abuse, $1,012,760,000: Provided, That in addition to amounts provided herein, $8,000,000 may be used for facilities repairs available until expended: Provided further, That in addition to amounts provided herein, $9,300,000 shall be available from amounts under section 241 of the Act to carry out National Information Center on Health Services Research and Health Care Technology and related health services.

Office of the Director (including transfer of funds)

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, $595,645,000, of which not more than $29,500,000 shall be used to carry out section 217 of this Act: Provided, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: Provided further, That the Director may direct up to 1 percent of the total amount made available in this Act for the purchase of passenger motor vehicles for replacement only: Provided further, That no such appropriation shall be decreased by more than 1 percent for any such purchase that the Congress is promptly notified of the transfer: Provided further, That the National Institutes of Health is authorized to collect third party payments for the cost of clinical services that are incurred in National Institutes of Health research facilities and that such payments shall be credited to the National Institutes of Health Management Fund: Provided further, That all funds credited to the National Institutes of Health Management Fund shall remain available for 1 fiscal year after the fiscal year in which they are deposited: Provided further, That a uniform percentage of the amounts appropriated in this Act to each Institute and Center, as determined by the Director and totaling not more than $176,600,000, may be utilized for the National Institutes of Health Roadmap Initiative: Provided further, That amounts utilized under the preceding proviso shall be in addition to amounts made available for the Roadmap Initiative from the Director’s Discretionary Fund: Provided further, That up to $500,000 shall be available to carry out section 499 of the Public Health Service Act.

BUILDINGS AND FACILITIES (including transfer of funds)

For the study of, construction of, renovation of, and acquisition of equipment for, facilities of or used by the National Institutes
of Health, including the acquisition of real property, $99,500,000, to remain available until expended.

**SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION**

**SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES**

For carrying out titles V and XIX of the Public Health Service Act with respect to substance abuse and mental health services, the Prevention and Advocacy for Mentally Ill Individuals Act, and section 301 of the Public Health Service Act with respect to program management, $2,270,360,000; Provided, That in addition to amounts provided herein, the following amounts shall be available from amounts available under section 241 of the Public Health Service Act:

1. $50,000,000 to carry out subpart II of title XIX of the Public Health Service Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total amount available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts appropriated for subpart II of title XIX.

2. $21,803,000 to carry out subpart I of part B of title XIX of the Public Health Service Act to fund section 192(b) technical assistance, data collection and evaluation activities, and further that the total amount available under this Act for section 192(b) activities shall not exceed 5 percent of the amounts appropriated for subpart I of part B of title XIX.

3. $16,000,000 to carry out national surveys on drug abuse; and

4. $4,500,000 for substance abuse treatment programs.

**AGENCY FOR HEALTHCARE RESEARCH AND QUALITY**

**HEALTHCARE RESEARCH AND QUALITY**

For titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, amounts received from Freedom of Information Act fees, taxes, and other payments made pursuant to section 190(f) of the Public Health Service Act, and the sale of data shall be credited to this appropriation and shall remain available until expended; Provided, That the amounts made available pursuant to section 297(c) of the Public Health Service Act shall not exceed $300,665,000.

**CENTERS FOR MEDICARE AND MEDICAID SERVICES**

**GRANTS TO STATES FOR MEDICAID**

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $119,124,488,000, to remain available until expended.

For making, after May 31, 2005, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 2005 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XVIII of the Social Security Act, for the first quarter of fiscal year 2006, $58,517,290,000, to remain available until expended.

For carrying out subsections (d) and (e) of section 1930 of the Public Health Service Act, for any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available for the financial year limitation for the payment of outstanding obligations. During fiscal year 2005, no commitments for direct loans or loan guarantees shall be made.

**ADMINISTRATION FOR CHILDREN AND FAMILIES**

**PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS**

For making payments to States for other non-Federal entities under titles I, IV-D, IV-E, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), $2,673,802,000, to remain available until expended for the first quarter of fiscal year 2006, $1,200,000,000, to remain available until expended.

For making payments to each State for carrying out the program of Aid to Families with Dependent Children under title IV-A of the Social Security Act before the effective date of the Act of July 5, 1960 (24 U.S.C. ch. 9) to Needy Families (TANF) with respect to such State, such sums as may be necessary; Provided, That the sum of the amounts available to a State with respect to such title IV-A in fiscal year 1997 under this appropriation and under such title IV-A as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not exceed the limitations under section 116(b) of such Act.

For making, after May 31 of the current fiscal year, payments to non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the last 3 months of the current fiscal year, for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

**TH C. PHILippi, Chairman. Are there amendments to this section of the bill? If not, the Clerk will read.**

The Clerk read as follows:

**LOW-INCOME HOME ENERGY ASSISTANCE**

**INCLUDING TRANSFER OF FUNDS**

For carrying out low-income home energy assistance activities, $2,227,000,000; Provided, That the total amount provided under this heading, $1,900,000,000 shall be for the low-income home energy assistance program under title XXVI of the Omnibus Reconciliation Act of 1981 (42 U.S.C. 6861 et seq.); Provided further, That the total amount provided under this heading, $100,000,000, to remain available until expended, shall be for the low-income home energy assistance program under title XXVI of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 6821 et seq.) for the unanticipated home energy assistance needs of one or more States, as authorized by section 2609(e) of such Act, and notwithstanding the designation requirement of section 2609(e) of such Act: Provided further, That of the total amount provided under this heading, $227,000,000 is hereby transferred to the Department of Energy for the weatherization assistance program under part A of title IV of the Energy Efficiency and Conservation and Production Act (42 U.S.C. 6861 et seq.), and shall remain available until expended.

**AMENDMENT OFFERED BY MR. SANDERS**

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SANDERS:

Page 42, line 12, after the dollar amount insert “(increased by $22,000,000)”.

Page 42, line 12, after the dollar amount insert “(increased by $11,000,000)”.

Page 42, line 25, after the dollar amount insert “(increased by $11,000,000)”.

Page 50, line 12, after the dollar amount insert “(reduced by $26,000,000)”.

Mr. SANDERS. Mr. Chairman, let me begin by thanking the gentleman from Ohio (Chairman RUGGS) and the gentleman from Wisconsin (Ranking Member) for their very hard work on this important bill.

Mr. Chairman, as I think every American from Vermont to California knows, in a couple of weeks as winter approaches, people are going to have a very, very rude surprise when they take a look at their home heating bills. I do not have to tell anybody here or anybody in America that the cost of home heating fuels are skyrocketing
Mr. MEEHAN. It also enjoys the very strong support of the National Community Action Foundation. The amendment that I am offering today provides relief to hundreds of thousands of families by increasing funding for the successfully and widely supported Low Income Home Energy Assistance Program, the LIHEAP program, as well as the Weatherization Assistance Program, by $22 million. This increase, I should point out to my friends, would still be $42 million below the President's request. The amendment would be offset by a $26 million reduction in departmental management at the Department of Housing and Urban Development, which would still provide, with that reduction, level funding for this program.

This amendment has tripartisan support and is being cosponsored by my colleagues, the gentleman from Connecticut (Mr. SANDERS), the lady from New York (Mrs. McCARTHY), the gentleman from New Hampshire (Mr. BRADLEY), the gentleman from Massachusetts (Mr. MARKET), and the gentleman from Massachusetts (Mr. LEHMAN). It also enjoys the very strong support of the National Community Action Foundation.

Mr. Chairman, from California to Vermont, every American knows that energy costs are only going to go up this winter. Here is what the Energy Information Administration is predicting: Compared to the winters of 1998 to 2000, the price of natural gas will be 55 percent higher; the price of heating oil will be 45 percent higher; and the price of propane will be 41 percent higher.

LIHEAP is the primary program that provides assistance to help lower-income families pay their energy bills, and there has been no time when more people are going to need LIHEAP assistance than now. We are facing a crisis, and if we do not act, large numbers of Americans could well go cold this winter.

Mr. Chairman, in this country no American family should go without heat this winter. Not one senior citizen should choose between heating their homes and paying for the prescription drugs that they need.

Mr. Chairman, LIHEAP and weatherization enjoy broad bipartisan support in Congress. Last March, more than 70 Members of both the House and Senate, including 20 Republicans, cosigned letters calling for $3 billion in funding for LIHEAP. Even if this amendment were signed into law, LIHEAP would still be more than $500 million short of that mark.

Similar amendments that I have offered in the past to increase funding for weatherization have been very successful because I think they have strong tripartisan support, understanding that it is absurd that people lose their heat through faulty windows or roofs, and that it makes sense economically and environmentally to substantially increase weatherization.

Mr. Chairman, for those of us concerned about protecting the financial well-being of lower-income Americans and for those of us concerned about the environment, this is a very important amendment for millions of homes throughout this country energy-efficient through proper insulation. This is good for low-income people, it is good for the government, it is good for our environment.

The weatherization program also creates good-paying jobs, increases property values, and decreases U.S. energy use by the equivalent of some 15 million barrels of oil every year.

Under this program, 105,000 homes will be weatherized this year, but much more can and must be done, and while 4.8 million families received LIHEAP assistance this year, over 25 million eligible families did not receive any help due to lack of funding from the Federal Government.

Mr. Chairman, we can do better than that; we must do better than that, and I urge my colleagues to vote "yes" on this important amendment.

Mrs. McCARTHY of New York. Mr. Chairman, I move to strike the last word.

I rise in support of the Sanders-Simmons-McCARTHY amendment and am honored to be a cosponsor.

This vital amendment would increase funding for the Low Income Energy Assistance Program and Weatherization Assistance Program by $26 million.

Recent predictions indicate that this winter may be one of the harshest in many years in the Northeast, and the Energy Information Administration is predicting the price of heating oil, natural gas and propane will skyrocket. By the way, those prices have already skyrocketed.

LIHEAP provides the needed warmth for our most vulnerable communities, the poor, the elderly and the disabled. These disadvantaged communities are also, unfortunately, the most affected by gun violence.

When we have seen over the last several months, unemployment has gone up in certain areas of our country, our seniors are facing higher medical costs, higher prescription drug costs, now a 17 percent increase on their Medicare. Adding any little bit, amount, as far as increases on heating is going to be a problem for them.

As my colleague from Vermont has said, there is no one in this country that should be cold, but also another thing that happens, unfortunately, in this poorest of the poor communities is the gun violence we see on a daily basis. I could speak about that in my own district of Long Island. I know they say the suburban areas do not have gun violence. Well, unfortunately, after September 13 we are probably going to start seeing an increase of that because we are not allowed to bring up the assault weapons bill here on the House floor.

It is a shame that our seniors and our most vulnerable, who are our children and the poor that live in the communities, will be facing these guns again. It is a shame that our police officers who patrol these areas will also be facing these problems again.

I am sorry that we are not allowed to bring up the assault weapons bill that will expire on September 13. I hope that the leadership will change its mind.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to point out that we recognized in our bill the importance of LIHEAP. We did increase it by $111 million over last year. The amount provided in the bill is now $1.9 billion, a lot of money, and that is the formula grants that go right out to the States. In addition, there is $100 million for the contingent emergency fund, and lastly, in the weatherization assistance grant to us from the Subcommittee on the Interior and Related Agencies, we are funded at $227 million.

None of us know exactly what the needs will be in the coming winter. It could be severe, it could be mild; and if it is a mild winter, I think this is more than adequate. If it is a severe winter, we may want to do a supplemental appropriation.

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I thank my friend for his support for these programs over the years, and I am not going to argue with him about the value of these programs because I know he appreciates the value of the programs.

But what my friend cannot deny is that the cost of heating fuels are skyrocketing. There is no debate about that, and the problem is that if we simply increase weatherization and LIHEAP by a little bit, it is not going to keep up with 30, 40, 50 percent increases in home heating fuel.

As my friend would recognize, and none of us can predict the weather, but even with an average winter, the fact that heating fuels are soaring will mean that fewer dollars will be available to people, or we are going to have to cut back on the number of people that utilize the programs.

All I am doing, this is not a multibillion-dollar increase, and I know my friend's heart is in the right place on this issue. It is a relatively modest increase of $22 million. I would appreciate support for it.

Mr. REGULA. Mr. Chairman, reclaiming my time, it seems easy to take this out of the administrative
budget of the Secretary of Health and Human Services, but let me point out that he has a great challenge in overseeing to manage that Department effectively, and that is part of his administrative budget.

With that budget, he has to administer the Centers for Disease Control, the National Institutes of Health, the FDA, HRSA, SAMHSA, the Indian Health Services, CMS, the children and families programs, the older americans programs and the health care quality. Now, the range of services that he has to manage effectively if they are going to serve the public well, and we are faced with some priority choices here.

Mr. SANDERS. Mr. Chairman, if my friend would further yield, I understand that, and it is likely I would not be unhappy if the gentleman took care of that in conference. I know it is a tough judgment.

I simply would like the Members to understand for folks who might go cold this winter: That is the point that I want to make. I am not going to get into a great argument with my colleague here. And perhaps he can adjust that in conference.

Mr. SANDERS. Mr. Chairman, well, if the gentleman would be willing to withdraw, we certainly would keep it in mind in conference, because I understand, I come from a State where it gets reasonably cold in the winter, too.

I understand what the gentleman is saying about fuel costs. We do not know, I see gasoline is like a yo-yo. One day it is $1.89 out my way, and the next day it is $1.69. But the problem for the Secretary of HHS to manage all these agencies, what we have tried to do is put in a reasonable amount for his needs.

Now, in conference, maybe we can address this, and we would certainly keep it in mind if the gentleman would consider withdrawing it.

Mr. SANDERS. If the gentleman will continue to yield, Mr. Chairman, I think it is best to give the Members an opportunity to express their will on this, but I thank the gentleman very, very much.

Mr. OLIVER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I thank the gentleman from Vermont for bringing forth this very, very important amendment. Tens of millions of families in America are in for bad news this winter when they get their heating bills in the mail. According to the Energy Information Administration, the prices of heating oil and natural gas are expected to skyrocket. The EIA predicts that compared to the winter of just 4 years ago, the price of natural gas will be 55 percent higher and the price of heating oil will be 45 percent higher this winter.

Now, these increased costs could not come at a worse time. According to our Census Bureau, since 2001, when President Bush took office, the number of people living in poverty has increased by 4.2 million, and the median family income has dropped by over $1,500. The median family is the exact mid-point among our roughly 100 million American families, and all families with income below that median family’s income level are already struggling to pay high and rising gasoline and health care costs.

For all these reasons I support this amendment.

Mr. SIMMONS. Mr. Chairman, I rise to support this amendment to increase funding for the highly successful Low Income Home Energy Assistance Program (LIHEAP) and Weatherization Assistance Program (WAP) by $22 million. This modest increase in funding would still be $42 million below the President’s request, but it could help thousands of low-income Americans, the elderly and disabled stay warm this winter. This increased investment for our Nation’s most vulnerable population would be offset by a $26 million reduction in Departmental Management at the Department of Health and Human Services which would still provide level funding programs.

The Energy Information Administration is predicting that the price of heating oil, natural gas and propane will skyrocket this winter. Compared to average heating costs from 1998 to 2000, consumers are expected to pay 55 percent more for natural gas; 45 percent more for heating oil; and 45 percent more for propane. Heating a home with natural gas will cost an average of $1,049 this winter; heating with fuel oil will cost $1,094; and, heating with propane will cost $1,361.

This increased cost in energy couldn’t come at a worse time. Since 2001, the number of people living in poverty has increased by 4.3 million, and the average family income has dropped by over $1,500. LIHEAP and WAP are needed now more than ever to make sure that on the richest country on earth, our constituents don’t have to make an unacceptable choice between heating their homes and feeding their families.

Last March, more than 70 Members of both the House and Senate, including 20 Republicans, co-signed letters in support of $3 billion for LIHEAP and $1 billion for WAP. This amendment was signed into law, LIHEAP would still be more than $500 million short of this mark.

Simply put, Weatherization and LIHEAP work. WAP has allowed low-income families to save more than $200 a year in heating costs. This modest savings could allow other important family needs such as food, clothing, housing and other basic necessities of life. And, LIHEAP is a vital safety net for our Nation’s low-income families which reduces the percentage of their income spent on residential energy costs. Unaffordable home energy costs can result in: homelessness; health and safety problems, such as malnutrition, hypothermia and heat stroke; and, lack of educational attainment for children. LIHEAP protects public health and safety by keeping families warm in the winter and cool in the summer.

For all of these reasons I support this amendment.

Mr. MARKEY. Mr. Chairman, I rise in support of this important amendment, which I am pleased to join in cosponsoring. This amendment would provide a modest boost to the funding levels for these two programs—$11 million more for LIHEAP and $11 million more for Weatherization. This additional funding is desperately needed, but it would still leave many needs unmet. LIHEAP alone needs $44 million more. This modest increase of $22 million at this level in this bill to simply maintain the purchasing power it enjoyed in 1982. Meanwhile, we are seeing greatly increased volatility in oil and natural gas markets which threaten consumers with higher home heating prices this winter. The Department of Energy reports that consumers are expected to pay 25 percent more for natural gas; 45 percent more for heating oil; and 45 percent more for propane than they did in the years between 1998 and 2000. As a result, heating a home with natural gas will cost an average of $1,049 this winter; heating with fuel oil will cost $1,094; and, heating with propane will cost $1,361.

According to the Census Bureau, nearly 36 million Americans—including almost 13 million
children—now live in poverty. That is an increase of over a million people in the last year alone. Faced with a growing number of families in poverty, the Republican leadership has brought to the floor an appropriations bill that does little to help those Americans who have fallen behind the passerby bills—it will only make the welfare-to-work programs a distant dream. Many families and seniors will only fall further behind the help of the wealthiest Americans than lend a helping hand to the poorest Americans.

For the low income families and seniors of Massachusetts and the rest of New England, winters are colder and fuel prices have fallen below the poverty line. It seems the Republican leadership has brought to the floor an appropriations bill that will be used to supplement, not supplant state general revenues for child care assistance. The Care for Children with Disabilities Act of 1988 has been vetoed, revised to meet the current and growing needs of low-income Americans.

I urge adoption of the amendment. The CHAIRMAN. Does any other Member wish to be heard on the amendment?

If not, the question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SANDERS. Mr. Chairman, I demand the recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Vermont (Mr. SANDERS) will be postponed.

Are there further amendments to this paragraph of the bill? If not, the Clerk will read as follows:

REFUGEE AND ENTRANT ASSISTANCE

For necessary expenses for refugee and entrant assistance activities and for costs associated with the care and placement of unaccompanied alien children authorized by Title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96–422), for carrying out section 462 of the Homeland Security Act of 2002 (Public Law 107–296), and for carrying out the Torture Victims Relief Act of 2003 (Public Law 108–179), $491,336,000, of which up to $10,000,000 shall be available to carry out the Trafficking Victims Protection Act of 2003 (Public Law 108–193): Provided, That funds appropriated under this heading, pursuant to section 4(a) of the Immigration and Nationality Act and section 462 of the Homeland Security Act of 2002 for fiscal year 2005 shall be available for the costs of providing and other activities to remain available through September 30, 2007.

PAYMENTS TO STATES FOR THE CHILD CARE

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act), $7,184,000 shall be used to supplement, not supplant state general revenues for child care assistance for low-income families: Provided, That $12,100,000 shall be for the Child Care Aware toll free hotline: Provided further, in addition to the amounts required to be reserved by the States under section 658G, $272,672,000 shall be reserved by the States for activities authorized under subpart C of section 658C, of which $100,000,000 shall be for activities that improve the quality of infant and toddler care: Provided further, That $9,884,000 shall be for use by the Secretary for child care research, demonstration, and evaluation activities.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, for the Low Income Home Energy Assistance Program (LIHEAP) and the Weatherization Assistance Program. This appropriations bill’s funding levels for these two crucial programs are inadequate to meet the current and growing needs of low-income Americans.

The CHAIRMAN. Pursuant to the request from legislators representing warm and cold climates to raise LIHEAP’s funding to $3 billion, but this appropriations bill’s funding is nowhere near that level of funding. I urge my colleagues to pass this amendment today as a first step to meeting LIHEAP needs in the very near future. We owe the low-income families that rely on this program no less.

I urge adoption of the amendment.

The CHAIRMAN. Does any other Member wish to be heard on the amendment?

If not, the question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SANDERS. Mr. Chairman, I demand the recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Vermont (Mr. SANDERS) will be postponed.

Are there further amendments to this paragraph of the bill? If not, the Clerk will read as follows:

PAYMENTS TO STATES FOR THE CHILD CARE

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act), $7,184,000 shall be used to supplement, not supplant state general revenues for child care assistance for low-income families: Provided, That $12,100,000 shall be for the Child Care Aware toll free hotline: Provided further, in addition to the amounts required to be reserved by the States under section 658G, $272,672,000 shall be reserved by the States for activities authorized under subpart C of section 658C, of which $100,000,000 shall be for activities that improve the quality of infant and toddler care: Provided further, That $9,884,000 shall be for use by the Secretary for child care research, demonstration, and evaluation activities.

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I urge adoption of the amendment. The CHAIRMAN. Does any other Member wish to be heard on the amendment?

If not, the question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SANDERS. Mr. Chairman, I demand the recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Vermont (Mr. SANDERS) will be postponed.

Are there further amendments to this paragraph of the bill? If not, the Clerk will read as follows:

PAYMENTS TO STATES FOR THE CHILD CARE

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act), $7,184,000 shall be used to supplement, not supplant state general revenues for child care assistance for low-income families: Provided, That $12,100,000 shall be for the Child Care Aware toll free hotline: Provided further, in addition to the amounts required to be reserved by the States under section 658G, $272,672,000 shall be reserved by the States for activities authorized under subpart C of section 658C, of which $100,000,000 shall be for activities that improve the quality of infant and toddler care: Provided further, That $9,884,000 shall be for use by the Secretary for child care research, demonstration, and evaluation activities.
For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under section 474 of title IV-D, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

Mr. ISTOOK. Mr. Chairman, I move to strike the last word for the purpose of engaging in a colloquy with the chairman.

Mr. Chairman, the committee report on the Labor-HHS bill includes language that encourages the National Institutes of Health to adopt a policy that all scientific articles resulting from biomedical research funded by NIH be made available to the public without charge the scientific journal articles that report the results of research that has been supported with NIH funding. As you know, Mr. Chairman, I have been very concerned for a number of years that the public is not always able to access the results of that research, federally funded research, unless they had a university library nearby or could pay often very large subscription fees of the journals, costs that are beyond most families' budgets.

The NIH, in response to language in the bill, has acted quickly to respond to our guidance. It posted the draft policy last Friday, September 3. Dr. Zerhouni, the Director of NIH, took care to seek comment from the various stakeholders involved in the issue, seeking comment from publishers, for-profit and nonprofit groups, from scientists, and from advocates for curing different diseases; and he has held three public meetings. Dr. Zerhouni heard some powerful stories from patients and family members who were struggling to learn as much as they could about treatment for serious diseases that affect them and their loved ones and had previously been unable to access some of the key information that could help them.

Dr. Zerhouni has produced a draft proposal from NIH that carefully balances the interests of these groups; and, most importantly, Mr. Chairman, it moves NIH in the direction of making more research available to the people who financed it, namely, the American taxpayers.

Mr. Chairman, I see the action by the NIH to date as being consistent with the language in our bill, and I would appreciate the chairman’s thoughts on this.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. ISTOOK. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I have been very pleased to see that NIH has responded so quickly and thoughtfully to the House report language. I think it is a very simple proposition: NIH, or the taxpayer, pays for the research, even pays for the journals, and should be able to share the results with the taxpayers public. Our investment in research is so vast that limits taxpayer access instead of expanding it, and I should add public access.

I encourage NIH to move expeditiously to finalize its proposal after considering the comments it receives on its policy. The public deserves nothing less.

Mr. ISTOOK. Reclaiming my time, Mr. Chairman, I thank the gentleman for his comments.

The CHAIRMAN. The Clerk will read. The Clerk reads as follows:

ADMINISTRATION ON AGING
AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, section 301 and 302 of the Public Health Service Act, $1,003,479,000, of which $5,500,000 shall be available for activities regarding medication management, screening, and education to prevent incorrect medication and adverse drug reactions; and of which $4,558,000 shall remain available until September 30, 2007, for the White House Conference on Aging.

OFFICE OF THE SECRETARY
GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six sedans, and for carrying out title XX, and XXI of the Public Health Service Act, and the United States-Mexico Border Health Commission Act, $390,298,000, together with $5,851,000,000, shall be available until September 30, 2007, for the National Library of Medicine and National Institutes of Health, and for the activities of the Office of the Secretary of HHS, for the payment of salaries and expenses in connection with the conduct of investigations, the making of reports, the testing of services and supplies, the training of personnel, and the furnishing of information.

The bill includes $730 million for senior nutrition programs, $16 million more than last year, or a 2.2 percent increase. I wish to thank the chairman, the gentleman from Ohio (Mr. REGULA), and the ranking member, the gentleman from Wisconsin (Mr. O'NEIL), for including these additional funds and recognizing the importance of these programs to our seniors. I am offering this amendment because, despite the increase in the bill, the funding falls far too short.

I am sure that all of us have met and spoken with seniors in our districts. I am sure that the seniors have told my colleagues how much they depend on senior assistance and the Meals on Wheels program, or the meals they receive at the senior centers. I am sure that if Members, like I have done in the past, would go out and actually deliver senior meals to the homes of homebound seniors, they would realize how important not just these prepared meals are but also the social interaction these homebound seniors have with members of the public.

I have heard from the area agencies on aging in my district that they are struggling with funding the Meals on Wheels program. In Michigan, we have had to cut back significantly weekend meals, evening meals, and even the senior lunch meals. The challenges faced by our Meals on Wheels program is compounded by the fiscal problems of the States that have not been able to increase their contributions, despite their acknowledgment that the need for these programs continues to grow.

This amendment would simply increase funding for the Nutrition Services Incentive Program by $10 million to $160 million. The House approved a similar amendment of mine back in 2001. Unfortunately, that amendment back in the 2001 appropriation bill to senior nutrition programs to $160 million was dropped in conference. That was 4 years ago, and funding for senior meals programs has stayed basically flat until this year.

Mr. Chairman, we need to make this investment now. Nationally, 4.6 million Meals on Wheels meals were cut last year. A similar amendment of mine back in 2001 would have added $4.6 million. The House approved a similar amendment of mine back in 2001. Unfortunately, that amendment back in the 2001 appropriation bill to senior nutrition programs to $160 million was dropped in conference. That was 4 years ago, and funding for senior meals programs has stayed basically flat until this year.

Mr. STUPAK (during the reading).

Mr. STUPAK. Mr. Chairman, I rise to offer an amendment to increase funding for seniors' meals programs by $10 million. The Meals on Wheels program is a critical lifeline to our Nation's seniors who are most in need of our assistance.

The bill includes $730 million for senior nutrition programs, $16 million more than last year, or a 2.2 percent increase. I wish to thank the chairman, the gentleman from Ohio (Mr. REGULA), and the ranking member, the gentleman from Wisconsin (Mr. O'NEIL), for including these additional funds and recognizing the importance of these programs to our seniors. I am offering this amendment because, despite the increase in the bill, the funding falls far too short.

I am sure that all of us have met and spoken with seniors in our districts. I am sure that the seniors have told my colleagues how much they depend on senior assistance and the Meals on Wheels program, or the meals they receive at the senior centers. I am sure that if Members, like I have done in the past, would go out and actually deliver senior meals to the homes of homebound seniors, they would realize how important not just these prepared meals are but also the social interaction these homebound seniors have with members of the public.

I have heard from the area agencies on aging in my district that they are struggling with funding the Meals on Wheels program. In Michigan, we have had to cut back significantly weekend meals, evening meals, and even the senior lunch meals. The challenges faced by our Meals on Wheels program is compounded by the fiscal problems of the States that have not been able to increase their contributions, despite their acknowledgment that the need for these programs continues to grow.

This amendment would simply increase funding for the Nutrition Services Incentive Program by $10 million to $160 million. The House approved a similar amendment of mine back in 2001. Unfortunately, that amendment back in the 2001 appropriation bill to senior nutrition programs to $160 million was dropped in conference. That was 4 years ago, and funding for senior meals programs has stayed basically flat until this year.

Mr. Chairman, we need to make this investment now. Nationally, 4.6 million Meals on Wheels meals were cut last year, and a number of congregate meals were cut by 2.9 million, for a total of 7.5 million meals that had to
be cut last year because of lack of funding. These decreases in funding ignore the 25 percent increase in the number of Americans who are expected to be eligible for the Older Americans Act programs in the next 5 years.

Mr. Chairman, I will ask unanimous consent to withdraw my amendment with the understanding that we will continue to work to increase funding in the future. This program is critically important to our seniors. While I appreciate the appropriators and the committee chairmen for doing the hard work, I think we need to continue to highlight the concerns that we have for the lack of funds for the Senior Meal Program.

Mr. Chairman, I ask unanimous consent to withdraw my amendment. Without objection, the amendment is withdrawn.

There was no objection.

Mrs. McCARTHY of New York. Mr. Chairman, I move to strike the last word.

Mr. Chairman, when I hear my colleagues from both sides of the aisle offering all of these amendments obviously to help our constituents from all over the country, and I thank my chairman and the ranking member for working so hard to bring us everything we need. I think more of us as Members should sit here instead of trying to watch this on television. I know that we are working very hard to keep the people of the United States comfortable to make sure that what they have worked so hard to do research to keep them healthy, and yet we have a program in place that is going to expire on September 13, which is the assault weapons bill. Yet we are not allowed to bring it up on the floor to talk about it. That is a shame. This is something that is working, does not cost any money, and yet as Members of Congress we are not allowed to bring the bill up for a vote, and the American people want it.

I thank the committee and subcommittees for doing the hard work they are doing, but I wish we could debate the assault weapons ban. The police officers on the street want to keep this ban in place. The health care professionals want to keep this ban in place. Every help organization wants to keep this ban in place. All of the different organizations which represent children want to keep the ban in place. I do not understand why we do not bring that issue to the floor for a vote. I hope by Monday, September 13, the White House said, ‘We need our call, and I hope that the Speaker of the House will heed our call and answer to the American people.”
the implementation and effectiveness of such programs. (TRANSFER OF FUNDS)

SFC. 208. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Health and Human Services in this Act may be transferred to other programs or accounts, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the appropriation may be increased by up to 2 percent subject to approval by the House and Senate Committees on Appropriations: Provided further, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SFC. 209. The Director of the National Institutes of Health, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes and centers from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: Provided, That the Congress is promptly notified of the transfer.

SFC. 210. Of the amounts made available in this Act for the National Institutes of Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of the National Institutes of Health and the Director of the Office of AIDS Research, shall be made available to the “Office of AIDS Research” accounts of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 233(d)(3) of the Public Health Service Act.

SFC. 211. None of the funds appropriated in this Act may be made available to any entity under title X of the Public Health Service Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SFC. 212. None of the funds appropriated by this Act (including funds described in any trust fund) may be used to carry out the Medicare+Choice program if the Secretary denies participation in such program to an entity (including a Medicare+Choice Program Management/administrative and occupational health professionals.

SFC. 213. Notwithstanding any other provision of law, no provider of services under title 3 of the Public Health Service Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SFC. 214. (a) Except as provided by subsection (e) none of the funds appropriated by this Act may be used to withhold substance abuse funding from a State pursuant to section 264(a)(3)(A), 42 U.S.C. 300x–26 if such State certifies to the Secretary of Health and Human Services by May 1, 2005, that the State will commit additional State funds, in accordance with subsection (b), to ensure compliance with State regulations prohibiting the sale of products to individuals under 18 years of age.

(b) The amount of funds to be committed by a State under paragraph (a) shall be equal to 1 percent of such State’s substance abuse block grant allocation for each percentage point by which the State misses the retailer compliance rate established by the Secretary of Health and Human Services under section 1926 of such Act.

(c) The Secretary may use expenditures in fiscal year 2005 for tobacco prevention programs and for compliance activities at a level that is not less than the level of expenditures in fiscal year 2004 by such State for fiscal year 2004, and adding to that level the additional funds for tobacco compliance activities required under subsection (a), The State is to submit a report to the Secretary on all fiscal year 2004 State expenditures and all fiscal year 2005 obligations for tobacco prevention provided in the activities by program activity by July 31, 2005.

(d) The Secretary shall exercise discretion in enforcing the timing of the State obligation of the funds appropriated by this Act if the Secretary determines that the certification described in subsection (a) is as late as July 31, 2005.

(e) None of the funds appropriated by this Act may be used to withhold substance abuse funding pursuant to section 1926 from a territory that receives less than $1,000,000.

SFC. 215. In carrying out the Centers for Disease Control and Prevention to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2005, the Secretary of Health and Human Services (1) may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the Department Basic Authorities Act of 1956 (22 U.S.C. 2689(c)). The Secretary of Health and Human Services shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) and other applicable statutes administered by the Department of State.

(2) is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of covert operational, renovation, and management of facilities outside the United States for the use of the Department of Health and Human Services. The Department of State shall cooperate fully with the Secretary of Health and Human Services to ensure that the Department of Health and Human Services has sole, safe, funds that comply with applicable regulation governing location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary of Health and Human Services is authorized, in consultation with the Secretary of State, through grant or cooperative agreement, to make available to public or nonprofit private institutions or agencies in participating foreign countries, funds to acquire, lease, alter, or renovate facilities in those countries as necessary to enhance international health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

SFC. 216. The Division of Federal Occupational Health may utilize personal services contracts and purchase management/administrative and occupational health professionals.

SFC. 217. (a) AUTHORITY.—Notwithstanding any other provision of law, the Director of the National Institutes of Health may use funds available under section 402(i) of the Public Health Service Act (42 U.S.C. 293(i)) to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research in support of the NIH Roadmap Initiative of the Director.

(b) PEER REVIEW.—In entering into transactions under subsection (a), the Director of the National Institutes of Health may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review procedures that would otherwise be required under sections 314(b)(1), 314(b)(2), 284a(a)(3)(A), 284n, and 314c.

SFC. 218. The unobligated balance of the funds appropriated by section 1897(g) of the Social Security Act, as added by section 1016 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173), is rescinded.

Mr. REGULA (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 63, line 13, be considered as read, printed in the RECORD, and open to amendment at any time.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. Are there any amendments to the portion of the bill now open?

If not, the Clerk will read.

The Clerk read as follows: SFC. 219. (a) CMS PROGRAM MANAGEMENT ACCOUNT.—The amount otherwise provided by this Act for “Centers for Medicare and Medicaid Services—Program Management” is hereby reduced by $6,000,000.

(b) MEDICARE CLAIMS PROCESSING FEE.—(1) IN GENERAL.—Notwithstanding section 1824(c)(4) of the Social Security Act, each claim submitted by an entity furnishing items or services for which payment may be made under part A or part B of title XVIII of such Act is subject to a processing fee of $5.00 if the provider is not a Medicare eligible entity. (A) duplicates, in whole or in part, another claim submitted by the same individual or entity; or (B) is a claim that cannot be processed and must be returned by the Medicare claims contractor involved to the individual or entity for completion or correction.

(2) DEDUCTION AND TRANSFER.—The Secretary of Health and Human Services shall deduct any fees assessed pursuant to paragraph (1) against an individual or entity from amounts otherwise payable from a trust fund under such title to such individual or entity, and shall transfer the amount so deducted from such trust fund to the Program Management account of the Centers for Medicare & Medicaid Services.

(3) AVAILABILITY.—Fees collected under this subsection shall remain available until expended.

(4) WAIVER AUTHORITY.—The Secretary of Health and Human Services may provide for a 90-day waiver of fees for claims submitted through Medicare Claims Processing Initiative.

SEC. 217. (a) AUTHORITY.—Notwithstanding any other provision of law, the Director of the National Institutes of Health may use funds available under section 402(i) of the Public Health Service Act (42 U.S.C. 293(i)) to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research in support of the NIH Roadmap Initiative of the Director.

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(3) AVAILABILITY.—Fees collected under this subsection shall remain available until expended.

(4) WAIVER AUTHORITY.—The Secretary of Health and Human Services may provide for a 90-day waiver of fees for claims submitted through Medicare Claims Processing Initiative.
(5) **EXCLUSION OF FEES IN ALLOWABLE COSTS.**—An entity may not include a fee assessed pursuant to this subsection as an allowable item on a cost report under the Social Security Act.

(6) **EFFECTIVE DATE.**—This subsection shall apply to claims referred to in paragraph (1) submitted on or after a date, specified by the Secretary, that is not later than 3 months after the date of the enactment of this Act.

**POINT OF ORDER**

Mr. **BILIRAKIS.** Mr. Chairman, I make a point of order.

The **CHAIRMAN.** The gentleman will state his point of order.

Mr. **BILIRAKIS.** Mr. Chairman, reluctantly, quite frankly, I raise this point of order, but it is necessary to do so.

My point of order is against section 219(b) of the bill on the grounds that this provision violates clause 2(b) of House rule XXI because it is legislation included in a general appropriations bill. The rule, as I understand it, does not permit legislation in a general appropriations bill.

The **CHAIRMAN.** Does any other Member wish to be heard on the point of order?

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Our amendment seeks to ensure that Congress’ intent is carried out and that patients across America continue to have access to the rehab care they need. It will ensure that experts in the field of rehabilitative care study the issue and make recommendations that will be used for rehabilitative care, and that reflects the advances medicine has made in the area of rehabilitative care.

I would like all of my colleagues to think what it would be like for them if they had to go to one of their constitu­ents without the benefit of a study, leaving them with the 75 percent rule, a rule which I worked with in a bipartisan way to bring this amendment to the floor, and I want to thank the staff of the gentle­man from Ohio (Chairman REGULA). We have worked together in a bipartisan way to bring this amendment to the floor, and I want to thank the staff of the gentleman from California (Mr. THOMAS), and the lady from New York (Mrs. LOWEY) and the gentleman from New Jersey (Mr. LOBIONDO). It is always a pleasure to work with them.

Mrs. MCCARTHY of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. WAMP. Mr. Chairman, I move to strike the requisite number of words. Mr. Chairman, I will be very brief, just to add that this is one of those rare opportunities for the Appropriations Committee and the Ways and Means Committee to meet at the wa­ter’s edge of the appropriations bills and they strike those through a point of order, which they have the right to do here. Yet they chose to agree with us and say that this GAO study needs to be completed and all the science needs to be brought to bear before this rule is actually implemented.

Let me just say that one of the great­est areas of innovation in our health care delivery system in this country is inpatient rehabilitation hospitals where currently in our family in America has had somebody benefit from one of those hospitals, and they are wowed at what we are doing. It is a very fluid area of health care. It is changing every month because of new tech­nologies and new procedures. Yet some of these rules are antiques in these 13 categories. They need to be changed based on what is happening in health care, not a be­an counter at OMB saying, we only have this much money or we want to reduce this much money, therefore, this is what you are going to be reimbursed for.

In our health care delivery system, we need to reimburse wherever the in­novation is, wherever the patient is, wherever the need is, wherever the cure is; and that is what this does is allow science to prevail and not some arbitrary limitation that is set down the street by any administration or any government bureaucrat.

That is, frankly, where the Congress is doing it wrong, because we are sensitive to these things; and, frankly, sometimes the Appropriations Committee can be very helpful by using the power of the money flow and the appropriations process to say, wait a second, stop the trains, we are going in the wrong direction.

This is a win-win. Congratulations to all and thanks especially to Ways and Means for letting us take this fight another day on behalf of patients and in­patient rehabilitation hospitals across the country. I thank the gentlewoman from New York (Mrs. LOWEY) and the gentleman from New Jersey (Mr. LOBIONDO). It is always a pleasure to work with them.

Mr. RODPAUL. Mr. Chairman, I rise in strong support of the amendment.

Mr. Chairman, I want to thank the chairman for accepting this amend­ment. It is extremely important for someone that has spent so much time in a rehab unit taking care of patients, even to the point of taking care of my son going back a number of years ago. Medical technology and the science of taking care of those that never had a chance to learn how to walk again or possibly feed themselves again is now possible. It is mainly because of rehab.

I know a lot of people think that they underlay around our streets. These are the large capacity weapons bill was passed on the use of such weapons. Unfortunately going back not that many years ago, even for a simple hip operation, espe­cially with the elderly, they ended up getting pneumonia and unfortunately needed more long-term care. With that being said, the majority of our rehab hospitals and rehab units in an awful lot of our larger cities are filled, unfortunately, with patients be­cause of gun violence in this country. On September 13, we are going to see the assault weapons bill expire unless this Congress, the Speaker of the House, the President of the United States get involved and allow us to de­bate this. We can save billions of dol­lars just on health care costs if we can bring down gun violence. We have seen a 60 percent drop since the assault weapons bill was passed on the use of those guns on our officers in our com­munities.

Large capacity clips, we are going to have them back out on the streets again. These are the large capacity clips that we see our men and women using that are serving this country so well over in the war in Iraq. We saw yesterday in the paper where someone with a gun had a large capacity clip that had 50 rounds. This is what we are going to go back to unless we stop by September 13, on Monday, to be able to renew the ban on assault weapons, to protect our communities, protect our police officers and to a very, very large extent, make our emer­gency rooms, make more room in the trauma centers, make more room in the rehab units, because today because
of medical technology, thank goodness, people like my son are surviving these horrific wounds. A lot of our police officers are surviving their horrific wounds. But unfortunately the rehab, the expense to get those victims back on their feet certainly is extremely expensive.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. LoBIONDO). The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk reads as follows:

AMENDMENT OFFERED BY MR. ALLEN

Mr. ALLEN. Mr. Chairman, I offer an amendment.

The Clerk reads as follows:

AMENDMENT OFFERED BY MR. ALLEN:

At the end of title II (before the short title), insert the following:

Sec. 222. None of the funds appropriated in this title may be used to impede the exchange of information between the Office of the Actuary of the Centers for Medicare & Medicaid Services and Congress, including its members, committees, and staff.

The $50 million we seek would fund new research and literature surveys to improve scientific evidence about the comparative effectiveness and safety of prescription drugs and other treatments. Additionally, funds would be used to communicate the results of this research to health care providers, health care purchasers and consumers. All we are asking is for better information to be available to doctors and patients. And if we can make that better information, independent research available to the pharmaceutical industry, if we make that information available, we will have better health care quality in this country; and we will have lower prices as well. It is very important that we ensure that our prescription drug spending is not based on the latest television or glossy magazine advertisement, but on science-based and tested information. Physicians and their patients need access to credible, unbiased, evidence-based data on the comparative effectiveness of prescription drugs so they can make informed decisions about their purchases. As the cost of health care continues to rise, obtaining the greatest health value is essential. More objective research will improve the quality of care and help to reduce costs.

This spring, Members from both sides of the aisle joined me in sending a letter to the chairman and ranking member urging $75 million for this provision. In addition, the Senate approved an amendment in support of $75 million for prescription drug comparative effectiveness studies, indicating the high level of bipartisan support for this initiative. I do hope that the chairman agrees that this provision, which has been authorized, is a worthy initiative. I look forward to working with him and the committee to provide some funding in conference and to encourage the administration to appropriate funding for this purpose in next year’s budget.

Though I would urge support for this amendment, I do intend to withdraw the amendment, but first I would like to give an opportunity to my friend from Missouri (Mrs. EMERSON) to speak on it.

Mrs. EMERSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today in support of the St. Louis $75 million for this provision. Section 1013 of the new Medicare law authorizes $75 million in fiscal year 2004 for the Agency For Health Care Research and Quality to conduct outcome research on prescription drugs and other treatments. Unfortunately, the President’s fiscal year 2005 budget contained no funding for this initiative. Currently, there really is a dearth of evidence-based information available to assist practitioners in choosing the most appropriate medication for their patients.

The Medicare Prescription Drug Improvement and Modernization Act provides for research on outcomes of health care items and services, including the comparative clinical effectiveness of prescription drugs, as authorized by section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173), $20,000,000.

Mr. REGULA. Mr. Chairman, I reserve a point of order on this amendment.

The CHAIRMAN. The gentleman from Ohio reserves a point of order.

Mr. ALLEN. Mr. Chairman, when Americans turn on their televisions today, they are inundated by television advertisements promoting particular prescription drugs. Doctors are overwhelmed by details from the pharmaceutical industry coming to praise the virtues of the particular drugs that are manufactured by the people who employ them. But what patients and physicians really need is quality information, evidence-based information about the comparative effectiveness of different drugs that are advertised to treat the same illness or condition.

The Medicare Prescription Drug Improvement and Modernization Act provides for research on outcomes of health care items and services, including the comparative clinical effectiveness of prescription drugs. Today I am pleased to join my colleague from Missouri (Mrs. EMERSON) in offering an amendment to fund that provision in the new Medicare law.

Section 1013 of the new Medicare law authorizes $50 million in fiscal year 2004 for the Agency For Health Care Research and Quality to conduct outcome research on prescription drugs and other treatments. Unfortunately, the President’s fiscal year 2005 budget contained no funding for this initiative. Currently, there really is a dearth of evidence-based information available to assist practitioners in choosing the most appropriate medication for their patients.
Aspirin still works very, very well. Ibuprofen when I was working, gosh, a long time ago, that was a prescription drug. It is now over the counter. But there are still many prescription drugs that work just as well. Obviously, sometimes they are not going to work for the patient. That is what we should try a new drug. The research and development and the research that is needed is to see what these actual new drugs do, I think, is extremely important.

With that being said, also, September 13, the weapons bill is going to expire. The reason I bring it up towards the health care section is mainly because how much health care money is expended on, unfortunately, these horridic wounds that we see. We also know with a lot of these types of assault weapons, there are head injuries. People do not realize when you have a head injury, a lot of times these patients have to be on an awful lot of different drugs that might even put the patient to the place where they think they might be schizophrenic. It does fit and tie in with these bills.

The important thing is the assault weapons bill costs absolutely no money. We can renew it. It does not cost anything except saving lives, saving health care costs; and I hope that the President of the United States will ask the Speaker of the House to allow this bill to come up on the floor for a vote.

Mr. ALLEN. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

Mr. ALLEN. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I yield to the gentleman from Maine.

Mr. ALLEN. Mr. Chairman, I thank the chairman for his comments.

AMENDMENT OFFERED BY MR. UDALL OF NEW MEXICO

Mr. UDALL of New Mexico. Mr. Chairman, I offer an amendment.

The Clerk reads as follows:

Amendment offered by Mr. UDALL of New Mexico:

At the end of title II, insert after the last section (preceding the short title) the following section:

Sec. ___ Of the amount made available in this title for the account "Office of the Secretary—General Departmental Management", $23,000,000 is transferred and made available as an additional amount under the account "Centers for Disease Control and Prevention—Disease Control, Research, and Training".

Mr. UDALL of New Mexico. Mr. Chairman, I rise today to offer an amendment to increase funding in the fiscal year 2005 Labor-HHS appropriations bill before us for the CDC's Preventative Health Care Block Grant. This important grant is one of the few grants that allows States the flexibility to address their own unique health care challenges in exciting and innovative ways.

Unfortunately, as part of H.R. 5006 cuts the amount of funding for the Preventative Block Grant by $23 million from the fiscal 2004 amount of $133 million to $110 million for fiscal year 2005. The funding provided in the legislation is also $23 million below the administration's request for fiscal year 2005.

My amendment would restore the funding to last year's level. It would offset the increase in the Preventative Health Care Block Grant by reducing the level of the Department of Health and Human Services departmental management by the same amount.

Mr. Chairman, this block grant has allowed State health departments to address a wide variety of public health issues, including cardiovascular disease, diabetes, physical activity, suicide prevention, just to name a few. States have documented that investment of block grant dollars has resulted in improved health care outcomes and in some significant cost savings.

I strongly believe that the Preventative Health Care Block Grant is exactly the type of program we should be supporting. The national investment in prevention is currently estimated to be less than 5 percent of total health care costs despite strong evidence that prevention can be cost effective and helps people enhance the quality of their lives.

In addition, this block grant is excellent public policy because it provides States with great flexibility in addressing the public health care needs their populations face.

Mr. Chairman, I am a strong supporter of health care promotion programs that have the potential to improve the quality of life, reduce health care costs, and boost productivity. I believe it is time for America to increase its investment in health care prevention strategies. It is a fact that adaptable lifestyle factors, such as smoking, sedentary lifestyle, poor nutrition, unmanaged stress, and obesity, account for approximately half the premature deaths in the United States. Moreover, spending on chronic diseases related to lifestyle and other preventable diseases accounts for an estimated 70 percent of total health care spending. With the pending retirement of the baby boom generation, the financial burden of these preventable diseases will further threaten the solvency of the Medicare program.

It is my hope that with a greater focus on prevention, we will be able to greatly reduce the number of individuals who suffer from all types of ailments, including—diabetes, heart disease, and strokes just to name a few areas where preventative health care can make the difference. The CDC's Preventative Health Care Block Grant goes a long way towards achieving this goal.

One of the other key components of the block grant is that it is the primary source of flexible funding that provides States the latitude to fund any of 265 national health care objectives available in the Nation's Healthy People 2010 Health Improvement Plan.

Mr. Chairman, I know the chairman and ranking member of the Labor, Health and Human Services, Education and Related Agencies Subcommittee did the best they possibly could in stretching the dollar as far as they could in this bill, and for that I applaud them. However, a cut of this magnitude, nearly 18 percent, will force State and local health departments to eliminate or severely reduce some very important public health activities.

I look forward to working with the chairman and ranking member to restore funding to this account in some way.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from N Mexico?

There was no objection.

Mrs. MCCARTHY of New York. Mr. Chairman. I move to strike the last word.

I thank my colleague for bringing up this very important issue, preventative medicine and the research that needs to go into it. Any of us that have ever been in the health care field know preventative care and best techniques is the best thing that we can all offer anyone. There are so many things that we can do today to prevent, unfortunately, diseases that certainly could cost us as people and human beings in quality of life and, of course, the health care system millions and billions of dollars every single year.

With that being said, preventative care is what we should be looking at—how are we going to stop gun violence in this country. The first step that we can take is making sure the assault weapons ban is renewed by September 13. That alone will save so much money every single year. Our police officers, our children, and even those that live in the poorest communities where some of these health communities are being closed down because of a lack of funds, people do not realize on the mental end the stress of living in these communities, what it costs.

I am hoping that we in time will have enough money to run the programs that we need; but to be honest, we can save money by cutting down on gun violence. We can save emotional stress
by cutting down on gun violence. We certainly can protect our police officers in this country by making sure the assault weapons ban comes up for a vote, passes here in the House. It has already been passed in the Senate, and the President said he would sign the bill if it made its way to his desk.

AMENDMENT OFFERED BY MS. BORDALLO

Ms. BORDALLO. Mr. Chairman, I offer an amendment.

The Clerk reads as follows:

Amendment offered by Ms. BORDALLO: At the end of title II (before the short title), insert the following:

3. For “Centers for Medicare and Medicaid Services—Grants to States for Medicaid,” $8,000,000 to be used for an increase in the amount available under section 1108 of the Social Security Act for fiscal year 2005 of $2,500,000 for Guam, $2,500,000 for the Virgin Islands, and $1,000,000 for American Samoa, and $1,000,000 for the Northern Marianas Islands, and the amount otherwise provided by this title for “John E. Fogarty International Center” is hereby reduced by $8,000,000.

Mr. REGULA. Mr. Chairman, I reserve a point of order.

Ms. BORDALLO. Mr. Chairman, I respectfully request that the House adopt the Bordallo-Christensen-Faleomavaega amendment to the fiscal year 2005 Departments of Labor, Health and Human Services appropriations bill.

For years, Mr. Chairman, citizens of the U.S. territories have experienced numerous disparities with respect to health care access and quality. While many of the reasons for such disparities must be resolved at the local level, there are several Federal programs whose administration in the territories has contributed to these observed disparities. The most notable and glaring deficiency are Medicaid funding ceilings to the U.S. territories as mandated by section 1108 of the Social Security Act.

In Guam, Medicaid and the SCHIP combined cover only about 25 percent of all estimated costs eligible for Medicaid-matching grants. Similar Federal funding shortages have been experienced in all U.S. territories as a result of section 1108 funding caps. U.S. territories were hit particularly hard by the previous recession where unemployment caused territorial governments to cover the spiraling uninsured health care costs despite shrinking revenues.

The bill would provide a temporary boost in Medicaid funding to Guam, the U.S. Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands in order to assist those governments in meeting critical unmet needs in public health funding. This amendment is offered by reducing by 8 million funding for the John E. Fogarty International Center.

Mr. Chairman, while I support the mission of the John E. Fogarty International Center, I feel that it is important for congressional oversight to ensure that local governments provide adequate health care to citizens in the U.S. territories before investing further in international health care research. Funding for the John E. Fogarty International Center would be reduced to just under fiscal year 2003 levels, at which time the center had experienced consecutive years of double-digit percentage funding increases.

Mr. Chairman, this amendment has bipartisan support. I am aware of the hearing that we had chaired by the gentleman from Indiana (Mr. BURTON). Mr. FALEOMAVAEGA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the gentlewoman’s amendment that we have sponsored together with the gentlewoman from the Virgin Islands.

Mr. Chairman, in fiscal year 2003 American Samoa’s Medicaid program cost $12.2 million. If American Samoa were treated like a State, the Federal Government would have been responsible for $6.1 million or half the cost; but the American Samoa government would have been responsible for the other half of the $6.1 million. As it is, a Federal ceiling is in place, unfortunately. So for fiscal year 2003, the Federal ceiling for American Samoa was $3.7 million. The Federal Government only paid out $3.7 million, and we had to meet the rest of the obligation of the total amount of $12.2 million.

The bottom line, Mr. Chairman, is there is definitely a need for this additional appropriations for our Medicaid needs, and I ask my colleagues to please support this proposed amendment.

Mrs. CHRISTENSEN. Mr. Chairman, I rise to join my colleagues MADELEINE BORDALLO and ENI FALEOMAVAEGA in strong support of this modest amendment.

Mr. FALEOMAVAEGA. Mr. Chairman, I rise in support of thegentlewoman’s amendment because it provides an appropriation for an authorized program and therefore violates clause 2 of rule XXI. The pertinent part of clause 2 of rule XXI is as follows: An appropriation may not be in order as an amendment for an expenditure not previously authorized by law.

Mr. Chairman, the authorization for this program has not been signed into law, and therefore it violates clause 2 of rule XXI.

I ask for a ruling from the Chair.

The CHAIRMAN. The gentleman from American Samoa (Mr. FALEOMAVAEGA) wish to be heard on the point of order?

Mr. FALEOMAVAEGA. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized.

Mr. FALEOMAVAEGA. Mr. Chairman, I kindly respect the decision the Chairman has made concerning his opinion that has been expressed concerning the proposed amendment. We realize there is no authorization. But I thought that this was part of the appropriations process, that we have made in the past precedents where appropriations have been made without any authorization. But again I have to respect my good chairman’s decision on this, and I sincerely hope that maybe down the line we will be able to work something out to give due assistance to the insular areas on this very important issue.

1515

The CHAIRMAN. The Chair is prepared to rule. The proponent of an item of appropriation carries a burden of persuasion on the question whether it is supported by an authorization in law.

Having reviewed the amendment, the underlying law, and entertained argument on the point of order, the Chair is unable to conclude that the item of appropriation in question is authorized in law. The amendment proposes appropriations above the levels currently authorized in law.

The Chair is therefore constrained to sustain the point of order under clause 2(a) of rule XXI.

Are there further amendments to this paragraph of the bill?

If not, the Clerk will read.

wheelchairs, hearing aids or prosthetic devices, and only provides physical and occupational therapy to a limited degree because of the limited funding.

Mr. Chairman, this modest amendment which we are offering today, would provide an additional 25 percent increase in Medicaid payments to the Virgin Islands, Guam, and American Samoa so that our most vulnerable constituents could receive better health care services which they otherwise would have to do without because of our already overburdened local governments.

I urge my colleagues to support this amendment.

POINT OF ORDER

Mr. REGULA. Mr. Chairman, I make a point of order against the amendment because it provides an appropriation for an unauthorized program and therefore violates clause 2 of rule XXI.

Are there further amendments to this paragraph of the bill?

If not, the Clerk will read.
The Clerk read as follows:

This title may be cited as the “Department of Health and Human Services Appropriations Act, 2005”.

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965 (“ESEA”); and section 418A of the Higher Education Act of 1965, $15,535,735,000, of which $7,889,300,000 shall become available on July 1, 2005, and shall remain available through September 30, 2006, and of which $7,383,301,000 shall become available on October 1, 2004, and shall remain available through September 30, 2006, of which $7,889,300,000 shall become available on October 1, 2005, and shall remain available through September 30, 2006, for academic year 2005-2006: Provided, That $8,047,294,000 shall be available for basic grants under section 1122; Provided further, That $80,000,000 shall be available for education finance incentive grants under section 1123; Provided further, That $800,000,000 shall be available for comprehensive school reform grants under part F of the ESEA.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, $1,250,000,000, of which $1,083,687,000 shall be for basic grant payments under section 8003(a)(1)(B), are no longer eligible under section 8003(d), are no longer eligible under section 8003(b), are no longer eligible under section 8003(a), shall be considered as eligible under this heading, $3,000,000 is for carrying out school improvement programs and to reimburse the U.S. Departments of Labor, Health and Human Services, and Education for such services: Provided further, That the amount made available in the Department of Education Appropriations Act, 2004, for school improvement programs and including any funds transferred by the Secretary of Education pursuant to section 304 of that Act for state assessments grants under section 6111 of the Elementary and Secondary Education Act of 1965, shall not be less than $350,000,000: Provided further, That, notwithstanding any other provision of law, including any across-the-board reduction that would otherwise apply, the funds made available for fiscal year 2005 under the heading “School Improvement Grants” for state assessments grants under section 6111 of the Elementary and Secondary Education Act of 1965 shall not be less than $400,000,000:

AMENDMENT OFFERED BY MRS. MALONEY

Mrs. MALONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. MALONEY:

In the item relating to “SCHOOL IMPROVEMENT PROGRAMS”, insert before the period at the end the following:

: Provided, That, of the funds made available under this heading, $3,000,000 is for carrying out subpart 21 of part D of title V of the Elementary and Secondary Education Act of 1965 (commonly referred to as the Women’s Educational Equity Act of 2001; 20 U.S.C. 7283 et seq.)

Mr. REGULA. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Ohio (Mr. REGULA) reserves a point of order against the amendment.

Thegentlewoman from New York (Mrs. MALONEY) is recognized for 5 minutes.

Mrs. MALONEY. Mr. Chairman, we are calling this the Patsy Mink amendment, as the first legislation was written and passed by our distinguished colleague and friend that founded the Women’s Educational Equity Act. This would restore the $3 million for this program that was taken out in the mark before us, and this has no offset because the money would come out of the school improvement program that has well over $50 million in it. This translates into pensions.
I would consider a vote against this amendment a vote against women, a vote against equity and opportunity for women in the workforce. It begins in the classroom. This program is as needed today as when Patsy Mink first wrote it. So I call upon my colleagues on both sides to be able to vote for their daughters, their sisters and their friends, and to support this amendment.

Mr. Chairman, I will place in the RECORD the Dingell-Malone report that today I will vote against the pay gap, which can only be explained as discrimination.

I want to thank very much my colleague, the gentlewoman from California (Ms. WOOLSEY) for her excellent leadership and help on this issue through many Congresses, and the gentleman from Wisconsin (Mr. OBRY) for his fine help.

GAO PAY GAP REPORT HIGHLIGHTS

(Briefing by Reps. Maloney & Dingell)

The General Accounting Office (GAO) examined 18 years of data on over 9,300 Americans for an earnings study commissioned by Representatives Carolyn Maloney (D-NY) and John Dingell (D-MI). The new study is a follow-up to the narrowly-focused 2002 GAO report on the earnings gap between female and male managers.

Results of the GAO study show that:

- The pay gap is $2,223.
- Women working full-time today are paid an average of 80 cents for every dollar that men are paid, even when accounting for demographic and work-related factors such as education, industry, race, marital status and job tenure.
- This 20 percent earnings gap cannot be explained due to differences in work patterns or histories.
- Differing work patterns lead to an even larger earnings gap between men and women—suggesting that working women are penalized for their dual role as wage earners and those who disproportionately care for home and family obligations. The GAO study confirms that women in the workforce are less likely to work a full-time schedule and are more likely to leave the labor force for longer periods of time than men, suppressing women’s earnings even further. And, men with children are paid about 2 percent more than when women with children are paid 2.5 percent less than women without children.

The pay gap has persisted for past two decades. The GAO study confirms that the earnings gap between men and women has been consistent from 1983-2000, despite a sense of continued progress toward gender equality in the workplace.

The GAO also reviewed other studies and interviewed employers and earnings experts to root out facts, leading to troubling questions about the persistent pay gap: Why do workplaces still maintain the same policies, practices and structures that existed when their workers did not have obligations to care for children and family life? Why do industries and professions dominated by women pay disproportionately less than male-dominated industries? How much does the pay gap between men and women cost families?

In response to the GAO findings, Representatives Maloney and Dingell seek to establish a new Center for the Study of Women and Workplace Policy at a public university that would serve as a nationwide resource for employers and families. The center would follow up on the GAO study, collaborate with businesses and women’s organizations on solutions to the earnings gap, and publish yearly guides on best practices for employers and family friendly workplaces.

Women are still underrepresented in math and science and in engineering-related fields, fields that actually pay higher salaries and oftentimes require overseas hiring to fill the positions.

Many girls and women shy away from math and science for a variety of reasons, including the stigma attached to the activity, despite the importance of these areas in modern society. We need to fix that, because research has shown that interest in math and science begins to wane in early adolescence.

It is clear that increased comprehension in math and science benefits women. The Women’s Educational Equity Act program is critical to helping promote equal education opportunities for girls and women by providing funds and assistance to educational agencies. One reason why our amendment would protect this successful program by leveling out funding for WEEA at $3 million. We would be taking funds from the Fund for the Improvement of Education, or FIE. These funds fund individual Member projects. I can tell you that every single Member in this body will better serve their constituents if they are serving the women in their school districts.

If our schools do not continue to receive this support, females and minorities will continue to dominate the low-wage jobs, while America’s high-wage, high-tech jobs go to foreign undergraduates and foreign graduates. Women will continue to have fewer economic opportunities than men and less access to the careers that will support them and their families. Without these opportunities, this country will be deprived of the highly-educated, highly-skilled workforce we need in the United States to compete in the global economy.

Gender equity in education is not a women’s thing. All Americans, men and women alike, have a stake in making sure that all students, regardless of skill and self-confidence they need in elementary and secondary school to become productive, self-supporting adults.

Mr. Chairman, I urge my colleagues to support our amendment, to protect this important program from becoming yet another unnecessary casualty of a very shortsighted budget.

(From the Feminist Daily News Wire, Sept. 2, 2004)
The CHAIRMAN. Does the gentleman from Ohio continue to reserve his point of order?

Mr. REGULA. Mr. Chairman, I withdraw my point of order.

Mrs. MCCARTHY of New York. Mr. Chairman, I move to strike the last word.

I rise in support of the Maloney-Woolsey-Sanchez amendment. This amendment would provide funds for the Patsy Mink Women’s Educational Equity Act program. This is an important program promoted and named after our dearly missed colleague Patsy Mink, who I served with on the Committee on Education and the Workforce.

It is designed to promote gender equality in providing counseling and guidance, physical education and the development of the classroom materials.

A lot of people in Title IX kind of made fun of us women, and yet when you look at the women in the Olympics, these programs work. So we have to make sure that we keep them going.

I understand that I am lucky. I work in Congress. With that being said, I get equal pay. But an awful lot of my colleagues that are my friends that are working on the outside world doing the hard work right next to their male colleagues, they do not get the same pay.

So women are disadvantaged in many parts of our society, and equal education offers them the opportunity to grow.

Our women also are living, unfortunately, sometimes in a violent society, especially those in the low-income areas. Think about all the women that right now possibly will be losing their husbands either from the war in Iraq or even from September 11, where we need to and we still continue the trend of educating them so they can educate themselves and have a job. But the majority of firearm homicides are the result of intimate partner violence.

Well, we are the ones here who are holding it up. He is going to sign the bill. That is a good sign. So I think that we should move forward between today and Monday afternoon and be able to get this vote done so we can continue something that works. A program like this works. We have seen equal education getting better and better. Why are we even looking at a program like this work or to see it expire when a program works?

Police chiefs from all over the country were here today. The rank-and-file were here today. Unfortunately, victims were here today too. I mentioned them many times today. We can cut down on health care costs; we can cut down on those who are in rehab hospitals, some who never leave. We can cut down on the amount of people who are usually in injury because of large-capacity clips and assault weapons. The bottom line is, why did we have an assault weapons ban in the beginning? Because too many of our police officers were being mowed down.

We are putting that risk right back on the streets again. We are putting that risk to our police officers today, when things are actually even worse than they were 10 years ago.

This is when we should be renewing this ban. This is when we should be making sure our police officers who are protecting us because terrorists are in this country. This is what we should be doing. The American people care about this issue. They count on us, in Congress, our representation, to take a lead on this. And we are letting them down, unless somebody has a change of heart. Do not think this is going to go away, because it is not. It will not, unfortunately, because one day we will be standing here and people will be saying, why did we not do something about it, and that is going to be, unfortunately, when we have a tragedy in our school or our police officers are mowed down, and people say, why did you not do something?

Ms. MALONEY of California. Mr. Speaker, I rise today in strong support of the Maloney/Woolsey/Sanchez amendment to restore Women’s Educational Equity Act, or WEEA, funding in the Labor HHS bill.

I am standing here again, as I did in 1999 with my late colleague Patsy Mink, to urge Congress to provide $3 million in funding for this vitally important program.

WEEA was established in 1974 to promote educational equity for girls and women, including those unable to achieve based on gender, race, ethnicity, national origin, disability, or age. The program was also established to urge compliance with Title IX which prohibits sex discrimination in federally funded education programs and activities.

In the last 29 years, WEEA has funded more than 700 projects throughout the United States. And, unlike a number of programs and activities this Congress has funded, the results speak for themselves.

Girls and women in this country are doing better. For the first time, women were the higher achieving students in 8 grades, often feel uncomfortable about doing well in math and science. Studies also show that many of our young women perceive math and science as "unfeminine." Why is this? Is there something hidden in the curriculum? Is it in the way that we teach? What makes women believe they are best suited for other fields? WEEA programs are searching to find the answers to these questions.

Three million dollars is a small amount of money to expend on a program with tremendous payoffs. Support WEEA. Vote for the Maloney/Woolsey/Sanchez amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Mrs. MALONEY).

The amendment was agreed to.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will not take the full 5 minutes. There was an amendment brought to the floor just a few minutes ago by the gentlewoman from Guam (Ms. BORDALLO), the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), and the gentleman from Guam (Mr. FALEOMAVAEGA) regarding Guam, the U.S. Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands; and it was regarding section 1108 of the Social Security Act, which places a funding ceiling on all Medicaid funding to U.S. territories.

In Guam, Medicaid and CHIP combined cover only about 25 percent of all estimated costs eligible for Medicaid matching grants.

The reason I came to the floor is because we had a hearing on this not long ago and the hearing was as a result of my going to Guam and Saipan and the Marianas to talk to them about health care problems. My Subcommittee on Wellness and Human Rights was looking at the problem of kidney dialysis over there regarding health care. They have an absolute epidemic of type 2 diabetes. They do not have enough equipment over there to take care of the population. People are literally dying because they cannot be taken care of as their dialysis is concerned.

They are running those machines 24 hours a day. Mr. Chairman. Mr. Chairman, they are running those dialysis machines in the Northern Marianas and Guam and Saipan 24 hours a day. They do not have the equipment there.

The Speaker of the House of Representatives in Guam had heart trouble. They had to fly him all the way.
from Guam to Honolulu to get health care. Otherwise, he would have died. That is the Speaker of the House over there. I know that there was a point of order raised against this, and I understand that we cannot legislate on an appropriate amendments bill. But I would just like to say to the chairman, this is not a political thing. This is not a Democratic or Republican thing. The people of that area of the world, American citizens are dying because they cannot get adequate health care and the economy has been hit very hard over there in that region of the world, and they cannot reach the matching grant requirement which is much lower than in the 48 States that we have right here.

So I would just like to say to my good friend, the gentleman from Ohio (Mr. REGULA), and the Committee on Appropriations and all of the members of the Committee on Appropriations, something has to be done about the problem in Guam, Saipan, and the Northern Marianas and American Samoa, because those people over there simply are not getting health care. It is not a question of quality of health care. They do not have enough dialysis machines, they do not have enough equipment to take care of people with heart trouble and, as I said before, they are having to go all the way to Hawaii, 4, 5, 6, 7 hours on a plane to have their lives saved. So I just wanted to bring this to the attention of my colleagues on the Committee on Appropriations, and I will bring it to the attention of the authorizing committee as well; I know it is important to do that. But I am sorry I was not on the floor to discuss this when it came up. I know it would not have done any good, because it is subject to a point of order. But this is something that they are suffering from over there.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 4 offered by Ms. JACKSON-LEE of Texas; an amendment offered by Ms. JACKSON-LEE of Texas; and an amendment offered by Mr. SANDERS of Vermont.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON-LEE OF TEXAS

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 4 offered by the gentlewoman from Texas (Ms. JACKSON-LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment. The Clerk redesignated the amendment.
The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SANDERS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont (Mr. Sanders) on which further proceedings were postponed and on which the noes prevailed by voice vote. The Clerk will designate the amendment. The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded. A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—aye 156, noes 261, answered “present” 1, not voting 15, as follows: (Roll No. 426)

AYES—156

Abercrombie—Gutierrez—Oberstar
Ackerman—Harman—Obey
Allen—Hastings (FL)—Over
Andrews—Hinckley—Owens
Baca—Hinojosa—Fallone
Baldr—Holt—Peleci
Baldwin—Insko—Price (NC)
Berman—Jackson (NY)—Rangel
Bishop (GA)—Jackson (MS)—Reyes
Bishop (NY)—Jackson-Lee—Rodriguez
Blumenauer—Jefferson—Ruppersgerber
Brown (OH)—Johnson (Wash.)—Rush
Brown, Corrine—Johnson (OH)—Sabin
Butler—Kaptur—Sánchez, Linda
Capuano—Kildee—Sánchez, Loretta
Cardoza—Kilpatrick—Sanders
Cardona—Kiska—Schakowsky
Case—Lantos—Schiff
Clay—Larsen (WA)—Scott (GA)
Clyburn—Larsen (CT)—Scott (VA)
Conyers—Lee—Serrano
Cooper—Levin—Sherman
Crowley—Lewis (GA)—Slaughter
Cummings—Logan—Smith (WA)
Davis (CA)—Lynch—Solis
Davis (IL)—Majette—Spratt
Davis, Tom—Markay—Stupak
DeFazio—Matossi—Tanaka
DeGette—McCarthy (MO)—Taylor
Delahunt—McDermott—Tejeda
DeLauro—McGovern—Udall (NM)
Duncan—McNulty—Van Hollen
Emanuel—Meehan—Watson
Etheridge—Meeks (NC)—Watt
Ford—McDonald—Waxman
Frank (MA)—Miller (NC)—Wenner
Frost—Miller, George—Wexler
Gephardt—Moran (VA)—Wilson (NM)
Gonzalez Nadler—Woolsey
Green (TX)—Napolitano—Wax
Greenwood—Neal (MA)—Wynn

NOES—261

Aderholt—Biggert—Boehner—Bono
Alexander—Biggers—Bilirakis—Boone
Bachus—Blackburn—Blunt—Boehlert
Barrett (SC)—Blackburn—Bradley (FL)
Bartlett (MD)—Boehlert—Brown (SC)
Bass—Boehlert—Brown-Waite
Beaulieu—Boren—Brown-Waite, R.
Berry—Bono—Burges

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are reminded there are 2 minutes remaining in this vote.

1615

So the vote was rejected.
turning from my district due to official business and I missed rollcall vote Nos. 422, 423, 424, 425, 426, 427.

If I had been here I would have voted in favor of rollcall vote No. 422, to name the Harvey and Bernice Jones Post Office Building, and rollcall vote No. 423, to name the General William Carey Lee Post Office Building.

I would have voted “no” on rollcall vote No. 424, the Previous Question regarding the Rule for the Labor Health and Human Services and Education Appropriations bill for Fiscal Year 2005.

I would have voted in favor of rollcall vote No. 425, Ms. JACKSON-LEE’s amendment to increase funding in the CDC and NIH for Lupus.

I would have voted in favor of rollcall vote No. 426, Ms. JACKSON-LEE’s amendment to increase funding in the CDC for Hepatitis C.

I would have voted in favor of rollcall vote No. 427, Mr. SANDER’s amendment to increase funding for the low-income home energy assistance program and the weatherization assistance program.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The text of the remainder of the bill through page 95, line 21, is as follows:

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by part G of title I, subpart 5 of part A and parts C and D of title II, parts B, C, and D of title V, and section 1504 of the Elementary and Secondary Education Act of 1965, $120,856,000.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Assistive Technology Act ("the AT Act"), and the Helen Keller National Center Act, $1,034,587,000, of which $15,000,000 shall be for grants to States under title III of the AT Act: Provided, That the Federal share of such grants shall not exceed 75 percent, and the requirements in sections 301(c)(2) and section 302 of the AT Act shall not apply to such grants.

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), $17,000,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $5,790,000, of which $1,685,000 shall be for construction and instructional services to immigrants and other limited English speakers: Provided, That the Federal share of grants provided for instructional services may exceed 100 percent.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $104,000,000: Provided, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Technical Education Act of 1998, the Adult Education and Family Literacy Act, and subpart 4 of title V of the Elementary and Secondary Education Act of 1965 ("ESEA"), $2,205,456,000, of which $1,234,456,000 shall become available on July 1, 2005, and shall remain available through September 30, 2006; Provided, That the amount provided for Adult Education State Grants, $653,000,000, shall be made available for an integrated English literacy and civic education services to immigrants and other limited English speakers, and other similar programs.
English proficient populations: Provided further, That of the amount reserved for integrated English literacy and civics education, notwithstanding section 211 of the Adult Education and Literacy Act, $1,500,000 shall be allocated to States based on a State’s absolute need as determined by calculating each State’s share of a 10-year average of out-migration of English Language Service data for immigrants admitted for legal permanent residence for the 10 most recent years, and 35 percent allocated to States with national out-migration growth as measured by the average of the 3 most recent years for which Immigration and Naturalization Service data for immigrants admitted for legal permanent residence are available, except that no State shall be allocated an amount less than $50,000: Provided further, That of the amounts made available for the Adult Education and Literacy Literacy Act, $9,159,000 shall be for national leadership activities under section 243 and $6,692,000 shall be for the National Institute for Literacy under section 242: Provided further, That $101,698,000 shall be available to support the activities authorized under subpart 4 of part D of title V of the Elementary and Secondary Education Act, provided that such funds shall become available October 1, 2004, and shall remain available through September 30, 2006, for evaluation, technical assistance, school district and comprehensive school systems review, collaborations, and program outreach activities, and of which not less than 95 percent shall become available on July 1, 2005, and remain available through September 30, 2006, for grants to local educational agencies: Provided further, That funds made available to local education agencies under this subpart shall be available to support activities related to establishing smaller learning communities in high schools.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3 and 4 of part A, part D of title IV of the Higher Education Act of 1965, as amended, $14,755,794,000, which shall remain available through September 30, 2006. The Secretary shall, for which a student shall be eligible during award year 2005–2006 shall be $4,050.

STUDENT AID ADMINISTRATION

For Federal administrative expenses in (additionally, otherwise) available under section 458), to carry out part D of title I, and subparts 1, 3, and 4 of part A, and parts B, C, D and E of title IV of the Higher Education Act of 1965, $129,247,000.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, section 121 and titles II, III, IV, V, VI, and VII of the Higher Education Act of 1965 (“HEA”), as amended, section 1543 of the Higher Education Amendments of 1992, the Mutual Educational and Cultural Exchange Act of 1961, and section 117 of the Carl D. Perkins Vocational and Technical Education Act, $1,978,656,000, of which $1,500,000 for interest subsidies authorized by section 121 of the HEA shall remain available until expended: Provided, That, $9,876,000, to remain available through September 30, 2006, shall be available to fund fellowships for academic year 2006–2007 under part A, subpart 1 of title VII of said Act, under the terms and conditions of part A, subpart 1: Provided further, That $886,000 is for data collection and evaluation activities for programs under the HEA, as activities needed to comply with the Government Performance and Results Act of 1993: Provided further, That notwithstanding any other provision of law, the Department of Education Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to the United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government or national development: Provided further, That up to one percent of the funds referred to in the preceding proviso may be used for program evaluation, technical assistance, and information dissemination activities.

HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), $243,693,000, of which not less than $1,500,000 shall be used to carry out an endowment grant pursuant to the Howard University Endowment Act (Public Law 98–480) and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses authorized under section 121 of the Higher Education Act of 1965, $578,000 to carry out activities authorized by section 409 of the Act, and all amounts authorized by section 411 of the Act shall become available October 1, 2004, and shall remain available through September 30, 2006, for evaluation, technical assistance, and program outreach activities, and of which not less than 95 percent shall become available on July 1, 2005, and remain available through September 30, 2006, for grants to local educational agencies: Provided further, That funds made available to local education agencies under this subpart shall be available to support activities related to developing smaller learning communities in high schools.

INSTITUTE OF EDUCATION SCIENCES

For carrying out activities authorized by Public Law 197–279 and section 672 of the Individuals with Disabilities Education Act, $526,804,000: Provided, That, of the amount appropriated, $135,516,000 shall be available for obligations through September 30, 2006.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, $421,055,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $82,542,000, of which $5,000,000 is for salaries and expenses of the Director, $400,000 is for travel, $12,000,000 is to be used for salaries and expenses of the Inspector General, and $60,000,000 is for salaries and expenses of the Assistant Inspector General.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, $47,750,000.

GENERAL PROVISIONS

Sec. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

Sec. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student’s home, except for a student requiring special education, to the school offering such special education, in compliance with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or the creation of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

Sec. 303. No funds appropriated under this Act may be used to prevent the implementation of programs or provisions for match- endowment grant pursuant to the Howard University Endowment Act (Public Law 98–480) and shall remain available until expended.

Sec. 304. To not exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance.

Sec. 305. Section 8002(m) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 12051) is amended by striking “5 years” each place it appears and inserting “7 years”.

Sec. 306. None of the funds appropriated by this Act shall be available to the Secretary of Education—

(1) to enforce any change or clarification of Department of Education policy with respect to the Federal Family Educational Loan Consolidation loans for borrowers with both FFEL and non-FFEL loans, as provided for in a dear colleague letter of the Secretary’s dated April 29, 2004; or

(2) to issue letters regarding loan verification certificates to providers of Federal Family Education Loan requesting information regarding William D. Ford Direct Student Loans, including Direct Stafford, PLUS, and Consolidation Loans, that state either of the following:

We cannot approve the certification form (s). The borrower has Direct Loans.

(2) We cannot approve the certification form (s). The borrower has a Direct Consolidation Loan and has no other loans.

This title may be cited as the “Department of Education Appropriations Act, 2005”.

TITLE IV—RELATED AGENCIES

ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home-Gulfport, $61,195,000, of which $51,196,000 is to be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance.

For expenses necessary of the Committee for Purchase From People Who Are Blind or Severely Disabled, $28,828,000, of which $27,829,000 shall be from funds available in the Armed Forces Retirement Home Trust Fund, $61,195,000, of which $51,196,000 is to be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance.

For expenses necessary for the Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Gulfport, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $61,195,000, of which $51,196,000 is to be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

For expenses necessary for the Corporation for National and Community Service to
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FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION
SALARIES AND EXPENSES
For expenses necessary for the Federal Mine Safety and Health Review Commission, $9,905,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Fund.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES
For carrying out the Museum and Library Services Act of 1996, $261,743,000, to remain available until expended.

In SUPPORT OF THE CORPORATION FOR PUBLIC BROADCASTING
For expenses necessary to carry out section 180, 182, and 183 of the Corporation for Public Broadcasting Act of 1970 (Public Law 91-945, as amended), $1,000,000.

NATIONAL ORGANIZATION FOR THE PUBLIC HEALTH
For expenses necessary for the National Organization for the Public Health, $1,000,000.

NATIONAL UNION OF JOURNALISTS
For expenses necessary for the National Organization for the Public Health, $1,000,000.

NATIONAL LABOR RELATIONS BOARD
SALARIES AND EXPENSES
For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141-167), and other laws, $248,785,000: Provided, That no part of that appropriation shall be available to organize or assist in organizing or collective bargaining of agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 9(f) of the Act of June 25, 1938 (29 U.S.C. 205), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, dams, and waterways, and in the maintenance or operation on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby is used for farming purposes.

NATIONAL MEDIATION BOARD
SALARIES AND EXPENSES
For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor-Management Relations Act, 1947 (29 U.S.C. 171 et seq.), and all other laws, $298,100,000: Provided, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: Provided further, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or gender.

Of the amounts made available to the Corporation for Public Broadcasting for fiscal year 2005 by Public Law 108-7, up to $20,000,000 shall be available for grants associated with the transition of public broadcasting to digital broadcasting, including costs related to transmission equipment and program production, provided, that the amount of such grants is awarded as determined by the Corporation in consultation with public radio and television licensees or permittees, or their designee, responsible for carrying out the transition.

Provided, That none of the funds made available pursuant to section 396(k)(10) of the Communications Act of 1934, as amended, for replacement and upgrade of the public television interconnection system: Provided, That section 396(k)(3) shall apply only to amounts remaining after allocations made herein.

FEDERAL MEDIATION AND CONCILIATION SERVICE
SALARIES AND EXPENSES
For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor-Management Relations Act, 1947 (29 U.S.C. 171 et seq.), including the hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1974 (29 U.S.C. 171b, 180, 182, 183), including the hire of passenger motor vehicles; for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 96-454 (5 U.S.C. ch. 71), as amended, $43,961,000, including $1,500,000, to remain available through September 30, 2006, for activities authorized by the Labor-Management Cooperation Act of 1974 (29 U.S.C. 175a); provided, notwithstanding section 31332(b), fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, provided to Federal, State, and local governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall be available until expended: Provided further, That fees for arbitration services shall be available only for education, training, and professional development purposes or functions within the Director's jurisdiction.

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS
For payment to the Federal Old-Age and Survivors Insurance Trust Fund of the Federal Disability Insurance trust funds, as provided under sections 201(m), 223(g), and 1311(b)(2) of the Social Security Act, $20,454,000.

SUPPLEMENTAL SECURITY INCOME PROGRAM
For carrying out titles XI and XVI of the Social Security Act, $141,995,000, to be available in the fiscal year 2005, to remain available through September 30, 2006, as amended, and section 405 of Public Law 95-216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $24,575,829,000, to remain available until expended: Provided, That any portion of the funds provided to a State in any fiscal year that the amount of the Federal Supplemental Security Income benefit received exceeds $108,000,000: Provided, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

LIMITATION ON ADMINISTRATIVE EXPENSES
For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed $15,000 for official representation expenses, not more than $8,674,100,000 may be expended, as authorized
Mr. SHADEGG (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection. Mr. SHADEGG. Mr. Chairman, this is an amendment offered by myself and the gentlewoman from Colorado (Ms. MUSGRAVE), and we believe it is extremely important at this particular time in our Nation’s history.

Mr. Chairman, the base bill we have before us omits any funding for title V, part A education block grants, and that program has previously been funded at the level of $296 million. That program is one of the few places where educators in America have flexibility to spend money as they see fit. Indeed, these title V block grants are critical, and they give local educators the flexibility to address their local needs. They are used to reduce class size, buy computers, provide teacher training, and they are used to support remedial reading efforts.

It is the flexibility of these grants that allows school administrators when the child left behind bill is being funded across our Nation, and some people say there is not sufficient funding. Many local educators have spoken up and said this program needs to be funded.

Indeed, in a letter from the American Association of School Administrators, which represents more than 14,000 school administrators and local education leaders across the country, in a letter dated just yesterday, they said, “At a time when every dollar flowing from the Federal Government to local districts has a specific purpose, only this funding stream...” the title V education block grant, “allows districts the flexibility to use the dollars to meet the needs of the local school district.” The letter went on to say every district benefits from funding under this block grant; therefore, every district would be affected by its elimination, and they reiterate these dollars are helping local school districts implement No Child Left Behind.

I believe there is no opposition to the addition of the funding which this amendment offers. What there is a debate about the source of that funding. The amendment would provide $20 million from the Even Start Program and put it into this title V education block program. We chose that because it was the only source we could find. We would note that Even Start is already funded at $247 million, and that is a sufficient amount to continue the programs already funded. I urge my colleagues to support the amendment.

AMENDMENT OFFERED BY MR. OBEY TO AMENDMENT OFFERED BY MR. SHADEGG

Mr. OBEY. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. OBEY to amendment offered by Mr. SHADEGG:

Strike the provisions of the amendment reducing funds for Education for the Disadvantaged.
I am extremely supportive of giving our local educators flexibility with their funding so they can make decisions that truly benefit students. These innovative education funds can be used for anything to improve academic achievement. I urge my colleagues to support this amendment and restore these funds.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

But I think in fairness this is a very modest amendment that is being proposed by the gentleman from Arizona. It is $30 million for the schools that are taking responsibility, the parochial schools, some of the private schools, some of the schools that are in another venue, and it is a modest amount to say to them, we understand and we hope all this happens in your school, too. We care about the students in your school, that they get an equal shot or at least some help, a recognition of the importance of that.

The even Start program will still have money, but it is not as if we are putting it way behind. In light of all that, I strongly support the amendment proposed by the gentleman from Arizona.

Mr. SHADEGG. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN. Without objection, the gentleman from Arizona is recognized for 5 minutes.

There was no objection.

Mr. SHADEGG. Mr. Chairman, I thank the chairman of the subcommittee for his support of this amendment; and to my friend from the opposite side of the aisle, I want to make it clear to him, we did propose a much more modest amendment, only $20 million. Our original goal had been to restore the entire $296 million. I would hope that in negotiations with the other body you would find, as I do, that this is a very modest amendment.

The amendment was agreed to.

The Speaker pro tempore asked the gentleman from Arizona (Mr. SHADEGG). I wish that the majority party had not determined to walk down this road, but they have; and under the approach that they have established in the House, I must concede the point of order.

Mr. REGULA. Mr. Chairman, we will make it clear to him, we did propose a much more modest amendment, only $20 million.
part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research funds, and any entity—

(1) the percentage of the total costs of the program or project which will be financed with Federal money;

(2) the dollar amount of Federal funds for the project or program; and

(3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

S. 508. (a) None of the funds appropriated under this Act, and none of the funds in any trust fund to which funds are appropriated under this Act, shall be expended for any abortion.

(b) None of the funds appropriated under this Act, and none of the funds in any trust fund to which funds are appropriated under this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

S. 509. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical or mental health condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, a provider, a private party, or a private entity of State, local, or private funds (other than a State’s or locality’s contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State’s or locality’s contribution of Medicaid matching funds).

(d)(1) None of the funds made available in this Act may be made available to a Federal agency or program, or to a State or local government, if such agency, program, or government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

(2) In this subsection, the term "health care entity" includes an individual physician or other professional health care practitioner, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, provider, or plan.

S. 510. (a) None of the funds made available in this Act may be used for any activity—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses under 45 CFR 46.208(a)2; and section 408(b) of the Public Health Service Act.

(b) For purposes of this section, the term "human embryo or embryos" includes any organism, not protected as a human subject under the regulations in the implementation of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

S. 511. (a) None of the funds made available in this Act may be used for any activity that is derived by parthenogenesis, cloning, or any other substance included in schedule I of the schedules of controlled substances established by section 202 of the Controlled Substances Act.

(b) The limitation in subsection (a) shall not apply when there is significant medical evidence of a benefit to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

S. 512. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States unless an abortion is performed.

(2) any results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; or

(3) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

S. 513. None of the funds made available in this Act may be used to promulgate or adopt any new standard under section 1173(b) of the Social Security Act (42 U.S.C. 1320d-2) that provides for the assignment of a unique health identifier for an individual (except in an individual’s capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

S. 514. None of the funds made available in this Act may be obligated to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

S. 515. None of the funds made available by this Act to carry out the Library Services and Technology Act may be made available to any library covered by paragraph (1) of section 229(f) of such Act (20 U.S.C. 6773(f)), as amended by the Children’s Internet Protection Act, if the library has not made the certifications required by paragraph (4) of such section.

S. 516. None of the funds made available by this Act to carry out part D of title II of the Elementary and Secondary Education Act of 1965 may be made available to any secondary or elementary school covered by paragraph (1) of section 2441(a) of such Act (20 U.S.C. 6777(a)), as amended by the Children’s Internet Protection Act and the No Child Left Behind Act, unless the local educational agency, and the local educational agency serving such covered school has made the certifications required by paragraph (2) of such section.

S. 517. (a) None of the funds made available in this Act may be used to enter into an arrangement under section 7(b)(4) of the Railroad Retirement Act of 1974 (45 U.S.C. 233(b)(4)) with a nongovernmental financial institution to serve as disbursing agent for benefits payable under the Railroad Retirement Act of 1974.

(b) None of the funds made available under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2005, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds.

Amendment offered by Mr. Tom Davis of Virginia.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I offer an amendment. The Clerk read as follows: Amendment offered by Mr. Tom Davis of Virginia:

At the end of the bill, insert after the last section (preceding the short title) the following:

S. 633(c). (a) Paragraph (2) of section 1123(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332(c)) is amended—

(1) by striking “If sufficient funds” and inserting the following:

(A) Concentration grants.—If sufficient funds;

and

(2) by adding at the end the following:

(B) Targeted grants.—Notwithstanding the inability of a local educational agency to meet the minimum eligibility criteria described in section 1125(a)1 for a fiscal year, if sufficient funds are appropriated, the amount made available to the agency under section 1125 for that year shall be—

(i) if the agency met such minimum eligibility criteria and received a grant under section 1125 for the preceding fiscal year, not less than 67 percent of the amount of such grant;

and

(ii) if the agency met such minimum eligibility criteria and received a grant under section 1125 for the second preceding fiscal year (but not the preceding fiscal year), not less than 34 percent of the amount of such grant.

(C) Education finance incentive grants.—Notwithstanding the inability of a local educational agency to meet the minimum eligibility criteria described in section 1125(c) for a fiscal year, if sufficient funds are appropriated, the amount made available to the agency under section 1125A for that year shall be—

(i) if the agency met such minimum eligibility criteria and received a grant under
section 1125A for the preceding fiscal year, not less than 67 percent of the amount of such grant; or

(ii) if the agency met such minimum eligibility criteria and received a grant under section 1125A for the second preceding fiscal year (but not the preceding fiscal year), not less than 34 percent of the amount of such grant.

(b) The amendments made by this section apply only with respect to funds appropriated for fiscal year 2003 or any subsequent fiscal year.

Mr. TOM DAVIS of Virginia (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. REGULA. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Ohio reserves a point of order.

Mr. OBEY. Mr. Chairman, I also reserve a point of order.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. TOM DAVIS of Virginia. Mr. Chairman, first let me state I realize this amendment is subject to a point of order so I will withdraw the amendment, but I want to take the opportunity to raise an important issue that is of great importance to the Fairfax County school districts which I represent.

Mr. Chairman, No Child Left Behind requires the Department of Education to use the most up-to-date poverty data from the Census Bureau when determining eligibility for title I grants. The intent behind this requirement is sensible. We want title I funds going where they are most needed.

That said, two of the four available title I grant programs, Targeted Grants and Education Finance Incentive Grants, have a 5 percent cutoff for eligibility. If a school district falls below the 5 percent poverty level, it would lose all funding through these grants. There are no hold-harmless provisions for a drop in poverty rates.

In the case of Fairfax County, our most recent poverty figures fell about 1 percent to 4.94 percent. While this figure represents a small number of students, 106 students to be exact, it has equated to a 26 percent reduction in title I funds.

We lose almost $3½ million for losing 106 students. That is about $33,000 a student. My concern is not just that my local school district has lost $3.3 million in funding this coming school year, it is that a school district like Fairfax County can hover at around the 5 percent level year after year, and this makes it impossible to plan effectively since it is unclear from one year to the next whether these funds will be available.

Our amendment would hold harmless provisions for targeted and EFIG grants. The first year the school district fell below the 5 percent level, it would still be eligible for two-thirds of the amount they received the previous year. The second year it would be eligible for one-third. The third year it would lose eligibility.

In my view, a stair-step system would better reflect a true change in the demographics of a given school district and allow better planning from year to year. As I said, this equates to almost $33,000 a student for a loss of 106 students. I will withdraw the amendment, but hope that the members on the authorizing committee and appropriation committees will work with us in the future to try to look at such a stepped approach, which I think makes for better planning.

Mr. MORAN of Virginia. Mr. Chairman, I rise in strong support of this amendment which will help to correct an "unfair penalty" relating to Title I funding for some of our nation’s most deserving school districts.

There are four different grant categories which deliver Title I funds to school districts: Basic Grants, Targeted Grants, Education Finance Incentive Grants (EFIG), and Concentration Grants. The Department of Education maintains a 5 percent poverty level "cliff" for Education Finance Incentive Grants and targeted grants.

This means that if a school district’s poverty line falls below five percent, they lose a significant portion of their Title I funds.

The Davis-Moran amendment would provide a phase out of funds over several years, for example, if the school district falls below the 5 percent requirement, they would only lose 33 percent the following fiscal year. After the second consecutive year, they would lose 66 percent. After the third year, they would lose all funding. If a school district’s poverty data rose above the 5 percent minimum level, it would be fully eligible to receive education finance incentive grants and targeted grants.

As a representative of one of the largest public school districts in the country, Fairfax County, I am deeply troubled that they are set to lose over $3 million in Title I funds because their poverty level is 4.96 percent, slightly below the 5 percent floor required for most Title I grants.

This loss of Title I funds is going to have a devastating impact on several school districts and comes at a particularly critical time. School districts are facing the public choice and supplemental services sanctions mandated by No Child Left Behind, and these school districts are going to be forced to redirect Title I funds out of the very classrooms where they are needed the most.

No Child Left Behind stipulates that the Department of Education must use the most-up-to-date poverty data from the Census Bureau in determining a school district’s eligibility to receive Title I funds. Because of this, the Department of Education is using data from census year 2000 for their calculations of poverty rates. Unfortunately it is 2004 and we do not have the same economy that we had 4 years ago.

In Fairfax County alone, the student population eligible for the free and reduced-price lunch program has increased by 18 percent since FY 2000. This data more clearly reflects the need of the Fairfax County school system to receive Title I funds than old census data.

Because Title I funds are allocated on the basis of poverty and not the basis of free and reduced price lunch eligibility, this school system stands to see their Title I funds decreased by 26 percent, the largest dollar decrease of any school division in the country.

This poverty threshold calculation actually underemphasizes significant pockets of poverty in otherwise relatively wealthy school districts. The Fairfax County Public School System is a perfect example of a school district that includes the wealthy areas of Great Falls and McLean but also the traditionally underserved areas of the Route 1 Corridor and Baileys Crossroads, where a majority of students on free and reduced lunch reside.

This calculation is not fair to those students in the poor sections of a wealthy county, and does not accurately portray the needs of them, their teachers and their schools.

I urge all my colleagues to adopt the Davis-Moran amendment and make the Title I funding formula more equitable in order to ensure that no child is left behind.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

AMENDMENT OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

Mr. GEORGE MILLER of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GEORGE MILLER of California:

At the end of the bill, before the short title, insert the following:

SEC. 501. None of the funds appropriated by this Act may be used by the Pension Benefit Guaranty Corporation to enforce section 4010(c) of the Employee Retirement Income Security Act of 1974.

Mr. REGULA. Mr. Chairman, I reserve a point of order.

Mr. GEORGE MILLER of California. Mr. Chairman, I rise to offer an amendment to better protect the pension benefits of millions of Americans. Workers’ retirement security has been taking it on the chin for the last 4 years. First, tens of thousands of workers and retirees lost their retirement savings after the Enron and WorldCom debacles. Then the Bush administration tried to restart the cash balance conversions and cut the pensions of millions of older workers. Under that proposal millions of older workers would have seen their pension benefits cut up to in half, and they would have had no way to return and repair the amount of money that they were planning to retire on. And now we find out that thousands of pension plans are, in fact, underfunded, and many are considering the termination and the dumping of billions of dollars of liability on the Pension Benefit Guaranty Corporation, the agency that ensures the work- ers’ retirement security.

The Pension Benefits Guaranty Corporation has gone from a $7 billion surplus to a $10 billion deficit in just 2

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years. The GAO has it on its watch list of high-risk agencies. And a handful of airlines, including United, Delta, and US Air, may soon dump more liabilities on the Pension Benefits Guaranty Corporation that reach as high as $30 billion.

One of the worst parts of this is that the workers have no idea that their pension funds are underfunded and at risk, that their employer could default on their pension promises. Let me say that again. That inadequate minimum wage while they were at risk, the workers are not informed of that information. Pension law requires underfunded pension plans to report their underfunding to the government, but not to the workers.

My amendment is simple. I prohibit the Pension Benefit Guaranty Corporation from enforcing the part of the law that prohibits them from disclosing to workers and to retirees the funding status of their pension plan. After all, this is their money. This is money that they have contributed to those pension plans. It is money that they are planning on for their retirement. It is money that they are planning on for their future, and it is money that they cannot replace if they are an older worker. They ought to have this information.

Most interesting is the fact that the Pension Benefit Guaranty Corporation wants to make this information public. The Bush administration has said that they support making it public. But this provision in the law prevents them from doing this.

There is no reason why the government should know the status of company pension plans, but the workers should not. Workers are losing more and more each day under the administration’s proposals on pension. Their jobs are being outsourced overseas. Their wages are falling. They have no protection. They are either losing their health care benefits or paying more in copays and deductibles and more of their wages on skyrocketing health insurance premiums, and they are losing their retirement security.

We have got to be able to provide them this information. This is very analogous to the workers at the Enron Corporation. The corporation knew that their 401(K) plans were in serious jeopardy. The Bush administration has said that they would unload the stock because they knew they could not continue that criminal enterprise that they were engaged in in ripping off the energy consumers of this Nation. They unloaded. They got out. They took care of their golden parachute. But the workers lost their 401(K) plans.

In this Congress we listened to the testimony of these workers as they talked about their entire retirement being destroyed, workers who were 6 years old, 8 years old, who had worked 10 and 15 and 20 years, who were planning to retire, no way to replace those savings. And now we see, and now we see, that there are hundreds of corporations that are underfunding; in fact, over 1,000 corporations that are underfunded according to the law in their pension plans, but this information is disclosed only to the Pension Benefit Guaranty Corporation and not to this. Why does this amendment go on the floor? Because I have requested the chairman of the committee to ask to make this information public, and he has refused to do so. If he would do that, the law provides that it would be made public. It is a member of Congress. At least we could start to see some of this information. But that will not be done.

The fact of the matter is this, and it is very simple: The workers in these corporations paid into these pensions. The corporations contributed to these pensions. The workers gave up other benefits to get these pensions. That money belongs to the workers. The workers ought to have the information. The GAO has said that the Treasury of the gentleman from California (Mr. GEORGE MILLER) has expired.

(By unanimous consent, Mr. GEORGE MILLER of California was allowed to proceed for 1 minute.)

Mr. GEORGE MILLER of California. Mr. Chairman, it is just a matter of decency. We see now major reforms going on in the administration of mutual funds and how their relationships are on behalf of workers, the disclosures of transactions, time days, one scandal after another, with people cheating the owners of the money out of their funds. Now we see the machinations of corporations as they try to cover up the potential liability or the potential failure or the loss of these pensions of the workers. Transparency is the watchword of the day. The workers of America, of corporations that are in danger of unloading these pensions and getting rid of their pensions, the workers of this country are entitled to that information.

I would hope that this House would support this in the name of the transparency, in support of the Bush administration, in support of the position of the Pension Benefit Guaranty Corporation that this information should be made available, and I would urge an aye vote.

Mr. ANDREWS. Mr. Chairman, I move to strike the last word.

I rise in strong support of the amendment by the gentleman from California (Mr. GEORGE MILLER). I think most Americans, Mr. Chairman, would be shocked to know that information about their pensions, which they own is not available to them at the same time it is available to a government agency.

When the President speaks about Social Security, he is fond of talking about trying to create accounts which are private property of citizens so that their pensions are not available to their heirs. If those pensions are already private property of citizens. When one contributes to a pension fund, or their employer contributes on their behalf to their fund, they own it. But under the present law, one of the more remarkable laws that we have on the books, if the pension fund that one’s employer sponsors is in trouble, if it looks like it is going to be unable to pay benefits because funds have been ex-
idea that is supported, to my understand-

standing, by the administration. I hope it

would be supported by both sides of the

aisle here. I would urge a "yes" vote.

Mr. REGULA. Mr. Chairman, I con-

tinue to reserve a point of order.

Mr. BOEHNER. Mr. Chairman. I move to

strike the requisite number of words.

I appreciate the concerns of my col-

leagues on the other side, but I rise
today in opposition to their amend-

ment and while they make it sound

simple as it would normally be the
case, there is nothing at all simple about
the amendment that is being of-

fered.

The 401(b) information that is re-

quired to be submitted to the Pension Benefit

Guaranty Corporation would be for any

defined benefit pension plan that has a

negative balance actuarially of at least

$50 million, and these could be public
companies, they could be private com-
panies. And in this information it has to be

supplied to the Pension Benefit Guaranty
Corporation is not just infor-

mation about where the pension fund

is. It also includes all types of detailed

information about the finances of the

company itself.


For private companies who may be in

this position, this is very sensitive in-

formation.

The reason we have not dealt with the

issue as yet is we have been work-

ing on a long-term fix for the defined

benefit pension plans. As we get into

those conversations, we have had a

number of hearings over the past cou-

ple of years, we passed the Pension Eq-

uity Funding Act earlier this year,
signed by the President, to fix the most

immediate problems.

But as the gentleman from California

(Mr. GEORGE MILLER) made well

known, we have had a

number of hearings last year and this

year about the long-term problems fac-
ing defined benefit pension plans, a tra-

ditional pension plan, and what we

hope to do is to have a bill next year that

would revise all of the funding rules to

make it easier for companies to

comply with the rules and, most im-

portantly, to ensure that companies are

funding their pension plans.

As part of this overall bill, I think there

may be a way to address the con-
cerns raised by the gentleman from

California (Mr. GEORGE MILLER) in

terms of who the companies are or the

extent of their pension issue, without
disclosing all of the sensitive financial
data that must be submitted to the

Pension Benefit Guaranty Corporation.

So I would urge my colleagues to

vote no on the Miller amendment, and

my colleagues should know that a com-
mittment is on my part to the gen-
tleman from California (Mr. GEORGE

MILLER) of California. And the infor-
mation that we will address that portion

that is not nearly as sensitive on the finan-
cial data as we deal with the broader

overhaul of our defined benefit pension

laws and regulations.

I would urge my colleagues to vote

no.

Mr. OBEY. Mr. Chairman, I move to

strike the requisite number of words.

Mr. GEORGE MILLER of California.

Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman

from California.

Mr. GEORGE MILLER of California.

Mr. Chairman, I thank the gentleman

for yielding, and I thank the comments

of my chairman, the gentleman from

Ohio (Mr. BOEHNER), on this situation.

But I must say I continue to disagree

with the gentleman, and I disagree on
two grounds.

First and foremost, we have made

several requests to him to ask the

PBGC, and we have specifically have

asked, the Democrats on the com-
nittee have asked the PBGC for this

information. And we will not make it

available to the committee, much less

the public. They will not make it avail-

able to the committee because the

chairman of the committee must make

that request to them.

So when you talk about us going into

long-term pension reform, Mr. Chair-

man, at a minimum we ought to have

this information about the magnitude

of the problem and the variations

among the various corporations and

the industries that are involved in this,

and we are going to deal with some

kind of long-term and necessary

fix, that I hope we will, and I thank

you for holding those hearings. We

need that information as members of

the committee at a minimum.

But, furthermore, this information

was available up until 1994. Then the

Clinton administration cut a deal on

the financing of GATT, and this infor-

mation, the corporations prevailed on

them to make this secret in exchange

for a much larger increase to pay for

GATT. Who got left out? Who was not

at the table? The American worker. So

all of a sudden they did not get the in-

formation anymore.

The point and the magnitude and the

necessity for this amendment, let me

just point out that according to Stand-

ard & Poor, 290 of the 362 companies in

the Standard & Poor’s 500 that offer de-

fined benefit plans are underfunded by

$165 billion in 2003.

The point is this, that this is a huge,

looming problem. You know the people

who just went through bankruptcy at

U.S. Air and thought they had cured

their problem? Well, when United said,

we think we might offload our pension

problem? Well, when United said,

we think we might offload our pension

problem, we thought that’s it, and if

U.S. Air does it, it is a likelihood that

Delta will do it.

Well, that is a catastrophe for the

PBGC and for those workers. There is

something about transparency. We in-

sisted in other financial arrangements

where individuals have their money in

the hands of third parties, and in this

case we ought to do it for corporations.

So I appreciate, and I have said to the

chairman very often, that he has
given attention to this problem. We

hope to have a long-term solution. But

this is fundamental to the rights of

workers at this most perilous time

with respect to the security of their

pensions.

Mr. REGULA. Mr. Chairman, will the
gentleman yield?

Mr. OBEY. I yield to the gentleman

from Ohio.

Mr. REGULA. If I understand this

correctly, the corporation would have
to disclose information under the re-
quirements of this section that would
go beyond the pension part of their li-
abilities?

Mr. GEORGE MILLER of California.

Mr. Chairman, if the gentleman would

yield further, I appreciate that argu-

ment, but in reviewing the case, the

Bush administration said they support

this exposure under the provision of

the law, and the PBGC supports that.
I do not think these two entities are

interested in destroying these corpora-
tions. The fact of the matter is this

information was made available for

many years.

Mr. OBEY. Mr. Chairman, reclaiming

my time, I thank the gentleman from

California, and I fully agree with his

statement.

Mrs. MCCAVER of New York. Mr.

Chairman, I move to strike the re-
quisite number of words.

Mr. Chairman, all day today we have

been hearing so many different issues

coming up onto the floor that are con-

cerning so many people, and I thank

the ranking member, and I thank the

chairman, and I thank the ranking mi-

nority ranking member on the Com-

mittee on Education and the Workforce

for bringing these issues up.

I am here because I am not allowed to

bring up the assault weapons bill onto

the floor. With that, I will con-

tinue for the rest of the evening and all

day tomorrow and all day Monday to
talk about how we need to get the

President involved to be able to make

some phone calls to the Speaker of the

House. I know that he supposedly is

going to be meeting with all the police

officers and chiefs that we met this

morning to try and convince them that

this is what the American people want,

this is what our police officers want.

It comes down to a safety issue.

There are so many things that we have
to handle here, and we actually, in my

opinion, have wasted an awful lot of
time this year. We have done more

politicizing than we have done actual
work, and that is too bad, because the

only one that suffers is the American

people.

If the assault weapons ban is not re-

newed, the American people in the end

will suffer, our children will suffer, our

communities will suffer, our health

care system will suffer.
This is a bill that is already in place. They say enforce the law. Well, let us continue enforcing the law. Let us make sure the assault weapons bill stays in place. It saves lives. It does not cost us a penny.

I just want to say the bill among the large gun manufacturers, with every assault weapons gun that they buy, they will get a free large-capacity clip. Is that not terrible? It is much easier to mow down our own citizens.

Mr. DOGGETT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by our colleague and join in offering the amendment by our colleague from California (Mr. GEORGE MILLER). This amendment follows very closely legislation that the gentleman from California (Mr. GEORGE MILLER) and I introduced last year to address this problem.

The moment that we gather here in Congress, I suppose, tens of millions of Americans who are out working, trying to ensure that their families have a better future. As they do their work and they look forward to payday to get their paycheck, one of the things that is considered are what ever benefits that they get with their work. For many workers, particularly those that move in their forties and fifties to begin to think about what retirement lies ahead, they have a particular concern with the retirement plan for their company and whether it will, in fact, allow them to retire in dignity and enjoy the fruits of their labor after they have provided for their family and community, to be able to enjoy a decent, dignified retirement.

In recent years, American employees, American workers, have had good reason to be fearful that that very significant benefit of retirement that they have worked for, with some companies perhaps for 20 or 30 years, will not be there when they need it in full amount.

First there were the employees of Enron. Thousands of them, through no fault of their own, lost their retirement. Then the same thing happened at WorldCom. Thousands of people who had worked for that company almost since its origin losing their retirement future, the hope of a dignified retirement, many of them having to go back into the workforce.

Really, when you look back over the activities of this Congress since the Enron debacle, as far as preventing another debacle for employees at Enron and their retirement futures, or WorldCom, this Congress has done next to nothing to prevent other employees from suffering the same fate.

As the years have gone by and Congress has been inactive, our economy has struggled, and we have begun to see more major companies, particularly in the airline industry, begin to raise questions as to whether they were going to put their pension plan into bankruptcy, whether they were going to stop making pension payments.

This amendment does not solve all those problems. It is a very modest amendment. It simply expresses confidence in the employees, that they deserve to know the same information that their employer is filing with the government bureaucracy.

As my colleague from California just pointed out, were it not for the fine print in legislation that was approved in 1994, we would have the right to know this information. This amendment is based on the principle that if the employee has the information, they can choose to go to another employer who has a fully funded pension plan, or they can turn to their employer and ask, why not? Why am I being given a false promise of a secure retirement, when, in fact, this plan is not funded at a sufficient level to assure that all workers who work here and retire will be able to enjoy their retirement with dignity?

Of course, there is another public policy consideration here, and that is that there is a government agency, the Pension Benefit Guaranty Corporation, that is responsible for ensuring and protecting against those plans that will fail. From one of the recent reports about the status of that corporation, we face the potential of something that will make the savings and loan bailout of a few decades back look modest in comparison to the major pension funds, one after another, going under and placing a burden on this corporation.

The Bush administration came out in support of the very kind of amendment that is being offered here today. At least, once some special interest began to question the wisdom of this provision, they fell moot. But their recommendation is a matter of public policy; it is clear, and it is out there.

The Government Accountability Office, the Pension Benefit Guaranty Corporation itself, all of these have recommended that this information that they get be made available to the employee so that the employee will be empowered.

This amendment is based on the principle that the workers that are out there deserve the right to know, they deserve the right to be empowered about their pension futures, and I can see no good reason not to provide that information.

The suggestion by the chairman of the committee that he has a long-term plan to deal with this is great, but it is a little too long for the term of those who are concerned about their retirement safety and, one after another, pension plans failing.

I urge adoption of the amendment.

Mr. Chairman, does the gentleman from Ohio (Mr. REGULA) insist on his point of order?

Mr. REGULA. Mr. Chairman, I do. But we recognize that since it is a limitation amendment, that it would not be in order. On that basis, I withdraw it.

The CHAIRMAN. The gentleman withdraws his reservation.

The question is on the amendment offered by the gentleman from California (Mr. GEORGE MILLER).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. DOGGETT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California (Mr. GEORGE MILLER) will be postponed.

AMENDMENT OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment.

The Clerk read as follows: Amendment offered by Mr. STEARNS: At the end of the bill (before the short title), insert the following:

SEC. 6 of rule XVIII, further proceedings on the amendment offered by Mr. STEARNS is recognized for 5 minutes in support of his amendment.

Mr. REGULA. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Ohio (Mr. REGULA) reserves a point of order against the amendment.

The gentleman from Florida (Mr. STEARNS) is recognized for 5 minutes in support of his amendment.

Mr. STEARNS asked and was given permission to revise and extend his remarks.

Mr. STEARNS. Mr. Chairman, this is a very simple amendment. Obviously the chairman has reserved a point of order. He might want to listen to my arguments. Perhaps persuasiveness of what I have to say will change his mind.

All of us know that on July 15, 2004, the Secretary of Health and Human Services announced that Medicare would allow for the coverage of antiobesity treatments and interventions by Medicare.

He said this would go on as long as scientific and medical evidence demonstrates their effectiveness in improving the health of beneficiaries on Medicare.

Now, the question I have, and part of my amendment here is, we do not know what this means. Does this mean that it only the basis of improving the health of individuals.

So my amendment is basically saying, okay, Mr. Secretary, if you want
to go ahead and look at the coverage of somebody who is overweight, give them treatments or intervention and use taxpayers' good, hard-earned dollars to do so and you want to do it on the basis of scientific and medical evidence, what is this? So I would urge the chairman to put this in the mix, maybe perhaps in conference or something, because we all know that Medicare is increasing in light of obesity contributions, which is in the billions of dollars to Medicare, the Medicare costs, that is a very big part of this whole situation. Part B premiums are rising by 2004 to 17 percent. We have heard Senator Kerry talk about that on the campaign trail. So what is the cost of this new benefit that we are speculating might occur after we prove the scientific and medical evidence to use it? I think that, besides information about health outcomes, information about the possible consequences and obesity diseases in future premiums would be useful and also should be part of this debate.

Now, all of us in this Chamber and throughout America believe in preventative health treatments, and for Medicare beneficiaries, in that, Medicare beneficiaries are now offered "Welcome to Medicare" physicals and screening for diabetes and heart disease. But, obviously, these new benefits are passed along in premiums to beneficiaries, and we should also talk about that.

Now, I remind my colleagues that on August 27, Federal Reserve Chairman Greenspan was speaking about Social Security and Medicare entitlements, and he warned his audience at that point, he said, "If we have promised more than our economy has the ability to deliver to retirees, as I fear we have, we must recalibrate our public programs so that pending retirees have time to adjust." Let us think about what we promise and what we decide as a Nation to cover and, more importantly, what is the price tag for these new benefits for the beneficiaries.

With 64 percent of the American population that is overweight, a substantial number of beneficiaries may likely qualify for this new coverage, and that will increase the cost. Moreover, with the declaration of obesity as a disease, we treat it into public funding and issues involving health behavior. Now, science certainly points to biological contributions to obesity, for example, genetics or uncontrolled metabolism. But still, there are undoubtedly behavioral choices involving what we eat and whether we exercise. These are a matter of personal preference and choice, and I think it is dangerous to say that, just because Medicare is a public program, it can insert itself into private decisions.

Recently, in an article in Reason Magazine on "The War on Fat," they write that the argument based on taxpayer-funded health insurance proves too much. It gives the government an open-ended license to tax, regulate, or ban any behavior that might lead to disease or injury. If diet is a political issue, what is not? The same logic suggests that government should take an interest in how much we sleep or whether we floss regularly.

So I urge the chairman, that we should find the cost of this new benefit to Medicare and, obviously, trial lawyers also may use the policy change as another weapon in their arsenal.

So, Mr. Chairman, in light of your distinguished leadership here and you are saying that it is out of order, I am willing to withdraw this amendment. I recognize that this is perhaps not the appropriate place, but I urge the chairman and his colleagues on the conference committee to consider defining the cost before we allow this new benefit to continue.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I understand what the gentleman is saying, and I think it is a very difficult definition as to what obesity would be because there are so many factors, but what we might consider and will look at in the conference would be some language just asking the Secretary, looking at, I think it is a significant challenge prospectively. I think the gentleman from Florida has served a useful purpose of causing us to focus on what could be a significant challenge prospectively.

Mr. STEARNS. Mr. Chairman, will the gentleman yield?

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

Mr. STEARNS. Mr. Chairman, I thank the gentleman for his leadership and consideration on this; and I think perhaps that is a compromise, to ask the Secretary how much it will cost to implement this on this sort of general understanding of what he is going to do. So I thank the chairman. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDMENT OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, I offer an amendment.
The Clerk read as follows:

Amendment offered by Mr. Hefley:

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

Sec. 6. - Total appropriations made in this Act (other than appropriations required to be made by a provision of law) are hereby reduced by $1,425,000,000.

Mr. Hefley. Mr. Chairman, I rise today to offer an amendment that would cut discretionary spending in this appropriations bill by $1.4 billion, about one-third of the $4.25 billion discretionary spending price tag. As many of my colleagues know, I have offered a similar amendment on many of the appropriations bills.

Let me begin by saying, however, that I recognize the difficult job the committee has had in putting together this bill. It is complex, it is big, it is a lot of money, it is important, and there are many, many good things in it as there are.

However, the fact remains that the Federal budget for fiscal year 2005 is going to be too large. Until we can make a dent in the outrageous level of the Federal deficit, we must be even more diligent in reining in spending. I do not think it is too much to ask to trim the budget for this spending bill by a mere 1 percent and prove to the American public that we want to make a priority of balancing the Federal budget.

I also want to point out that this amendment is structured so that the administration would maintain the ability to determine which accounts should be cut or scaled back in order to achieve this rescission, rather than cutting all programs across the board. This amendment is not to single out any programs for reduction, but I am confident that we can eliminate some of the waste and abuse and find a way to trim 1 percent of the total spending.

Thus, I ask my colleagues to support this amendment, and I think this amendment will serve the amount of discretionary spending in this bill by 1 cent on the dollar.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I understand the gentleman's concern, and it is a worthy objective, but we have tried already to cut back. When we know that we are bringing out a bill of this magnitude that affects the lives of 280 million Americans in terms of their education, in terms of their employment opportunities, we have already pushed that as hard as we can; and we are under the cost of living. It is only a 2.2 percent increase over last year.

I think we have worked very hard to meet the needs of the American people in a very responsible way. While it seems like 1 percent is not a lot, it is $1.4 billion. And do we start taking it out of programs for special needs children, do we take it out of the title I, or do we take it out of health research? We realize the difficulty of applying something like this across the board.

Reluctantly, I oppose the amendment because I think we have already made a real effort to make this bill as financially responsible as possible, given the challenges of meeting the needs of the people of this Nation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. Hefley).

The question was taken; and the amendment was agreed to.
Mr. HEFLEY. Mr. Chairman, I demand a recorded vote. A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, this 15-minute vote on the Hefley amendment will be followed by one 5-minute vote, as ordered on the amendment offered by the gentleman from California (Mr. GEORGE MILLER).

The vote was taken by electronic device, and there were—aye 79, noes 333, not voting 21, as follows:

[Roll No. 428]

AYES—79

Noes—333

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GEORGE MILLER) which was postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

Further in the voting, there were—aye 268, noes 148, not voting 17, as follows:

[Roll No. 429]

AYES—268

Not voting—21

Ballenger
Bero
Bono
Cannon
Craner
Cummings
Engel
Gephardt
Goss

Portman

Miller (NC)
Johnson, Sam (OH)
Jones (OH)
Kanwischer
Kaptur
Kelley
Kennedy (MN)
Kennedy (RI)
Kilpatrick
King (NY)
Kirk
Kline
Kolbe
Kucinich
LaHood
Lampton
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaNoue
Leach
Lee
Lewis (CA)
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Lucas (KY)
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McCarthy (MO)
McCarthy (NY)
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ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (dusting the vote). Members are advised that 2 minutes remain in this vote.

MERRILL, ROUSSEAU, BRADY OF PENNSYLVANIA, FRANK OF MASSACHUSETTS, MS. SCHAKOWSKY, AND MERRILL, OWENS, LYNCH AND ISRAEL changed their vote from "aye" to "no." Merrill, Sullivan, Otter, Mario Diaz-Balart of Florida, and Whitfield changed their vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. MILLICENTER-MCDONALD. Mr. Chairman, on rollcall No. 428 I was asked to vote in the floor

in time for voting. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GEORGE MILLER) which was postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.
ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

[1805]

Messrs. TAYLOR of North Carolina, ADERHOLT, SHUSTER, SWEENEY, WAMP, Ms. HART and Mr. WALSH changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

[1800]

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, there are now more than 8 million people out of work in this country; 3 million have been out of work for so long they have exhausted their unemployment compensation benefits. We have more than 1.5 million fewer private sector jobs than we had 4 years ago, and the administration's response to that has been to impose new regulations allowing employers to chisell workers on overtime protection, despite the fact that cost of living has risen twice as much this year as last year, despite the fact that gas prices, college tuition, and health care costs are going through the roof.

I had planned at this point to offer an amendment with the gentleman from California (Mr. GEORGE MILLER) which would block most of the sections of that new rule with one exception: We would have allowed the changes to go forward that improve the situation for workers that make between $8,000 and $23,000 a year. But now I have been told that if I intend to offer that amendment, the majority will shut down the House for the evening.

The record will show that the majority of the House refused to bring the bill to the floor so they have another chance to pass the bill so they have another chance to twist arms overnight.

Do you really want to put workers in so much of a corner that you will not even allow us to have a vote on this over time provision? We already won this vote once in the House, we won it once in the Senate, and yet the majority leadership arbitrarily stripped it out of the bill last year. Now you are trying to play the same game this time. I hope that every majority Member who intends to vote for this amendment tomorrow, if the House comes back into session on this bill, I hope you will stick with your conscience overnight and not cave in to pressure by tomorrow morning.

Mr. REGULA. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The motion is on the motion offered by the gentleman from Ohio (Mr. REGULA).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 216, noes 195, not voting 23, as follows:

[Roll No. 430]

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MEMORANDUM FOR THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

So the motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. LATTOURTE, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 5025) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005, and for other purposes, had come to no resolution thereon.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF HOUSE RESOLUTION 757, EXPRESSING SENSE OF THE HOUSE ON ANNIVERSARY OF TERRORIST ATTACKS LAUNCHED AGAINST UNITED STATES ON SEPTEMBER 11, 2001

Mr. DREIER. Mr. Speaker, I ask unanimous consent that it shall be in order at any time to consider House Resolution 757 in the House; the previous question shall be considered as ordered on the resolution and preamble to final adoption without intervening motion or demand for division of the question except: (1) 1 hour of debate on the resolution equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations; and (2) one motion to recommit which may not contain instructions.

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

There was no objection.

REPORT ON H.R. 5025, DEPARTMENTS OF TRANSPORTATION AND TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2005

Mr. IOSTOOK, from the Committee on Appropriations, submitted a privileged report (Rept. No. 108-671) on the bill (H.R. 5025) making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

MOTION TO INSTRUCT CONFERREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

Mr. HILL. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion. The Clerk reads as follows:

Mr. HILL moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to the bill H.R. 1308 be instructed to agree, to the maximum extent possible within the scope of conference, to a conference report that—

(1) extends the tax relief provisions which expire at the end of 2004, and

(2) does not increase the Federal budget deficit.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Indiana (Mr. HILL) and the gentleman from Pennsylvania (Mr. ENGLISH) each will control 30 minutes. The Chair recognizes the gentleman from Indiana (Mr. HILL).

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

Mr. Speaker, today I am here to introduce a simple, but important, motion before us. My motion calls on Congress to extend expiring middle- and low-income tax cuts set to expire at the end of this year without increasing the deficit. We have seen broad and bipartisan support for extending the middle-class tax cuts. We have also seen bipartisan support for the concept of pay-as-you-go to avoid further increasing the ballooning budget deficits facing our Nation. The motion before us asks the conferees to be sure that Congress achieves both of these goals.

We have already seen a bipartisan proposal from the Senate extending for a year middle-class tax cuts without increasing the deficit. And the Blue Dogs have offered a corresponding bill in the House.
Mr. Speaker, we ought to be creating economic stimulus and tax relief while maintaining our long-term economic security. Economists have estimated that the current debt limit will be reached very soon, either this month or in October. This means that the limit on the national debt will have to be raised for the third time in 4 years to more than $8 trillion, effectively forcing our children and our grandchildren to pay our Nation’s bills. Tragically, Social Security becomes the victim of irresponsible budgeting because its surpluses are used to fund the debt.

The Congressional Budget Office has announced that the 2004 deficit will be $422 billion. When the Social Security surplus is excluded, the deficit for 2004 is $574 billion. And we have got projected deficits as far as the eye can see if Congress continues down the path it is on.

For starters, I think a budget paired with budget enforcement rules would help get us on the right track. Alan Greenspan and many others have called for these deficits to be reined in through pay-as-you-go budget discipline. So if we are going to cut taxes in this fiscal climate, we ought to be doing it either with offsets or spending cuts. I could not in good conscience add more burden to the backs of our children and grandchildren, and this Congress should not have that kind of a conscience as well. Families are spending thousands of dollars each year in debt taxes because the Federal Government has not balanced its books. As deficits grow, so does the burden on taxpayers. Not only is the deficit spending irresponsible, but it is immoral, passing on a legacy of debt to be paid off by our children and our grandchildren.

One of our highest priorities should be to act fiscally responsible with the people’s money. If we are to be accountable and honest with the people, we must honestly confront the cause of these deficits. We cannot continue down the path of increased spending and tax cutting at the same time. This Congress is doing both, and it is burying its head in the sand by expecting the debt to just go on.

Alan Greenspan and many others have said that deficits as far as the eye can see are on the horizon, if we must borrow the money tomorrow. As the Concord Coalition has noted, if we must borrow the money, the cost will even be greater than $8 trillion, effectively forcing us to pay interest on the borrowed money. That is equal to a tax increase on the American people.

All it takes is a couple of hands reaching across the aisle, and we can make a real difference in the lives of the concerned American families. Both Congress and the administration ought to sit down, put everything on the table, and get our economic house in order, not mortgage our future to pay for today.

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

Mr. ENGLISH. Mr. Speaker, I yield 7 minutes to the gentleman from Arizona (Mr. HAYWORTH), my distinguished colleague from the Committee on Ways and Means.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding me this time. I listened with great interest to my friend from Indiana, and I rise asking this House to reject this motion to instruct because when we take a closer look at what is transpiring here, we see really a distillation, a distinction, of two different philosophies. One is the notion that the highest and best use of the taxpayers’ money is here by government and that is fine. That is an intellectually defensible position; but those who offer that tonight, I believe, need to make very clear to the American public what, in fact, transpires if we embrace this notion to instruct.

Essentially what will transpire, despite the best efforts of my friends on the other side, if this body fails to act to maintain the rate of tax relief, next year the $1,000 child tax credit shrinks. It shrinks to $700 per child.

If we want to provide tax relief for working families, the desired goal that we hear from our friends here, we do not want, in essence, to increase taxes. But that will be what will happen. We will see the marriage penalty provision reduced.

And it is fine to have a disagreement. My friends on the other side view this as a fundamental cost to government. Again, that is fine, and I will leave that position for them to stake out, and we could go back through a litany of history in deficit spending that in previous Congresses it seemed to matter not a whit. But we welcome this adherence that my friends now say they will have for economy, responsibility. We welcome it from any quarter.

But the question becomes, What is the best way really long term to reduce deficits? And this argument, incidentally, is nothing really new. It has been a part and parcel of our constitutional Republic since the Federalist Papers. Hamilton and others said, why do we not embrace a policy of growth? When we reduce taxation across the board, when we maintain the $1,000-per-child tax credit, we violate the marriage penalty that we have incorporated into current law, we actually grow the economy because people have more of their hard-earned money to spend.

And so it is important to maintain the tax relief that we have already established, not to come back and fill under the notion that somehow by reducing taxes we are being accountable and responsible. No, we are not to the families who depend on the tax relief. And if we reject across-the-board tax relief, we are hurting the very people who produce in our economy.

Good people can disagree. And we appreciate the motion to instruct, and we appreciate the lectures that will be forthcoming, to be sure, on fiscal responsibility. But at the end of the day when we maintain a reduction of taxation across the board, we grow our economy. We have seen that happen. It is not partisan. Many of my friends on this side and, indeed, throughout the Chamber and across this country, Mr. Speaker, remember with great reverence Jack Kennedy’s Presidency, remember his argument that a rising tide lifts all the boats, that when we cut taxes across the board, we invigorate the economy.

We see that happen, though, sadly. President Kennedy did not live to see the result. We saw it happen in the Presidency of Ronald Reagan. We have seen a reinvigoration of our economy through the across-the-board tax relief that we have offered now that should be permanent because that is the very thing that has gotten us out of the economic doldrums in the wake of 9/11.

So, respectfully, not doubting the sincerity of my friend from Indiana, nor the speakers who will follow, we just have two different paths we need to follow. Either embrace pro-growth notions that in the fullness of time we know that long term we actually increase revenues to the government for more economic activity. And despite the best efforts of my friend, I do not want to see the per-child tax credit watered down to $700 a year. I do not want to see a decrease in the benefits we have offered married couples. I do not want to see an abridgement in what, in essence, in the long term will actually increase revenues to the government through increased economic activity.

But two different points of view: either the money belongs to the folks, or it belongs to the government. And that is if we vote “yes” on the motion to instruct, what we are doing is saying the highest and best use of the people’s money, Mr. Speaker, is here in Washington, D.C. I believe it is exactly the opposite. I believe the highest and best use of the people’s money is not to ignore our obligations, but to understand the money belongs to the people. When the people keep more of it, when the families with children keep more of it, when married couples keep more of it, when small businesses keep their money to save, spend, and invest, we indeed ignite the engines of economic prosperity.
And in the long term, Mr. Speaker, we will see more revenue to the govern-
ment, not through the heavy hand of
caster oil economics, but through the
real proven success, whether in the
Kennedy years or in the Reagan years
or more recently this Congress working
with the President to fire the engines of
economic activity.

So with all due respect to my friends
on the other side, reject this motion to
instruct. Stay the course. In the long
term it will mean more economic pros-
erity. We can also see in this govern-
ment my friends on the other side
portur to want to see.

Mr. HILL. Mr. Speaker, I yield my-
self such time as I may consume.

Apparent the gentleman from Ari-
zona, my good friend, has not read our
motion to instruct. We want to do the
same things about rejuvenating the
economic machine that he does. We
want to extend the tax cuts. We just
want to pay for it. And so I fail to un-
derstand the point that he was trying
to make.

Mr. Speaker, I yield 5 minutes to the
gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, I am
sorry my friend from Arizona has left
the floor. I was here and listened
carefully to his very eloquent speech
that was totally irrelevant to the mo-
tion that is before the House.

We are not talking about raising
taxes. We are not talking about being
centered about the rising deficit. And
sooner or later these speeches that we
make, and I think it was Yogi Berra
who said this is deja vu all over again,
sooner or later folks like the gen-
tleman from Arizona (Mr. HAYWORTH)
are going to have to come to this floor
and increase the debt ceiling for the
United States of America, the credit
card limit. Because they can talk
about all of what these tax cuts are
doing all they want to, but CBO today
certified that we now have the largest
deficit in the history of our country.
$422 billion; and it is explained away,
sohow, somehow, this rhetoric that we
hear over and over that unfortunately
has got a few of the American people
believing them, that these defi-
cits do not matter.

They do matter; and soon, I hope, the
gentleman from Arizona will stand on
this floor and move the motion to
increase our debt ceiling to $8 trillion,
which is what somebody is going to
have to do because we will reach some-
time in October or early November the
credit card limit of what the United
States of America can borrow.

The gentleman from Indiana offers a
simple motion to instruct, and just as
he said, the Blue Dogs, we had a sub-
stitute that called for an extension of
middle-class tax relief, the marriage
tax penalty. All of these, we are not ar-
uing. We want to extend them. But
nobody listens on that side. They come
up with a speech that is totally irrele-
vant to the argument. But we want to
pay for them because if we do not pay
for them, we are going to have to bor-
row the additional money to make
room for them. That is not me talking.
That is not the Blue Dogs talking.
That is the overwhelming consensus
of economists who are saying we have got
to borrow it; $422 billion dollars, $574
billion which we are once again taking
into consideration. We are borrowing
all of the Social Security trust fund
dollars and we might add in all the military
trust fund dollars and all of the civil
service trust fund dollars. And the
folks on this side that I claim to be con-
servatives say that is irrelevant.

It is going to take 40 percent of all
the income taxes collected this year to
pay the deficit tax, the interest on the
national debt. And if interest rates
start going up, guess what. The deficit
tax is going to go up.

This is money that is literally wasted
as far as a productive value for the
United States of America. But nobody
mentions that. Everybody is going to
talk about more tax cuts, more tax
cuts.

Mr. ENGLISH. Mr. Speaker, the gen-
tleman has already had a few minutes.
I would like to complete my statement,
because I think it is important that a
realistic perspective be offered on this.

This is, in my view, simply another
tempt to turn the clock back on tax
relief. While it is costly to extend tax
relief permanently, the workers of this
country deserve to know that their
taxes will not be increased on a year-
by-year basis. The tax relief passed by
this House under this administration
has clearly helped grow the economy.

Chairman Greenspan has been in-
voked here, and it is fairly clear from
his testimony before congressional
committees that he believes that the
tax plan that has passed the House and
that has been signed into law has clear-
ly stimulated the economy.

This is the wrong time to block the
extension of this tax relief. The House
acted when it passed a direct and per-
manent solution to the needs of fami-
lies struggling with the burden of day-
to-day expenses.

This motion, in my view, is unneces-
sary and sets us down a path of tax in-
creases. The author, whom I have great
respect for, argued that we should be
paid for simply by closing a few tax
shelters. If it is so painless, I would be
very interested as a member of the
Mr. BOYD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think most Americans listening to this debate tonight would agree that tax cuts are not appropriate when you have to borrow the money to offer the tax cuts, so this motion that we are offering here tonight prevents that from happening. It simply says we have got to find a way to pay for it, and we are not going to go out and borrow the money. I think everybody at their kitchen table tonight would agree with that philosophy.

Mr. Speaker, I yield 3 minutes to my friend, the gentleman from Florida (Mr. Boyd).

Mr. BOYD. Mr. Speaker, I want to thank my friend from Indiana for yielding me time.

Mr. Speaker, there are so many issues that the Members of this House disagree upon, and I am talking about Members from the Democratic side disagreeing with Members on the Republican side. Witness the bill that was just pulled by the majority leadership over the overtime regulation issue. And there are other issues that we disagree upon.

But, Mr. Speaker, there are many, many issues that we do agree upon, and I think what the American people want us to do is to isolate those issues that we can agree upon and then move forward with those particular issues.

I listened to my friend from Pennsylvania and my friend from Arizona earlier, whom I am not sure was reading the same motion to instruct that I have before me. But the motion to instruct that we have before us does two things. I agree that I think every Member of this House would agree with, and certainly all of the American families would. There are three specific provisions. It extends the middle-income tax cut. Number one is the 10 percent tax bracket; two is the child tax credit; and, three, is the Marriage Penalty Relief Act. It extends those.

Now, my friend from Pennsylvania voted for those, but he voted earlier to end them, to sunset them, after 4 years. Now we face that sunset. We are asking that they be extended. That is the first part.

The second part says do not increase the size of the Federal budget deficit. These are two things we can agree upon.

Extend the tax cuts: that is, the 10 percent bracket, the child tax credit and, of course, the marriage penalty relief. Those are provisions which will affect every middle-income family in a positive way. Those are provisions which will, in the long run, increase the size of the middle class of America, and any good economic policy plan put in place by anyone should include provisions which try to increase the size of the middle class.

So, Mr. Speaker, we should not be confused by all the rhetoric here about raising taxes. This motion to instruct extends tax cuts. I would remind us to remember the sunset. The 10 percent tax bracket, the child tax credit and the marriage penalty relief, and doing it without increasing the size of the Federal budget deficit.

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

Mr. HILL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, I thank the gentleman for yielding me time.

I asked the gentleman from Pennsylvania to yield a moment ago, and he refused to. And I understand, I did not mean to interrupt, but I did want to clarify one of the statements.

The gentleman was mischaracterizing what we are standing up here doing tonight. We are suggesting that tax cuts be paid for, and we would love to see the spending reductions proposed to accommodate that. That is what we would like to see on this floor, and that is what we constantly and consistently do.

I would ask the gentleman, and I will yield to him for a brief answer to a question, will the gentleman bring from the Committee on Ways and Means a bill to the floor of the House before we adjourn for the elections to increase the debt ceiling for the United States of America to $8 trillion to accommodate the economic policy that the gentleman seems unwilling to make any changes in and believe is successful? Will the gentleman do that? Mr. ENGLISH. Mr. Speaker, will the gentleman yield?

Mr. STENHOLM. I yield to the gentleman from Pennsylvania.

Mr. ENGLISH. Mr. Speaker, I am deeply flattered by the gentleman’s kind words and his apparent elevation of me to the chairmanship of the Committee on Ways and Means. I am not in a position to make any promises about what the Committee on Ways and Means will do. I am not in a position to make a commitment on behalf of the Committee on Ways and Means. I do not know the chairman’s policy. I do know that the chairman is prepared to move forward with whatever legislation is necessary, that the national debt today is significantly smaller relative to the economy than when Republicans inherited that 10 years ago when I came in.

I cannot, obviously, commit the Committee on Ways and Means. Mr. STENHOLM. Mr. Speaker, reclaiming my time, I want to ask another question then. I would just refer to the gentleman as an individual. 1,495th of this body, does the gentleman believe we should have a clean up-or-down vote on increasing the debt ceiling for this country prior to going home to run for reelection?

The SPEAKER pro tempore (Mr. SIMPSON). The time of the gentleman from Texas has expired.

Mr. HILL. Mr. Speaker, how much is remaining?

The SPEAKER pro tempore. The gentleman from Indiana (Mr. HILL) has 15 minutes remaining and the gentleman from Pennsylvania (Mr. ENGLISH) has 19 1/2 minutes remaining.

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

Mr. Speaker, I think what is coming through here is kind of an interesting contrast, and while I am here by myself tonight speaking on this point, I do not feel that I am particularly outnumbered, one man and the truth and all of that.

I think what we have before us, Republicans clearly want to prevent tax increases on middle-class families. I think from the debate tonight we have a legitimate question as to whether our friends on the other side are as firmly committed to doing that, unless they also get to raise taxes somewhere else.

I found reassuring some of the comments of my friend from Texas who suggested that he might be willing to consider cuts as well in spending. I think everyone here intuitively understands that there is adequate spending, low-priority spending, in the Federal Government, and that certainly that would be one way we can bring down the deficit. In fact, the Republican budget this year contemplates just that kind of fiscal restraint through the process.

And H.R. 1308 maintains the successful tax policy that has clearly contributed to the economic recovery. The motion to instruct here creates a zero sum game. It extends tax relief with one hand, while potentially raising taxes with the other. If I understand our recent fiscal experience in America, I do not believe that this is a good time for us to be raising taxes on certain sectors. This is bad for the economy, and it is bad for families.

Republicans have provided significant tax relief for families since this administration took office resulting in higher after-tax incomes for Americans. Yet because of arcane Senate rules, Congress could not provide permanent tax relief for families.

The gentleman correctly pointed out that when we voted, what we voted for turned out to be a temporary expenditure, but was a function, as he well knows, of the Senate and its rules.

House Republicans have voted to provide predictability in the Tax Code, and the Senate has not. Those 10 steps. If Congress does not act, I think we all could agree, middle-class families will face a tax increase next year. For example, next year, the $1,000 tax credit, as my friend from Arizona noted, drops to $760 per child. The 10 percent bracket will apply to less of an individual’s income, and the marriage penalty provision will provide significantly less relief for couples.
The House has voted overwhelmingly to make these tax cuts permanent and has done so without offsets. These votes show that the House does not want to increase taxes on middle-class American families.

Now, if we are serious about looking for a way of balancing this, if we are serious about addressing the deficit, first we need to stimulate the economy to bring down the deficit. We have done that, and it has succeeded. But second of all, if there is an argument here that we should move to cut taxes at other reduc...
going to cut taxes, cut spending. This Nation today is spending nearly $1 billion a day simply paying interest on the national debt. It is what I call the debt tax, D-E-B-T, and that is one tax that can never go away until we get fiscal responsibility and fiscal discipline restored to our Nation's government.

We could build 200 brand-new elementary schools every single day in America just with the interest we are paying on the national debt. These tax cuts may make for good politics for the wealthiest 2 percent of the people in the country. The 2003 tax cuts, 60 percent of the people that I represent received less than $2 a week. A tax cut for the wealthiest people in this country with borrowed money, and, I might add, every single dime of the tax cuts of 2003 were with borrowed money. The money came directly from the Social Security trust fund and what did not come from there came from the Bank of China. That is right. Seventy percent of our deficit in 2003 came from foreigners; 70 percent.

A tax cut for the wealthiest people in this country with borrowed money, money going from Wall Street, Hong Kong, and the Bank of China and from the Social Security trust fund is nothing more than a tax increase on our children and grandchildren; and it is wrong that that is why I am pleased to stand here tonight and rise in support of this motion to instruct.

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

Mr. ENGLISH. Mr. Speaker, I have only one more speaker, myself, to close; and I would like an understanding from the gentleman how many more speakers he might have.

Mr. HILL. Mr. Speaker, we have one more speaker, but that speaker will be making remarks.

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

Mr. Speaker, it has been with great interest that I have listened to the debate. I guess my reaction in listening to some of the rhetoric from the other side, is that I do not mind much if they steal our clothes when we go in bathing, if they want to look and sound like fiscal conservatives, look and sound like Republicans; that is an understandable thing in today's political climate.

Although I must say, if I were actually to go in swimming and they were to steal my clothes, they might need a little clever tailoring, and, in fact, I think the rhetoric suggests they may need a little clever tailoring if they are to pass themselves off. I feel very strongly myself that under most circumstances the United States should have a balanced budget, but history tells us, whether Republicans were in charge or whether Democrats were in charge, there is no real example of the United States having maintained a balanced budget during a significant recession.

Second of all, there is no real example of the United States having run a balanced budget during wartime, and over the last few years, as the gentleman undoubtedly are aware, we have not only not been fighting a slowdown, which began during the Clinton administration, but we have not been generating revenues, and began to create the deficit over a couple of years' time, but also, we engaged in the war on terror.

Now, I realize it is controversial on the other side. They may, at some times for the war in Iraq; sometimes against it, even sometimes having misgivings about Afghanistan, but the fact remains, we have made a major investment in our efforts not only to improve homeland security, but also to challenge our adversaries elsewhere in the world. In my view, that has been an investment worth making.

The fact that we have run a deficit does not alarm me as much as some of the rhetoric on the other side seems to suggest. For example, that context, realizing that what we needed to do was stimulate the economy, we cut taxes, and we were able to trim spending, and over time the Republican Congress, grappling with a Democratic administration, winning some, losing some, we were able to get to a balanced budget, and we brought down the deficit in relative terms to the economy.

Today, in real terms, our national debt is lower than 40 percent of GDP. It has grown over the last year. Well, we might expect that under the circumstances, but also, the Republican budget has made a commitment to lower the deficit to one-half of what it is currently relative to the economy. That is a powerful commitment that gives us confidence to go forward and cut taxes, which is what we need to do to stimulate the economy and generate more revenues.

There will always be some who would prefer to raise taxes during a slowdown, and we remember the intellectual genesis of their philosophy. This was the argument being made by the Hoover administration. It is odd that we hear some conservative Democrats, even some, who are wanting to be conservative Democrats, tonight adopting some of the same rhetoric that the Hoover administration embraced during the Depression. Hoover Democrats I do not think is the solution tonight.

I do think what we need to do is continue to stimulate the economy and make permanent the President's tax program. It has been criticized tonight for allegedly giving most of the benefits to the wealthy. Yet the folks on the other side will have difficulty explaining the results of the studies which have shown that now the wealthy, since the tax cut, pay a higher proportion of the tax share.

We have increased the progressivity of the American Tax Code in the wake of the tax programs that have passed this House. That is something that is not grasped well on the other side, but it is one of those stubborn facts that takes the sting out of their rhetoric. The fact is, 35 percent is where it used to be when the tax share has gone to working families, and this is important. Some families, I realize, may be only $2 a day, but that means something to them, and I believe it is important that we continue to have that relief in place.

This is, I think, a very important debate. I think it is worth noting that there is fresh evidence that the way to get the deficit down is to grow the economy, because with new estimates, we have found that the deficit has actually shrunk by $75 billion, $75 billion over the past few months as we have begun to take into account the recovery of the economy and the growth in revenues.

I think, I think, are facts which rebut the argument being made on the other side, but if they were serious about these arguments, I think we would hear some more specifics. We would hear some specifics about the tax shelters that can be closed, real ones that can generate real revenue or reduce spending. Surely we can have some suggestions from the other side. If they do, contrary to my impression, want to cut spending, perhaps they will prove me wrong and identify some areas where we can save money.

But, at any rate, I want to congratulate the gentleman from Indiana tonight for raising this debate. It has been, from my standpoint, edifying. I have enjoyed it, and I believe also that the House has had an opportunity to see a clear difference here, and I believe they will have an opportunity to vote down this perhaps well-intentioned motion to instruct, but one that I think would be counterproductive at a time when we are trying to get our economy back on the growth path.

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

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

This debate is about to close. In response to my friend from Virginia's comments about the specifics, I would simply say that the Blue Dogs did offer a specific plan. I will not go into that specific plan now for the sake of time, but we put it on the line and asked the House to do it exactly like you have asked the Senate to do it. So we would make the tough choices, and in our budget proposal we made those tough choices.

In many ways I am a little saddened by the debate tonight, because I heard my good friend from Pennsylvania talk about the fact that he is not as concerned about the deficit. It did not used to be that way on the other side of the
aisle. This side of the aisle used to be very concerned about the budget deficit. Now it seems like it is less concerned about the budget deficit.

All we are asking for here is to make sure that we pay for these tax cuts as we expect them. That is all we are asking for. This side would believe that. Now they do not. I think they ought to revisit their philosophy because it did produce budget surpluses.

Finally, I would say to the American people who ought to be listening that I do not think anybody at their kitchen table would ask Congress to borrow the money to cut taxes, and that is what this motion to instruct prevents us from doing.

Mr. Speaker. I yield the balance of my time to the gentleman from Texas (Mr. STENHOLM), my good friend.

Mr. STENHOLM. Mr. Speaker, I thank the gentleman for yielding me the time, and my friend from Pennsylvania (Mr. HILL).

The Blue Dog budget this year proposed to spend no more than President Bush recommended that the Congress spend, and we intend to stick with that. When my colleague talks about spending and he talks about revising history over the last 3½ years, spending has gone up 10.4 percent.

The gentleman keeps asking for specifics from the minority side. Last time I checked, the minority does not even get recognized for amendments so that we can do some of things that we talked about. We were denied having even a vote on some of our budgets over the last 3½ years. The gentleman keeps talking about specifics and rhetoric. His rhetoric does not match the specifics.

We are going to prove unequivocally sometime in the next 2 or 3 months that the economic game plan we are under is not working because we are going to have to vote to increase the credit card limit of the United States of America for the third time in 3 years, this time through $8 trillion. Yes, the war is expensive and we must pay for the war, but this is the first war in the history of our country that is being fought at the same time we are fighting the war.

There was no objection. The previous question is ordered on the motion to instruct.

There was no objection. The SPEAKER pro tempore. The question was taken; and the yeas and nays were ordered. The yeas and nays were ordered.

The yeas and nays were ordered, or on which the vote is objected to under clause 6 of rule XX, the Chair postpones further proceedings on this motion will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on any motion to suspend the rules on which a recorded vote is made, or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken tomorrow.

GARRETT LEE SMITH MEMORIAL ACT

Mr. BARTON of Texas. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2634) to amend the Public Health Service Act to support the planning, implementation, and evaluation of organized activities involving statewide youth suicide early intervention and prevention strategies, to provide funds for campus mental and behavioral health service centers, and for other purposes, as amended.

The Clerk read as follows:

S. 2634

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

SECTION 1. SHORT TITLE. This Act may be cited as the "Garrett Lee Smith Memorial Act".

SEC. 2. FINDINGS. Congress makes the following findings:

(1) More children and young adults die from suicide each year than from cancer, heart disease, AIDS, birth defects, stroke, and chronic lung disease combined.

(2) Over 4,000 children and young adults tragically take their lives every year, making suicide the third overall cause of death between the ages of 10 and 24. According to the Centers for Disease Control and Prevention, suicide is the third overall cause of death among college-age students.

(3) According to the National Center for Injury Prevention and Control of the Centers for Disease Control and Prevention, and young adults accounted for 15 percent of all suicides completed in 1995.

(4) From 1952 to 1995, the rate of suicide in children and young adults tripled.

(5) From 1980 to 1997, the rate of suicide among young adults ages 15 to 19 increased 11 percent.

(6) From 1980 to 1997, the rate of suicide among children ages 10 to 14 increased 109 percent.

(7) According to the National Center of Health Statistics, suicide rates among Natives Americans range from 1.5 to 3 times the national average for other groups, with young people ages 15 to 34 making up 66 percent of all suicides.

(8) Congress has recognized that youth suicide is a public health tragedy linked to underlying mental health problems and that youth suicide early intervention and prevention activities are national priorities.

(9) Youth suicide early intervention and prevention have been listed as urgent public health priorities by the President’s New Freedom Commission on Mental Health (2002), the Institute of Medicine’s Reducing Suicide: A National Imperative (2002), the National Strategy for Suicide Prevention: Goals and Objectives for Action (2001), and the Surgeon General’s Call to Action To Prevent Suicide (1999).

(10) Many states have already developed comprehensive statewide youth suicide early intervention and prevention strategies that seek to provide effective early intervention and prevention services.

(11) In a recent report, a startling 85 percent of college counseling centers revealed an increase in the number of students they saw with psychological problems. Furthermore, the American College Health Association found that 61 percent of college students reported feeling hopeless, 45 percent said they felt so depressed they could barely function, and 9 percent felt suicidal.

(12) There is clear evidence of an increased incidence of depression among college students. According to a survey described in the Chronicle of Higher Education (February 1, 2002), depression among freshmen has nearly doubled (from 6.2 percent to 16.3 percent). Without treatment, researchers recently noted that “depressed adolescents are at risk for school failure, social isolation, promis- cuous behavior, self-medication with alcohol and suicide—now the third leading cause of death among 10-24 year olds.”

(13) Researchers who conducted the study “Changes in Counseling Center Client Problems Across 13 Years” (1989-2001) at Kansas State University stated that “students are experiencing more stress, more anxiety, more depression than they were a decade ago.” (The Chronicle of Higher Education, February 14, 2003).

(14) According to the 2001 National Household Survey on Drug Abuse, the proportion of full-time undergraduate college students using illicit drugs.

(15) The 2001 National Household Survey on Drug Abuse also reported that 18.4 percent of adults aged 18 to 24 are dependent on or abusing illicit drugs or alcohol. In addition, the study found that “serious mental illness is highly correlated with substance dependence or abuse. Among adults with serious mental illness in 2001, 20.3 percent were dependent on or abused alcohol or illicit drugs, while the rate among adults with serious mental illness was only 6.3 percent.”

(16) A 2003 Gallagher’s Survey of Counseling Center Directors found that 81 percent of counselors were concerned about the number of students with more serious psychological problems, 67 percent reported a need for...
more psychiatric services, and 63 percent reported problems with growing demand for services without an appropriate increase in resources.

(17) The International Association of Counseling Services accreditation standards recommend 1 counselor per 1,000 to 1,500 students. According to the 2003 Gallagher’s Survey of Counseling Center Directors, the ratio of counselors to students is as high as 1 counselor per 2,400 students at institutions of higher education with more than 15,000 students.

SEC. 3. AMENDMENTS TO PUBLIC HEALTH SERVICE ACT.

(a) YOUTH PREVENTION RESEARCH, TRAINING, AND TECHNICAL ASSISTANCE CENTER.—Section 520C of the Public Health Service Act (42 U.S.C. 290d-3) is amended—

(1) in subsection (a)—

(A) by striking “Health, shall award grants” and inserting “—Health—

(1) shall award grants”;

(B) by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(2) shall award a competitive grant to 1 additional research, training, and technical assistance center to carry out the activities described in subsection (d);”;

(2) in subsection (d)—

(A) by striking “APPROPRIATIONS.—For the purpose of carrying out section (d)” and inserting “APPROPRIATIONS.—For the purpose of awarding grants or contracts under subsection (a)”;

(B) by striking “and” at the end of subsection (d); and

(C) by adding to the end of subsection (d)—

“(3) in subsection (a), in the matter preceding paragraph (1), by striking “grant or contract under subsection (a)” and inserting “grant or contract under subsection (a)(1)”; and

(3) in subsection (d)—

(A) by striking “APPROPRIATIONS.—For the purpose of carrying out this section” and inserting “APPROPRIATIONS.—

(1) for the purpose of awarding grants or contracts under subsection (a)(1);” and

(B) by adding at the end the following—

“(2) For the purpose of awarding a grant under subsection (a)(3), there are authorized to be appropriated $3,000,000 for fiscal year 2005, $4,000,000 for fiscal year 2006, and $5,000,000 for fiscal year 2007.”;

(4) by redesignating subsection (d) as subsection (e); and

(5) by inserting after subsection (c) the following—

“(d) ADDITIONAL CENTER.—The additional research, training, and technical assistance center established under subsection (a)(2) shall provide appropriate information, training, and assistance to States, political subdivisions of a State, Federally recognized Indian tribes or tribal organizations, consortia of political subdivisions, consortia of States, or Federally recognized Indian tribes or tribal organizations to design early intervention and prevention strategies that will complement the State-sponsored statewide or tribal youth suicide early intervention and prevention strategies developed pursuant to section 520E;”;

(C) in subsection (b), by striking all after “coordinated” and inserting “with the relevant Department of Health and Human Services agencies and suicide working groups.”;

(D) in subsection (c)—

(1) in the matter preceding paragraph (1), by striking “desire,” and all that follows through “desire” and inserting “A public organization, private nonprofit organization, political subdivision, consortium of political subdivisions, consortium of States, or Federally recognized Indian tribe or tribal organization desiring”;

(2) by striking paragraph (3) through (10), respectively;

(3) by inserting before paragraph (1) as so redesignated the following—

“(1)(A) complies with the State-sponsored statewide early intervention and prevention strategy as developed under section 520E; and

(B) in the case of a consortium of States, receive the support of all States involved;”;

(iv) in paragraph (2) as so redesignated, by striking “children and adolescents” and inserting “children and”; and

(v) in paragraph (3) as so redesignated, by striking “best evidence-based.”;

(vi) in paragraph (4) as so redesignated, by striking “substance abuse services” and inserting “general, mental, and behavioral health services, and substance abuse services;”;

(vii) in paragraph (5) as so redesignated, by striking “children and” and all that follows and inserting “youth including the school systems, educational institutions, juvenile justice system, substance abuse programs, mental health programs, foster care systems, and community and youth support organizations;”; and

(viii) by striking paragraph (8) as so redesignated and inserting the following—

“(8) offer access to services and care to youth with diverse linguistic and cultural backgrounds, including consultation with interested families and advocacy organizations;”;

(E) by striking subsection (d) and inserting the following—

“(d) USE OF FUNDS.—Amounts provided under a grant or cooperative agreement for the purposes of research, development, and training and, and not supplant, Federal and non-Federal funds available for carrying out the activities described in this section. Applicants shall provide financial information to demonstrate compliance with this section.”;

(F) in subsection (e)—

(1) by striking “contract,” and

(2) by inserting after “Secretary that the” the following: “application complies with the State-sponsored statewide early intervention and prevention strategy as developed under section 520E and the”;”;

(G) in subsection (f), by striking “,” and inserting “contract,”;

(H) in subsection (g)—

(1) by striking “A State and all that follows through “organization receiving” and inserting “A public organization, private nonprofit organization, political subdivision, consortium of political subdivisions, consortium of States, or Federally recognized Indian tribe or tribal organization receiving” and

(2) by striking “,” contract,” each place such term appears;

(I) in subsection (h), by striking “,” contracts,”;

(J) in subsection (i)—

(1) by striking “A State” and all that follows through “organization receiving” and inserting “A public organization, private nonprofit organization, political subdivision, consortium of political subdivisions, consortium of States, or Federally recognized Indian tribe or tribal organization receiving” and

(2) by striking “,” contract,”;

(K) in subsection (k), by striking “5 years” and inserting “3 years”;

(L) in subsection (l)—

(1) in paragraph (2), by striking “212” and inserting “24”; and

(ii) in paragraph (3), by striking “which might have been”;”;

(M) in subsection (m)—

(1) by striking “APPROPRIATION,” and all that follows through “For” in paragraph (1) and inserting “APPROPRIATION—For”; and

(2) by striking paragraph (2);

(N) by redesignating subsection (m) as subsection (n); and

(O) by inserting after subsection (l) the following—

“SEC. 520E. YOUTH SUICIDE EARLY INTERVENTION AND PREVENTION STRATEGIES.”

“(a) IN GENERAL.—The Secretary, acting through the Administrator of the Substance Abuse and Mental Health Services Administration, shall award grants or cooperative agreements to eligible entities to—

(1) develop and implement State-sponsored statewide or tribal youth suicide early intervention and prevention strategies in schools, educational institutions, juvenile justice systems, substance abuse programs, mental health programs, foster care systems, and other child and youth support organizations;
“(2) support public organizations and private nonprofit organizations actively involved in State-sponsored statewide or tribal youth suicide early intervention and prevention strategies; and

“(3) assist eligible entities, through State-sponsored statewide or tribal youth suicide early intervention and prevention strategies, in achieving targets for youth suicide reductions under title V of the Social Security Act.

“(b) Eligible Entity.—

“(1) Definition.—In this section, the term ‘eligible entity’ means—

“(A) a State;

“(B) a public organization or private nonprofit organization designated by the State to develop or direct the State-sponsored statewide or tribal youth suicide early intervention and prevention strategy; or

“(C) a Federally recognized Indian tribe or a tribal organization (as defined in the Indian Self-Determination and Education Assistance Act) or an urban Indian organization (as defined in the Indian Health Care Improvement Act) that is actively involved in the development and continuation of a tribal youth suicide early intervention and prevention strategy.

“(2) Limitation.—In carrying out this section, the Secretary shall ensure that each State is awarded only 1 grant or cooperative agreement under this section. For purposes of the preceding sentence, a State shall be considered to have been awarded a grant or cooperative agreement if the eligible entity involved is the State or an entity designated by the State under paragraph (1)(B). Nothing in this paragraph shall be construed to apply by the State under paragraph (1)(B). Nothing in this section or section 520E–1 shall be construed to allow a grant or cooperative agreement under this section, an eligible entity shall submit to the Secretary the results of an evaluation to be conducted by the entity concerning the effectiveness of the activities carried out under the grant or agreement.

“(c) Coordination and Collaboration.—

“(1) In general.—In carrying out this section, the Secretary shall collaborate with relevant Federal agencies and suicide working groups; and shall consult with—

“(A) State and local agencies, including agencies responsible for early intervention and prevention services under title XIX of the Social Security Act, the State Children’s Health Insurance Program under title XXI of the Social Security Act, and programs funded by grants under title V of the Social Security Act;

“(B) local and national organizations that serve youth at risk for suicide and their families;

“(C) relevant national medical and other health and education specialty organizations;

“(D) youth who are at risk for suicide, who have attempted suicide, or who are currently receiving care from early intervention and prevention services, and their family members, child care professionals, community care providers, and the general public and highlight the risk factors associated with youth suicide and the life-saving help and care available from early intervention and prevention services;

“(E) families and friends of youth who are at risk for suicide, who have survived suicide attempts, who are currently receiving care from early intervention and prevention services, or who have completed suicide; and

“(F) qualified professionals who possess the specialized knowledge, skills, experience, and relevant attributes needed to serve youth at risk for suicide and their families; and

“(G) third-party payers, managed care organizations, and related commercial entities.

“(2) Policy development.—In carrying out this section, the Secretary shall—

“(A) develop and implement a policy development strategy on policy development at the Federal level with the relevant Department of Health and Human Services agencies and suicide working groups of those agencies;

“(B) consult on policy development at the Federal level with the private sector, including consumer, medical, suicide prevention advocacy groups, and other health and education professional-based organizations, with respect to State-sponsored statewide or tribal youth suicide early intervention and prevention strategies.

“(d) Rule of Construction; Religious and Moral Accommodation.—Nothing in this section or section 520E–1 shall be construed to allow a grant or cooperative agreement under this section, an eligible entity shall submit to the Secretary the results of an evaluation to be conducted by the entity concerning the effectiveness of the activities carried out under the grant or agreement.

“(e) Parental Consent.—Not later than 18 months after receiving a grant or cooperative agreement under this section, an eligible entity shall submit to the Secretary an assessment of the effectiveness of the activities conducted with grants, collaborations, and consultations under this section.

“(f) Rule of Construction; Student Medication.—Nothing in this section or section 520E–1 shall be construed to allow school personnel to require that a student obtain any medication as a condition of attending school or receiving services.

“(1) Prohibition.—Funds appropriated to carry out this section, section 520C, section 520E–1, or section 520E–2 shall not be used to pay for or offer for abortion.

“(2) Prohibitions.—Prohibitions on Federal funds for States and entities receiving funding under this section and section 520E–1 shall obtain prior written, informed consent from the child’s parent or legal guardian for services, school-sponsored programs, and treatment involving medication related to youth suicide conducted in elementary and secondary schools. The requirement of this sentence does not apply in the following cases:

“(A) in an emergency, where it is necessary to protect the immediate health and safety of the student or other students;

“(B) Other instances, as defined by the State, where parental consent cannot reasonably be obtained.

“(g) Education Provisions.—Nothing in this section or section 520E–1 shall be construed to alter title IV of the General Education Provisions Act, including the requirement of prior parental
has been known to lead to suicide. Onset, of adverse health problems that have means a strategy or approach that reduces section 9101 of the Elementary and Secondary school (as such terms are defined in school or institution of higher education; mental health centers; (d) psychological clinics; or (e) institution of higher education supported, evidence-based, mental health and substance abuse programs. (d) APPLICATION.—An institution of higher education desiring a grant under this section shall prepare and submit an application to the Secretary at such time and in such manner as the Secretary may require. At a minimum, the application shall include the following: (1) A description of identified mental and behavioral health needs of students at the institution of higher education. (2) A description of Federal, State, local, private, and institutional resources currently available to address the needs described in paragraph (1) at the institution of higher education. (3) A description of the outreach strategies of the institution of higher education for promoting access to services, including a proposed plan for reaching those students most in need of mental health services. (4) A plan to evaluate program outcomes, including a description of the proposed use of funds, the program objectives, and how the objectives will be met. (5) An assurance that the institution will submit a report to the Secretary each fiscal year on the activities carried out with the grant and the results achieved through those activities.

(6) REQUIREMENT OF MATCHING FUNDS.— (1) IN GENERAL.—The Secretary may make a grant under this section to an institution of higher education only if the institution agrees to make available (directly or through donations from public or private entities) non-Federal contributions in an amount that is not less than 1 for each 1 of Federal funds provided in the grant, toward the costs of activities carried out with the grant (as described in subsection (b) and other activities by the institution to reduce student mental and behavioral health problems.

(a) General.—The Secretary, acting through the Center for Mental Health Services, in consultation with the Secretary of Education, may award grants on a competitive basis to institutions of higher education for increasing access for students with mental and behavioral health problems that can lead to school failure, such as depression, substance abuse, and suicide attempts, so that students will successfully complete their studies.

(b) USE OF FUNDS.—The Secretary may not make a grant to an institution of higher education under this section unless the institution agrees to use the grant only for— (1) educational seminars; (2) the preparation of informational material; (4) preparation of educational materials for faculty and students to increase awareness of potential mental and behavioral health issues of students enrolled at the institution of higher education.

(c) ELIGIBLE GRANT RECIPIENTS.—Any institution of higher education receiving a grant under this section may carry out activities under the grant through— (1) collective action of the Secretary; (2) college and university psychological service centers; (3) mental health centers; (4) psychological clinics; or (5) institution of higher education supported, evidence-based, mental health and substance abuse programs.

(d) APPLICATION.—An institution of higher education desiring a grant under this section shall prepare and submit an application to the Secretary at such time and in such manner as the Secretary may require. At a minimum, the application shall include the following: (1) A description of identified mental and behavioral health needs of students at the institution of higher education. (2) A description of Federal, State, local, private, and institutional resources currently available to address the needs described in paragraph (1) at the institution of higher education. (3) A description of the outreach strategies of the institution of higher education for promoting access to services, including a proposed plan for reaching those students most in need of mental health services. (4) A plan to evaluate program outcomes, including a description of the proposed use of funds, the program objectives, and how the objectives will be met. (5) An assurance that the institution will submit a report to the Secretary each fiscal year on the activities carried out with the grant and the results achieved through those activities.

(6) REQUIREMENT OF MATCHING FUNDS.— (1) IN GENERAL.—The Secretary may make a grant under this section to an institution of higher education only if the institution agrees to make available (directly or through donations from public or private entities) non-Federal contributions in an amount that is not less than 1 for each 1 of Federal funds provided in the grant, toward the costs of activities carried out with the grant (as described in subsection (b) and other activities by the institution to reduce student mental and behavioral health problems.

(2) DETERMINATION OF AMOUNT CONTRIBUTED.—For purposes required under paragraph (1) may be in cash or in kind. Amounts provided by the Federal Government, or services assisted or subsidized to any significant amount by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

(3) WAIVER.—The Secretary may waive the requirement established in paragraph (1) with respect to an institution of higher education if the Secretary determines that extraordinary need at the institution justifies the waiver.

(4) REPORTS.—For each fiscal year that grants are awarded under this section, the Secretary shall conduct a study on the results of the grants and submit to the Congress a report on such results that includes the following: (1) An evaluation of the grant program outcomes, including a summary of activities carried out with the grant and the results achieved through those activities. (2) Recommendations on how to improve access to mental and behavioral health services at institutions of higher education, including efforts to reduce the incidence of suicide and substance abuse. (3) DEFINITION.—In this section, the term ‘‘institute of higher education’’ has the meaning given such term in section 101 of the Higher Education Act of 1965.

For the purpose of carrying out this section, there are authorized to be appropriated $5,000,000 for fiscal year 2005, $5,000,000 for fiscal year 2006, and $5,000,000 for fiscal year 2007.''

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. Barton) and the gentleman from Ohio (Mr. Brown) each will control 20 minutes.

For what purpose does the gentleman from New Jersey (Mr. Garrett) rise? Does any of the gentlemen oppose this legislation?

Mr. Brown of Ohio. Mr. Speaker, I support the legislation.

The SPEAKER pro tempore. Is the gentleman from Ohio opposed?

Mr. Brown of Ohio. I do not oppose. I support.

The SPEAKER pro tempore. Under the rule, the time will go to the gentleman from New Jersey (Mr. Garrett).

The gentleman from Texas (Mr. Barton) is recognized.

Mr. Barton of Texas. Mr. Speaker, I ask unanimous consent that of the 20 minutes that I control, the gentleman from Ohio (Mr. Brown) have the right to control 10 minutes of that time.

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

There was no objection.

The SPEAKER pro tempore. Under the rule, the time will go to the gentleman from Texas (Mr. Barton).

Mr. Barton of Texas. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I rise in support of S. 2634, as amended. I am pleased that the House is considering this legislation which is authored with the intent to improve access to quality health care to individuals suffering from mental and behavioral health problems that can lead to suicide.

Last year, over 4,000 young men and women in our great country resorted to the ultimate act of denial by committing suicide. Senator Gordon Smith of the other body has been the lead advocate for this legislation, and the bill is named in his son’s honor, who, unfortunately, committed suicide last year. I think on this date. So we are here under the leadership of Senator Gordon Smith to try to do something legislatively to prevent future young Americans from resorting to suicide. As I have had a young staff member on my staff last spring also commit suicide; so while I have not had the sacrifice or the tragedy that Senator
Smith has had. I have been touched by suicide on my congressional staff down in Texas. I can tell you, as one would expect, that it is a very devastating experience. It is incredibly painful. It is a pain that is exacerbated when you see how beloved friends and family are burdened with grief because of an action like this. It is my sincere hope that the legislation the House is considering this evening, which the other body has already passed, will indeed help those who are troubled and are thinking about committing suicide in the future.

This bill is a 3-year authorization bill that provides educational and support programs for children at risk of suicide. These suicide programs would be administered through a grant program through the States. It reflects a balanced and reasonable compromise that allows parents to have a direct role in determining whether their children participate in these long-range programs, and that the bill would allow that emergency intervention could be done without any consent so that we stabilize that individual and in real time, when there is a young man or woman in our country who is actively contemplating suicide, the bill would allow that emergency intervention could be done without any consent so that we stabilize that individual and in real time, when they are contemplating it.

The compromise before us this evening does not modify in any way or affect any existing requirement under the No Child Left Behind Act. It is my hope that in the next Congress the House Committee on Energy and Commerce, which I have the privilege to chair, will systematically reauthorize many of the expired programs and even expired agencies at the Department of Health and Human Services.

One of those agencies that we intend to look at very closely is the Substance Abuse and Mental Health Services Administration, or SAMSHA, which has primary responsibility to improve mental health services across this country. I am strongly inclined to rework several of the mental health services programs currently in effect at SAMSHA so that we are sure that the funding programs actually produce measurable results and the kind of results we intend those programs to produce. Without a doubt, as a part of our review of the SAMSMA program, I will pay close attention to SAMSMA’s work on school suicide prevention.

Mr. Speaker, I want to thank the subcommittee chairman, the gentleman from Florida (Mr. BLIRIKIS); the ranking member of the full committee, the gentleman from Michigan (Mr. DINGELL); and the subcommittee ranking member, the gentleman from Ohio (Mr. BROWN), for their cooperation in this legislation. I would also like to commend the gentleman from Tennessee (Mr. GORDON) and the gentleman from Oregon (Mr. WALDEN) for their House side involvement in this legislation. And, finally, I would like to thank the Speaker of the House and the majority leader for their assistance in expediting this bill as it comes to the floor today.

Mr. Speaker, I would encourage my colleagues to support the legislation. Mr. Speaker, I reserve the balance of my time.

Mr. MURRAGETT of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

There is probably no more serious topic that we could be discussing this evening than we are right now when we are discussing suicide, especially when we are discussing suicide of young people. It is a serious topic, and it is an emotional topic. Earlier today, Mr. Speaker, I heard someone say in the Chamber that this House, as we move along and make changes, we do not always make large changes or great changes at one time; we may only be making changes incrementally. And my response to that was I am all in favor of incrementally moving the agenda along so long as we are moving it in the right direction and not in the wrong direction, a harmful direction, or a hurtful direction. I want to be moving the agenda along in a direction that is guided by facts and thought and planning and not by emotion.

We just heard that this bill is moving along in an expedited fashion, and that is true. We are here tonight on a bill, on a piece of legislation, spending $82 million that would create two new Federal programs that never existed before, a new technical center that will deal with this issue as well; and yet there has never been an opportunity for input, discussion, a vote, or consideration in a committee. This bill has never gone in this House to a committee for a hearing, for a complete markup in a formal manner.

If you are a parent and you have thoughts on this topic, you are concerned about your children or other children you have come in contact with, you have not had the opportunity to have your say, to have your feelings, to have your thoughts heard in a committee on this subject. If you are an expert in this field, a psychologist, psychiatrist, mental health association or the like, and you have thoughts about what would be best for our children or what would be harmful to our children, you too have not had the opportunity to have your thoughts or your opinions heard in a formal committee manner. So it is really important to hear that this legislation is moving in an expedited format, without the committee process and already to the floor.

Now, before this bill came up, we were talking about another topic, and I heard a lot of talk about the deficit and what grave financial straights we are in. I hope they continue with those feelings when we consider a bill that is $82 million in the making for the first 3 years, and how much after that no one knows.

There was an article today in National Review that addresses this piece of legislation. It says, "Occasionally a bill hits Capitol Hill over which there is remarkably little debate. This bill is an extreme example of that. Actually, according to news reports, there is no debating the bill, which provides additional Federal funding for suicide prevention programs in U.S. schools." It goes on, "Well, of course, if you are against suicide, you are for the bill: right?"

Well, we really do not know. I am certainly against suicide. Everyone in this Chamber is against suicide. But what are we all for all for the bill? Are parents all for the bill? Are the experts all for the bill? The article goes on to point out that, "No, the experts are not all for the bill." The Journal of the American Medical Association, the American Academy of Child and Adolescent Psychiatry have reported on this topic of suicide prevention programs, such as this bill addresseses, and they reported, "Suicide awarenes programs in schools have not been shown to be effective either in reducing suicidal behavior or in increasing help-seeking behavior. Most kids who take their own lives are mentally ill. They need help, help that a school suicide prevention program is not going to provide them."

And some of the children, these new federally funded programs," and it says in the article, "would reach awareness, putting ideas in their already normally confused adolescent heads." Conclusion: "Such programs," and we are talking about the bill tonight, "could actually be harmful."

Let me go back to the issue of family and the like. We have to ask: Is this yet again another encroachment on the family, on the parent-child relationship, one in which the federal Government should at least ask for input and thought before we start creating new Federal programs on this level? In the end, are these programs, we should be asking ourselves, more harmful than helpful? The experts seem to indicate more harmful. Another expert, David Shaffer, M.D., Columbia University College of Physicians and Surgeons, talking on the subject and doing research at Columbia University supported by grants for the Centers for Disease Control, suggests that "case findings that involve giving lessons or lectures about suicide either to encourage suicidal students to identify themselves or to teach other students or teachers how to identify the suicidal teenager is not effective and in some instances may undermine protective attitudes about suicide."

Furthermore, from Dr. Shaffer and others, "self-identified attempters were less likely to approve of these programs than nonattempters and there was little evidence that the programs were successful in influencing their views. There was some evidence that previous attempters were more upset by the programs than nonattempters were."

Again, the experts are saying that these programs that we are now spending money on may be more harmful than good.
There was a case several years ago in Michigan where a second grade boy killed himself in the spring of the year, the day after watching a film in a suicide prevention class such as what we are talking about today. People who knew the young boy and had no indication he was very unhappy or had negative direction to die. The movie, the boy who tries to hang himself to commit suicide is rescued by his friends. In real life, that did not occur, and the 8-year-old boy, having attended a suicide prevention program, killed himself.

As a parent, one also has to ask, where does the time come to do all these things in our schools? We already ask of our teachers so much, to teach all the curriculum already. Now we are adding an additional burden on our schools as well. I have talked to parents who have had their kids in public schools and have taken them out and either put them into private schools, Catholic schools, parochial schools, or home schools. I ask them, when they do it, they say, because they realize the public schools are no longer focused on what they are supposed to be focusing on, and that is educating their kids. Instead, they are involved in so much other social programming, such as this.

So we have to ask ourselves this question as well: Does this program address the needs of our schools as being able to fulfill their obligation to teach our kids?

Next, we have to ask the question: Is this enough money, $82 million? Now, to me, that sounds like a lot of money; but if we are talking across the entire country for a 3-year period of time, I have to guess that next year and the year after that people will be coming back and saying this was just a drop in the bucket and that we will have to spend even more.

I figured it out just briefly in my head sitting over here earlier. This would provide my county in New Jersey maybe one new counselor, if it was spread evenly across the country. One counselor for my entire county. What about all the schools in that county? Will they not be looking for assistance about all the schools in that county? What about the 100,000 schools in the United States? How many counselors do you think your county has? I know the person at my county has 300 kids. What about the rest of America? $82 million is not going to go that far.

Now, it is set up as a 3-year program. In reality, the bill that I am looking at talks about how much money we are going to spend for the first 3 years; but if we look at the fine print, it details $7 million one year, $16 million the next year, and $25 million the next year. That is 3 years. But thereafter it says “and such sums as may be necessary for each succeeding year thereafter.” So, in reality, it is saying we know how much it is going to cost for the first 3 years, but after that it is anybody’s question, as people come back asking for more.

In the end, suicide is an emotional topic. The legislation we are dealing with today is an emotional topic. It is one that deserves our thoughtful time, it is what we hear from parents and experts alike, and so, therefore, Mr. Speaker, I would recommend to vote against this bill, or, better yet, to allow this bill to go back to committee for further consideration.

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

Mr. BROWN of Ohio. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I want to thank my colleagues, the gentleman from Tennessee (Mr. GORDON), the gentleman from Texas (Mr. BARTON), the gentleman from Florida (Mr. BILIRAKIS), and the gentleman from Michigan (Mr. DINGELL), for their dedication to this bill.

Mr. Speaker, I also want to commend Cheryl Jaeger and John Ford of the staff of the Committee on Energy and Commerce for their good work.

Mr. Speaker, I rise today in support of the Garrett Lee Smith Memorial Act. The legislation we are dealing with today is one that deserves input from parents and experts alike, but every one of these tragedies is, in fact, preventable. It reflects the fact that preventing suicide requires an approach that is both comprehensive in its scope and targeted toward the populations most at risk.

We will continue to work with the Department of Health and Human Services and mental health advocates to address one outstanding issue concerning parental consent; however, it makes sense to move forward and ensure that the good ideas in this bill are implemented.

This legislation honors the courage of the families both within this Congress and across the country who have endured the tragedy of youth suicide and who see prevent this crisis in its tracks. I am pleased to support this important legislation.

Mr. BARTON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Mr. Speaker, I rise today in support of the Garrett Lee Smith Memorial Act. I extend my sincere condolences to my colleague, friend, constituent and fellow Oregonian, Senator GORDON SMITH, sponsor of this act, and his family.

It was exactly 1 year ago today that the Smith family was changed forever when Garrett Lee Smith took his life. As the father of a son myself, my heart aches for GORDON and Sharon, and the Smith family remains in our prayers. After Garrett’s death, the Smith family’s selfless dedication to shining the spotlight on the tragedy of youth suicide and saving other families from the devastation of suicide is truly inspiring.
Mr. GARRETT of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I believe every life is a precious creation and that suicide is a tragic and terrible way to lose a family member or friend. One would automatically assume if you are against suicide, you will vote in favor of this bill; however, nothing could be further from the truth. We all want to stop suicide. Some of our most precious resources are our young people, and that resource must be preserved and promoted.

Our children and teenagers are too valuable to be used as guinea pigs on this issue. The gentleman from New Jersey (Mr. BARTON) that this bill really originated from a tragedy in Senator Gordon Smith’s family. We all respect the gentleman from Tennessee (Mr. GORDON), the sponsor of the bill, who has been a leader on this issue.

I also thank the gentleman from Texas (Chairman BARTON) for his hard work in expediting this bill. When this gentleman says he will do his best, he will do his best to bring it up. And as he always does, he not only did his best, he accomplished it, and I thank him for that.

Unfortunately, it is certainly no fault of the chairman that this Garrett Lee Smith Memorial Act which started out as a bipartisan agreement is now mired in political extremism and really bizarre anecdotes. Let me be clear, I support the Senate version of this bill. The bill passed that body unanimously with the support of the White House. I sponsored the companion bill in the House. Unfortunately, a small group in the House have insisted on inserting language that undermines the very programs we are seeking to encourage. The language would require schools to treat suicide prevention programs differently from all other school-sponsored programs, requiring prior written parental permission for a child to even attend a suicide prevention and awareness event. This would make suicide prevention programs the only type of school-sponsored program with such a requirement.

Suicide is a silent epidemic in this country. There are about 600,000 teen suicide attempts each year that require emergency room care and hundreds of thousands more that are never reported. It is the third leading cause of death for older teens and the fourth leading cause of death for ages 10 to 14. Making it harder for schools to sponsor suicide-prevention programs undermines the goals of this legislation, and it perpetuates the very stigma that we are trying to overcome, and that is it is not okay to talk about youth suicide.

Groups which have advised on this bill, including the National Mental Health Association, the Suicide Prevention Action Network, and the American Academy of Child and Adolescent Psychiatry, oppose this language. It puts passage in the Senate in question, and it puts hope of seeing this measure quickly reach the President in jeopardy.

Mr. Speaker, while in Congress I have witnessed some frustrating moments, and this one ranks right up there at the top. Regrettably, it is increasingly rare these days for Members of Congress to set aside partisan politics, but the way we are doing this only proves it was in the best interest of our Nation. However, in memory of our constituents and our colleagues’ children who have lost their lives to suicide, I will reluctantly vote for this bill to keep this critically important legislation from dying in the House. I hope that this problematic language will be modified in the Senate.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Alaska (Mr. Osborn), who has been directly involved in these programs.

Mr. OSBORNE. Mr. Speaker, I would like to thank the gentleman from Texas for his help on this bill. I am really concerned about what is being told here is we do not know of anything that will work, and this bill really may make things worse, and we may actually cause some people to take their lives. I would just like to mention what the bill is all about.

Part I provides grant funding to States for development of a youth suicide prevention and intervention strategy. That does not necessarily mean that you go in and show films to kids of other kids killing themselves. It does not mean that you go out and hire a bunch of counselors to go into schools and tell kids do not kill yourself. It may mean that you work with coaches and teachers to identify the signs, because there are very, very few suicides which occur where there are not some indications. It may be a term paper, a theme, it may be a comment in the locker room. So we can build awareness with those people who work with young people, and that is important.

Some young people do not know that steroids are a leading cause of suicide. This is an education issue. Steroid precursors can be bought over the counter and cause untold number of suicides each year. People are not aware of that.

This bill provides for screening programs that can identify mental health and behavioral conditions. There are certain medical conditions out there that make people more subject to suicide. It may be a personal tragedy that has occurred; it may be a friend who has committed suicide. These people can be watched more closely. There
may be things which could be done. You do not have to go tell them, do not kill yourself.

Lastly, the bill establishes the Federal Suicide Prevention Technical Assistance Center. People have said here, we do not know what works. That is what this bill is for, to find out what strategies do work. That is the whole thing about it.

Mr. GARRETT of New Jersey. Mr. Speaker, I yield myself 1 minute to respond.

Many times in this House we do things for symbolic purposes, and I am not suggesting that this legislation is being done for symbolic purposes, but I do have to raise the question, as I did earlier, as to just what extent this bill may be successful if everything goes right.

As I indicated before, we are spending at $82 million. That translates into around the addition of one new guidance counselor in every county in my State. So we have to question really are we providing any new services to the majority of kids, or are we just lifting up hopes and also the expectations of future calls for greater spending on these programs.

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Again I say to say it, the topic that we are dealing with is an extremely emotional one; and I take nothing away from what the sponsors are attempting to do with this legislation. And I take nothing away from the families that have suffered from the pains and arrows of going through this. All I say is that the best method of addressing this issue was perhaps, not perhaps, absolutely not followed in this procedure, that the parents in our communities have the right to have their say to make sure that we have the best system of taking care of their kids; that the experts, the doctors, the academicians have the right to have their say as to what are the best procedures as far as addressing the issue of suicide in schools. Finally, it ultimately falls upon our families and our parents to make sure that we are bringing our kids up in the correct manner.

This legislation does not address that at all. This legislation simply expands once again the size and the scope of the Federal Government into an area where we have not heard any testimony tonight and never had the opportunity to hear testimony in the past to say whether this system will do more harm than good.

Therefore, Mr. Speaker, I would suggest a “no” on this bill.

Mr. BARTON of Texas. Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. BARTON).

The SPEAKER pro tempore (Mr. PEARCE). Without objection, the gentleman from Texas will control the balance of the time.

There was no objection.

Mr. BARTON of Texas. Mr. Speaker, could I ask since the distinguished gentleman from New Jersey has yielded to me the balance of his time, how much time has the gentleman from Oregon (Mr. BROWN) have.

Mr. BROWN of Ohio. Mr. Speaker, I yield the balance of my time to the gentleman from Oregon (Mr. BLUMENAUER).

The SPEAKER pro tempore. The gentleman from Oregon has 6½ minutes, and the gentleman from Ohio (Mr. BROWN) has 4 minutes.

Mr. BROWN of Ohio. Mr. Speaker, I yield the balance of my time to the gentleman from Oregon (Mr. BLUMENAUER).

The SPEAKER pro tempore. The gentleman from Oregon is recognized for 4 minutes.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman’s courtesy, and I appreciate the way that we are reallocating time a little bit to permit serious discussion of a serious topic. I deeply appreciate the expeditious way that the Committee on Energy and Commerce has moved forward with this. As my friend and colleague from Oregon pointed out, we have sort of a special sense in our State, but I must take exception with our colleagues who would have to have a philosophy somehow if we do not talk about this with our young people, if we do not establish programs, that it is going to go away.

I would suggest that one of the reasons we have an epidemic of teenage suicide, especially among young men in this country, is because too few people do focus on the big picture, what it really means. Perhaps because it is so horrible, we do not really allow the reality to penetrate. But in a typical week in our State, there is more than one teenager who will take their life and about three in a typical day will be treated in an emergency room because of a failed attempt.

I am glad to see the draft who has worked to bring this out of the shadows and to put a face on these serious tragedies, to spare other families, not to tuck it away and assume that everything is going to be all right but to see what we can do to craft a piece of legislation that will spare people is our friend and colleague Senator Gordon Smith. As has been noted on the floor, Gordon and his wife, Sharon, lost their son who is memorialized in this act. This is a tremendous positive response that has grown out of a personal family tragedy.

Frankly, I was disappointed in the changes that were added to this legislation, but I would take this for what it is, a positive start; and I appreciate what the committee has done. We are authorizing $82 million over the next 3 fiscal years. In our great country of almost 300 million people, this is truly a very small and modest beginning, but it is important. I am pleased that it speaks to the establishment of a national center, so perhaps we will have more compelling evidence for people to step forward and join in this effort. I am pleased that it will provide resources for statewide programs and especially programs run by Native American tribes where that need is especially acute. It is encouraging that we would establish new grants for mental and behavioral health services at colleges and universities. This is an important step to let these young people who sadly have wrestled with these demons, let them know that they are not alone, let them know that there are services, that people do care and for us to experiment in ways to do an better job.

In Oregon, we have a special interest not only in the courageous way that the Smith family has responded to trying to help other families but ours is a State with a suicide rate that is 40 percent higher than the national average. We have done an amazing job on our part. There is not a Member in this Chamber that has not either been touched directly in their family or by people...
close to them that they know and love. We have had cases on the floor of our colleagues just in the short time that I have been in Congress.

I am hopeful that we can seize on the opportunity to approve and then improve this legislation, build upon it, and work to show in carrying this message to Congress and through Congress back to our communities. By our action, we can join the Smith family to help spare others this pain in the future. I appreciate the work of my colleagues on the committee.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Nebraska (Mr. OSBORNE), who has been involved in programs to prevent suicide in Nebraska for a number of years.

Mr. OSBORNE. Mr. Speaker, I thank the chairman for yielding me this time. I am sorry I had to be rushed earlier, and I thank him for giving me this extra time.

In regard to the expeditious manner in which this bill has progressed, it actually started back in July. I know that there has been a tremendous amount of interplay and work over the last 6, 8 weeks. There has been a lot of give and a lot of take with this discussion. The thing that I did not get to talk about that I wanted to mention is that from 1952 to 1995, we have three times the number, the rate of suicides, in this country as we did in 1952. This is a priority for us today. So to say that we really should not do anything or we should really go slow for some reason rubs me the wrong way.

The other aspect of the program that I wanted to mention today is the college mental health services. A survey regarding college students indicated that 60 percent of college students feel hopeless. More than 40 percent report being depressed. And 9 percent are suicidal. On the college campus, we have tremendous problems with this issue. You do not have to again go to these students and say, do not kill yourself. We do not have to show them films, but we do have to persuade them that it is not unmanly or it is not weak on the part of a woman to express your problems, to go to a mental health service, to talk things out, to be open with what is bothering you. These are the kinds of things that need to happen.

Part of this funding will simply go to enhance the mental health services on the college campuses. This is not money that will be badly spent. This is something that is desperately needed. Again, Mr. Speaker, I thank the gentlewoman from Texas for her work.

Mr. BARTON of Texas. Mr. Speaker, I yield myself the balance of my time. First of all, I want to comment on the procedural aspects of the consideration of this legislation. I think the gentleman from Tennessee (Mr. GORDON) pointed out a bill similar to this passed the other body 100 to zero. That is a phenomenal accomplishment considering that the other body this year many days has not even agreed on whether the Sun rises in the east or the west. But on this particular piece of legislation, they passed it 100 to zero.

The President of the United States, President Bush, and his legislative aides contacted my office immediately and upon the presentation of this legislation on the floor of the House. We took the bill that passed the other body, we looked at it and we felt like, as well-meaning as it was, that in many cases it was duplicative and it could be improved if we made some changes.

To his credit, when we called Senator SMITH, he agreed to work with us on that process. We attempted to bring the bill up the last day before we adjourned for the August work period. There were still some concerns that could not be worked out. That bill could only come up under unanimous consent. The minority leader, the gentlewoman from California, agreed to it, the majority leader the gentleman from Nebraska, non-unanimous consent, but there were some Members on the Republican side that still had concerns, so we pulled the bill that night. We spent the August work period working at the staff level to try to iron out the differences and to get it dealt with. I have no apology that the bill that is before us today as a result of those extra days and hours of consultation is a better bill.

It requires that 85 percent of the funds expended have to be spent on direct services. So this is not an overhead bill. This is a direct-services bill. It requires that when grants are awarded to institutions that have existing programs, there be a dollar-for-dollar match, that the institution that already has a program has to match through services or in-kind contribution or direct dollars, dollar for dollar, the amount of the grant that they are receiving. There is a requirement in that program that there is an outcome-based assessment each year, so that as we begin to implement some of these programs, we actually go in and make sure that in future years we only award grants to programs that actually do have results in a positive way. I am very proud of that.

In terms of the parental consent section of the bill, which was the most difficult to find a compromise, we agreed that if there is an emergency situation where direct intervention needs to be conducted to prevent an individual from committing suicide, that that can be done immediately and to whatever extent is necessary so that we stabilize that individual and prevent him from taking his life. But once that occurs, before there is any entry into a long-term program, the parents have to be notified and they have to consent in writing that their child can be involved in that long-term program. I personally think that is a very, very reasonable compromise.

One can argue that the Federal Government should not be involved in early intervention and suicide prevention. That is a reasonable position to take. But given the fact that 4,000 of our young people killed themselves last year and that, as the gentleman from Nebraska has pointed out, suicide rates among our young people have tripled in the last 40 years, I think it is absolutely vital that the Federal Government be involved. Every life that we save is a future productive citizen who is going to contribute to our society and to our country. I strongly agree that we should be involved with a Federal program that helps in this.

I would point out that this bill is a 3-year authorization bill. It is not a permanent expansion of any program. It is a 3-year authorization. As I said earlier, as we go through each year, the programs that are granted have to be evaluated on an outcomes basis. I think Members on both sides of the aisle, whether they are conservatives or liberals or moderates, regardless of whatever region of the country they come from, can enthusiastically support this bill tomorrow when it comes to a vote. It is a good bill. I am proud that we have helped Senator SMITH memorialize his son, the late Garrett Lee Smith; and I would hope that we get a unanimous vote tomorrow on this important piece of legislation.

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

Mr. DINGELL. Mr. Speaker, I rise in support of S. 2634, the “Garrett Lee Smith Memorial Act.” This bill contains a variety of programs aimed at youth suicide early intervention and prevention, including campus mental and behavioral health service centers.

Mr. Speaker, I urge my colleagues to read the findings in this bill. They contain alarming statistics on the incidence of youth suicide in this country. For example, according to the CDC, suicide is the third overall cause of death among college students. More than 4,000 children and young adults take their life each year, and the rate of youth suicides in increasing. The American College Health Association reports that 9 percent of college students have felt suicidal.

While this bill contains many find provisions, it does contain language on parental consent that has drawn expressions of concern from a variety of mental health advocates. I hope that as we go through this process, that as we go through this legislative process we can modify it further so that these concerns are reduced or eliminated. I also note that the bill before us contains an important rule of construction that makes clear that this legislation does not modify or affect current law on parental consent to participate in elementary and secondary education programs, including the law popularly known as No Child Left Behind.

Mr. Speaker, I want to compliment my colleagues for the fine work they have done on this bill and I want to take particular note of the outstanding work of my good friend, Representative
The SPEAKER pro tempore. The Chair announces that on August 25, 2004, in consonance with the letter of resignation from the gentleman from Florida and pursuant to clause 11 of rule I, the Speaker designated the gentleman from Michigan (Mr. HOEKSTRA) as chairman of the Permanent Select Committee on Intelligence, vice the gentleman from Florida (Mr. Goss).

COMMUNICATION FROM DISTRICT DIRECTOR OF HON. BENJAMIN L. CARDIN, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Bailey E. Fine, District Director of the Honorable BENJAMIN L. CARDIN, Member of Congress:

H6874—CONGRESSIONAL RECORD—HOUSE September 8, 2004

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CHILD MEDICATION SAFETY ACT

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

Mr. BURNS. Mr. Speaker, yesterday, September 7, was ADD Awareness Day. Millions of Americans suffer from attention deficit disorder. Fortunately, when ADD is accurately diagnosed, it can be effectively treated. Unfortunately, when it is misdiagnosed, the treatment can be harmful.

Last year I introduced in this body the Child Medication Safety Act, H.R. 1170. It passed 425 to 1. Unfortunately, it has seen no action in the other body. It has been blocked by the objections of a single Member in spite of overwhelming congressional and public support.

This medication is not antimezication. It is not antischool. It does not limit teacher or school involvement.

It is designed to protect children. It does provide for parents and medical professionals to determine if a child needs medication for ADD. This legislation is simple. It prohibits schools from requiring children to take a stimulant such as Ritalin or Aderal or other drugs as a precondition for attending school. It is designed to protect children from inappropriate medication, and we must allow parents and medical professionals to determine the medical treatments for their child.

THE PRESIDENT'S ECONOMIC POLICY

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

Mr. BROWN of Ohio. Mr. Speaker, President Bush has spent a lot of time in my State of Ohio in the last few weeks. He was in Brecksville in my district just this weekend. He comes to Ohio to try to argue for an economic policy that has seen one out of six manufacturing jobs in our State disappear. His answer to every bad piece of economic news is more tax cuts for the wealthy, a person making $1 million gets a $123,000 tax cut, and more trade agreements like NAFTA that continue to ship jobs overseas. Clearly his economic policies are not working in a State that has lost 20,000 fewer jobs than it did when George Bush took office.

Instead, as Senator KERRY suggests, we should extend unemployment benefits. We should reward those companies that manufacture domestically. We should penalize those companies that go offshore like Halliburton and continue to ship jobs overseas, that continue to take tax advantage of the American people and continue to lose jobs in our Nation.

ORDER OF BUSINESS

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent to take my Special Order at this time.

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

Ms. WOOLSEY. Mr. Speaker, yesterday the 1,000th American soldier was killed in Iraq; 1,000 young men and women who will never again return to their homes and experience the warm embrace of their parents and others who love them.

Young men and young women have died for a war the United States entered not of necessity, but out of choice. An attack against a country that never possessed the illegal weapons it was accused of possessing, a war in a country that never once threatened the United States. And this war is not over.

Worst of all, of the 1,000 soldiers that have died in Iraq, over 850 of them were killed after President Bush declared the "end of major combat operations." He made his now-infamous speech aboard a Navy vessel displaying a banner that read "Mission Accomplished." That was 15 months ago.

Obviously the Bush administration has failed, failed dramatically in its postwar custodianship of Iraq.

The abuses at Abu Ghraib have emboldened our enemies and provided them with ammunition for the war of images waged on the front pages of newspapers worldwide. The moral support shared by countries around the world in the months after September 11, 2001, has long since evaporated.

When it comes to supporting our troops abroad, we have not done much better. A recent Pentagon study acknowledged that about one-third of all American casualties in Iraq could have been prevented if the military had outfitted every soldier with state-of-the-art body armor. Thirty thousand troops, most of them members of the Army Reserve and National Guard, did not have vital equipment for several months after facing battle situations in Iraq.

In addition to the 1,000 soldiers killed in the war in Iraq, this war has cost the lives of thousands of innocent Iraqi civilians, which some estimate to be as high as 15,000. And it is estimated that 7,000 of our troops and our civilian forces have died, or 20,000 have been evacuated out of Iraq for medical reasons. This is a failure. This is a war that has failed. It has taken a huge economic toll in the form of a whopping $200 billion in congressional appropriations, money that should have been invested here at home and used to pay for the real war against terrorism, a war that never has included Iraq. The Bush administration’s line is that the war in Iraq was essential to winning the so-called war on terrorism. Bush Press Secretary Scott McClellan, commenting on the number of troops
killed, claimed that “the best way to honor all those who lost their lives in the war on terrorism is to continue to wage a broad war and spread freedom throughout a dangerous part of the world.” What a shameful thing that was to say.

It is clearly time for a new national security policy. I have introduced H. Con. Res. 392 to create a SMART’s security platform for the 21st century. SMART’s stands for Sensible Multilateral American Response to Terrorism. SMART security is a war as a last resort. It fights terrorism with stronger intelligence and multilateral partnerships. It controls the spread of weapons of mass destruction with aggressive diplomacy, strong regional security arrangements, and vigorous inspection regimes. SMART security invests in the development of impoverished nations to prevent terrorism from taking root in the first place.

SMART security is about preventing war, as opposed to preemptive war. It emphasizes brains over brawn. It is tough, but diplomatic; aggressive, but peaceful; pragmatic, but idealistic.

President Bush loves to think that those who support his efforts in Iraq are patriotic, and those that think there is a better way are unpatriotic, or, worse, un-American. As I can think of nothing more patriotic than pursuing a national security policy that protects America by relying on the noblest of American values: our capacity for global leadership, our compassion for the people of the world, our commitment to peace and freedom.

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

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

COURT RULING UPHOLDS BARBARIC AND BRUTAL PRACTICE OF PARTIAL-BIRTH ABORTION

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

Mr. KING of Iowa. Mr. Speaker, I come to the House floor tonight on a very sad occasion, a day that marks a third Federal district court ruling upholding the barbaric and brutal practice of partial-birth abortion. Once again, the ethics and morality of the American people and Congress have been trumped by an activist Federal judge. As a result of this judicial arrogance, more innocent children will be gruesomely and barbarically killed by partial-birth abortions.

The practice of inducing birth for the sole purpose of brutally murdering an innocent child has absolutely no place in civilized society, and it is an outrage to let a handful of lifetime-appointed judges overrule the will of the American people and essentially sentence these babies to death.

Today’s Court opinion especially drips with contempt for Congress and the people who elected their Representatives. Congress passed the partial-birth abortion ban with overwhelming support. These courts have displayed utter contempt for the factual findings of Congress, which proved that the legislation was constitutional. Congress decided, based on years of testimony by countless medical experts, that partial-birth abortion is never medically necessary, and the procedure endangers women. It would be malpractice for physicians to perform a procedure that they know is not necessary and injurious to their patients.

Both judges also said that those witnesses who supported the ban because they were prolife could not be objective or unbiased because they were in the pro-life movement. These judges, who it should be noted were not in fact put on the bench by Congress, are objective and unbiased.

Both judges also said that those witnesses who supported the ban because they were prolife could not be objective about the procedures. These judges emphasized that an expert witness must actually perform an abortion to be objective about the procedures. These judges also emphasized that the plaintiffs’ trial experts for whom abortion is a business were not biased in favor of abortion.

Judge Kopf, the author of today’s decision and also the decision in Stenberg v. Carhart, the infamous decision from Nebraska’s State ban, did not even attempt to hide his support for the practice of abortion, and this is a quote from his opinion: “I do not use the term ‘abortionist’ loosely. So long as abortion is legal, doctors who perform abortions and who properly concentrate on the health of the female patients will be treated in this court with the same high degree of respect as fetal and maternal specialists who do not perform abortions and who properly divide their loyalties between the health of the fetus and the health of its mother.”

That, Mr. Speaker, is a modern-day equivalent of the Nazi prison guard saying “I was just following orders.” It was all legal in Nazi Germany at the time.

These three judges have overruled the will of the people, expressed through their elected representatives, by declaring the partial-birth abortion ban unconstitutional. They stepped outside the bounds of their judicial roles delineated by the Constitution and are vetoing legislation from the bench.

No cover provided by inferior courts will shield the Supreme Court from the ire of the public or this Congress if the Court rules against the will of the people and the highest standard of fact-finding conducted by Congress in passing this ban.

Our Founders assigned the legislative role to Congress because, among other reasons, we are accountable to the people. If Americans do not agree with the partial-birth abortion ban, they can vote against the elected officials who supported it. Unelected lifetime-appointed judges are not accountable to the people unless impeachment proceedings are brought in the House of Representatives. That is the only way. We must rein in the runaway judiciary, even if that means bringing impeachment procedures. We as Members of the constitutionally established legislative branch must stand up for our Constitution against judges who ignore it.

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

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

DEMOCRACY NOT PREVAILING WITH REGARD TO OVERTIME REGULATIONS

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

Mr. BROWN of Ohio. Mr. Speaker, here we are again debating overtime in the Labor, Health and Human Services bill.

I feel like it was just last year when we had this same debate, because we did. Last year I supported a Democratic overtime pay amendment which prohibited the Department of Labor from using funds to enforce any regulation that would cut overtime pay. When the amendment was voted on in the House, the Republican majority blocked its passage.

However, the Senate approved an amendment offered by Senator HARKIN to block the Bush administration from issuing the overtime changes, protecting people’s overtime. The House then reversed course, against leadership’s advice, and bipartisanly voted to give the Bush administration authority to change overtime rules, kindergarten and nursery school teachers, firefighters, police and other workers would lose an average of $250 a week in overtime pay. Millions more lose future eligibility for it.
Under the Bush rules that cut back on overtime, we will see an explosion of executives in the United States workforce, companies redesignating regular workers to avoid paying overtime.

It will not be executives the way we think of executives in the traditional, white-collar sense. Instead, it is workers who supervise only two coworkers, such as a shift manager in the toy department of Wal-Mart. That person could be classified as executive and then be denied eligibility.

Companies can exempt more than one executive for the same workers, as long as they maintain a 2-to-1 ratio of exempt to nonexempt employees. Supervising, therefore, does not have to include the right to hire and fire, as executives usually have, or even take up the majority of the executive’s time under the new rules. A worker could spend all day serving customers, sweeping the floor, doing the same things coworkers are called a supervisor and then be denied eligibility for overtime. Similarly, the new rules create a broad new exemption called team leader that can exclude workers from overtime. The department classification. This is a huge loophole. Team leaders could have no supervisory authority at all, but still be prohibited from receiving overtime. The new rules make it easier to exempt workers in financial services and in computer-related occupations, among dozens of other job categories.

Tonight the Labor-HHS bill was pulled off the floor and Members of Congress were sent home, that is why there are few here now, because Republican leadership lacked the votes to defeat this amendment on overtime.

The Department of Labor’s mission statement describes it as the primary agency to promote the welfare of job seekers and wage earners. That is why the Department of Labor was created decades ago. It was established solely to represent the interests of the American workforce.

Now, under Secretary Chao, taking her orders from President Bush and especially from Vice President Cheney, and especially from the Chamber of Commerce, and especially from the American National Association of Manufacturers, the Department of Labor now represents corporations at the expense of workers. That is why the assault on overtime pay coming from our government’s Department of Labor against the workers it should be representing.

My colleague, the gentleman from Wisconsin (Mr. Obey), wants to offer an amendment that prohibits the Department of Labor from implementing these new rules, provide the bill on the floor, and we are not going to vote on it. We have the votes to pass it, as I said.

In a democracy, you know, you vote on things. If you have enough votes, they pass; if you do not have enough votes, they fail. It is as simple as that. But here tonight we saw something that cannot quite be considered democracy. We do not vote on something because the other side of the aisle, taking huge campaign contributions from darn near every corporate interest in this country, we do not vote because leadership on the other side of the aisle simply does not want to. The contributors do not like that. The will of the American people has been stifled. A major appropriations bill has been held up. Also the Republicans do not lose a vote that their corporate backers want, that the majority of this House, the representatives of the American people, support. You can call that government, but it sure is not democracy.

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

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

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

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

IMPORTANT VICTORY FOR PEOPLE OF NEVADA REGARDING YUCCA MOUNTAIN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Nevada (Ms. Berkley) is recognized for 5 minutes.

Ms. BERKLEY. Mr. Speaker, I rise today to mark an important victory for the people of Nevada in our 20-year struggle against becoming the Nation’s nuclear waste dump.

Last week the U.S. Court of Appeals unanimously upheld its decision that radiation standards for the proposed nuclear waste repository at Yucca Mountain were not based on sound science and would not protect the health and safety of the American people. In ruling for Nevada, the court found that the Bush administration deliberately set radiation standards for Yucca Mountain that were not in keeping with the findings of the National Academy of Sciences as required by law.

The Academy reported to Congress in 1995 that waste stored at a repository would remain deadly for 300,000 years or more, and concluded that radiation standards for the Yucca Mountain project should reflect these scientific standards. The court ruled that the Bush administration ignored the law, ignored the science, and knowingly ordered the EPA to draft a radiation standard not based on the science, but an arbitrary period of 10,000 years. The gap between the science and the EPA standard? A mere 290,000 years.

The court’s ruling voids the radiation standard established by the Bush administration and is the latest in a series of setbacks that have clouded the future of Yucca Mountain. These include the lack of funding in Congress, a refusal by the Nuclear Regulatory Commission to certify an electronic database required for licensing the repository, and a lawsuit filed by the State of Nevada challenging a portion of the administration’s transportation plans for Yucca Mountain because they do not meet necessary NEPA standards.

On their own, any one of these issues is significant enough to stop the Yucca Mountain project in its tracks. But the nuclear industry also knows that this administration is in control of Congress, and they are gearing up for a fight.

The administration’s only option for addressing the court’s ruling is to have the EPA revise the radiation standards to reflect the danger identified by the National Academy of Sciences. Such a standard will require that the repository isolate waste for 300,000 years or more. Yucca Mountain cannot possibly meet these science-based standards. The nuclear industry also knows that this court ruling would doom plans to ship nuclear waste to Nevada.

They are already planning a push in Congress to waive the requirement that radiation standards for this repository conform with the science. Changing the rules in the middle of the game seems to be standard operating procedure for this Congress. Putting politics over the safety of those people I represent and denying protection of our courts and our court system of checks and balances is something this House of Representatives has done before. It must stop.

Changing the law will allow the administration to continue to railroad Nevadans by allowing Congress, not the National Academy of Sciences, to determine radiation standards for Yucca Mountain. There is not one Member of this esteemed body who knows anything, not one thing, about radiation standards. How to store nuclear waste safely at Yucca Mountain, not for 3 months, much less 300,000 years. Will Congress choose a 10,000-year standard? 5,000? Maybe Congress in its infinite wisdom is going to opt for no radiation standard at all.

When it comes to Yucca Mountain, there is no limit to the hoops this administration and Republican leaders in this House will jump through or the lies and misrepresentations they will tell to move this project forward.

I say to my colleagues on both sides of the aisle, there will come a time in the near future when you will be asked...
to decide whether politics or science should prevail in establishing radiation standards for Yucca Mountain. I urge you to respect the role of the courts in its decision determining the EPA did not follow the law, and respect the right of those who live in Nevada to challenge the notion that Yucca Mountain is safe.

Science, not politics, should guide this Nation's policy on nuclear waste disposal. That is what George Bush promised when he first campaigned for President in the year 2000, and that is what he said when he came to Nevada just 3 weeks ago. He said he would respect any court ruling against Yucca Mountain.

The courts have spoken. Now it is time for the President to act on his promise as well. The second highest court in the Nation has spoken. Work on licensing Yucca Mountain cannot continue until a new radiation standard is crafted that incorporates the work of the National Academy of Sciences.

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

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio (Mr. SMITH) right after in the Extensions of Remarks.

EXCHANGE OF SPECIAL ORDER TIME

Mr. BLUMENAUER. Mr. Speaker, I ask unanimous consent to take the time of the gentleman from Washington (Mr. MCDERMOTT) and to urge my colleagues to support extending the assault weapon ban.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey? There was no objection.

SUICIDE BOMBINGS IN ISRAEL AND SYRIA'S HARBORING OF HAMAS

Mr. PALLONE. Mr. Speaker, I rise this evening to express my condolences to the families of the victims of the suicide bombings in Israel last week and to urge my colleagues to support Israel's continued construction of the security fence to protect their citizens from further terrorist attacks. I also ask my colleagues to join with me in calling on the Syrian Government to turn over the leaders of Hamas, the terrorist organization that has claimed responsibility for these and countless other attacks in Israel, currently operating in Damascus.

Mr. Speaker, last Tuesday, two buses were simultaneously bombed in Beer Sheva, a city in southern Israel killing 16 passengers and injuring 97 others. It is no coincidence that the city chosen by Hamas for the attacks is in a region of Israel that is not yet protected by the security fence. Hamas terrorists were dissuaded by the fence and an Israeli military presence in areas and opted for an easier and more vulnerable target in Beersheba. These attacks are further proof that continued
construction of the security fence is necessary for the protection of Israeli citizens.

Mr. Speaker, the security fence is doing exactly what it was designed to do: save lives. Since the fence’s construction, there has been a dramatic decline in the number of suicide attacks. This was the first suicide attack in Israel in 5 months. There have been only nine suicide attacks in Israel this year, down from 23 last year. While even one attack is clearly too many, the fence is clearly making a difference.

For those in the international community who questioned the route of the fence, the Israeli Government has stated that the fence is temporary and can be moved or rerouted contingent on future peace agreements. Furthermore, the Israeli Government has also proven its willingness to reroute the fence. When the Israeli Supreme Court declared early this year that a section of the fence impeded on the civil rights of Palestinians living in the area, the fence was, in fact, moved.

Mr. Speaker, I have spoken on several occasions here on the House floor of my visit to Israel last year and my opportunity to view the security fence. That visit was driven by the information that the fence was, in fact, made.

Mr. Speaker, another point that I want to mention is that related to the terrible attacks in Beersheba is the issue of Syria’s decision to continue to turn a blind eye to Hamas and other terrorist organizations that operate within their borders. I ask my colleagues to join with me in calling on the Syrian Government to immediately turn defense of Hamas to the Israeli Government for their responsibility in last week’s attacks.

I fully support continued U.S. sanctions against Syria provided for under the Syria Accountability Act. If we are serious about achieving lasting peace in the region, we cannot allow Syria to continue to play host to Hamas, Hezbollah, and other terrorist groups.

LOCAL SCHOOL DISTRICTS NOT RECEIVING FEDERAL FUNDING

The SPEAKER pro tempore (Mr. KING of Iowa). Under a previous order of the House, the gentleman from New Mexico (Mr. PEARCE) is recognized for 5 minutes.

Mr. PEARCE. Mr. Speaker, one of the constant comments and questions that I have had regarding our education policy on the Federal level is that local teachers and school administrators think that the No Child Left Behind provisions are underfunded; we think that it is an unfunded mandate. Our office has continually researched the problem, and we recognize that in the last 10 years, Federal funding has increased from $23 billion to $56 billion, a 132 percent increase. So, Mr. Speaker, the numbers never quite matched the explanations that were coming from our teachers. Knowing that the teachers were, to their best knowledge, presenting the facts as they were told them, we began to dig even deeper.

In July, it began to come to our attention that many times the funds that we have allocated on the Federal level have not been made available from the States to their local school districts. I am not sure exactly why that has occurred, but it still is a fact that, for instance, in New Mexico, we have $78 million in unspent Federal funds. The situation is even so bad that $16.7 million has been allocated so long that now it is going to revert to the Federal Government on September 30.

So as I spent my summer recess during the summer recess the last week of July and the 4 weeks of August, I began to talk to the teachers and the principals and explain to them that much of the money, much of the $78 million that is there and is available is actually being held for the English language acquisition, $231 million is unspent. Vocational adult education, $701 million is unspent, and yet the teachers unions nationwide are castigating anyone who supports No Child Left Behind for supporting an unfunded mandate, and I would respectfully make the observation that their facts appear to be in error.

Mr. Speaker, I just wanted to bring these facts to my colleagues’ attention and possibly to the attention of other legislators.

The SPEAKER pro tempore (Mr. STRICKLAND). Mr. Speaker, on September 11, 2001, the gentleman from New York (Mr. NADLER) is recognized for 5 minutes.

Mr. NADLER. Mr. Speaker, September 11, 2001, 3 years ago, I watched in horror as America, and part of my district specifically, was attacked and destroyed. The extreme sense of pain and loss I felt as a New Yorker and as an American, as someone who knew many of the victims, does not even begin to match the pains that the families of that attack must have felt.

This attack on the United States was an attack, a deliberate attack on civilians. It was a deliberate attempt to kill as many American civilians as possible for the simple and great crime of being
America's. This we will never forget, and we must never forgive.

We must not allow ourselves to forget how vulnerable we have become and how we must change that vulnerability. We know that we are not as safe as we should have been on September 11, 3 years ago, and we still mourn the thousands who died that day.

The 9/11 Commission charged with investigating the tragic events of September 11 released its unanimous report that should help us ensure that this type of attack does not happen again. Democrats are fighting to implement the Commission’s recommendations, but the Republicans, by and large, who fought the creation of the Commission and tried prematurely to end its work are still dragging their feet.

President Bush strongly opposed any independent inquiry into the 9/11 attacks. He argued that it would duplicate a probe conducted by Congress. In July 2002, his administration issued a statement of policy that read, The administration would oppose an amendment that would create a new commission to conduct a similar review. Such an amendment is duplicative and would cause a further diversion of essential personnel from their duty fighting the war.

House majority leader, the gentleman from Texas (Mr. DELAY), opposed the creation of the 9/11 Commission. I quote from a CNN interview on May 22nd, 2002, by the gentleman from Texas. "We are at war, and when you are at war, you have to worry about making public a lot of things that should be kept private for you to fight the war. An independent commission by its very nature is very public. Frankly, it has only been asked for by people that are running for President."

Mr. DELAHUNT. Mr. Speaker, will the gentleman yield?

Mr. NADLER. If the gentleman will yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Who is he referring to when he indicated that only those that were running for President would support the creation of an independent commission?

Mr. NADLER. Well, I do not know because President Bush flip-flops. So maybe he is referring to President Bush after he decided to support it. The gentleman from Texas (Mr. DELAY) flip-flops and maybe he is referring to himself. Maybe he is referring to the families of the 9/11 victims who were the leading proponents of an independent commission. He may have been referring to Democrats who were, in fact, running for President, or who a year later ran for President, such as Senator KERRY and Howard Dean and others who did support this. Most Democrats supported it, but the majority of the Americans supported it, and I do not think the majority of Americans ran for President.

Mr. DELAHUNT. Mr. Speaker, well, again, I am surprised that the Republican leader in this House made that statement, because, according to our information, upon our return, based on the 9/11 Commission’s report, the majority leader has now announced that he hopes to have legislation before this House dealing with the concerns that were expressed by the 9/11 Commission. Am I confused?

Mr. NADLER. No, no, you are quite correct, and as I am going to show in recounting the history here in a few minutes, President Bush, the gentleman from Texas (Mr. DELAY), bowing to Democratic pressure and to common sense, flip-flopped and did change his mind and is, or at least he says he is, supporting legislation. We still wait to see the legislation to implement the Commission’s report, after the administration first did not want to do that.

Mr. DELAHUNT. Well, again, just to be clear in my mind, and I am sure that those who might be viewing our conversation this evening want clarity, what you are saying is that when the concept or the proposal of an independent commission looking into the events and the failures that led to our national tragedy on 9/11, it was President Bush and Vice President CHENEY that steadfastly refused to accept the creation of that Commission; is that correct?

Mr. NADLER. That is correct. It was President Bush, Vice President CHENEY and the Republican leadership in both houses of Congress that steadfastly opposed the creation of that Commission and eventually bowed to pressure coming from Democratic leaders in Congress and Democrats in Congress, from the families of the victims, from the press and from the American people at large, and eventually they bowed to that pressure and they flipped-flapped, and they reluctantly allowed the Commission to be created.

Mr. DELAHUNT. If the gentleman will continue now, he will observe that pressure and to common sense, flip-flopped and finally agreed to support the creation of this Commission, is that correct?

Mr. NADLER. Mr. DELAHUNT. If the gentleman will continue now, he will observe that pressure and to common sense, flip-flopped and finally agreed to support the creation of this Commission?

Mr. DELAHUNT. Well, that is correct. Again, they sought to delay it. They sought to oppose it. They sought to appoint Henry Kissinger to chair it. That House flip-flopped, now they embrace, and I congratulate them with enthusiasm, the 9/11 independent Commission’s report, and hopefully before we adjourn for this year, for this particular session, a review of their recommendations with appropriate legislation can be passed.

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Mr. NADLER. Well, that is correct. And the gentleman from Texas (Mr. DELAY) bowing to pressure and to common sense, flip-flopped and did change his mind and is, or at least he says he is, supporting legislation. We still wait to see the legislation to implement the Commission’s report, after the administration first did not want to do that.

Mr. DELAHUNT. Well, again, just to be clear in my mind, and I am sure that those who might be viewing our conversation this evening want clarity, what you are saying is that when the concept or the proposal of an independent commission looking into the events and the failures that led to our national tragedy on 9/11, it was President Bush and Vice President CHENEY that steadfastly refused to accept the creation of that Commission; is that correct?

Mr. NADLER. That is correct. It was President Bush, Vice President CHENEY and the Republican leadership in both houses of Congress that steadfastly opposed the creation of that Commission and eventually bowed to pressure coming from Democratic leaders in Congress and Democrats in Congress, from the families of the victims, from the press and from the American people at large, and eventually they bowed to that pressure and they flipped-flapped, and they reluctantly allowed the Commission to be created.

Mr. DELAHUNT. Mr. Speaker, will the gentleman yield?

Mr. NADLER. If the gentleman will yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Who is he referring to when he indicated that only those that were running for President would support the creation of an independent commission?

Mr. NADLER. Well, I do not know because President Bush flip-flops. So maybe he is referring to President Bush after he decided to support it. The gentleman from Texas (Mr. DELAY) flip-flops and maybe he is referring to himself. Maybe he is referring to the families of the 9/11 victims who were the leading proponents of an independent commission. He may have been referring to Democrats who were, in fact, running for President, or who a year later ran for President, such as Senator KERRY and Howard Dean and others who did support this. Most Democrats supported it, but the majority of the Americans supported it, and I do not think the majority of Americans ran for President.

Mr. DELAHUNT. Mr. Speaker, well, again, I am surprised that the Republican leader in this House made that statement, because, according to our information, upon our return, based on the 9/11 Commission’s report, the majority leader has now announced that he hopes to have legislation before this House dealing with the concerns that were expressed by the 9/11 Commission. Am I confused?

Mr. NADLER. No, no, you are quite correct, and as I am going to show in recounting the history here in a few minutes, President Bush, the gentleman from Texas (Mr. DELAY), bowing to Democratic pressure and to common sense, flip-flopped and did change his mind and is, or at least he says he is, supporting legislation. We still wait to see the legislation to implement the Commission’s report, after the administration first did not want to do that.

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deadline to complete the investigations from May, all the way to July, a 2-month extension, and I am quoting the New York Times of January 28 of this year, White House and Republican congressional leaders have said they see no need to extend the congressionally mandated deadline now set for May 27, and a spokesman for Speaker HASTERT said Tuesday that Mr. HASTERT would oppose any legislation to grant the extension.

Then, in early February of this year, the White House again flip-flopped and reversed course in support of an extension, and a spokesman for Speaker HASTERT said Tuesday that Mr. HASTERT would oppose this extension, but he also flip-flopped. He bowed to pressure and agreed to support an extension in late February.

Then, when the Commission finally came in with its report in July, a few weeks ago, the Republicans in Congress sought to delay the review of the 9/11 Commission recommendations until after recess, until after, so that they would have a month, a month, after the 9/11 Commission recommendations until after recess, until after, so that they would have a month, a month, before Congress until after the November elections.

Mr. DELAHUNT. Mr. Speaker, if I could interrupt, and if the gentleman would yield, my memory of the press conference conducted by Chairman Kean, the Republican from New Jersey, and Mr. Hamilton, the Democrat from the Indiana, with the unanimity of the bipartisan Commission, underscored and emphasized the need to move expeditiously to protect the United States from a recurrence of the kind of attack that occurred on 9/11. Is that an accurate statement?

Mr. NADLER. Yes, indeed. The Chairman, Governor Kean, and the vice chairman, former ranking member Hamilton, stressed that we are in a war; we are in a very serious war with terrorists, and speed is of the essence, and we should do this now. We should do this now. We should do this now.

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Mr. DELAHUNT. Mr. Speaker, now here we are, heading toward an election, with obviously complex legislation to extend the deadline. Are these recommendations put forth by the Commission so that our homeland, the security of the United States, is enhanced, and yet, and maybe you can in-form me and the American people who might be viewing us this evening, when was the concept, the idea, the idea, the Commission first proposed in the aftermath of the attacks on our homeland on September 11?
thwart their efforts to achieve their goals, the imposition of a neofundamentalist Caliphate on the Islamic world, followed by God knows what. He will simply discourage them from ‘using terror as a tool’ to advance that goal. It’s a starkly pessimistic vision.

Now, that is the paragraph from this article by Matthew Yglesias in the American Prospect, but it is quite correct. The President, Mr. Speaker, will not even recognize the nature of this war. He keeps calling it a war against terrorism. But the fact is we are not fighting against terrorism as a technique, nor, are we, in fact, fighting against all people who use terrorism as a technique. We are not at war with the Bush terrorists who threaten Spain, but not the United States. We are not at war with the Baath terrorists who threaten Spain, but not the United States. We are at war with the Taliban terrorists who want a separation in the Sri Lankans, and who use terrorism against the Sri Lankans but not against the United States.

We are at war against Islamic terrorists, against those in the Muslim world who think it their duty, who think it their honor to carry on a Jihad, to carry on a religious war using terrorist messages against the West in general and the United States in particular. That is who we are at war against. And if we do not admit who we are at war against, who have declared war on us, we will find it difficult to define the war properly and the measures necessary to wage that war properly.

That is one of the reasons why the President badly mistakes and the Vice President badly mistakes, and most of the speakers at the Republican convention last week badly mistake when they conflate the war in Iraq with the war on terrorism. The war in Iraq is a different war. Iraq is not part of the terrorist threat.

Saddam Hussein was a standard fascist thug dictator, of whom there are, unfortunately, 40 or 50 in the world.

Mr. NADLER. I yield. Mr. DELAHUNT. I think we all agree, and there is not a single individual in this House that would disagree with the statement that Saddam Hussein represented the kind of a despot and the kind of a thug and the kind of dictator that we all find reprehensible. But what I find ironic is that in our effort to undermine and to defeat Saddam Hussein, we have now allied ourselves with similar thugs, with similar despots, with similar reprehensible heads of state.

I find it fascinating that Secretary of Defense Rumsfeld visits Uzbekistan and praises the President of Uzbekistan, Ivan Karimov, who to call a thug is a disservice to the term thug. He is not a replica, he is not even a replica of Saddam Hussein. There are some 6,000 political prisoners today in Uzbekistan. And what do we hear from the White House, what do we hear from the Department of State? Nothing. Nothing. Yet when we read the Department of State’s report on human rights abuses in Uzbekistan, it is damming. It is damming.

What do we hear about the thug, the despot by the name of Turkman Bashu, who resides in Turkmenistan, who is also our new friend and ally, who by the way not only is a thug but is clearly a psychopath? Maybe the gentleman is unable to read the month of January, the name January, and named it after himself. But he has displayed a certain filial affection for his mother, because he then went forward and changed the name of the month of April and named it after his mother. And these are our new friends.

Mr. NADLER. Reclaiming my time, Mr. Speaker, I understand that that is the case. I also understand that that is part of the problem. We are engaged in a very serious war with the Islamic terrorists, the people who would ally themselves, and I am not going to criticize the President on this point, we may have to ally ourselves, as we did in the Cold War, sometimes justifiably, sometimes not, with not-too-presentable allies against the people who really threaten us.

Winston Churchill, the great anti-Communist Winston Churchill, was a great anti-Communist for many years; and he also, of course, warned the world, and in particular, against the Nazis. And he went to war against the Nazis. Britain finally went to war against Germany. When Germany invaded Poland in 1939, Churchill became Prime Minister in 1940, and he rallied the British and rallied the Free World against the Nazis. And when the Nazis invaded the Soviet Union, who had been their allies and who Churchill hated, Churchill was asked, and he offered all aid to Stalin, who was another thug. Churchill asked, than you something nice about Stalin? Churchill said, I expect that if Hitler invaded hell I should find something nice to say about the Devil. So I am not going to criticize.

Mr. DELAHUNT. If the gentleman will yield just for a moment.

Mr. Speaker, I respect the gentleman’s point. I guess what I am underscoring, though, is the repeated claim of a certain morality, a certain moralizing, that we are both good and evil. Yet the truth is we are allying ourselves, for convenience purposes, to individuals that are as evil as Saddam Hussein, who by the way we allied ourselves with back in the 1980s.

Mr. NADLER. The fact is, that is true. We are doing that. We did that in the 1980s and 1970s and 1960s, and there was lively debate in this country, and it is a pragmatic debate. Sometimes you have to ally with bad people because of the danger presented by other worse. The question whether you should is sometimes a question of pragmatism, is it really necessary? Is it really necessary in order to advance the greater cause of survival, the survival of liberty or the physical survival of the United States?

Now here I want to get back to the main point I wanted to make. Iraq’s Saddam Hussein is a fascist thug. Terrorism is bad, but there are just as terrible. We do not seek to go to war against all of them to change those regimes. The only justification for going to war against another country, with the possible exception if it is committed to genocide, is to protect our own people, to protect our friends and allies against invasion, against attack.

But because we attacked Iraq which was not a threat to the United States, we diverted resources from the real war against Muslims, from Islamic terrorists. We did not find Osama bin Laden in Afghanistan. Dick Clarke, the former National Security Director, testified we had specialized troops in Afghanistan that could have found him, but they were taken away and given to Afghanistani warlords. Who knows who gave them the higher pay, us or Osama bin Laden. They did not do the jobs because our troops were taken to Iraq. Now we have now shifted the resources back, so Dick Clarke says, well, we will find Osama bin Laden, but in those 2 years, al Qaeda has morphed. It has become many different organizations. It has become Hydra-headed. So capturing Osama bin Laden will not give us the yield in increased safety that doing so 2.5 years ago might have done.

And why did we do that, to deal with a threat that we now know, and we should have known then, there were no weapons of mass destruction? Why? There were no nuclear weapons in Iraq. We had no operational connections with al Qaeda, to quote the 9/11 Commission findings, no real reason to go to war with them at all except the President’s foreign policy needs. We gave them the higher pay, us or Osama bin Laden. They were nasty people. Sure, they were nasty people; but that does not justify going to war and having 1,000 American citizens killed so far, and thousands of Iraqi citizens killed so far because we decided it would be nice to have a democratic regime there. Sure it would. I do not know if it is going to happen. The more likely result is prolonged quagmire and civil war in Iraq.

The fact is that should not have been on the front burner. We should have finished the job in Afghanistan and finished the job in going after al Qaeda.

Equally to the point, we spent $200 billion in Iraq, a total waste of money, and the $200 billion that we have spent in Iraq so far equal the trillions of dollars of tax cuts to the wealthy this administration and this country have passed, this administration is not willing to spend the money on what they should spend the money on. If we are against international terrorism, does not take seriously enough the terror war being waged against us by the Islamic jihadists.
From before 9/11, when the Bush administration ignored many warnings, to this day, this administration refuses to spend the money necessary to protect the American people. Two months after 9/11, there were proposals in this House to spend $50 billion to protect our nuclear and chemical facilities and our transportation terminals against attacks which could kill or wound thousands of people. The administration opposed those proposals. Those proposals died. On ABC News tonight we saw trains going across tracks a few blocks from here, trains carrying chlorine gas and other lethal chemicals, unprotected; trains that, if attacked with a rocket-propelled grenade that pierced those cars, would loosen clouds of chlorine which could kill hundreds of thousands of people in Washington.

This administration refuses to spend the money to buy the weapons-grade plutonium and uranium in the former Soviet Union which could easily be smuggled out to make atomic weapons because they care more about tax cuts for the wealthy and this misbegotten quagmire in Iraq than about protecting the American people from the real threats.

When I saw in real-time, and I was watching television, I saw the second plane go into the World Trade Center. I had two thoughts immediately. My first thought, my God, this is a terrorist attack. And my second thought was thank God they do not have access to nuclear weapons. Three thousand people were killed. If that had been a 10-kiloton nuclear bomb, which is a baby as they go these days, it would have been half a million people, and yet we are not doing what we should to make sure that that will not happen.

I just finished reading a rather terrifying book by Graham Allison, "Nuclear Terrorism," which predicts flatly that within 10 years there will be nuclear explosions in New York, Chicago, Los Angeles and Washington, and God knows where else. Millions of Americans will die, but this administration is dragging its feet.

The 9/11 Commission and leading non-proliferation experts say the administration has been too lax in securing nuclear weapons and materials in the former Soviet Union. Mr. Speaker, the knowledge of how to make nuclear weapons is widespread. When President Bush said that if given weapons-grade material, weapons-grade plutonium and uranium, Iran could build a nuclear bomb within a year, he was correct; but so could 20 other countries, if given the weapons-grade material, build a nuclear bomb within a year. So could al Qaeda, and so could a lot of sophisticated terrorist groups. We have to get the weapons-grade nuclear material. That is what countries spend millions of dollars to do. That is why we built Hanford and Oak Ridge in World War II. That is why Iran and Pakistan are trying to get lots of centrifuges, but you have to get hold of that material. Hundreds and hundreds of tons of it are lying around, enough to build thousands of bombs, in the former Soviet Union. Those materials who may not have been paid lately just waiting to be sold on the black market or smuggled to al Qaeda.

We have an agreement with the Russians under the Threat Reduction Initiative, that is a bipartisan initiative. Senator Nunn is a conservative Democrat; Senator Lugar, Republican chairman of the Foreign Relations Committee. That bipartisan initiative was passed in 1991 to acquire that material. We have an agreement with the Russians to do it over a 30-year period.

Mr. DELAHUNT. Mr. Speaker, if the gentleman would yield, given what happened on September 11, 2001, it just makes common sense to accelerate the Nunn-Lugar efforts to reduce that 30 years to a significantly shorter period of time, make it months rather than 30 years, to protect not just the homeland, but to protect the world from a nuclear threat. Mr. Speaker, I agree with the gentleman. The 9/11 Commission in their final report said, "Outside experts are deeply worried about the U.S. Government's commitment and approach to securing the weapons and highly dangerous materials still scattered in Russia and other countries of the former Soviet Union."

Mr. DELAHUNT. Mr. Speaker, I wonder out loud whether that $200 billion that we have already expended of taxpayers' dollars in Iraq, if that had been diverted to deal with the real enemy, and I think the gentleman makes an excellent point, is absolutely essential that we agree to identify the weapons and materials that make a threat to the United States. I am not referring again to nation states.

Mr. NADLER. Mr. Speaker, I certainly agree with the gentleman. The 9/11 Commission in their final report said, "Outside experts are deeply worried about the U.S. Government's commitment and approach to securing the weapons and highly dangerous materials still scattered in Russia and other countries of the former Soviet Union."

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What I find baffling is why the White House has insisted on attacking the most peripheral elements of the WMD threat, like Iraq, while ignoring, largely ignoring, the central threat, nuclear proliferation. The upshot, and this is a quote from a column in the New York Times, written by Nicholas Kristof a month ago, in fact a month ago and 2 days. "The upshot is that the risk that a nuclear explosion will devastate an American city is greater now than it was during the Cold War, and it is growing."

So the first thing we should be doing is spending our money, the money that we are now wasting on a tax cut for the rich, the money that we are wasting on the quagmire in Iraq. A far more important use of it is to control the production cycle for nuclear materials. That is how you shut off the risk of nuclear explosions.

The second thing, this administration inspects only 2 percent of the 6 million containers that come into this country every year, any one of which could hide a chemical, biological, or nuclear weapon inside it.

I had an amendment on the floor of this House a year ago to insist that we inspect every container. When I say inspect every container, I do not mean that someone has to go through it by hand. That has to be done in some cases, but in most cases you set up a machine that operates through neutrons or neuromas, which is probably a better way of doing it. That costs a few million dollars for the machine, and you set it up in Singapore or Hong Kong, and it is like a car wash. You take the container on a truck or train chassis through it, and it tells you what is in it.

It tells you the elements. It is spectroscopic. If you see uranium in it or Plutonium, then maybe you look through it. And if you see a lot of nitrogen where it should not be, then you may say maybe there are explosives in there and you look through it. You could do this again for a couple of billion dollars a year, inspect every container before it gets put on a ship in a foreign port bound for the United States.

When I brought this up on the floor of the House, the distinguished chairman of the appropriations subcommittee said, No, we don’t need to do that. We will inspect the high-risk containers. I said, Mr. Chairman, the terrorists know that. They’ll put the bombs in the low-risk containers. If you read the book “America the Vulnerable” by Steve Flynn who served under Presidents Bush and Clinton and Reagan, you see exactly how a very incoherent container with innocent stuff in it from perfectly legitimate, reputable firms can have a bomb or a biological weapon or a radiological bomb, a dirty bomb, and hide it in various ways while it is in transit.

We must inspect these. You can then, after inspecting them, put certain electronic things on it that communicates with a GPS satellite and tells you if it has been tampered with or opened or moved on board this ship before it comes into port here. Then you can hold that ship outside American territorial waters. Why are we not doing that is beyond me.

The Bush administration, if there is a nuclear attack in this country, if there is a radiological bomb, a dirty bomb in this country and if it comes in by container, it is not going to explain. And another question. Why are we spending $100 billion on an antiballistic missile system? We are told, assuming it worked, which it does not yet, but eventually it will, we are told that the ABM is necessary in case some rogue state, North Korea, Iran, whoever, should get three or four atomic bombs and wished to attack the United States. But a rogue state that got three or four atomic bombs and wished to attack the United States would not put them all together and ship them into a foreign port.

Aside from the fact that it is harder to design an atomic bomb to put on a missile than in a shipping container, a missile has a return address. If, God forbid, a nuclear explosion occurred in New York, you would see a chopper flying overhead and you would tell us where that missile came from and that regime would know, that dictator would know that if they did that, they would cease to exist, their country would cease to exist and they would die. That is deterrence. It is called deterrence. It works against nation states who are rational.

What they would do would be to take that bomb, put it in a shipping container, ship comes into the United States, New York or Los Angeles or wherever, explodes and we do not know who to retaliate against. That is the real danger. That is how the danger will occur to this country and that we are doing virtually nothing against, certainly not even with 100% detection.

Mr. DELAHUNT. Yet meanwhile, and these are very valid points that you are making, the United States is bogged down in Iraq. Reports from media outlets just this week, the Secretary of Defense, Mr. Rumsfeld, and the Chairman of the Joint Chiefs of Staff, General Myers, now admit that we have lost control of parts of Iraq. The number of cities not under U.S. or central government control is growing. Pause and consider that. First Fallujah, then Ramadi, Baqubah and Samarra, now Najaf and Karbala, perhaps soon part of Baghdad City itself, Sadr City. This is reported by the New York Times. The reality is that security is so bad that a U.S. general says it may be necessary to delay or skip over voting in violent areas in order to hold elections in January. But clearly what would that do to the legitimacy of the interim government? What would that do to the future of democracy in Iraq?

Mr. NADLER. Clearly, to answer your question, there will be no legitimacy. There is no legitimacy for that government there now. There will be no legitimacy for any government that is a result of elections in which large parts of the country do not participate, and I think it is probably illusory at this point to hope that there is going to be a democratic regime in Iraq any time soon.

But what this really points out, what these facts really point out is that this administration through very ill-advised policies, through not doing what Secretary Kerry and others urged a year and a half ago, to internationalize it, to say to other countries, we will surrender to you the monopoly, we will share it with you, we will share with you the decision-making power, we will share with your companies the business contracts for reconstruction if you send in your troops to help reconstruct and if you help do this. They are not going to do it now. But if this had been done, then it might have been possible to have the Iraqi people see what is happening, that a national re-construction of their country, rather than an American occupation, because an occupation will bring forth as it now has a nationalist insurgency resulting in a real quagmire. I do not see how we can get out of it. The worst problem is we are now deeply engaged in a quagmire in that no one has a good idea how to get out at this point.

Mr. DELAHUNT. The gentleman’s point is corroborated by an American officer in Sadr City, which is also a U.S. officer in Sadr City, which is that restive part, a slum area, if you will, in Baghdad, what he said. He spoke on condition of anonymity, but this was reported in Jane’s Weekly, a highly respected defense journal published in Britain. I am quoting him now: “We’re supposed to turn our zones over to the Iraqi National Guard by October. They are not ready for that. So unless it is coincidence, it seems politically driven bearing in mind the Presidential election in November. I know how it must have felt in Vietnam. Everything we do is driven by political considerations. We don’t have enough forces to stay here. We move into Sadr City and then we leave and each time the Mahdi Army, that is the army of the Mullah Saddam, comes straight back in.”

That is the reality of Iraq at this moment in time, and it is only worsening and it is underscored by what happened this week there. Tragically, the 1,000th U.S. hero was killed in Iraq.

Mr. NADLER. And tragically that is going to continue. But Iraq is essentially, despite the fact that we are spending $200 billion so far, despite the fact that 1,000 Americans so far have been killed and 6 or 7,000 wounded, Iraq is a side show in the war of terrorism that is being waged against us by the Islamic jihadists and we are not directing our attention and our resources to counter those trends because we are diverted by Iraq.

As I said before, Saddam Hussein was not a real threat to this country. He
had terrible will, he had terrible intentions; but we had him contained. He did not have the weapons. He did not have the capability. We had him contained with the no-fly zones, and we had him deterred.

The real threat to the United States in the Middle East is Iran, because Iran is not a fascist dictatorship. Iran is a religious fanatic dictatorship. Religious fanatics cannot be deterred. You cannot deter a suicide bomber. If Saddam Hussein gets nuclear weapons, which he was nowhere near getting, the CIA said 7 to 10 years, and we knew that before we attacked them. But had he gotten nuclear weapons, deterrence would have stopped him from using them, because he was a fascist dictator, not a religious fanatic, and he did not want to just kill himself and his whole country.

But the mullahs in charge, the ayatollahs in charge in Iran are religious fanatics that religion has changed, and there is a lot of domestic opposition to it and maybe we will be saved by regime change, by domestic insurrection, but if that does not happen, they are trying to get nuclear weapons; and if Iran gets nuclear weapons, a dictatorship with a religious fanatic dictatorship gets nuclear weapons, they may very well use them. They say they would. You read the speeches of Mr. Rafaanji, the former president, the current chairman of the council of expediency. He says they would use it. They say they want to destroy American civilization, and you have to take them at their word. We cannot permit this regime if it survives to have nuclear weapons, even if that should mean a few years down the road the necessity for military action because they might use those nuclear weapons simply for the greater glory of Allah. They say they would. You have to believe them. If it became necessary for Bush or President KERRY or their successor 5 years from now or 8 years from now came before this House and said, based on our intelligence, we know that the Iranians are about to get nuclear weapons, and we know that they would use them and we must stop them now, and therefore I ask authorization for action, who would believe that President?

We cried wolf in Iraq. Like the fabled shepherd boy who cried wolf, we have no cause for complacency. I believe this administration certainly and even another administration will have a long way to go to regain the credibility of the United States and of our intelligence agencies. To deal with a nonexistent threat in Iraq, we have made the problem of dealing with a very possibly real mortal threat in Iran in years to come 40 or 50 times more difficult because that is where the threat might really be.

Mr. DELAHUNT. I just want to read into the Record a quote by a former distinguished Member of this body that commanded respect on both sides of the aisle. I refer to a good Republican from Nebraska, Doug Bereuter, who was the vice chair of the Permanent Select Committee on Intelligence and, as you well know, one of the most respected Members of this House. In a farewell letter to his constituents, this is what he said:

"It was a mistake to launch the invasion of Iraq." And to underscore the point that the gentleman from New York was making, "Our country's reputation around the world has never been more weakened. Now we are immersed in a dangerous, costly mess and there is no easy and quick way to end our responsibilities in Iraq without creating bigger future problems in the region and in general in the Muslim world."

I daresay what he is saying is our credibility is at its lowest point probably in modern American history. That does present a threat to our national security as we go forward.

We cried wolf in Iraq. Like the fabled shepherd boy who cried wolf, we have no cause for complacency.

Mr. SMITH of Michigan. Mr. Speaker, those that have tuned into the previous presentation I think understand that there are many challenges facing the United States of America. There are many needs, whether it is health or education or welfare or more money for transportation or more money for national security. I think we need to pause for a moment sometime and ask ourselves how far and how much money should be spent by the Federal Government in solving an unlimited array of problems. National security certainly is important, and we have upped our stakes and upped our expenditures for national security.

I came to Congress 12 years ago; and when I came in, I said I was going to serve six terms. So this is my final term in Congress. Several priorities I set for myself that I thought were important for the Federal Government to deal with, and one was balancing the budget. And the other was trying to change Social Security so it becomes solvent, so it stays viable for so many of our senior Americans that need that money to stay out of the poverty level.
I am going to talk for some minutes tonight about overspending, and predominantly I am going to concentrate on what I have been very interested in, and that is keeping the solvency of Social Security.

The expenditure of Federal funds this year is now $574 billion. We are spending $574 billion more than what is coming in to revenues to the Federal Government. Some people have bragged in the last several weeks that the new budget analysis says that we have lowered the deficit spending for 2004. The fact is that we have lowered it some. Some use the figures $422 billion, and I want to explain, Mr. Speaker, why that is misleading and technically untrue. $422 billion is the money that we are borrowing to pay for our overspending, not including what we borrow from Social Security. So if we, I think, were fair with the Social Security Administration and the trust fund and future generations, then the real amount of money we are overspending this year is $574 billion. The estimated overexpenditure for next year again is over $500 billion. Last year it was over $500 billion. The year before that it was over $500 billion.

How do we put that money into perspective? Well, the Federal budget in 2004 is $2.4 trillion approximately. We are a country that is now 228 years old. 228 years old. 2004 is $2.4 trillion approximately. We have $500 billion. Last year it was over $500 billion. How do we put that into perspective? Well, the Federal budget in 2004 is $2.4 trillion approximately. We are a country that is now 228 years old. 228 years old. 2004 is $2.4 trillion approximately. We have $500 billion. Last year it was over $500 billion.

How is that money spent? That money is spent on what I have been very interested in, and that is keeping the solvency of Social Security.

The next chart shows what we have done in the past 15 to 20 years. Other entitlements, 10 percent; domestic discretionary spending, 16 percent. We have 13 appropriation bills. We have now filed, by the way, the 12th appropriation bill. Hopefully we can complete the appropriation process before the election so the people of this country know what we are doing in terms of spending instead of coming back in a lame duck session, which I consider dangerous with the temptation of overspending. Twelve appropriation bills are represented by the 16 percent. One of those appropriation bills, defense, is 20 percent. We spend most of the year arguing about the 16 percent of the Federal budget that we spend in those 12 appropriation bills.

I want the Members to take a look at the overspending that we mentioned. This is one of the trustees of Medicare and of Social Security. These are his estimates of unfunded liabilities, the amount that we have promised over and above the revenues coming in in a payroll tax, the FICA tax. The Social Security and Medicare trustees have calculated that we have $73.5 trillion in unfunded liabilities. Medicare part A, which is mostly the hospital program, $21 trillion; Medicare part B, $23.2 trillion; Medicare part D, the new drug program, $16.6 trillion. So the prescription drug program that we recently passed adds $16 trillion to unfunded liabilities that somehow, some way, our grandkids or our great grandkids are going to have to figure out a way to come up with those revenues to pay the interest on this huge amount of borrowing.

Let me just mention what I consider another serious ramification of this overspending, that is, where we are getting the money. Whom do we borrow the money from? And we are going to have to consider that money is going to be spent by the beneficiaries of Social Security.

What if some of these countries, such as China, which is amassing one of the largest, fastest-growing trade deficits that has extra U.S. dollars that is buying our Treasury bills, not to mention the equities in the United States that they are buying, what if they say some day, We think you are treating us unfairly in the trade agreement and we just might have to pull our money out of the United States? Economically it would be a disaster if this large amount of money that we depend on coming from foreign countries and foreign interests were pulled out of the United States. They are investing in the United States because they figure it is a good place to invest their money. What if someday, sometime that we continue to overspend to the extent that our economy is no longer the strongest, the best economy in the world, they decide to invest elsewhere?

I am just suggesting, Mr. Speaker, that not only is overspending bad, but it makes us more vulnerable as these Treasury bills are bought up by foreign interests. Again, an unfunded liability is the amount of money that we would have to put in a bank account that is going to earn, at least 3 percent and the time value of money, to accommodate what we are going to owe for the next 75 years in these programs.

The next chart shows what we have to take out of the general fund, out of the money that we have for health, welfare, transportation, military. This is the amount of money that we are going to have to take out of the general fund to accommodate the entitlement programs of Medicare, Medicaid, and Social Security over the next 75 years. And as we see, simply 16 years from now, it is going to be 28 percent of the general fund budget that is going to have to be contributed to accommodate the needs of these entitlement programs. That is probably not realistic.

So what are we going to do? We are either going to increase borrowing, where we have talked about the disadvantages of simply continuing to borrow more and more money, or we are going to have to dramatically increase taxes. One of these days we are going to have to increase taxes.

I will not go through the whole chart, but if we do not increase taxes and get additional revenues someplace else, and already there is a suggestion by the trustees that we could increase the payroll tax now by 15 percent to accommodate our needs, and the fact is that most working Americans now pay more in the payroll tax than they do in the income tax. But by 2030 without an increase in tax, we are going to have over 50 percent of the general fund budget that is going to have to be contributed to these entitlement programs.

This is a quick birds-eye view of the Social Security problem. Surpluses coming in until about 2018, they diminish. The surpluses are coming in from
Social Security simply because the Greenspan Commission in 1983 increased taxes and reduced benefits so much that there was extra surplus money coming in. And what of course has happened to that surplus is this Chamber and the Senate and the White House has spent all of that extra money coming in from Social Security for other government programs.

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It is not there anymore. So the trustees are guessing that by 2018 there is going to be less revenues coming in from the payroll tax than can accommodate the promises for Social Security. Then a huge future of deficits, and nobody is guessing where the money should come from.

We are talking about a lot of things in this election, as you decide who your next Congressman is going to be, as you decide who your next President is going to be. What we are not talking enough about is what we are going to do about these huge challenges that are facing us in these programs, especially Social Security and Medicare.

Senator Kerry has said on his Web site, quote, that he will not raise taxes on Social Security, he will not raise the retirement age, he will not cut benefits for those that rely on Social Security, he will not in any way privatize the program. I really do not know what else Senator Kerry plans to do.

There are only a couple of ways to solve Social Security, or a combination. You either bring in more revenues, or you cut benefits, or it is a combination of both. It is not complicated. So why are people not talking about solutions for Social Security? Why have the Republicans not come up with a proposal for solving this tremendously important program for so many seniors? Why have the Democrats not?

I have introduced a Social Security bill every session since I have been in Congress. The attacks on me for my first Social Security bills were, “Do not vote to reelect Nick Smith. He is trying to ruin Social Security and take your Social Security away.” Social Security solutions have been demagogued to the extent that most Members of Congress, most politicians, are afraid to come out with a proposal to solve Social Security.

I was chairman of the Social Security Task Force. We held hearings for about a year. We ended up with both the Democrats and Republicans on that task force agreeing to the fact that Social Security was going broke, and that the longer we put off a solution to solve Social Security, the more drastic that solution would have to be. Of course, that has been my experience over the six Social Security bills that I have introduced that have been scored by the Social Security Administration to keep Social Security solvent.

My last Social Security bill that I introduced last year is much more drastic. It requires additional borrowing from the general fund that we pay back 60 years from now simply because of, if you remember the chart, the surpluses coming in from Social Security are diminishing, and those are going to run out. I estimated, in order to come up somehow with the money to pay back Social Security.

Social Security works this way: Benefits are highly progressive and based on earnings. That means that lower-income people get 90 percent. If you are low-income, you get back 90 percent of the wages you were making on the average during those working years. If you are a high-income person, then you get back as low as about 15 percent of the income you were receiving from Social Security. So that is why it is highly progressive. The lower-income people get back a much higher percentage of their working years’ benefits.

At retirement, all of a worker’s wages up to the tax ceiling are indexed to present value using wage inflation. In other words, they do not average in what you were making 20 years ago or 30 years ago. One effect of that, of course, it is what that job would be paying today. That is what they add up for your best 35 years to decide what your average earnings are, and therefore what your benefits are going to be.

Here is how benefits are calculated: Ninety percent of earnings up to $7,344 is going to be what the low-income earner gets back; 32 percent of the earnings between the $7,344 and $44,000; and that it is $44,000 on your earnings above $44,000. Early retirees receive reduced benefits. In fact, if you delay retirement over 65, then you get an increase in benefits for those years that you delay benefits.

Let me tell you something interesting in terms of the debate and arguments between the House and the Senate when we formed Social Security. The Senate actually passed a bill that it would be privately owned bank accounts, the individual would make sure that they could not take out that money until they retired. But it would be their money, and if they died before age 65, then it would be passed on to their heirs.

The House, on the other hand, passed legislation that said the government should take all of this money, control it, and then promise a fixed benefit at retirement. So if a person died before age 65, they would not get anything.

It worked very well in those early years. But the compromise between the House and the Senate, with some of the concerns about the investments of the great stock market crash of the late 1920s and early 1930s, the compromise was that we have the Social Security plan that we have today, which means that government takes in all of the money, and if there is any extra, government spends it for other government programs and still continues to promise benefits.

What we have done, because it is politically popular, we have expanded the Social Security benefit program to include spouses and then to include early retirement. In 1965, we amended the Social Security Act to start the Medicare program that now is going to overtake the base Social Security program as a cost item.


The Social Security Trust Funds, however, is going to be less money coming in from Social Security than we need to pay in benefits starting in 2017 and 2018, so where is the government going to come up with that money? I suspect the easy way will be borrowing more money. Of course, that means enticing more foreign investors to invest in our Treasury bills.

We are going to pay it back, but the fact is the $1.4 trillion the government now owes in Social Security does not accommodate the $12 trillion unfunded liability for Social Security. Again, let me say that we would have to put around $11.3 trillion in a savings account today drawing the interest that would reflect inflation and the time value of money to accommodate what is going to be needed over the next 75 years to keep our Social Security promises.

We know how many people there are and when they will retire. This is what the Social Security trustees do. We know that people will live longer in retirement. We know how much they will pay in and how much they will take out. Payroll taxes will not cover benefits starting in 2017, and the shortfalls
will add up to $120 trillion between 2017 and 2075.

This is all sort of downer news. But the good news, Mr. Speaker, is more and more people are aware that Social Security is a huge problem. We are talking about it a little bit in some of the committees.

Alan Greenspan, Chairman Alan Greenspan on several occasions now has said, look, do not put it off any longer. You have got to do something to keep Social Security solvent. It is not fair to future retirees to simply let them go on thinking that they are going to receive these benefits, and then the money is not going to be there when they retire. So, hooray for Alan Greenspan.

But when Alan Greenspan, the Chairman of the Fed, said that in committee, both Republicans and Democrats jumped on him, saying, look, no way. We are going to protect our seniors. We are not going to reduce benefits, and we are not going to increase taxes.

Well, you cannot do it that way.

This is a quick picture of the demographic problems we are running into. People are living longer, and the birth rate is going down. Therefore, you have a program that is pay-as-you-go, that depends on current workers to pay in their payroll tax that within 5 days goes out to pay benefits, if you do not have a growing working population that is also in trouble. That is the problem with Social Security.

In 1940, we had 28 people working, dividing between them what is needed for each retiree. In the year 2000, it went down to three people working, dividing between those three one person’s Social Security benefits. By 2025, in the United States there is going to be two people working paying in benefits for Social Security.

Here is the danger. Here is what I tell the business community, the National Association of Manufacturers, in encouraging them to be more aggressive in supporting Social Security reform: That if we do nothing, the danger is increasing the payroll tax. And what does that mean? That means we become less competitive in this country.

Look at France. Guess what the payroll tax is in France to accommodate their senior retired population? It is over 50 percent. So no wonder France is compétite. I am not demonstrating anything and striking to try to get better returns on their wages, and no wonder their economy is tremendously challenged.

Germany just went over 40 percent of their payroll tax to accommodate their senior population. If we do not do anything at all and keep putting off the problem, then we are destined to have the kind of tax increase that is going to make us less competitive in a world economy that is challenging us more and more every year, and that is a huge challenge.

I chair the Subcommittee on Research of the Committee on Science, and what we are looking at is a lot of our talent is moving overseas. As we become more and more restrictive on homeland security, for example, it means that it is tougher and tougher for foreign students to get into our universities to do their graduate work in math or physics or chemistry, in the talent we have depended on. Half of our research in the United States that is government-funded, that is, most all of our basic research, has been done by foreign students. The other part of that problem is that our school have scored very low on international tests in science and math.

So our challenges are huge, to do a better job in education; to do a better job in our homes, with parents encouraging their students to do a better job to encourage more students to achieve in science and math if we are going to start holding some of these foreign students out of our country.

Some people have suggested, in fact I wrote a letter to the editor of the Wall Street Journal when there was an op-ed saying if our economy grows, that is going to fix Social Security. Here is why that is not true. Social Security benefits are indexed to wage growth.

In other words, if the economy grows and more people are working and wages go up, that means that your benefits are going to go up eventually.

When the economy grows, workers pay in more in taxes, but also will earn more in benefits when they retire. Growth makes the numbers look better now, but leaves the larger hole to fill later. The administration has used these short-term advantages for the last 16 years to say, well, maybe the economy will work us out of this problem.

I have incorporated in the bill that I introduced last year, I have incorporated some of President Clinton’s ideas on how to deal with the Social Security problem. I have incorporated some of President Bush’s ideas, and it has now been scored by the Social Security Administration that it will keep Social Security solvent. A lot of people, and I have given maybe 200 speeches around my district and the United States on Social Security, a lot of people say, well, if Congress would keep their hands off the surplus coming in from Social Security, everything would be okay. I wanted to show this chart to show what is needed versus what the trust fund is.

The trust fund now, with interest that has accrued every year, is $1.4 trillion. What is needed for the unfunded liability for Social Security is $12.2 trillion. So we are going to pay the trust fund back, but it is not even going to come close to accommodating the need of up until 2075, what is needed in Social Security. Shortfalls will add up to $12 trillion in future dollars, but that means right now the unfunded liability, $12 trillion, would have to go into a savings account, returning at least interest that accommodates inflation.

Social Security as a total unfunded liability of $12 trillion. The Social Security trust fund contains nothing but IOUs. To keep paying promised Social Security benefits, the payroll tax will have to be increased by nearly 50 percent, or benefits will have to be cut by 30 percent.

Hang on, everybody. Hang on, Mr. Speaker. This is tough going. This is sort of a 33-minute tutorial on Social Security, and if everyone knows everything on these charts, they probably know more than most Members of the House and the Senate and many of the economists. But what is satisfying is that more and more people are talking about it. And I think it is good to ask the Members of Congress and the candidates for President what their plan is for saving Social Security and Medicare.

But on the other hand, a campaign year is probably not a good time to force a solution, simply because it is so easy to scare half of the retirees in this country that depends on Social Security. So you can understand how they can be swayed in their vote of who they vote for, and just the suggestion that the opposing candidate is going to take away their Social Security benefits. So I think on the first year of a 4-year term of the President. So I am hoping, whether it is Kerry or Bush, that they will not dig a hole so tight that it limits real solutions to keep this program solvent for long time, hopefully forever.

Social Security is not a good investment. That is what this chart shows. The real return of Social Security is less than 2 percent, and that compares to over 7 percent for the market, on average. So if you invested in equities and keep them at least 12 years, your average return is 7 percent.

This shows that minorities get less, a negative return from their investment in Social Security. Before the average return, the average life span of a black male is 62 years old, and it is interesting that that was the average life span when we started Social Security. Up until about 1940, the average age of death was about 62; but even from the very beginning, the benefit entitlement did not start until age 65. So you can see Social Security worked very well in those early years, because most people did not live long enough to start collecting benefits.

The average return that the average Social Security recipient gets is just under 2 percent. This is what the market pays on average, 7 percent. However, the Wilshire 5,000 actually earned 13 percent. The Wilshire 5,000 has more than and above inflation, over the decade that ended January 31, 2004. So even in the slump years of equities, these 5,000 stocks of the Wilshire average still was over, almost 12 percent return on investment. Again, that compares to an average of 7 percent for the average retiree, for the money they pay in Social Security.
This is how long you have to live after retirement to break even on the money that you and your employer sent in on Social Security. In 2005, you have to live 23 years after you retire; and as you see, it goes up to 26 years after 2015. That is because we keep increasing the life expectancy that you need to have.

Here is the danger. Here is maybe the most important chart I think of why we need to do something with Social Security. And that is historically, everybody had a problem with less money coming in than what we need to pay benefits, we have increased taxes and reduced benefits. Here is the history of tax increases. In 1940, it went up to 2 percent from the 1 percent, to $3,000. In 1960 we ran a little short of money, so we tripled the tax rate up to 6 percent, and we increased the base to $4,800. In 1980, we increased the tax rate to 10.16 percent, and increased the base to $25,900. In the year 2000, we increased the tax rate to 2.4 percent of the first $30,700 did not increase the tax; but the base has gone up to, it is now $89,000 base that you pay Social Security taxes on. I think I mentioned most all working Americans, 78 percent of families pay more in the payroll tax than the do income tax.

So to increase taxes I think is a bad idea; it is a wrong idea. It is bad for the economy. Let us encourage the kind of changes in Social Security that are going to tend to help the economy by helping more money in investing.

I am going to briefly run through my Social Security bill. It is scored by the Social Security Administration actuaries to restore the long-term solvency of Social Security. There is no increase in the retirement age, no changes in the COLA, the cost of living annual payments, or, there is no changes in the benefits for any senior or near-term seniors. Solvency is achieved through higher returns from worker accounts and slowing the increase in benefits for the highest earning retirees.

So what I do is I add another ben point. Remember earlier when we talked about the high income gets 15 percent of their wages. I add another ben point that is 5 percent that results in slowing down the increase in benefits for high-income retirees. I mean, somehow it is going to take money. That is one of the benefits.

The Social Security benefit fund continues. Voluntary accounts would start at 2.5 percent of income and would increase to 8 percent of income by 2075. And the personally owned worker savings account is voluntary, number one. And number two, we guarantee that they are going to have as much return and revenue and retirement benefits from that personally owned retirement account as they would from the traditional Social Security. So with that guarantee, we assume that everybody under 50 that is going to have that kind of personally owned account where they own the money. If something happens to them before they reach retirement age, it is going to be passed on to their heirs instead of the Federal Government. Investments would be safe, widely diversified, and investment providers would be subject to government oversight. The government would supplement the account of those lower-income workers, so they can experience the magic of compound interest, we will add a little bit to their personally owned savings account so that even modest workers can retire as much wealthier retirees.

All worker accounts would be owned by the worker and invested through pools supervised by the government, something like the Thrift Savings Plan that all Federal employees have now. Regulations would be instituted to prevent people from taking undue risk, and workers would have a choice of three safe index funds with more options after their balance reaches $2,500. And even the safe investment determined by the Secretary of the Treasury that is a safe investment.

And for my last three charts, accounts are voluntary and participants would receive benefits directly from the government, along with their accounts. Government benefits would be offset based on the money deposited into their accounts, not on the money earned; and workers could expect to earn more from their account than from traditional Social Security.

These are some things that have concerned me a little bit in terms of fairness. To be politically correct, maybe I should say fairness to spouses; but, in truth, it is fairness to women. So these are some provisions that I have included in the bill. For married couples, account contributions would be pooled and then divided equally between husband and wife. In other words, everything that is allowed to invest in his private account would be added to the amount that the wife is allowed to invest in her private account. They would be added together and divided by two, so both the husband and the wife would have identical investments in their personally owned account. It would increase surviving spouse benefits to 110 percent of the higher earning spouse’s benefit.

Right now, if the husband dies, the wife is entitled to 100 percent of the husband’s benefit, and then she loses whatever benefit she was getting. It is important that we look at ways to keep more and more people in their own homes, rather than going to nursing homes and going on Medicaid. So increasing this benefit 110 percent is estimated to keep a lot more people in their own homes rather than going to nursing homes. And the last change is people under 5 who would receive retirement credit in the way their Social Security benefits are calculated.

Here is some additional provisions in the bill, just briefly. Increased contribution limits for IRAs and 401(k)s and pension plans to increase more personal efforts at savings. A 33 percent tax credit for purchase of long-term care insurance up to $1,000, $2,000 per couple. And people would be eligible for a $1,000 tax credit for expenses related to living in their own home, and households caring for dependent parents would also be eligible for a $1,000 credit for expenses.

So I just plead with, Mr. Speaker, through you to all America, as we go through this election year in November, consider some of the ramifications of the huge challenges, in addition to national security. How much should we be spending in addition to the programs that we just debated earlier this evening that we are going to be voting on tomorrow, a program that it is hard to object to, but it is a new $80 million program that sets up a Federal Government fund in schools to try to reduce suicide rates.

To me, I am still debating how to vote on that bill because I am concerned about that increased borrowing and expanding government programs at a time when we are going so deep in debt and when the interest on that debt is eating up a larger and larger share of our Federal budget.

IRAQ WATCH

The SPEAKER pro tempore (Mr. CARTER). Under the Speaker’s announced policy of January 7, 2003, the gentleman from Washington (Mr. INSLEE) is recognized for half the time remaining to midnight, approximately 37 minutes.

Mr. INSLEE. Mr. Speaker, we have come here tonight, my colleagues the gentleman from Massachusetts (Mr. DELAHUNT), the gentleman from Ohio (Mr. STRICKLAND) and others who may join us, as a part of our continued obligation under the Iraq Watch to present a discussion and an honest critique of the administration’s policy in Iraq. My colleagues and I have been engaged in the Iraq Watch since late in the beginning of my current term, and we have done this for one simple purpose. We do not intend to allow the incredible commitment by
our armed services that are now engaged in Iraq to be forgotten on the floor of the House of Representatives.

Too often, people are sent into combat and then forgotten, and what the Federal Government did or did not do in setting the stage for combat is too little discussion and little note, but tonight of all nights, we think it is appropriate and vital for this chamber to discuss what this Federal Government did and did not do to lead us into our current predicament in Iraq. It is most appropriate to do this tonight we have the very sad duty to report, as now Americans know, that we have lost 1,000 American lives in Iraq, a war started by a President under the belief and statement that weapons of mass destruction threatened the security of the United States.

Based on that statement made by the President from the chamber standing behind me some time ago, over 1,000 Americans have lost their lives, and those Americans are men and women of every political party. They are short and tall, rural and urban, and they all served under the flag of the United States and did their duty proudly.

We, on a bipartisan basis, honor them because, no matter what they thought of their commander-in-chief’s decision to go to war, they gave their highest measure of devotion to their duty, and we honor it, everyone in this chamber.

I would like to also not forget the men and women who tonight are rebuilding their shattered bodies from injuries, over 7,000 people, many of whom suffered very, very difficult injuries who tonight are recovering in our hospitals across America, in the Mideast and in Europe. Anyone who has talked to those soldiers and seen the incredible courage in their eyes when they are sitting there with pins in their legs and arms missing limbs, and you ask them what they are doing and they say I am doing fine, sir; and you ask them what their plans are, and they say I want to get back to my unit as fast as I can; anyone who has seen those young soldiers would be incredibly proud of our people in Iraq.

But this does not reduce or obligate to hold the Federal Government accountable for its numerous mistakes in Iraq. It heightens that obligation to blow the whistle on the repeated, continued misjudgments, misstatements, incompetence, negligence and callousness that has led to this situation in Iraq, and tonight we are going to discuss them.

I would like to, if I can, start this discussion with five rosy projections that, unfortunately, we have suffered in Iraq as a result of this administration’s rosy projections. I just want to list them quickly.

Rosy projection number 1: This administration, and in the persons of the President and Vice President, went to an aircraft carrier with a jaunty looking flight suit, landed on the deck of the carrier, proclaimed mission accomplished with a giant banner on the superstructure of that carrier. Since the President told us mission accomplished, over 800 Americans have died in Iraq. The President’s rosy projections were sadly wrong, and there is an emptiness in households and families across America as a result of that wrong rosy projection.

Number 2: The President told us that as soon as we could stand up a new government, this new government would be embraced with the warmth of the Iraqis, with rose petals not only at our feet but at the new government’s feet, and that this bearing up of support for the Iraqis and their new flag would bring peace and milk and honey to Iraq. Since this new government has been “stood up,” we have had an increase in the number of Americans killed in Iraq. Another rosy projection by this President that was flat wrong.

Number 3: The President told us by now we would have a secure Iraq, beginning to be capable of having elections. Well, what did we read in the newspapers yesterday? The fact is that huge swaths of Iraq under this administration’s policies have been given over to the Taliban and fundamentalist regime, and we have that now called a “no-go zone.” Same in Ramadi, same in Najaf, same in parts of Sadr City. The fact of the matter is the President’s policies have ceded huge parts of Iraq to what he says is the enemy.

Rosy projection number 3, that we have essentially given up trying to disarm these militias and kicked the can down the road where eventually our military people are going to have to deal with them; that they are now arming themselves and building themselves up in these “no-go zones.” Rosy projection number 3 that our people are paying for.

Number four: The President told us that Iraq would pay for this. You recall the projection by Mr. Wolfowitz who came here and said that Iraqi oil was going to pay for this. Sad joke on the American taxpayers. We are now over $200 billion into it with hundreds of billions of dollars of additional increase of how long it will be. Wildly optimistic, and in fact, we find out that the money we have appropriated cannot even be spent because of the lack of planning for the post-conventional war situation in Iraq. Because of this administration’s lack of having a plan for the peace, only 2 percent of the money we have appropriated has actually been spent in Iraq of the $18 billion. They will get around to spending it, and U.S. taxpayers will pay through the nose.

Number five: This administration had such a rosy projection is going to cost us over hundreds of billions of dollars to the American taxpayer. Rosy projection that was wrong, number 4.

Number 5: The President implicitly told us that there would not be war profiteering and gouging in Iraq in these hundreds of billions of dollars of money. And what have we found that Halliburton, this corporation with incredible ties to this administration, has already been subject to millions of dollars of cost overruns which they cannot account for, that the Pentagon is trying to go back to them for. In fact, they have talked about withholding 15 percent of further payments to Halliburton as a result of this lack of credibility to American taxpayer dollars. Rosy projection number 5.

So we would like to say that this President’s projections have been accurate, but the sad fact is we stand here tonight with 1,000 Americans who have given their lives in Iraq. We have a continuing tale of failed administration policies in Iraq, and this Nation deserves accountability for the people who have made these decisions in Iraq, which have cost us so dearly in life and treasure.

In fact, when you look at this entire administration, which has bungled this operation so badly, you cannot find a person who has essentially been held accountable for their multiple failures. There has not been essentially a person who has lost a vacation day or had their little perks taken away or their corner office.

This administration has a response to the American people when they are criticized. They simply say you are not an American if you criticize this administration. We are here to say it is not only a duty to criticize, a right to criticize this administration, it is a duty, and we are fulfilling it.

Mr. STRICKLAND. Mr. Speaker, will the gentleman yield?
Mr. INSLEE. I yield to the gentleman from Ohio.
Mr. STRICKLAND. Mr. Speaker, I thank my friend from Washington State for yielding.

It is a sad fact that just yesterday we observed the 1,000th death of a soldier in Iraq, and that is a tragedy. When you think of what that means, not only to the individual lives that have been lost, but when you think of the pain and tragedy of the families who are left behind, the moms and dads, the children, the loved ones, wives, husbands, and so on, they will have to endure the rest of their lives without their loved one.

I sometimes talk to people about this war, and they seem sort of uninvolved. The war seems to be something that is distant to them. They know of no one who is currently serving in Iraq. They know of no one who has been lost or terribly injured over there, but I say to them, if you are a mother or a father and you have a child, a son or a daughter, you had better be paying attention to what is happening in terms of this war.
Senator McCAIN has said publicly that it is possible this war will require our soldiers to be in Iraq for 10 or 20 years, and if the administration currently in power and the people who are advising this President remain in power and they continue the same kind of tone deafness about what we have, I believe it is inevitable that we will have to impose a military draft. So every mom and dad who does not want to see their son or daughter sent to fight this war in Iraq ought to be paying attention.

☐ 2000

I would just like to take a few moments to share with my colleagues here, the gentleman from Pennsylvania (Mr. HOEFFEL), and the gentleman from Washington State (Mr. INSLEE), and my friend, the gentleman from Massachusetts (Mr. DELAHUNT). We hear a lot of talk, and there have been a lot of political charges about the $87 billion supplemental bill. The President recently made the accusation, I believe at his speech in New York, implying that when Senator JOHN KERRY voted against the $87 billion, he was voting to deprive our troops of body armor, and so I would just like to share the truth about the body armor issue.

I would remind my friends that the war began in March of 2003. March of 2003. And at that time, long before there was any vote on the $87 billion, in fact 7 or 8 months before that vote occurred, this administration, this President, this Secretary of Defense sent our American soldiers into Iraq in that initial assault, an invasion of Iraq, without protective body armor.

The body armor that I am talking about is the interceptor vest, the body armor that was first available, I believe, in 1998. It is a high-tech piece of equipment. It is made of Kevlar, with ceramic plates. These ceramic plates have the ability to stop an AK-47 round. We knew, because they were used in the Afghanistan conflict, which was the war on terror, by the way, we knew that they were used in Afghanistan and that they protected American lives. The Pentagon has indicated that a number of American soldiers were probably saved because they had interceptor vests, this body armor.

When we sent our soldiers into Iraq in March of 2003, thousands of them went to that country without this protective body armor. And I repeat, this was months before the $87 billion vote on the supplemental request.

Now, last September, in September of 2003, I received a letter from a young soldier in Baghdad. He happened to be a West Point graduate, a gung-ho Army guy. He said to me in that letter, Congressman, I am so proud of what we are trying to do here, of the effort we are making to help these people. But he said to me in that letter, Congressman, the men that are serving with me are asking me why they do not have this body armor for protection, this interceptor vest.

That was in September of 2003. I wrote Secretary Rumsfeld a letter that September, and I asked him how many of our soldiers had been killed or unnecessarily wounded because they were not protected with body armor. I asked him to commit to us that he would not make the mistake again of sending foreign troops until all of our American troops were protected, because there were reports in the press that we were making these interceptor vests available to some of the foreign troops before. And I asked him if he could give me a date certain when all of our troops would have this protection.

Now, that letter I sent to Secretary Rumsfeld in September of 2003, long before the vote on the $87 billion supplemental.

I received a letter on October 27 from General Myers, the Chairman of the Joint Chiefs of Staff. He said that Secretary Rumsfeld had asked him to respond to the letter that I had written to him. General Myers said that he expected that our troops would be equipped with this body armor by December of 2003.

Lo and behold, the very next day, on October 28, I received a letter from Secretary Rumsfeld's chief of staff; and in his letter he said it would probably be November of 2003. So even Secretary Rumsfeld and General Myers were not able to agree on the issue.

In regard to my question about how many troops had been killed or wounded without this protection, I was told in the letter from Secretary Rumsfeld that they did not collect that information on the battlefield, so he could not answer that question for me. Well, at least, I thought, I can believe what Secretary Rumsfeld has said and General Myers, that our troops will be protected by November or December.

Lo and behold, before we left this city, for the Christmas holidays, I am talking about last year, the Pentagon held a briefing; and in that briefing a high-level Pentagon spokesperson told us that our troops would probably not be equipped with this body armor until January of 2004.

Now, I emphasize the war started in March of 2003. Now they are saying it is going to be January of 2004 before they are equipped. So I wrote a second letter to Secretary Rumsfeld in mid-January of this year. I reminded him that he had promised earlier that he would have our troops protected with this body armor by November, and I asked him once again to please step up to the plate, accept responsibility, and provide this equipment to our troops.

Finally, in March of 2004, one entire year after the war started, the war started in March of 2003, finally in March of 2004 I get a letter from the Pentagon telling me that at that point all of our troops had been given this lifesaving equipment.

It was not Senator KERRY that made the decision to send our troops into combat without this protection. The responsibility rests with George W. Bush, the President; with Secretary Rumsfeld, the Secretary of Defense. That is where the responsibility rests. And it troubles me that the President would stand before the American people and fail to accept responsibility.

It was not Senator KERRY that made the decision to send our troops into battle. And for those who may listen to this discussion and question me, I would just urge all Americans to check with the soldiers that are or have been in Iraq. Ask them how long they went without this protection. Ask them how many of their friends were injured, some of them killed, unfortunately killed because they were not adequately protected.

That is the truth. I have the letters that I sent to Secretary Rumsfeld and General Myers, and the gentleman from Ohio (Mr. STRICKLAND) has made, and I welcome the gentleman from Pennsylvania (Mr. HOEFFEL), as well.

I found it particularly offensive that the President of the United States stood up once more and misled the American people and did not accept responsibility. As the gentleman indicated, the body armor issue was well-known or should have been well-known to this administration prior to the invasion of Iraq. It was clear. It was known or should have been well-known, the body armor issue was well-known or should have been well-known to this administration prior to the invasion of Iraq. It was clear. It was something that we all again repeatedly encouraged, and with the leadership of the gentleman from Ohio (Mr. STRICKLAND) presumed the matter was being attended to, and it was represented to us that it was being attended to. It had nothing to do with the $87 billion supplemental budget.

If the gentleman will yield for one moment, Mr. Speaker.

Mr. DELAHUNT. Mr. Speaker, I thank the gentleman for yielding to me, and I just want to follow up on the point the gentleman from Ohio (Mr. STRICKLAND) has made, and I welcome the gentleman from Pennsylvania (Mr. HOEFFEL), as well.

If the gentleman will yield for one moment, Mr. Speaker.

Mr. DELAHUNT. Mr. Speaker, I thank the gentleman for yielding to me, and I just want to follow up on the point the gentleman from Ohio (Mr. STRICKLAND) has made, and I welcome the gentleman from Pennsylvania (Mr. HOEFFEL), as well.

If the gentleman will yield for one moment, Mr. Speaker.

Mr. STRICKLAND. Of course.

Mr. DELAHUNT. Of course.

Mr. STRICKLAND. In the letters I received from Secretary Rumsfeld and General Myers, there was never a mention of a shortage of money. They said there was a shortage of materials, which means that there was a failure
to plan ahead. We knew months before this war began that we would likely need this body armor, and yet the plans were not made.

The fact is that initially they were not even wanting to give the body armor to all these troops. In those letters that I received from General Myers, he said that the body armor was initially planned only for the troops that were on foot. If a soldier was in a Humvee or in some other mechanized vehicle, they were not even issued body armor, and there were weapons of mass destruction and other kinds of artillery fire. This body armor could have protected many of them.  

I am afraid some were wounded unnecessarily.

Mr. DELAHUNT. Mr. Speaker, it reminds me of the issue of weapons of mass destruction when the Prime Minister at the request of President of the United States made a commitment of Polish troops, obviously at some political risk to himself, and when it became clear that there were weapons of mass destruction said publicly, "We were misled." What does that do to the credibility of the United States when the Prime Minister of Poland, an ally, someone who has made a contribution of men and women of his nation in terms of the effort in Iraq, the military invasion, makes that statement?

Again, we have the example of David Kay, appointed by this President, who took the charge of this White House, who went to Iraq, who led the efforts to determine whether there were weapons of mass destruction, who concluded that there were none, and then later and subsequently when this White House, this President and this Vice President refused to accept unequivocally the conclusion reached by their own appointee that there were no weapons of mass destruction, then finally David Kay, a hawk on the war, by the way, spoke to the Guardian, an English newspaper and said, "The administration’s reluctance to make that admission was delaying essential reforms of U.S. intelligence agencies and further undermining its credibility at home and abroad."

Admit the mistake, Mr. Bush, come clean with the American people, accept responsibility rather than shift it because of an election-year gambit. That is what that is about.

Mr. INSLEE. Mr. Speaker, I want to note one other thing that the administration needs to take responsibility about. The President during his speech during the Republican convention, which was quite a show, and some of us found Zell Miller mildly entertaining, there was a lot of discussion about Franklin Delano Roosevelt, and there was one thing that I really respected about President Roosevelt, and that is on December 8, 1941, after the Japanese had bombed Pearl Harbor, President Roosevelt did not suggest we bomb China, which the country that attacked and killed thousands of Americans, which was the Japanese.

This President has not followed Franklin Delano Roosevelt’s pattern. Roosevelt said, let us attack the enemy that is attacking us, which in our case was al Qaeda, a fundamentalist Islamic movement that this President has spent the last 2 years trying to confuse the American people, with some success, in confusing al Qaeda with Iraq, and he has done the equivalent of invading China after September 11, and we have suffered accordingly.

It is very important for us not to allow the power of propaganda to overwhelm the power of reason, and we cannot allow Americans dead in Iraq, America to forget that this President had tried to whitewash the situation by calling the war in Iraq as the war on terror when there is no credible evidence of connection of Iraq with September 11th. The President and Vice President know it, and they keep saying it anyway.

The independent 9/11 Commission reached that conclusion despite the fact that the President and Vice President do not appear to do anything to thwart the creation of the 9/11 Commission and now accept its recommendations enthusiastically.

Mr. INSLEE. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. HOEFFEL) who has led the discussion on this subject.

Mr. HOEFFEL. Mr. Speaker, I concur with everything that my colleagues have said this evening. For almost a year and a half, those of us engaged in Iraq were asking here raising questions and posing alternatives for our failed national policy.

The bottom line is, as the gentleman just said, we have lost our national focus on the real threat, which has been and remains Osama bin Laden and al Qaeda. We have allowed the Bush administration with its obsession with Saddam Hussein to distract us from what has been the real threat and obviously remains the real threat today.

We know the sordid history of misstatements and failed policies and misleading comments by the President and his top advisors. They misled us about the weapons of mass destruction. As the gentleman from Washington (Mr. INSLEE) said, they misled us about a nonexistent connection about Saddam Hussein, al Qaeda and 9/11.

The President misled us about how he would use the military power that he asked for in the fall of 2002. He said he would not use it until he exhausted diplomatic options, broke that promise. He said he would not use it until he put together an international coalition such as his father had done 13 years before. Broke that promise. And he gave us a number of commitments to allow the international inspectors once back in Iraq to conclude and complete their work, and he did not allow them to finish their work before using this power.

What really grieves me tonight, in addition to all of the things that we have mentioned, is what now seems to be the use of our American military in Iraq to suit the dictates of Iraqi domestic politics. We have lost 150 brave American soldiers in defeating the Iraqi Army. It took us 19 days, and our soldiers did everything we asked them to do and fought bravely. We have lost 900 bravely Americans in what has turned out to be the occupation of Iraq, and I think a big reason for that is the misuse of our troops.

Let me quickly quote from a Washington Post article dated August 24, 2004, with the title "Politics Dictate U.S. Tactics." The point of this article published a few weeks ago is that Acting Prime Minister Allawi is deciding when American troops are used, when they are held back as suits his purposes for the domestic Iraqi political situation that he faces.

Mr. STRICKLAND. Mr. Speaker, if the gentleman would yield, the President frequently says, I will not allow our troops to be under the control of foreign commanders. Well, that may be technically correct, but what the gentleman has pointed out is the fact that our troops are serving at the behest of the Interim Iraqi Government. They are being told, you cannot go into this city, you cannot go into this city, you can go there, you cannot go there. It troubles me that young men and women from my district, from southern and southeastern Ohio, many of them have probably never traveled very far from home ever, are now in a foreign land, and they are basically serving the needs of the Iraqi Interim Government rather than looking out for the international interests of this Nation.

Mr. HOEFFEL. What enrages me is that the American politicians who whip themselves up into a foaming rage over the notion that someday, somehow, someway American troops might be under foreign generals’ command in a U.N. peacekeeping force or something of the kind are completely silent when something much worse is happening here. Our troops today in Iraq are not under foreign generals’ command but are the command of foreign politicians. It is outrageous. Let me read from this article and yield back. I do not want to monopolize this
Mr. INSLEE. The point the gentleman has made is the cost that we have suffered in addition to this horrendous loss of life is that the real war on terrorism has been injured by the war in Iraq, and I want to talk about some of the ways that has happened. A symptom of a failed war on terrorism: you do not finish the job against the enemy that attacked you, and we have not finished the job in Afghanistan which is the source of the attacks on us. If we had started, General Franks or one of the generals told him that they had started to move Predators that were being used in the hunt for Osama bin Laden to get ready for the attack on Iraq. So, we took our resources against, if I can use the 1941 example, out of the war on Japan and attacked Beijing.

Mr. STRICKLAND. I just want to point out to the gentleman who is responsible for the attack on this country was Osama bin Laden. He has taken credit for that. He has boasted to the international community, to the world, that he was responsible for the attack upon our country. The President stood right at that podium and he said, Osama bin Laden can run, but he cannot hide. Well, he ran and thus far he has hidden. Osama bin Laden is somewhere free on the face of this Earth to this night planning the next attack upon our country. Who was responsible for attacking us has gone free and we have diverted our resources to Iraq, costing 1,000 of our soldiers and we have not finished the job in Afghanistan to find Osama bin Laden and really cut down the terrorist attacks on our homeland, 58 percent of terrorist-related deaths since the 9/11 attack showed that of the roughly 2,900 terrorist-related deaths since September 2 of this year, how served as a deterrence to these terrorists, 6 or 7,000, I guess nearly 7,000 injured now. And Osama bin Laden is a free man tonight.

Mr. INSLEE. I would like to add, Osama bin Laden is not only free physically, he is free apparently from the interest of the President of the United States who has not mentioned his name for about a year. The man that he promised us he would get dead or alive, this President does not even allow his name to pass his lips because it may distract some of the attention from Iraq. That is way too free for my taste. I want to mention one other thing about why we have not been as successful with al Qaeda as we should have been. Obviously, cutting off the money of al Qaeda is extremely important. If you can kill the money trail, you can dry up some of their attacks on us. We found out we have more inspectors and investigators with the Department of the Treasury tracking American tourists who go to Cuba than we do tracking the money going to al Qaeda. We are spending over $200 billion a year in Iraq, but we cannot fund enough people to find Osama bin Laden and really cut off his money. We are more interested in the Iraq and Afghanistan War.

One other thing I want to mention. We have a tremendous threat in this country, and the President is right about one thing, that there is a real threat against this country. One of those threats is there are 20,000, in a sense, loose nuclear weapons from the former Soviet Union that are not in secure locations tonight, that some terrorists could get ahold of. But what have we done to try to increase our rate of locking up that fissionable material so al Qaeda cannot get ahold of it since September 11? What has this administration done? Essentially nothing to improve our efforts to try to lock up that fissionable material. They have not increased their appropriation, as far as I know, a dime to get rid of this material that al Qaeda, we know, is interested in using to attack us. Why not? They are spending $200 billion in Iraq to chase weapons of mass destruction that are not a threat of mass destruction, zero nuclear weapons in Iraq. We know there are 20,000 nuclear weapons that are running around the former Soviet Union, some of which were locked up in a chicken shed with a little lock on it, could be transported with bicycle lock busters, literally; and this administration will not put more money into that effort to lock up those loose nukes. This is a misprioritization.

Mr. DELAHUNT. I appreciate this conversation tonight. I think what is interesting is that while we speak about Osama bin Laden, we have to be very clear that because of the delay that has occurred and the diversion of effort and resources into securing Afghanistan and nurturing democratic institutions, not only has Osama bin Laden, who is obviously a symbol to those who share his world view but has morphed into a number of groups, some of which have names, some of which do not have names, and that terrorism is spreading throughout the world as we speak today. If the President is suggesting that the invasion of Iraq somehow served as a deterrence to these terrorists, he is absolutely wrong.

It is interesting to read that in terms of the efficacy of Iraq, of the invasion of Iraq, an NBC News analysis that was reported September 2 of this year showed that of the roughly 2,900 terrorist-related deaths since the 9/11 attacks on our homeland, 58 percent of them, in excess of 1,700, have occurred this year.
all respect who has served this country well, a good Member of Congress, the Vice Chair of the Permanent Select Committee on Intelligence of this branch, a conservative Republican from Nebraska who retired recently to assume the position of senior citizen in terms of foreign affairs, by the name of Doug Bereuter. He wrote a letter to his constituents because he recognized what we have been talking about, and this is what he said: “It was a mistake to launch” the invasion of Iraq. “Our country’s reputation around the world has never been lower.” In other words, our credibility is suffering. “And our alliances are weakened. Now we are immersed in a dangerous, costly mess, and there is no easy and quick way to end our responsibilities in Iraq without creating bigger future problems in the region and, in general, in the Muslim world.”

That is from Doug Bereuter, a good Member, someone who made substantial contributions to the debate and discourse in this House, who is a Republican with excellent conservative credentials.

This is nonpartisan. It should not be a partisan issue. This is about identifying our enemy and taking the necessary action to defeat those who would harm the United States.

Mr. HOEFFEL. Mr. Speaker, will the gentleman yield?

Mr. INSLEE. I yield to the gentleman from Pennsylvania.

Mr. HOEFFEL. Mr. Speaker, I thank the gentleman from Washington (Mr. INSLEE). It has always been clear that we need to internationalize the challenge in Iraq, and we need to “Iraqatize” the challenge in Iraq. We need international support from what is happening. I do not believe this President can do it. But from the first day we should have been returning to the United Nations to do the reconstruction, to have NATO and the Arab League nations for security. Those countries are a lot closer to Iraq than we are and have a much bigger stake than we do in a stable Iraq. But we have not done that. We have done the occupation of Iraq with 90 percent of the troops being American and 90 percent of the money being American, and we have not yet stabilized that country.

Mr. DELAHUNT. Mr. Speaker, will the gentleman yield?

Mr. INSLEE. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Mr. Speaker, our occupation in Iraq is being characterized by ineffectiveness, by incompetence. If one just reads the daily newspaper and sees comments and admissions by the Secretary of Defense Mr. Rumsfeld and the Chief of the Joint Chiefs of Staff General Myers, the number of cities in Iraq that are no longer under the control of the Interim Iraqi Government and American occupation forces grows on a daily basis. Fallujah, Ramadi, Baquba, Samarra, Najaf, Karbala, and perhaps soon a significant section of Baghdad are no longer under the control of the Interim Iraqi Government. The Baath Party is experiencing a resurgence, President Bush, except Saddam Hussein is no longer the head of it.

Mr. STRICKLAND. Mr. Speaker, if the gentleman from Washington (Mr. INSLEE) would yield, what we have here is a situation where we have lost 1,000 of our troops, nearly 7,000 injuries, $200 billion has been spent, and we are in effect giving Iran to the bad guys. The President is not willing to admit he has miscalculated, but when we have huge cities and large geographic areas in Iraq where American soldiers cannot even enter, it seems to me that we are capitulating, that we are giving in and giving over this country that we have shed blood to try to liberate.

I would just like to say something, though. I know our time is nearly coming to an end. We have talked about several things here. What we have talked about is what we call “misused” or “misunderstood.” That is the word the President used. He said he misclassified. He misclassified, and 1,000 soldiers have died. He misclassified, and almost 7,000 soldiers have been taken prisoners of war. (Mr. HOEFFEL. Mr. Speaker, will the gentleman yield?) Over $200 billion of the taxpayers’ resources have been spent there.

But this is what I would like to just emphasize in my closing remarks. The only people sacrificing really for this war are the soldiers who are fighting and risking their lives and the families back home at home who love them and who worry about them. They are the only ones sacrificing. None of us here in this Chamber are sacrificing, or over in the Senate Chamber, or down there at the White House. We do not have sons and daughters fighting this war. I think there may be two Members out of the 535 Members of the House and Senate with a child that is an Active-Duty soldier, and I do not know how many at the White House. I doubt if there are many, if any at all. And yet it is easy, it is easy, under those circumstances to talk tough, to say we are in it, Democrats are in it, urban and rural, we are all in this mess together, so what are we going to do?

There are some things we need when it comes to a leader of America right now to find a way to solve the problem in Iraq. I would suggest there are three things we need in a leader right now, in a President right now.

Number one, we need a President who can have the respect and good working relationship with the rest of the world, to try to get the rest of the world to pitch in and help in Iraq. We need someone who has not burned his bridges with friends or potential allies, someone who has not offended the rest of the world, someone who has not ended up getting a 90 percent disapproval rating with some of our purported allies on our policy in Iraq, someone who can really lead a world alliance. We have to ask whether we have a President who is capable of that right now.

The second thing we need is we need a President who is willing to fire the people who have made ridiculous decisions that have cost thousands of American lives and injuries. We need somebody who is...
The President continues to act with the same goals of creating a stable Iraq that can choose its own government. But the policies that he has chosen and the rigidity in which he has implemented those policies and the inability to change course when the policies are failing are clearly leading us to a disaster in Iraq, where our troops are in the middle of the domestic political striving of competing ethnic and religious interests, unable to stabilize the country because we are doing it alone, because we do not have the international support that we need, nor have we trained the Iraqis that we fired from the Iraqi army and fired from the Iraqi border patrol. We have not trained up Iraqis to do the police work and the peacekeeping that they ought to be doing for themselves.

The President continues to act with arrogance, with a cowboy diplomacy and an unwillingness to admit error, compounded by the outrages expressed on the campaign trail, the intentional efforts to mislead Americans, trying to connect 9/11 with Hussein, which is a bogus connection, and with the Vice President saying the other day, outrageously, that if the voters make the wrong choice on November 2, that will lead to more acts of terror against this country.

I do not know that I have ever heard a more outrageous or reckless statement made by any leader of this country, unless it would be the President’s statement himself in the summer of 2003 that they should “bring it on,” and 800 Americans have died since the President said that.

Mr. DELAHUNT, Mr. Speaker, if the gentleman will yield further, what the Vice President should do, he should reveal those statistics that I reported to you earlier about the increase in the incidents of terrorists’ acts all over the world that are directly related to the failed policies of this administration.

To my left there is a photo of the President with an individual by the name of Ahmed Chalabi, who is the source of much of the faulty intelligence that the administration was looking for to use its case on for the American people.

Now we have the FBI investigating the Pentagon, the office of one Douglas Fife, to determine whether Mr. Chalabi received information that was passed on to our policy initiatives and considerations relative to Iran.

Here we have the President of the United States with an individual which reports indicate, I am not reaching a conclusion, but which reports indicate was a spy or a double agent for Iran.

This same gentleman was in this Chamber during the State of the Union address by this President last January and sat up directly behind the First Lady.

Now, I have to tell you, to follow up on the gentleman from Washington’s point, I would think that anyone who was involved or connected or listened to Mr. Chalabi would be a convicted felon in Jordan for embezzlement of some $300 million from a bank in Jordan and had to flee Jordan, anyone who listened to that individual should have been fired a long time ago.

What an embarrassment about our policy initiatives and administration, what an embarrassment to the United States.

Mr. STRICKLAND. If the gentleman will yield for a moment, I remember being in the Chamber that night of the State of the Union address and looking up there and seeing Mr. Chalabi. I believe Mr. Chalabi was fairly close to Vice President Dick Cheney.

Now, the accusations are, as the gentleman says, and they are credible accusations, yet to be proven but under investigation, that Mr. Chalabi got information from a member of this administration, from the Pentagon, took that information and shared it with Iran. Iran, this country that we all now recognize is developing nuclear weapons, probably a much greater threat to this country directly than Iran ever was, and it is under investigation that this man took information and shared it with Iran. If that proves to be true, that is a terribly, terribly serious thing that has happened.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to: Mr. Ryan of Ohio (at the request of Ms. Pelosi) for today and the balance of the week on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to: (The following Members (at the request of Mr. Brown of Ohio) to revise and extend their remarks and include extraneous material:)

Ms. MOORE of New York, for 5 minutes, today.
Mr. WOOLSEY, for 5 minutes, today.
Mr. EMANUEL, for 5 minutes, today.
Mr. BROWN of Ohio, for 5 minutes, today.
Mr. DEFAZIO, for 5 minutes, today.
Mr. CONYERS, for 5 minutes, today.
Mr. MCDERMOTT, for 5 minutes, today.
Ms. BERKLEY, for 5 minutes, today.
Mr. STRICKLAND, for 5 minutes, today.
Mr. FALLONE, for 5 minutes, today.
Mr. KINK, for 5 minutes, today.
Mr. JONES of North Carolina, for 5 minutes, September 9.
Mr. KING of Iowa, for 5 minutes, today.
Mr. HENSARLING, for 5 minutes, September 13. (The following Members (at the request of Mr. WELDON of Pennsylvania) to revise and extend their remarks and include extraneous material:)

Mr. BLUMENAUER, for 5 minutes, today.
Mr. PEARCE, for 5 minutes, today.

BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on September 7, 2004 he presented to the President of the United States, for his approval, the following bill.

H.R. 5005. Making emergency supplemental appropriations for the fiscal year ending September 30, 2004, for additional disaster assistance.

ADJOURNMENT

Mr. DELAHUNT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o’clock and 47 minutes p.m.), the House adjourned until tomorrow, Thursday, September 9, 2004, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker’s table and referred as follows: 916. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on U.S. military personnel and U.S. individual civilians retained
as contractors involved in supporting Plan Colombia, pursuant to Public Law 106-246, section 3304 (f) (1) (114 Stat. 577); to the Committee on Armed Services.

9417. A letter from the Acting Under Secretary for Acquisition, Technology, and Logistics, Department of Defense, transmitting notification that the Group II Mission Computer Program (GMC II) was manufactured by Northrop Grumman Space Technology (NGST), is a commercial item and, therefore, is excluded from core logistics capability requirements, as well as the justification for such a decision, pursuant to 10 U.S.C. 246(e); to the Committee on Armed Services.

9418. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the grade of lieutenant general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

9419. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the next higher grade in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.


9421. A letter from the Director, Defense Security Cooperation Agency, transmitting notification of a proposed letter of offer and acceptance (LOA) to sell defense articles and services, pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

9422. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report covering defense articles and services that were licensed for export under section 38 of the Arms Export Control Act during FY 2003, pursuant to 10 U.S.C. 2377(c); to the Committee on International Relations.

9423. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department’s annual report entitled “Report to Congress on Arms Control, Nonproliferation and Disarmament Studies Completed in 2003”; pursuant to 22 U.S.C. 2377; to the Committee on International Relations.

9424. A letter from the Chairman, Christopher Columbus Fellowship Foundation, transmitting a report relating to the Accountability of Tax Dollars Act, the Foundation’s quarterly financial statement, prepared by the U.S. General Services Administration; to the Committee on Appropriations.

9425. A letter from the Executive Director, Consumer Product Safety Commission, transmitting the Commission’s inventories of Commercial and Inherently Governmental Activities for Year 2004 as pursuant to the Federal Activities Inventory Reform Act; to the Committee on Government Reform.


9427. A letter from the Director, Office of White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9428. A letter from the Director, Office of White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9429. A letter from the Acting Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9430. A letter from the Acting Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9431. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9432. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9433. A letter from the White House Liaison, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9434. A letter from the Director, Office of Human Resources Management, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9435. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9436. A letter from the Director, Office of Human Resources Management, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9437. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9438. A letter from the Secretary, Department of Homeland Security, transmitting the Department’s final rule — Drawbridge Operation Regulations: White River, Arkansas (RIN: 1625-AA09) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.


9440. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department’s final rule — Drawbridge Operation Regulations: Jamaica Bay and connecting waterways, NY. (CGD01-04-076) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9441. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9442. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9443. A letter from the USCG Office of Regulations and Administrative Law, Department of Homeland Security, transmitting the Department’s final rule — Drawbridge Operation Regulations: Newtown Creek, Dutch Kills, English Kills, and their tributaries (RIN: 1625-AA09) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.


9445. A letter from the Office of the Deputy Under Secretary for Legislative Affairs, Department of Homeland Security, transmitting the Department’s final rule — Drawbridge Operation Regulations: Jamaica Bay and connecting waterways, NY. (CGD01-04-080) received August 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

Mr. SMITH of New Jersey: Committee on Veterans' Affairs. H.R. 4768. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into certain limited purpose credit card facility leases, to authorize that Secretary to transfer real property subject to certain limitations, and for other purposes; with amendments (Rept. 108-665). Referred to the Committee on the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 2960. A bill to amend the Reclamation Water Reuse and State Water Rights Litigation Act of 1992; with amendments (Rept. 108-659). Referred to the Committee on the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 4277. A bill to authorize the Secretary of Commerce to make available to the University of Miami property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration on Virginia Key, Florida, for use by the University for a Marine Life Science Center; with an amendment (Rept. 108-650). Referred to the Committee on the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 4278. A bill to amend the Small Tracts of Land Act to facilitate the exchange of small tracts of land, and for other purposes; with amendments (Rept. 108-658, Pt. 1). Ordered to be printed.

Mr. POMBO: Committee on Resources. S. 1003. An act to clarify the intent of Congress with respect to the continued use of established commercial Outer Continental Shelf oil and gas management authorizations and sales that are subject to cooperation agreements with states, and for other purposes; with amendments (Rept. 108-666). Referred to the Committee on the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 4690. A bill to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term ground-water remediation program in California, and for other purposes; with an amendment (Rept. 108-668). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 4458. A bill to authorize the National Park Service to designate an act of Congress establishing a National Park in the Western United States Act of 1978 to require the permit to continue use and occupancy of certain privately owned cabins in the Mount Shasta Ranger Station in the Shasta-Trinity National Forest (Rept. 108-669). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENENBRENNER: Committee on the Judiciary. H.R. 4586. A bill to provide that making limited portions of audio or video content available on the internet or for downloading or for the owner or other lawful possessor of an authorized copy of that motion picture for private home viewing, and the use of technology to impair or interfere with or infringe on copyright or of any right under the Trademark Act of 1946; with an amendment (Rept. 108-670). Referred to the Committee of the Whole House on the State of the Union.

Mr. ISTOOK: Committee on Appropriations. H.R. 5025. A bill making appropriations for the Departments of Transportation and Related Agencies for the fiscal year ending September 30, 2005, and for other purposes (Rept. 108-671). Referred to the Committee of the Whole House on the State of the Union.

Mr. REICHERT: Committee on Agriculture. H.R. 4617. A bill to authorize the Committee on Agriculture to extend for a period ending not later than September 8, 2004.

Mr. SMITH of New Jersey: Committee on Transportation and Infrastructure. H.R. 4617. A bill to provide that the fiscal year ending September 30, 2005, and for other purposes; with amendments (Rept. 108-669). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOM DAVIS of Virginia: Committee on Government Reform. H.R. 4341. A bill to require the Postal Service to provide certain services to Members of Congress for a period ending not later than September 28, 2004, for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(c), rule X (Rept. 108-472, Pt. 1). Ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 4617. Referred to the Committee on Agriculture extended for a period ending not later than September 8, 2004.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII public bills and resolutions were introduced and severally referred, as follows:

By Ms. PELOSI (for herself, Mr. HOYER, Mr. MENENDEZ, Mr. CLYBURN, Mr. SPRATF, Mr. GORODNEV MULLER of California, Ms. DELAUBO, Mr. MATSU, Mr. HARMS, Mr. SKELTON, Mr. TURNER of Texas, Mr. LANTOS, Mr. LARSON of Connecticut, Mr. FELIN of Massachusetts, Mr. CONYER, Mr. OBERSTAR, Mr. RANGEL, Mr. EVANS, Mr. RAHALL, Mr. WAXMAN, Ms. LOWEY, Mr. GEPHARDT, Mr. THOMPSON of California, Mr. NADLER, Mr. SCHIFF, Mr. MCGOVERN, Mr. MARKY, Mr. BISHOP of Georgia, Ms. TAUSCHER, Mr. COOPER, Mr. TIERNEY, Mr. HOEFLF, Mr. KENNEDY of Rhode Island, Mr. CARDIZA, Mr. THOMPSON of Mississippi, Mr. ABERCROMBIE, Mr. ANDREWS, Mr. JOHNSON of Ohio, Mr. ORTIZ, Ms. ESHO, Mr. HOLT, Mr. MCCARTHY of Missouri, Mr. BERRY, Mr. EDDIE BERNICE JOHNSON of Texas, Mr. REYES, Mr. RODRIGUEZ, Ms. LORESTA SANCHEZ of California, Mr. HILL, Mrs. DAVIS of California, Mr. LARSEN of Washington, Mr. MARSHALL of Florida, Mr. DUDA, Mr. MCCARTHY of New York, Mr. WATSON, Mr. WINTER, Mr. STARK, Mr. FATTAB, Mr. PALLONE, Mr. BLUMENTHAL, Mr. CUMMINGS, Mr. MILLINDER-MCDONALD, Mr. OLIVER, Mr. EMANUEL, Ms. JACKSON-LEE of Texas, Mr. CASE, Mr. HASTINGS of Florida, Mr. SMYTH of Washington, Mr. SERRANO, Mr. LAMPSOM, Mr. ACKERMAN, Mr. ENGEL, Mr. CROWLEY, Mr. HINCHY, Mr. LAMHEV, Mrs. CHRISTENSEN of Florida, Mr. MEIRAN, Mr. PRICE of North Carolina, Mr. MCINTYRE, Mr. UDALL of New Mexico, Mr. NEAL of Massachusetts, Mr. LALOON, Mr. REICHERT, Mr. ALLEN, Mr. PASCRELL, Mr. DOOLEY of California, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. FARR, Mr. LYNCH, Mr. PETERSON of Minnesota, Mr. RUPPERSBERGER, Mr. DAVIS of Florida, Mr. BAIRD, Mr. ACERO-VIDRIO, Ms. WATERS, Mr. JACKSON of Illinois, Mr. SHERMAN, and Mr. JEFFERSON:

H.R. 5026. A bill to implement the recommendations of the Fiscal year 2004 Performance Budget and for other purposes; to the Committee on Armed Services, International Relations, Ways and Means, Financial Services, the Judiciary, Transportation and Infrastructure, Government Reform, Energy and Commerce, Science, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions of this bill as fall within the jurisdiction of the committee concerned.

By Mr. LEVIN (for himself, Ms. PELOSI, Mr. HOYER, Mr. RANGEL, Mr. MATSU, Mr. MENENDEZ, Mr. SPRATF, and Mr. CLYBURN):

H.R. 5026. A bill to require the President to take certain actions to ensure the textile and apparel safeguard with respect to imports from the People’s Republic of China; to the Committee on Ways and Means.

By Ms. GINNY BROWN-WAITE of Florida (for herself, Mr. FOLEY, Mr. BOYD, Mr. MEK of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Mr. CHERRISHAW, Mr. HASTINGS of Florida, Ms. CORRINE BROWN of Florida, Mr. STEARNS, and Ms. RIS-LEHTINEN):

H.R. 5027. A bill to designate the facility of the United States Postal Service located at 411 Midway Avenue in Mascotte, Florida, as the “Specialist Eric Ramirez Post Office”; to the Committee on Government Reform.

By Mrs. JONES of Ohio (for herself, Mr. LATOURETTE, Mr. KUCINICH, Mr. PASCRELL, and Mr. STRICKLAND):

H.R. 5028. A bill to allow a waiver or exemption of certain requirements for restructured airspace if security is not reduced; to the Committee on Transportation and Infrastructure.

By Mr. LATOURETTE (for himself and Mr. KUCINICH):

H.R. 5029. A bill to allow a waiver or exemption of certain requirements for restructured airspace if security is not reduced; to the Committee on Transportation and Infrastructure.

By Mr. MIHAUD:

H.R. 5030. A bill to amend the Trade Act of 1974 to provide trade adjustment assistance to the services sector and for communities, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Veterans’ Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NETTHERCUTT:

H.R. 5031. A bill to amend the Bank Holding Company Act of 1956 to clarify the application of the credit card bank card exception to certain limited purpose credit card banks serving community banks, and for other purposes; to the Committee on Financial Services.

By Mr. SAXTON:

H.R. 5032. A bill to require the Nuclear Regulatory Commission to consider certain criteria in relicensing nuclear facilities, and for other purposes; to the Committee of the Whole House on the State of the Union.
prior to any relicensing of that facility; to the Committee on Energy and Commerce.

By Mr. SHAYES:
H. Res. 503. A bill to suspend temporarily the duty on certain meatless frozen food products; to the Committee on Ways and Means.

By Mr. THOMPSON of California:
H. Res. 747. Amend title II of the Social Security Act to require waiver of the 5-month waiting period for entitlement to benefits based on disability in the case of a terminal illness beneficiary; to the Committee on Ways and Means.

By Mr. WEINER:
H. Res. 756. A bill to require the Secretary of Homeland Security to provide the same screening of all passengers and property that will be carried aboard a passenger aircraft operated in the United States by a person other than an air carrier as is provided for all passengers and property that are carried aboard a passenger aircraft operated by an air carrier, and for other purposes; to the Committee on Transportation and Infrastructure.

Mr. MENENDEZ:
H. Res. 758. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. HYDE (for himself and Mr. LANTOS):
H. Res. 759. A resolution expressing the sense of the House of Representatives that occurred in late August and early September 2004; to the Committee on Foreign Affairs.

BARTLETT of Maryland.

By Mr. ROHRABACHER:
H. Res. 760. A resolution condemning the Festival of Children Foundation for its outreach to all passengers and property that are carried aboard a passenger aircraft operated by an air carrier, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BROWN of Ohio (for himself, Mr. LANTOS, Mrs. JO ANN DAVIS of Virginia, Mr. WATT, Mr. LINCOLN DIAZ-BALART of Florida, Mr. HOEKSTRA, Mr. S OUDER, Mr. P ITTS, Mr. HOSTETTLER, and Mr. MYRICK):
H. R. 4603: Mr. McCuH.
H. R. 4616: Mr. Green of Wisconsin.
H. R. 4628: Mr. Solis, Ms. Abercrumbie, Mr. Wexler, and Mr. Frank of Massachusetts.
H. R. 4643: Mr. Eisen, Mr. Platts, Mr. Lucas of Oklahoma, Mr. Beshlert, Mr. McHugh, Mr. Leach, and Mr. Lincoln Diaz-Balart of Florida.
H. R. 4662: Mr. Rohrabacher.
H. R. 4670: Mr. Price of North Carolina.
H. R. 4673: Mr. Lee.
H. R. 4675: Mr. Fant, Mr. Ackerman, Mr. Thompson of California, Mr. Conyers, Mr. Delahunt, Mr. Baca, Mr. Wynn, Ms. Maloney, and Mrs. Bono.
H. R. 4676: Mr. Vislosky.
H. R. 4701: Mr. Crowley.
H. R. 4702: Mr. Bishop of Georgia, Mr. Gerges, Mr. Thompson of Maryland, and Mr. English.
H. R. 4706: Ms. Lokken, Mr. Beeman, Mrs. Jones of Ohio, Mr. Stark, Mrs. Davis of California, Ms. Becketl, and Mrs. Lowey.
H. R. 4813: Mr. Marshall and Mr. Brown of South Carolina.
H. R. 4730: Mr. Ney.
H. R. 4804: Mr. Ullert of New Jersey.
H. R. 4776: Mr. Ramstad, Mr. Payne, Mr. Frank of Massachusetts, Mr. Holden, Mr. Simmons, Mr. Marshall, Mr. Gordon, Ms. Delahunt, and Mr. Gohm.
H. R. 4792: Ms. Tauscher, Mr. Fattah, Mr. Evans, Mr. Abercrumbie, and Mr. Filner.
H. R. 4793: Mr. Sanders, Ms. Millender-McDonald, Mr. Beshlert, and Ms. Kilpatrick.
H. R. 4802: Mr. Frank of Massachusetts, Mrs. Jones of Ohio, Mr. LaTourette, Mr. Ruppersberger, Mr. Udall of Colorado, Mr. McGovern, and Mr. Kucinich.
H. R. 4826: Ms. McCarthy of Missouri and Mr. Ford.
H. R. 4843: Mr. Ney.
H. R. 4858: Mr. Casey, Mr. Grijalva, Mr. Scott of Georgia, Mr. LaTourette, Mr. Marshall of Wisconsin, and Ms. McCollum.
H. R. 4875: Mr. Meeks of New York, Mr. Turner of Texas, Mr. Doolittle, Mr. Franks, and Mrs. Jo Ann Davis of Virginia.
H. R. 4913: Mr. Neugebauer and Mr. Roe of Alabama.
H. R. 4897: Mr. Lowey.
H. R. 4904: Mr. Ruppersberger.
H. R. 4956: Mr. Sanders, Mr. Case, and Mr. Udall of New Mexico.
H. R. 4957: Mr. Herrman.
H. R. Con. Res. 247: Mr. Davis of Illinois.
H. Con. Res. 391: Mr. Lowey.
H. Con. Res. 461: Mr. Ramstad and Mr. Ehrlich.
H. Con. Res. 463: Mr. Moran of Virginia.
H. Con. Res. 486: Mr. Stenholm, Mr. McDermott, Mr. Grijalva, and Ms. McCarthy of Michigan.
H. Res. 466: Mr. Blumenauer.
H. Res. 570: Mr. Fattah, Mr. Israel, Mrs. Maloney, Mr. Gonzalez, and Mr. Clay.
H. Res. 586: Mr. Abercrumbie.
H. Res. 641: Mr. Wilson of South Carolina and Mr. Smith of Washington.
H. Res. 716: Mr. Frank of Massachusetts.
H. Res. 744: Mr. Pitts and Mr. Blumenauer.
H. Res. 746: Mr. Filner.
H. Res. 747: Mr. Conyers, Mr. Kilpatrick, Mr. Meeks of New York, Mr. Payne, Mr. Towns, Mr. Rush, Mrs. Christensen, Mr. Owens, Mr. Dorsett, Mr. Hultgren, Mr. Perlmutter, Mr. Gohm, Mr. Solomon, Mr. Beshlert, Mr. Faber, Mr. Price, Mr. Jackson of Minnesota, Mr. Poe, Mr. Doggett of Texas, Mr. Nethercutt, Mr. Frank of California, Mr. Foster, and Mr. Pomroy.
H. Res. 751: Mr. King of New York, Ms. Harris, and Mr. Bell.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H. R. 5006

OFFERED BY: Mr. Hefley

AMENDMENT NO. 5: At the end of the bill (before the short title), insert the following: Sec. 221. (a) Appropriations made in this Act (other than appropriations required to be made by a provision of law) are hereby reduced by $1,425,000,000.

H. R. 5006

OFFERED BY: Mr. Hayworth

AMENDMENT NO. 6: At the end of the bill (before the short title), insert the following: Sec. 412.3(b)(2), which regulation shall be effective and final immediately on an interim basis as of the date of publication of the regulation.

(b) The study referred to in subsection (a) is a study by the Comptroller General of the United States directed in the statement of managers accompanying the conference report on the bill H.R. 1 of the 108th Congress regarding clinically appropriate standards for defining inpatient rehabilitation facilities under such section 412.23(b)(2), which regulation shall be effective and final immediately on an interim basis as of the date of publication of the regulation.

(c) The aggregate amount appropriated under title II for “Centers for Medicare and Medicaid Services—Program Management” is hereby reduced by $3,500,000.

H. R. 5006

OFFERED BY: Mr. LaTourette

AMENDMENT NO. 11: In title II, amend section 221 (page 65, line 19, through page 68, line 2) to read as follows:

(a) Notwithstanding section 412.23(b)(2) of title 42 of the Code of Federal Regulations, none of the funds appropriated by this Act may be expended by the Secretary of Health and Human Services to treat or provide care for a person who is certified by the Secretary as an inpatient rehabilitation facility on or before June 30, 2004, as a facility (as defined in section 1886(d)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B))) until, not later than 60 days after the date on which such facility is submitted under subsection (b) is issued, the Secretary, taking into account the recommendations in such report—

(1) determines that the classification criteria of hospitals and units of hospitals as inpatient rehabilitation facilities under such section 412.23(b)(2) are not inconsistent with such recommendations; or

(2) promulgates a regulation providing for revised criteria under such section 412.23(b)(2), which regulation shall be effective and final immediately on an interim basis as of the date of publication of the regulation.

(b) The study referred to in subsection (a) is a study by the Comptroller General of the United States directed in the statement of managers accompanying the conference report on the bill H.R. 1 of the 108th Congress regarding clinically appropriate standards for defining inpatient rehabilitation facilities under such section 412.23(b)(2).

(c) The aggregate amount appropriated under title II for “Centers for Medicare and Medicaid Services—Program Management” is hereby reduced by $3,500,000.

H. R. 5006

OFFERED BY: Mr. LoBiondo

AMENDMENT NO. 12: Page 23, after line 2, insert the following new section:

Sec. 221. (a) Notwithstanding section 13 of the Fair Labor Standards Act of 1938 (29 U.S.C. 213) is amended by adding at the end the following new section:

(k)(1) The Secretary of Labor shall not promulgate any rule under subsection (a)(1) that exempts from the overtime pay provisions of section 7 any employee who earns less than $23,660 per year.

(k)(2) The Secretary shall not promulgate any rule under subsection (a)(1) concerning the right to overtime pay that is not as protective, or more protective, of the overtime pay rights of employees in the occupations or job classifications described in paragraph (3) as the protections provided for such employees under the regulations in effect under such subsection on March 31, 2003.

(k)(3) The occupations or job classifications to which paragraph (2) applies are as follows:

(A) Any worker paid on an hourly basis.

(B) Any employee provided overtime under a collective bargaining agreement.

(D) Team leaders.

(H) Computer programmers.

(F) Registered nurses.

(G) Licensed practical nurses.

(N) Nurse midwives.

(I) Nursing school diploma graduates.

(J) Cafeteria workers.

(M) Shipyard and ship scrapping workers.

(T) Teachers.

(O) Technicians.

(J) Journalists.

(Q) Chefs.

(R) Cooks.
“(S) Police officers, including sergeants.
“(T) Firefighters, including sergeants.
“(U) Emergency medical technicians and paramedics.
“(V) Waste disposal workers.
“(W) Day care workers.
“(X) Maintenance employees.
“(Y) Production line employees.
“(Z) Construction employees.
“(AA) Carpenters, mechanics, and plumbers.
“(BB) Iron workers.
“(CC) Craftsmen.
“(DD) Operating engineers.
“(EE) Laborers.
“(FF) Painters.
“(GG) Cement masons and stone and brick masons.
“(HH) Sheet metal workers.
“(II) Utility workers.
“(JJ) Longshoremen.
“(KK) Stationary engineers.
“(LL) Welders.
“(MM) Boilermakers.
“(NN) Funeral directors.
“(OO) Athletic trainers.
“(PP) Outside sales employees and inside sales employees.
“(QQ) Grocery store managers.
“(RR) Financial services industry workers.
“(SS) Route drivers.
“(TT) Assistant retail managers.
“(4) Any portion of a rule promulgated under subsection (a)(1) after March 31, 2003, that modifies the overtime pay provisions of section 7 in a manner that is inconsistent with paragraphs (2) and (3) shall have no force or effect as it relates to the occupation or job classification involved.”.

H.R. 5006
Offered by: Mr. Stearns
Amendment No. 13: At the end of the bill (before the short title), insert the following:
SEC. 4. None of the funds appropriated by this Act may be expended by the Secretary of Health and Human Services to carry out the modification of coverage policy number 35-26 of the Medicare Coverage Issues Manual R125CM announced by the Secretary on July 15, 2004, in the press release entitled “HHS ANNOUNCES REVISED MEDICARE OBESITY COVERAGE POLICY–Policy Opens Doors to Coverage based on Evidence” until the date on which the Secretary submits to Congress a report containing the Secretary’s estimate of the increased costs to the medicare program by reason of such modification of coverage policy.
Senate

U.S. SENATE,  
PRESENTER PRO TEMPORE,  

To the Senate:  
Under the provisions of rule 1, paragraph 3,  
of the Standing Rules of the Senate, I hereby  
appoint the Honorable Lindsey O. Graham, a  
Senator from the State of South Carolina, to  
perform the duties of the Chair.

TED STEVENS,  
President pro tempore.

Mr. Graham of South Carolina thereupon assumed the Chair as Acting  
President pro tempore.

RECOGNITION OF THE MAJORITY LEADER  
The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE  
Mr. Frist. Mr. President, this morning we will have 1 hour of morning  
business, with the first half of that time under the control of the Demo- 
cratic side of the aisle and the second half under the control of the majority.

ORDER OF PROCEDURE  
I now ask unanimous consent that the Senate begin the Homeland Secu- 
ritiy appropriations bill as under the order following that 1-hour period.  
The ACTING PRESIDENT pro tempore. Is there objection?

Mr. Frist. Mr. President, this morning we will have 1 hour of morning  
business, with the first half of that time under the control of the Demo- 
cratic side of the aisle and the second half under the control of the majority.

Mr. Reid. Mr. President, in my understanding the distinguished majority  
leader is propounding to the Chair that each side would have a full 30 minutes  
after the prayer and the pledge has been added in; is that right?

Mr. Frist. Mr. President, that is correct. I will have about a 5-minute  
statement. After my statement, the Democratic leader has a statement.  
Then we will have 1 full hour, 30 minutes for each side.

Mr. Reid. Mr. President, I appreciate that. So I do not interrupt again. I ask  
unanimous consent that 20 minutes be designated to the Senator from Cali- 
ifornia, 10 minutes be designated—let’s see. What we will do is have 19 minutes  
for the Senator from California, 8 minutes for Senator Kennedy from Massa- 
chusetts, and 3 minutes for Senator Schumer from New York. I ask unanimous  
consent that be the case.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. Reid. Would it be OK with Senator Feinstein if we could get the  
short speeches out of the way first? Would that be OK?

Mrs. Feinstein. Yes.

Mr. Reid. OK. We would go with Schumer, Kennedy, and Feinstein.  
Thank you very much, Mr. President.

The ACTING PRESIDENT pro tempore. Without objection, it is so or- 
dered.

Mr. Frist. Mr. President, we do expect amendments to be offered on the  
Homeland Security bill over the course of today’s session, and we will have  
votes today. As a reminder, the Senate will be in recess from 12:30 to 2:15 for  
the weekly party luncheons to meet.

Finally, on behalf of the managers of the bill, it would be helpful if Senators  
would notify the managers if they intend to offer amendments to the Home- 
land Security appropriations measure. I believe we have most of those amend- 
ments already listed. But what we would like to do is reach an agreement  
to limit the amendments to allow us to finish the bill as quickly as reasonable  
and as possible and, therefore, Members should now notify their respective  
cloakrooms, if they have not already done so.

Again, we did a lot of groundwork yesterday in talking to our Members  
and in preparing for the Homeland Security appropriations bill. For that, I  
express my thanks and thanks on behalf of the leadership of the Democrats  
and the Republicans. As always, Senators will be notified when we come to  
that first vote.

PLEDGE OF ALLEGIANCE  
The Honorable Lindsey O. Graham led the Pledge of Allegiance, as follows:  
I pledge allegiance to the Flag of the United States of America, and to the  
Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE  
The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro  
tempore (Mr. Stevens).

The assistant legislative clerk read the following letter:

- This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
SACRIFICES OF OUR MILITARY MEN AND WOMEN

Mr. Frist. Mr. President, I want to very briefly comment on an observation that when I got home last night a lot of the media networks were talking about; that is, yesterday the U.S. military deaths in Operation Iraqi Freedom surpassed 1,000. Each one of these deaths is a sacrifice for the freedom and liberty we enjoy each and every day, and it really has focused on the importance of what the war on terror is all about, as we see what is decided in Russia and as we see what has happened in Afghanistan and Iraq and really throughout the world and throughout the Middle East.

I wish to make the point again that we all think—we all know it, but really it does need to be said; we think it every day, but it does need to be said—that these brave men and women in uniform sacrificed their lives for the cause of freedom in this country and throughout the world—and for the security and safety of their fellow Americans. We owe them a deep debt of gratitude for their courage and for their valor and their strength and their commitment to our country and to these ideals of which we every day need to take advantage.

As President Bush has reiterated time and time again, and as he mentioned in an early morning meeting we had—a bicameral, bipartisan meeting that finished 15, 20 minutes ago—our cause is to fight the enemy on his soil before he can strike us here at home. And we will do that action, and, yes, the sacrifices this country has made, terrorists will no longer find safe harbor in Iraq. Because of our determination, Saddam Hussein now sits in a prison where his only plotting and planning is to defend himself before a war crimes tribunal. Because of our resolve, Saddam's two sadistic sons, Uday and Qusay, are dead, and many of his top lieutenants are dead or in custody. Because of America and her many friends, the world and to our country and to these ideals of which we every day take advantage.

From the very beginning, since President Bush launched Operation Iraqi Freedom roughly a year and a half ago, our Armed Forces have performed valiantly—from that first dramatic 3-week campaign that led to the fall of Baghdad, to the fighting that goes on right now in specific regions where the insurgents are attempting to thwart Iraq's path to self-government.

The enemies of freedom will not prevail. The President, our Commander in Chief, has made it clear; they will not prevail. This body has made it clear, our U.S. Government has made it clear, the enemy will not prevail. The enemies of freedom are going to fail. The people of Iraq want democracy. Polls show over and over again that the majority of Iraqis are optimistic about their future. Now they are finally free to realize their dreams.

Our hearts do go out to the families who have lost loved ones in battle, as well as to the thousands of men and women who have been injured. The valor and courage of our young women and men in the armed services are a shining example to all of the world, and we owe them and their families our deepest respect. They now belong to America and those who have given their lives for the cause of liberty.

Mr. President, I yield the floor, and we will now have an hour of morning business, with 30 minutes to each side.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for statements only of 60 minutes, with the first half of the time under the control of the Democratic leader or his designee and the second half of the time under the control of the majority leader or his designee.

The Senator from California.

Mrs. Feinstein. I believe I have 18 minutes of that time.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from California has 19 minutes.

Mrs. Feinstein. I thank the Chair.

ASSAULT WEAPONS BAN TO EXPIRE

Mrs. Feinstein. Mr. President, some of us have come to the Chamber today: Senator Schumer, who handled the assault weapons legislation 10 years ago in the House of Representatives as a member of the Judiciary Committee; Senator Kennedy, who has been steadfast in support of this legislation for literally decades; and myself, as the Senate author of the bill. Ten years ago, the Senate, the House of Representatives, and the President of the United States stood up for the safety of the American people and against the National Rifle Association, and we passed one of the most important public safety measures this country has seen, the Federal ban on assault weapons.

That legislation was designed to dry up the supply of assault weapons over time. That legislation was designed so that no legitimate gun owner would lose their gun, nor have any.

The assault weapons ban, although not perfect, represented the best we could do to stem the growth and spread of these weapons throughout our cities and our States. That legislation is going to expire once again.

A couple of months ago the Senate took a vote. We know we have 52 votes for its reauthorization for another 10-year period. Senator Warner of Virginia joined me in sponsoring that legislation on the floor of the Senate. We also know that the legislation has been effective because gun traces to crimes committed with assault weapons have declined by two-thirds in these past 10 years.

The American people have supported the ban and their support has never wavered. Today almost three-fourths of the American public supports the ban, as do more than two-thirds of gun owners.

Law enforcement supported the ban in 1994, and their support has never wavered either. Every major law enforcement organization in the country supports renewing this ban, and countless individual chiefs of police, sheriffs, and line officers have put themselves on the line to express their support, too. In fact, many of these same officers are in town today to let Congress know how important the assault weapons ban is to those of us who face these guns in the line of duty day in and day out.

This chart illustrates the percentage of banned assault weapons used in crimes, down by nearly two-thirds since passage of the 1994 act.

The NRA will say: The bill is cosmetic. It hasn't done anything. It has been ineffective.

Then why do they make this legislation and its demise their No. 1 priority? This chart shows that they are wrong. In a moment, I will cite testimony from a former BATF analyst that says this legislation has, in fact, been effective.

Presidents Clinton, Carter, Ford, and Reagan, and even Bush, have all expressed support for renewing the ban. President Bush stated his firm support in his 2000 campaign. He has never publicly wavered from that stance. But 5 days from today, none of this support will matter. The assault weapons ban will be history, one more victim of the powerful, selfish NRA and its brutal lobbying tactics.

Because the President has steadfastly refused to put his money where his mouth is and help us renew the ban, it is going to expire without so much as even a vote in the House of Representatives. We have asked the President: Please use your leadership to convince the Speaker of the House of Representatives to bring this bill to the floor. Please use your leadership to twist some arms. If you support this, if you know the American people support it, if you believe it makes for a safer America, please help us.

We have cried out in vain. There has been no response from the White House. Instead, the President quietly awaits September 13 and hopes that after he lets the ban expire, he can once again receive the endorsement of the NRA, because the NRA is not going to take their endorsement until the ban expires.

This is truly a dark day in the Senate's history, as we let this ban, which
has worked so well and has saved lives, simply fade away.

I mentioned earlier that what the ban does is prohibit the manufacture of large-capacity ammunition magazines, clips, drums, or strips of more than ten rounds. It prohibits the sale and transfer of any firearm capable of being equipped with a clip or strip magazine of more than ten rounds, and sale of 19 specific types of military-style assault weapons as well as a number of other guns based on a simple test to determine whether the guns were designed to be fired at high rates of fire.

Come next week, companies will once again begin to churn out large-capacity ammunition devices, and powerful, easily concealed military weapons, all for civilian use. The NRA will try to hail this as a victory for hunters. But the fact is, no hunter has lost their weapon, and no hunter has been limited by the assault weapons ban. The law specifically, by name, exempts 670 hunting guns entirely.

It is important to note that the ban grandfathered in every gun made before 1994. No innocent gun owner lost their weapon. There was no confiscation component to the bill. But by banning the manufacture of these guns, prohibiting the sale or transfer of any newly manufactured gun, the bill’s intent was to gradually dry up the supply of these guns overtime.

I mentioned I would give you some Department of Justice data. I mentioned the proportion of assault weapons used in crime has fallen more than 65 percent since the ban took effect. Let me give you an analysis that was conducted by Gerald Nunziato, who for 8 years was the special agent in charge of the Bureau of Alcohol, Tobacco, and Firearms, the BATF’s, national tracing center. This is not some fly-by-night study. This is by the one person who knows what these numbers mean a whole lot better than anyone. He found two things.

First, as indicated by this chart, he found that:

- Assault weapons banned by name in the Federal Assault Weapons Act have declined significantly. The proportion of assault guns ATF has traced to crime, and in absolute number of traces, since the Act was passed. Had this decline not occurred, thousands more of those banned assault weapons would likely have been traced to crime over the last 10 years.

- He also said:
  - The gun industry’s efforts to evade the Federal Assault Weapons Act have declined significantly. The proportion of assault guns associated with criminal activity has fallen.
  - In other words, even though craven gun manufacturers tried to evade the ban, those copycat guns did not replace banned guns in equal numbers, at least when traced to crimes. I will do this in a couple of minutes and explain to you about a shipment that was recently found by Italian customs. Some 8,000 AK-47 assault rifles were on their way from the Romanian port of Constanța to New York City, according to reports and police information, apparently bound for a gun store in Georgia by the name of Century International Arms.

These guns had a value of more than $7 million—8,000 AK-47s.

It is believed by some that these guns were being shipped to the United States in anticipation of the expiration of the assault weapons legislation. Though this shipment may very well have been illegal in any case under a 1989 Executive Order, think of one gun store buying 8,000 AK-47s in anticipation of 5 days from today. Think of where guns like these are going to go. Some are going to go to legitimate gun owners. Others are going to go to gang bangers. They are going to be sold out of the backseats of automobiles and on street corners to criminals. They have become the weapon of choice for those who go up against the police. Mr. President, that is 8,000 AK-47s in one shipment coming into the United States.

One advertisement now running in gun magazines is from a company called ArmaLite. They make postban rifles. As one can see from this advertisement, ArmaLite is now offering a coupon for a free flash suppressor for anyone who buys one of their guns. A flash suppressor is a part to prevent the flash of the gun when it is fired. So if you are using it, no one can see where you are, particularly at night, by the flash of the weapon.

Let me read what this says:

And by the way . . . ArmaLite’s rifles are made to be easily retrofitted with your flash suppressor and your other pre-ban features so you don’t have to wait if you’re choosing an ArmaLite.

They are giving a coupon for a free flash suppressor with every new weapon to keep in your pocket as a reminder to work with the NRA to get out the vote and to keep writing and calling your legislators. That is what this is all about. It is a clever ad. It is one by a company that makes postban and some preban weapons.

That will happen in 5 days.

A recent study by the Consumer Federation of America discovered that manufacturers are also gearing up to manufacture large-capacity ammunition clips.

This is the danger. Just yesterday in Geneva, OH, somebody stood in the main thoroughfare and fired more than 50 rounds from a big clip. No one could get to him to disarm him. Three people were wounded. He just stood there and fired. That’s what an assault rifle does.

One manufacturer told a caller from the Consumer Federation of America that there is a pent-up demand for 50-round clips and larger. Who needs a 50-round clip? Everyone. So the gun store buying 8,000 AK-47s in one shipment.

One manufacturer told a caller from the Consumer Federation of America that there is a pent-up demand for 50-round clips and larger. Who needs a 50-round clip? Everyone. So the gun store buying 8,000 AK-47s in one shipment.

It is clear that time has run out. It is clear that the President of the United States will not act, and this is truly a sad day for this Nation.

My hope is if the ban expires and these guns and high-capacity clips once again start to flood our streets, some common sense will return to Washington and we can then put the ban in place. But I want this Senate to know, Mr. President, that I do not intend to give up. Next year, I will put a better argument, virtually an argument you can find to do so, and we will come back and back and back, and we will have armor because no doubt tragedy will ensue.

The assault weapons legislation has worked. No legal owner has been denied a weapon. No weapon has been confiscated. Yet the supply of these weapons on the streets have declined. A dominant majority, upwards of 70 percent of the American people, support the authorization. We have bipartisan support in the Senate for its reauthorization. President Bush, please, if you care, if you are listening, do something. The House can pass this. We have had the debate in the Senate. It will only take a few minutes for the Senate to cast the same vote again, and then you can sign a piece of legislation that we know makes this Nation safer.

Mr. President, how much time remains of my time?

The ACTING PRESIDENT pro tem. Four minutes.

Mrs. FEINSTEIN. I thank the Chair. I withhold the remainder of my time and yield the floor.

The ACTING PRESIDENT pro tem. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I would congratulate my colleagues, Senator FEINSTEIN and Senator SCHUMER, for the strong leadership they have shown on this issue and their continued perseverance and persistence in urging the House and Senate and the President to act. Unless the President and Congress act, the current Federal ban on assault weapons will expire in 5 days.

Semiautomatic weapons are killing machines with little or no redeeming value in any sane community, and lifting this ban will put these weapons of death back in the hands of criminals and will give terrorists a new tool to attack America.

We know terrorists are now exploiting the weaknesses and loopholes in our gun laws. A terrorist training manual discovered by American soldiers in Afghanistan in 2001 advised al-Qaida members to buy assault weapons in the United States and use them against us. The failure to renew the ban this year will drastically undermine the safety of our streets, our neighborhoods, and our schools, and strengthen terrorists and other criminals. It would be a tragic and senseless blow to the security of our homeland.

Terrorists already here in sleeper cells who are expatriated abroad will be able to buy assault weapons without background checks at gun shows and wreak terror throughout the Nation.

How can we possibly allow this essential protection against crime and terrorism to expire? How can we allow Congress and the President to deliberately put the security of our communities in such new and needless jeopardy?
The need for Presidential leadership has never been greater. We know we have the votes for renewing the assault weapons ban in the Senate because we passed such an amendment in March by a bipartisan vote of 52 to 47. The Republican leadership in the Senate, however, refuses to bring the ban back for another vote, and the House Republican leadership refuses to act at all.

In the 2000 campaign, President Bush specifically pledged to renew the ban, but now as the ban is about to expire, the administration has no intention of acting. It is deafening. It is long past time for President Bush to live up to his commitment.

President Bush has shown that when he wants something from this Republican Congress, he gets it. When he wanted another round of tax breaks for the wealthy, he got it. When he wanted another round of tax breaks, he got them, too. We need that same commitment from President Bush when it comes to protecting our families and securing our communities from deadly assault weapons.

President Bush, the time to act is now. Congress awaits your call.

IRAQ

Mr. KENNEDY. Mr. President, 16 months after President Bush declared "mission accomplished" aboard the USS Abraham Lincoln, the fighting in Iraq continues and casualties continue to mount.

Yesterday we reached a mournful milestone that we never thought possible: 1,000 brave Americans have lost their lives in Iraq. Nearly 7,000 more have been injured. The youngest of America’s fallen soldiers was just 18 years old. The oldest was 59. More than half had not even celebrated their 30th birthday. They hailed from nearly every State in the Nation. They are the best of America, and we are proud of each one. Although I disagree with the President about Iraq, I honor the sacrifice and dedication of each of these brave men and women.

It was wrong for the President to rush to war for such a deeply questionable cause. We all know Saddam Hussein was a brutal dictator, but he did not pose the kind of immediate threat to our national security to justify a unilateral and preventive war.

Despite the President’s claims that Iraq is central to the global war on terror, there was no persuasive pattern of ties or operational links between Iraq and al-Qa’ida. There were no nuclear weapons.

President Bush has stated that the war in Iraq was a catastrophic success. He is right in one sense. The war has been a catastrophe. The war has been a catastrophe for our fallen soldiers, far too many of whom were sent to war with no plan to win the peace. The war has been a catastrophe for their loved ones. The war has been a catastrophe for our Nation’s standing in the world and for the war on terror, for it dist

tracted us from the real threat of al-Qa’ida in Afghanistan. It has made the war on terrorism far harder to win and it has made America more hated in the world than at any other time in our history.

We need honest solutions that will end the terror of Osama bin Laden and destroy al-Qa’ida. We need honest solutions that will bring the war in Iraq to a noble end and bring our troops home with honor. This administration had the basic weapon it needed to pass the test of competence. It failed to deploy enough troops in Iraq to win the peace. It failed at Abu Ghraib. It failed in issuing sweetheart deals to Halliburton. It has failed the basic test of Presidential leadership.

We need a new administration that will be honest with the American people on national security and propose real solutions to make us safer and stronger.

How much time remains for the Democrats?

The ACTING PRESIDENT pro tempore. There is 5½ minutes.

Mr. KENNEDY. The remaining time remains I yield to the Senator from New York, Mr. SCHUMER.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mrs. FEINSTEIN. Before the Senator from New York begins, I do wish to use my remaining 4 minutes.

The ACTING PRESIDENT pro tempore. There is 8 minutes 7 seconds remaining.

ASSAULT WEAPONS BAN

Mr. SCHUMER. Mr. President, I believe I have 4 minutes, which I very much appreciate and I want to thank my colleague from California for yielding the time and for her tremendous and unstinting leadership on this very important issue.

If nothing happens, AK–47s, Uzis, and TEC–9s are going to be back on the streets next week. That is a giant step backward. It is hard to believe that with all the progress we have made in the fight on crime, with the reduction in crime, with the reduction in the number in law enforcement who are hurt and killed in the line of duty, with the new war on terrorism upon us, that we are going to make it easy for anybody to get an AK–47, provided they have not been convicted of a felony. Someone on a terrorist watch list will be able to walk into a store and get an AK–47.

What is going on in America? This should not be a contest. This bill should have been renewed without a debate. Everyone who studied it has agreed it has been broadly successful. This President and the previous four, from Ronald Reagan and Gerald Ford to Bill Clinton and Jimmy Carter, are on record as being for this, and because of a small band of people who are ideological, we are not going to see this happen.

This represents the dysfunction of American politics. When a country cannot deal with an issue in a straightforward, forthright way, when a country that has had success takes a step back because a narrow few have some ideological notion that everyone should be entitled to have any weapon they think—someone of them even believe a bazooka or a truck is okay—then something is wrong.

We need some leadership. We need the President of the United States to ask the House of Representatives to renew the ban. We have not heard a peep out of him. We need some leadership from the leadership of the House to allow the bill to be on the floor. The crime bill of 1994, for all the “sturm und drang,” was one of the great governmental successes of the last decade.

As we wrote it, our motto in that bill was tough on punishment and smart on prevention. We brought a grand coalition from the most liberal to the most conservative to deal with this scourge of crime. The only reason there is not much of a fuss on this issue, regrettably, is because we have succeeded, because crime rates are lower and the large impetus to do more has declined because of our successes.

When one has success, the answer is not to undo that success. It is to continue what has been done, and we are not. It is a sign, in my judgment, of the weakness of our politics, and even of this Republic, that the Senator from California and I are on the floor today as the gates are closing, pleading with our President and our colleagues to allow a vote to occur. This is not the America of which we should be proud.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank the distinguished Senator from New York. I remember my call to him 10 years ago over in the House saying, “Chuck, would you consider handling this in the House,” and he did. It was not easy. After the 1994 vote, the House reversed the assault weapon legislation, under pressure from the NRA. He stood fast—we stood fast—and the law continued. I am very grateful to the Senator and I want him to know that.

Going on at this very time is a press conference of law enforcement from all over the United States. One of the people who journeyed here for this press conference is a man by the name of Lee Gueff. His brother James Gueff was a police officer working out of Northern California. When he was shot, there was a call in that there was a sniper at Pine and California Streets. Officer Gueff responded to the call. What he found was a sniper, clad from head to toe in Kevlar, with military-style semiautomatic assault weapons, and over 1,000 rounds of ammunition. He had his service revolver, and the shots were flying.

As he went to speed-load his weapon, he was hit in the head by a bullet of the wrong type of rounds this weapon fired. It took 150 police officers to bring down this man clad in Kevlar at the corner of Pine and California Streets.
These weapons are not for civilian use. These weapons all were designed for military use to kill large numbers of people in close combat. Whether it is Geneva, OH, or Pine and California Streets in San Francisco, these weapons do not belong in civilian hands. I will show a few pictures of police officers who have been in similar status. Marion County, IN, Deputy Sheriff Jason Baker was shot with an AK-47 during a traffic pursuit. He was following directly behind the fleeing vehicle when the suspects shot him in the head with one of the rounds from the AK-47. He died that day from gunshot wounds.

Los Angeles County Police Captain Michael Sparkes, just on August 10 of this year, was shot and killed with an assault rifle after responding to a domestic disturbance call. Everyone who knows law enforcement knows domestic disturbances are fraught with jeopardy. Someone has an assault weapon against a police officer entering that house, the police officers do not have a chance.

San Francisco police officer Isaac Espinosa, 29, was gunned down April 10 of this year with an AK-47. His partner was wounded as well. There were a number of bullets fired. He was shot in the back.

Los Angeles County Police Captain Michael Sparkes, just on August 10 of this year, was shot and killed while off duty in Rosewood, CA. He was taking an early morning bicycle ride when he was confronted by two alleged gang members. The two men were attempting to rob Sparkes when an exchange of gunfire occurred. Captain Sparkes was shot multiple times with an AK-47 assault rifle containing a 40-round magazine of ammunition.

Downstairs there are representatives from the Fraternal Order of Police, the International Association of Chiefs of Police, Major City Chiefs, the National Association of Police Organizations, the National Association of Black Police Officers.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mrs. FEINSTEIN. I thank you. One last statement. Virtually all of law enforcement has implored us, has requested that we reauthorize this legislation. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

CONGRESSIONAL BUDGET OFFICE
SEPTEMBER UPDATE

Mr. NICKLES. Mr. President, yesterday the CBO, the Congressional Budget Office, issued their September update. It just came out. I heard my colleague and counterpart on the Budget Committee allude to it on the floor of the Senate yesterday, and he did that with great talent but maybe with a little different analysis than what I might give. So I thought I might give a little different presentation.

I think there is a lot of good news in this report. It also shows we have some big challenges before us. CBO estimates for this year we are going to have a deficit of $42 billion. That is a record in nominal terms. But it is an improvement. We predicted 6 months ago it was going to be $470 something, so it is down $56 billion. The deficits are moving down. That is good news. OMB projected earlier this year the deficit was going to be $521 billion. We have reduced the $441 billion, so they project significant improvement. As a matter of fact, the number CBO just came up with is about $100 billion less than what OMB, the Office of Management and Budget, had predicted at the beginning of this year. So deficits are coming down. They are coming down dramatically.

I think the good news is the budget we passed last year and the tax package we passed, the economic growth package we passed last year, is working. We should be proud of it. I have been in the Senate now for 24 years. We pass a lot of different bills sometimes to stimulate growth or try to help the economy or try to do something that will have significant economic results. The bill we passed last year, the 2003 tax bill that President Bush signed in January, the tax bill that cut the tax rate on capital gains and dividends to 15 percent, the tax bill that accelerated the 2001 tax cuts and actually made them effective—that bill worked. Most of those cuts had not actually gone into effect. Some did for lower rates, but upper incomes had not received but a 1-point reduction. Middle-income people had not received but a 1-point reduction. We accelerated the 28 percent to a 25 percent rate, the maximum rate to 35 percent, cut cap gains to 15 percent, and cut the rate on dividends to 15 percent. And guess what. It has worked. It has worked.

Since the President signed that bill, we have 1.75 million new jobs. That is 1.750,000 new jobs created. We have had 12 months in a row where we have had new jobs created every month. We really did reverse a downward trend, a decline.

We had a real chilling event on 9/11: our economy was hit. The financial structure of the United States was hit. We had a stock market that burst, frankly, in March of the year 2000. The NASDAQ declined by about 50 percent. We had a stock market that burst, and actually made them effective—that bill worked. Most of those cuts had not actually gone into effect. Some did for lower rates, but upper incomes had not received but a 1-point reduction. Middle-income people had not received but a 1-point reduction. We accelerated the 28 percent to a 25 percent rate, the maximum rate to 35 percent, cut cap gains to 15 percent, and cut the rate on dividends to 15 percent. And guess what. It has worked. It has worked.

Deficits are high. This Senator has spent the majority of time trying to rein in Federal spending and hold down deficits. These deficits are very high. The good news is the deficit is coming down. Before one can criticize, they have to understand what caused the deficits. The deficits were caused by Alan Greenspan mentioned this a few years ago, he called it irrational exuberance in the stock market. That crashed. As a result, a lot of money, actually trillions of dollars of market value, was lost in the stock markets. That reduction applied to money coming into the Federal Government.

The money we received in the Federal Government in the last year was over $2 trillion in the year 2000. Last year it was about $1.78 trillion. That was not because of the tax cuts we passed. It was because of the very soft economy, and it was because of 9/11. A lot occurred at that time. President Bush realized that, this Congress realized that, and I compliment my colleagues, especially ZELL MILLER for that because he helped me cosponsor that bill we passed last year that helped make this economic recovery happen.

The other good news in this report is CBO projected real economic growth this year of 4.8 percent. That is great. They project 4.2 percent for next year. That is super. That is real economic growth over and above inflation has worked. We defeated over $500 billion worth of additional spending, most of which was offered by my colleagues on the other side of the aisle. We defeated that. The budget worked. The good news is when we are implementing Department of Defense appropriations bill before we adjourned for the August recess, we put in a budget provision that caps domestic discretionary spending.

That was part of the DOD appropriations bill. So we passed that part of our budget this year. That is now the law of the land. Now we can pass our appropriations bills. We are going to take up the Homeland Security bill later this afternoon, and hopefully we will be able to pass it. We have budget rules that will work to enforce limitations on that bill and all other appropriations bills. So maybe now we can go ahead and complete our appropriations process.

I mention these things to point out that there is some good news in this report. The report is also distorted because it says you have to use present base lines. Present base lines assume all spending will continue to grow through supplementals. We will not continue doing that year after year, not at those levels. In that period of time we have been fighting a war. We have hundreds of thousands of troops who are engaged in that effort.

I was in Iraq a couple of months ago. We are training 210,000 Iraqis to take our place. I was in Afghanistan. We are training thousands and thousands of Afghans, and we have 20-some thousand troops in Afghanistan. They will be taking our place so we will not have
I am in favor of reforming the Tax Code. I think the President is right on in that effort. Instead of trying to paint the most negative picture possible with a doomsday scenario of the deficit getting bad, assuming we are going to a war in Iraq every year, which is not going to happen and assuming a lot of negatives that, frankly, I do not agree with, I think future Congresses can reform the Tax Code and do it without ‘having higher tax rates’ on individuals than you have on General Motors and Corporations.

The good news is CBO says deficits are falling. That is good. The tax cuts we passed last year, frankly, are raising more revenues than people anticipated. That is good. CBO overestimated revenue. They kept telling us we think it is going to be better. Revenue crashed when the stock market crashed. It took a lot of economic viability out of the economy. When we introduced the tax bill last year, the Dow Jones was at 7,700. Because of the tax bill that we passed last year, today the Dow Jones is 10,300. The Nasdaq is up over 40 or 50 percent more than it was when we introduced the bill a little over a year ago—almost 2 years ago in January. We passed the bill in June of last year.

We have seen very positive results in the stock market. We have seen very positive results in the economy with 4.8 percent growth. Now we have seen very positive results in employment with almost 2 million new jobs created, including in the manufacturing sector which has been on a 1-year decline. We now see an uplift in the manufacturing sector as well. The good news is the economy is growing. The bill we passed last year has had a positive impact.

With the cooperation of Senator Stevens, we were able to put in a cap on discretionary spending in the DOD appropriations bill. Now Congress can move forward. That is half of our budget.

If somebody wants to know, the budget basically deals with how much money we spend and how much money you are going to tax. This takes care of the spending side of it and puts the cap on spending, replacing the cap we passed in the previous budget. It supersedes that. Now we have a new cap on discretionary spending of $821 billion. That is what we passed on the floor of the Senate. That is what we agreed to and that is what is now the law of the land. I think that is good news as well. That will constrain spending. We will probably find out later this afternoon, I think we have some good news on the economy. We have good news because the future deficits are falling. The economy is growing, and we have a little work to do to finish the appropriations bills and to finish action on a couple of tax cuts this year.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming is recognized.
Again, we have had a highway bill for some time. We had a 6-year bill. It expired a year ago. Now we are proceeding monthly. We need to get a longer term highway bill in place.

As I traveled around my State of Wyoming, I probably mentioned much about the highway system, how important the transportation system is to all of us. Coupled with that, of course, is the number of jobs developed by having the opportunity to move forward.

I, of course, chair this—and his staff for working during the recess. We had differences on what the spending level ought to be, which should not have been that difficult because this spending is the result of transportation. That is what those taxes are for: to expend those on highway and related transportation is what it is all for. I understand we are reaching some agreements on what that ought to be.

We have had differences with the Senate and the House and the White House to move forward. Certainly, our State of Wyoming is particularly dependent on transportation because the miles per capita are very large. We have lots of miles—not only used in Wyoming but used by others who want to come into our State. It is very important to us. The economic impact, of course, is very important. For every $1 billion spent, 47,000 jobs are created—and created quickly.

One of the problems, of course, is much of the highway construction can only be done by contracting. If the highway departments within the States do not know what their funds are going to be, it is impossible for them to go ahead and do contracting in the future. It is also very seasonable. Most of the work in the West and the mountain States has to be done in the good weather periods. We need to do something with that.

The Energy bill, as I mentioned, is a total bill. It is not just one or two little things. It has to do with research and the alternative resources of energy in the future. Whether it is wind or conversion of coal to diesel or to hydrogen, it deals with alternative energy as well as renewable. It deals with efficiency and conservation and the use of energy. We can make great strides in that area. It also has to do with the encouragement—giving incentives to domestic production, which, of course, is very important.

We need to make some changes. We need to utilize coal more, for example, because it is our largest resource of fossil fuel. It can be converted into other fuels—diesel, hydrogen, or whatever. We need to use coal to generate electricity rather than combustion gas. It is so flexible and it can be used for other things. Coal can be used economically in a clean way as well.

There is nothing more important than to have an idea. This was one of the ideas that was done at the White House, and we have done it here. I have been on that committee. Yet we have not been able to get it done. Now it is at the desk. All we need to do is bring it up and move forward.

There are a lot of other things that are very important. We will have to decide whether we want to get things done or whether we want to continue working with the Senate, having different ideas, voting on them, and reaching a conclusion. We have great challenges ahead and only a short time in which to complete them. I certainly urge Members to put their energies into those priorities and complete them.

I yield the floor.

Mr. ENZI. How much time remains for our side?

The ACTING PRESIDENT pro tempore. There is 8 minutes 45 seconds.

JOBS

Mr. ENZI. Mr. President, the economy is getting stronger. The economy has shown 12 straight months of job gains. Last month, payroll employment increased by 144,000 jobs. Nearly 17 million new jobs have been created over the past year. The unemployment fell to 5.4 percent—the lowest rate since October, 2001. We have laid the groundwork for the economic recovery we are experiencing today. We have encouraged investors to spend more capital in our economy which has led to the creation of more jobs for our workers.

President Bush's economic policies continue to create new jobs and move the economy forward. This all adds up to good news for the American people. We have weathered the storm and are poised to enter a new period of prosperity.

However, I have to caution you about some roadblocks that stand in the way of prosperity for our workers and businesses alike. The first roadblock is a gap between the skills our workforce has and the skills our employers need. The second roadblock is the Democrats' obstruction of legislation that will help close this skills gap. First, I will talk about the skills gap so you can understand just how damaging the Democrats' obstruction is to our workers and our economy.

It may surprise you to learn that many good jobs in this country remain unfilled because employers can't find workers with the skills they need. According to a 2003 survey by the Center for Workforce Preparation, an affiliate of the U.S. Chamber of Commerce, half of all small businesses report difficulty in finding qualified workers. The problem is greatest for small employers. Small business—our greatest source of economic growth—can't create jobs if they don't have the skilled workers to fill the jobs.

The gap between the demand for high-skilled workers and the supply will only widen in the future. Looking ahead 2 years, only 30 percent of the employers surveyed by the Center for Workforce Preparation believe the skills of their workers will keep pace. This skills gap blocks the pathway to better jobs and better lives for American workers and their families.

This skills gap also threatens the ability of American businesses to compete in a more complex, global economy. When Federal Reserve Chairman Alan Greenspan testified before the Senate Banking Committee, he said that the United States has the ability to compete on the standard of living in this country is the skill of the people. Why is effective workforce training so important? Because in an increasingly knowledge-based economy, people—their talent and in-hand the difference. Human capital is a country's most important resource. The skills and ingenuity of the American workforce will drive our economy in the 21st century and beyond. If we want to keep high-paying jobs in America, our challenge is to equip our workers with skills the global economy demands. We used to manufacture buggy whips. We do not make them anymore. People had to have new skills.

Unfortunately, the current workforce development system is not effectively equipping workers with the relevant skills. Without any action, technology and other advances will outpace the ability of American workers and business to update skills needed to compete. We must utilize the Nation's job-training system created under the Workforce Investment Act to better prepare American workers for the good jobs of today and tomorrow. Only a systematic reform of our Nation's job-training system will enable American workers and businesses to compete—and succeed—in the global economy.

There is good news. We have a bill that does this. It is a bipartisan bill that reauthorizes and improves the Nation's job-training system. It will help retrain workers to fill the jobs needed in this country now and in the future. It will link workforce development with economic development, recognizing that job training and job creation go hand in hand, and in partnership with the public workforce system with private sector employers—including small businesses—and with training providers to better prepare workers for high-wage, high-growth jobs. And this legislation will improve access to job training and employment services in all parts of the country. It will help an estimated 900,000 unemployed workers a year get back to work.

The good news is we have bipartisan legislation that does all of this legislation that passed out of the Health, Education, Labor, and Pensions Committee unanimously, legislation that on the Senate Floor unanimously. Where is the bill now? Here is the bad news. Here is the roadblock. The Democrats won't let us send this important job-training bill to conference. They are stopping progress by refusing to appoint a conference committee, which is a committee made up of Republicans and Democrats who will work out the differences between the House and Senate versions of the bill, and it would not be the last action on the bill.
If people do not like what happened in conference, it can be filibustered.

An important jobs bill—a bill that will help American workers and businesses—is being held hostage to election year politics. If we really care about keeping good jobs in this country, we need to send the job training legislation to conference—and then to the President to become law.

I owe my constituents more than this. I think we all do. We owe the American people an open legislative process, a process they expect and deserve from us. This is not just an academic question of Senate rules and procedures. A bill that would help put Americans back to work or find better jobs now lies in legislative limbo.

I was reminded just how important job training is to the lives of our workers and the strength of our businesses and communities during a conference held in Wyoming this summer. In June, I attended the Wyoming Summit on Workforce Development. This was a conference designed to teach people how to bring business and jobs to Wyoming. In Wyoming, a lot of our people are leaving the State to find better jobs elsewhere. We know that we have to create the kind of good jobs with good futures that will keep our people in Wyoming. To do that, Wyoming needs workers with skills the new, global economy calls for.

One of the speakers at the summit was a constant, Robert Ady, who advises companies where they should relocate or open new operations. According to Mr. Ady, a key location factor for a light manufacturing business is the presence of a qualified workforce. Whether a company decides to open a plant in Cheyenne or China depends on the presence of a qualified workforce. A skilled workforce can make the difference between success and failure in the new, global economy. It makes the difference for companies, for Wyoming and for the United States as a whole.

Almost 200 business participants from around the State attended the Wyoming Summit on Workforce Development. For Wyoming, having 200 business people in one place at one time is a real accomplishment. It showed the need and commitment our businesses have to workforce development. These 200 business participants—most from small businesses—learned about 200 opportunities for Wyoming workers and communities. They are looking to us to put the tools in place to keep the American dream alive in communities across Wyoming and the rest of the country.

There is an American dream. It is to have a family, have a nice home, and have a good job to support that home and family. Prior to my coming to the Senate, my wife and I owned a small chain of shoe stores. As a small business owner, I saw firsthand the impact that job training can have on achieving the dream. We had an employee—a Vietnam veteran—who went through a workforce training course and ended up managing and then buying two stores from us. He’s an example of what you can do with effective job training if you teach workers to dream at the same time.

We have to give workers—and businesses—the tools to turn the dream into reality. Job training under the Workforce Investment Act can turn the dream into reality for millions of American workers. By blocking legislation that improves job training, my colleagues on the other side of the aisle are blocking the pathway to new and better jobs for American workers. They are blocking the pathway to prosperity for American families and American businesses.

The job-training bill, known as the Workforce Investment Act, is a central part of a combination of federal education and training programs that provide lifelong learning for the workforce of today and tomorrow. The job-training bill, together with the Carl D. Perkins Vocational and Technical Education Improvement Act when I recently introduced, and the Higher Education Act offer the resources that are needed to help prepare students of all ages for jobs in high-wage and high-skill occupations. In this technology-driven global economy, everyone is a student who must adapt to changing workforce needs by continuing to pursue their education. In turn, Congress must ensure that education and job training are connected to the needs of business, including small businesses, now and into the future.

I conclude by urging my colleagues on the other side of the aisle—in fact, I urge the Democratic leader to lead—to allow the appointment of conferences to the job training legislation known as the Workforce Investment Act. The cost of this obstruction is the loss of important legislative efforts that will be felt by American people as it harms the integrity of the legislative process itself.

I hope our bipartisan efforts on the bill can continue. I hope regular order is restored to the appointment of conferences so we can craft the final version of this legislation and get 900,000 people back to work. If we really want to keep good jobs in this country, the Democrats would agree to send this important bill to conference. Our workers and our businesses deserve this bill. They deserve more than this election year political obstruction. They deserve the tools needed to keep American workers and businesses the best in the world.

Mr. President, how much time is left before the next action?

The ACTING PRESIDENT pro tempore. There is 7 seconds.

Mr. ENZI. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, are we in morning business?

The ACTING PRESIDENT pro tempore. The time has expired for morning business.

Mr. DORGAN. I ask unanimous consent to speak for 8 minutes in morning business.

REIMPORTATION OF DRUGS

Mr. DORGAN. Mr. President, I rise to discuss the issue of reimportation of prescription drugs. I do that because we have a very short time remaining in this Congress. We actually began last evening with a couple of votes. I read this morning that the majority leader would like to finish by October 8. There are very few days in which to advance some of these issues. The issue of reimportation of prescription drugs is a very important issue.

We pay the highest prices in the world for prescription drugs. Many of my constituents who live in North Dakota go across the line and purchase identical prescription drugs. FDA-approved prescription drugs from Canada, the same pill put in the same bottle manufactured by the same company sold in Canada and the U.S. The difference is price. One example is Lipitor, a very popular cholesterol-lowering drug. If you buy Lipitor in Canada, it is $1.01 per tablet. If you buy it 20 miles south of the Canadian border, it is $1.82 per tablet, nearly double the price for the American consumer. That is the case with drug after drug, when you compare.

A group of us—Senator MCCAIN, myself, and many others—has been working on reimportation legislation that would allow more than just personal use reimportation to come across from Canada, and I have talked to Senator FEYRST at great length about this issue. On March 11 of this year, about midnight, when we were in session that evening dealing with the budget, Senator FEYRST and I reached agreement. He put in the Record that he would announce that in consultation with the chairman of the Senate Committee on Health, Education, Labor, and Pensions, along with Senator DORGAN, Senator STABENOW, Senator MCCAIN, Senator COCHRAN, and others, that the Senate would begin the process for developing proposals that would allow for the safe reimportation of FDA-approved prescription drugs. Now we face the time period when, nearing the end of the session, we have not yet had that vote.

There is a bill at the desk that was passed by the House of Representatives. That is one possibility. The other would be bipartisan legislation Senators MCCAIN, STABENOW, others, and I
have introduced. Still other opportunities might be an amendment to an­other bill.

The reason I take the floor at this moment is in this morning’s Con­gressional Quarterly, it says:

It is entirely unlikely that the Senate will vote this year on legislation that would allow Americans to import prescription drugs from abroad, despite wide public support for the idea.

An aide to [Senate] Majority Leader Bill Frist . . . said Tuesday that consensus on the importation of prescription drugs could get swamped by more pressing issues leading up to Election Day.

That was from the majority leader’s aide.

Senator Grassley was quoted as saying that Senator Frist, the majority leader, “is intentionally keeping drug reimportation off the Senate floor because it would pass by a wide margin.” That is a direct quote from Senator Grassley.

I have spoken at great length with Senator Frist about this issue. I know others have different views and they have their own interests. But I believe there has been a commitment for us to at least try to have votes on re­importation. Some of us feel very strongly it is not part of the reason we have Republicans and Demo­crats who have joined on a bipartisan piece of legislation.

It is my hope that in the coming days we will find a way either to take the bill that is at the Senate desk, which is a bipartisan House-passed bill allowing for the reimportation of prescription drugs, or alternatively to have an opportunity to vote on the bipartisan legis­lation we have developed here in the Senate.

I have said many times, my own view is that the pharmaceutical industry is a big industry. They do a lot of good. They produce lifesaving medicines. But miracle medicines offer no miracles to those who cannot afford them. It is unfair that we pay the highest prices in the world for prescription drugs.

I believe one way to begin putting downward pressure on prices is to let the market system work. The market system would do for our country just as it does in Europe where they have something called parallel trading. Par­allel trading means that for approved prescription drugs, if you are in Ger­many and want to buy a prescription drug from Spain, that is not a problem, you can do that. If you are in France and want to buy a prescription drug from Italy, that is not a problem. The parallel trading plan works in Europe, works for the safety of the European consumer.

Why should the American consumer not be able to purchase or why shouldn’t pharmacists from our coun­try not be able to purchase an FDA-approved drug from a licensed pharmacist in Canada? That is the absurdity of all this. Pharmacists from Grand Forks, ND, cannot go to that one-room phar­macy in Emerson, Canada, a licensed pharmacy in Emerson, and purchase that Lipitor at a savings and pass the savings along to the American con­sumer.

We want to change the law to allow that to happen so that pharmacists and licensed distributors can access FDA-approved drugs that are sold in every other country in the world at a lower price and bring them back and allow the savings to be passed along to the American consumer. Ultimately, what it will mean is a repricing of those drugs in our country. The market sys­tem will force a repricing and a low­ering of prescription drugs prices. That is the goal, and that is what the result would be if the market system is al­lowed to work.

Again, we are only talking about FDA-approved drugs. We are not talk­ing about anything other than FDA-ap­proved drugs that were produced in FDA-inspected plants, sold by a li­censed distributor and pharmacist in Canada and/or the United States.

That would be if the market system is allowed to work. The market would only be the Senate floor only because I saw the state­ment this morning by Senator Frist’s staff suggesting that maybe this won’t get done. Again, I refer the majority leader to March 11, the statement in the CONGRESSIONAL RECORD in which the majority leader said: The Senate will begin a process for developing pro­posals that would allow for the safe re­importation of FDA-approved drugs, not “maybe” but that would allow for the reimportation. The fact is, I feel there is a commitment here and my hope is that commitment will be kept in the coming couple of weeks as we work to finish our work in this Con­gress.

We have a lot to do. There is a lot of politics running around this Chamber. My hope is that on big issues and im­portant issues, we can decide we want to do the right thing and engage on issues that are important to this coun­try and important to the American people.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tem­porate. Morning business is closed.

DEPARTMENT OF HOMELAND SEC­URITY APPROPRIATIONS ACT, 2005

The ACTING PRESIDENT pro tem­porate. Under the previous order, the Senate will proceed to the consider­ation of H.R. 4567, which the clerk will report.

The journal clerk read as follows:

A bill (H.R. 4567) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes.

The ACTING PRESIDENT pro tem­porate. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the following Appropriations Committee staff mem­bers and detailees be granted the privi­lege of the floor during the consider­ation of the fiscal year 2005 Homeland Security appropriations bill and any votes that may occur in relation there­to: Less Spivey, Carol Cribs, Kimberly Nelson, James Hayes, Avery Forbes, Beth O’Hagen, Scott Nance, Alexa Sewell, Peter Edge, and Sean MacKenzie.

The PRESIDING OFFICER (Ms. Mur­kowski). Without objection, it is so or­dered.

Mr. COCHRAN. Madam President, we are now on the Homeland Security ap­propriations bill for the next fiscal year, 2005.

For the information of Senators, this morning the President signed the sup­plemental appropriations bill the Sen­ate passed last night. The President had requested a supplemental for the Disaster Relief Fund of the Federal Emergency Management Agency. Be­cause of the pressure on that fund, the Appropriations Committee would have money this morning if the Congress had not acted in response to the President’s re­quest on yesterday.

The House acted and the Senate ap­proved the supplemental appropri­ations bill the President was asking for.

We have some opening statements we will make. Senator Byrd is the senior Democratic member of this sub­committee, as well as the full com­mittee of the Appropriations Com­mittee. He has a statement he wishes to make.

After opening statements are made, we will be happy to consider any amendments Senator Byrd wishes to offer. We hope to be able to complete action on this bill as soon as reasonably possible. By the end of the week would be great, if we could accomplish that. But if not, I think we will have the support of the leader and the chairman of the full committee to continue to work on this bill until we do finish it.

It is a matter of great importance that these agencies and this Depart­ment know what the funding levels are going to be for the fiscal year that be­gins very soon, October 1. We certainly need to take action in a timely way for orderly planning for the use of those funds that are appropriated by the Con­gress for this important work.

Protecting our homeland is a very important—there is no more important action by the Federal Government, in my opinion. So I hope we can consider this bill with a sense of serious delib­eration and work hard to complete ac­tion in a timely fashion.

I very much appreciate the coopera­tion of Senators who are letting us know about suggestions they have for changes in our bill as reported by the
Appropriations Committee. We will consider them, and we will accept those that we can accept. We hope we will be able to have the full cooperation of all Senators in that respect.

MORNING BUSINESS

Mr. COCHRAN. Madam President, since there is not much time left between now and the weekly luncheons both sides have planned for today, it is my suggestion that we go into a period for morning business so Senators can speak if they choose to between now and 12:30 p.m.—I think the time for the luncheons to begin—and then we can come back in at 2:15 p.m. and resume consideration of the bill at that time.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, I think this is wise. We have two of the most senior Members of the Senate who are managing this bill. It has been said, and I will say it again, we are doing everything we can on this side to limit amendments. There are people who have amendments, and we want them to be able to offer them to this most important piece of legislation.

We just finished a leadership meeting, and those there who had a number of amendments indicated they would be willing to agree to short time agreements on them. I think it is something on which we can move forward.

I know Senator BYRD has a statement that is—I won’t say long, but it is weighty. I think it would be better if we came back after the break and let him begin his statement. Personally, I want to be here to do that. I would agree to be in morning business until 12:30 p.m. with the time evenly divided, and come back at 2:15 p.m. If it is all right with Senator COCHRAN, Senator BYRD can have the floor at 2:15 p.m.

Mr. Byrd. That is certainly fine with me, and I join with the Senator in making that request. I ask unanimous consent that the Senate be in a period for morning business until the hour of 12:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The journal clerk proceeded to call the roll.

The PRESIDING OFFICER. In my capacity as a Senator from Alaska, I ask the quorum call be rescinded.

Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate will stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mr. SUNUNU).

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2005—Resumed

The PRESIDING OFFICER. For the information of the Senate, under a previous order, following the adjournment of the Senate yesterday, H.R. 5006, making supplemental appropriations, was received, disapproved, and considered passed by the Senate.

Also for the information of the Senate, all after the enacting clause of H.R. 4567, the Homeland Security appropriations act, 2005, and the text of S. 2357 has been inserted in lieu thereof and considered original text for the purpose of further amendments, and no points of order have been waived.

The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I am very pleased to present this appropriations bill to the Senate. It is the culmination of a lot of hard work by all of the members of our subcommittee, as well as the Chairman and the Committee; we contributed a proposed budget from the Department of Homeland Security, and as we listened to those who have responsibilities for managing the various directorates and other agencies and activities of the Department of Homeland Security, we have the responsibilities of the Department of Homeland Security.

We learned a lot in the hearings. We were talking about new procedures that were being developed and deployed. We learned about technologies that were being explored. In the bioterrorism area, we were learning about the research that is being done to make our capacity more sophisticated and capable of protecting the health and safety of all Americans from attacks in that area.

We have been challenged as we have never been challenged before to look again carefully at how we go about protecting the citizens of our great country. The experience of September 11, of course, stays in our mind as something that is unthinkable. The fact that it did happen is still unbelievable, and we realize that we have the responsibility—representatives of the people of this country serving in Congress today—to try to get it right so that kind of thing can’t happen again.

We are blessed to have been served in the administration by people such as Tom Ridge, the new Secretary of the Department of Homeland Security. The President recommended this new Department be created. The Congress responded. The Governmental Affairs Committee, on which I served at that time, dealt with the challenge of the legal framework of defining the responsibilities of a new department and what activities would come under the Department. We brought together under this one Department 22 different Federal agencies, or at least parts of 22 different agencies. Some, such as the U.S. Coast Guard, have been under the jurisdictional responsibility of the Department to help make our effort more coherent, more effectively and efficiently managed, and to achieve the goal of making our country safer and more secure for the citizens who live in the United States. I think we have made great progress.

This bill specifically provides funding of $33.1 billion for the Department of Homeland Security for this next fiscal year, 2005. This is the second appropriations bill to fund the Department which began its operations short of a year and a half ago. The new Department has made substantial progress to merge the agency functions and the employees who were transferred under its responsibilities and to undertake its new duties to better secure and more effectively protect our great Nation.

I also have seen a new system put in place called the US VISIT Program to screen visa holders and to stop potential terrorists and those who may be dangerous, because they have committed crimes in the past, from entering our country. The US VISIT, through biometrics and other new innovations, has already identified, apprehended, or arrested more than 400 individuals. Through the science and technology directorate, the Department has made considerable progress forward on the successful testing of the first commercial portal monitors and handheld radiological identifiers to detect the smuggling of materials which could be used to build weapons of mass destruction. Federal air marshals have been deployed. State-of-the-art technologies have been introduced, and cockpit doors have been modified to increase the safety of air travel.

I also know there can be criticism leveled at the efforts of the Transportation Security Administration which has been the agency identified with the responsibility for overseeing aviation security and many other areas of responsibilities. But let me remind you—this is contained in our committee report—I invite the attention of the Senate to the report, on page 31, where we talk about aviation security. My good friend, the distinguished Senator from West Virginia, mentioned people who might bring in weapons of mass destruction. I think that is unthinkable. The fact that it did happen is still unbelievable, and we realize that we have the responsibility—representatives of the people of this country serving in Congress today—to try to get it right so that kind of thing can’t happen again.

The Transportation Security Administration aviation security account (in this legislation) provides for Federal aviation security by employing the most efficient screening of all passengers and baggage, deployment of on-site law enforcement, continuation of a robust system of backlogs for airport and airline personnel, deployment of the most current explosive detection technology, and creation of a model workplace.

Aviation security activities include funding for Federal and private contract passenger and baggage screeners, including personnel compensation and benefits, training, and human resource services; checkpoint support; air cargo security; procurement and maintenance of explosive detection systems; and checkpoint support.

I suggest that the $1,386,083,000 for aviation security contained in this bill is designed to meet the needs we have for improved and safer air travel, working with the airlines who are spending...
their own money in many of these and other areas. I suggest we have the safest air transportation system in the world. And we are going to continue to monitor the activities. We are going to continue to engage in oversight and interaction with the Federal agencies involved. I will be prepared to receive any suggestions made by Senators on both sides of the aisle. This is a bipartisan effort to make our Nation even more secure. We are going to continue in our efforts to address known threats to the safety of the American people.

In response to the danger of terror attacks so often invoked by the President, the Attorney General, the Secretary of Homeland Security, and the FBI Director, it is hard to believe that the President would not request supplemental appropriations for securing our mass transit systems, for screening airline passengers for explosives, for increasing security at our ports, for increasing inspections of air cargo, or for increasing the number of Federal air marshals. When the threat level was elevated to Code Orange, why did the President not seek a supplemental? Why does he not amend his fiscal year 2005 budget request to increase his anemic 2-percent proposed increase for the Department of Homeland Security? Why in Heaven’s name?

Indeed, does the Department seem satisfied with a go-slow, business-as-usual approach to homeland security? The Department issued advice to mass transit systems for improving security, but provided no funding to increase law enforcement presence, or to deploy canine teams. Despite a 6-percent increase in airline flights this year, the Department has allowed the number of Federal air marshals to shrink precipitously—by 9 percent, and the President’s budget would result in even deeper reductions next year. Despite concerns about the safety of our borders, the Department, in March, imposed a hiring freeze on Customs officers and immigration inspectors. What could possibly drive such decisions?

Millions of dollars that Congress approved for port security, bus security, and hazardous materials grants 11 months ago have not been awarded. Why? Millions of dollars that Congress approved in February of 2003, 18 months ago, for the purchase of additional emergency equipment for the 28 Urban Search and Rescue teams have not been spent. Why? This money sits in Washington, DC, does not make American citizens any safer.

As a result of the President’s decision not to seek supplemental appropriations, the Transportation Security Administration did not request funding for training passenger and baggage screeners and for purchasing equipment for airport checkpoints by $331 billion, a level that is $896 million above the President’s request. Regrettably, the allocation that is available for homeland security programs is inadequate. This is not a criticism of Chairman Cochran, nor is it a criticism of full committee Chairman Ted Stevens.

The fact is that limits placed on homeland security funding by the Bush White House constrain our ability to address known threats to the safety of the American people.

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In response to the danger of terror attacks so often invoked by the President, the Attorney General, the Secretary of Homeland Security, and the FBI Director, it is hard to believe that the President would not request supplemental appropriations for securing our mass transit systems, for screening airline passengers for explosives, for increasing security at our ports, for increasing inspections of air cargo, or for increasing the number of Federal air marshals. When the threat level was elevated to Code Orange, why did the President not seek a supplemental? Why does he not amend his fiscal year 2005 budget request to increase his anemic 2-percent proposed increase for the Department of Homeland Security? Why in Heaven’s name?

Indeed, does the Department seem satisfied with a go-slow, business-as-usual approach to homeland security? The Department issued advice to mass transit systems for improving security, but provided no funding to increase law enforcement presence, or to deploy canine teams. Despite a 6-percent increase in airline flights this year, the Department has allowed the number of Federal air marshals to shrink precipitously—by 9 percent, and the President’s budget would result in even deeper reductions next year. Despite concerns about the safety of our borders, the Department, in March, imposed a hiring freeze on Customs officers and immigration inspectors. What could possibly drive such decisions?

Millions of dollars that Congress approved for port security, bus security, and hazardous materials grants 11 months ago have not been awarded. Why? Millions of dollars that Congress approved in February of 2003, 18 months ago, for the purchase of additional emergency equipment for the 28 Urban Search and Rescue teams have not been spent. Why? This money sits in Washington, DC, does not make American citizens any safer.

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It has been 2 1/2 years since Richard Reid, the so-called shoe bomber, tried to blow up an aircraft in flight over the ocean with explosives that he carried onto the aircraft. Just 2 weeks ago, two Russian planes were simultaneously blown out of the sky. Preliminary investigations indicate that the planes were destroyed by explosives carried onto the planes by passengers. The 9/11 Commission concluded that we should give priority attention to screening passengers for explosives. Are we any closer to deploying a national system that could check passengers for explosives? The answer is no.

It has been over 2 1/2 years since the Congress passed the USA PATRIOT Act and set a goal of tripling the border patrol and customs officers on the northern border. Have we met the goal? Again, no. We are 1,428 officers short of the goal.

The 9/11 Commission concluded that we must attempt to launch conventional terrorism center that the President created by Executive Order? And if there is no new money, isn’t the President just reshuffling the deck chairs? Is this the same old story being played out?

The country’s serious vulnerabilities demand that we invest dollars where they are most needed.

The 9/11 Commission offered a large number of proposals to change our intelligence system, each of which needs to be carefully evaluated. Some may work and some may not, but adopting them all lock, stock, and barrel without carefully scrutinizing each proposal simply to beat the political clock is a surefire recipe for disaster. We should do whatever it takes to defeat bureaucratic turf battles within the very structure that is trying to ferret out another attack before it happens.

For instance, last month, the President signed three Executive Orders to begin implementing the 9/11 Commission reforms. But the Bush administration has not sent a single budget amendment to the Capitol to pay for those changes. Where is the money to fashion our one-of-a-kind intelligence system, each of which needs adequate protection from unauthorized use? On July 15, Secretary Ridge announced that CAPPS II, in its current form, would not be deployed. I am encouraged that he finally got the message that the Congress has been demanding and that America must be protected from terrorism.

In the legislation before the Senate today, we try to break that cycle of false promises to the people of this Nation? Our intelligence services have problems that must be addressed. We have far too people on the ground in key places on the globe. We have terribly inadequate intelligence technologies. We do not have sufficient backup facilities for our one-of-a-kind intelligence assets. The FBI Director has told every person who would listen about the critical vulnerabilities that he must address to meet today’s threats. Yet, instead of taking on these tasks, which must be done, this government seems all too eager to satisfy itself with shifting boxes and creating bureaucracies.

We know that terrorists live among us. We know that our borders are being breached every day, but yet, we do not know. What we have are warnings from the Attorney General, from the FBI Director, and even from the President that al-Qaeda is planning an attack here within our shores. Are we prepared to prevent such an attack? Are we prepared to respond to such an attack? Look at the funding levels and decide.

The President is certain that America is going to be attacked again soon, yet the Senate is debating a bill that provides for a 5-per cent increase. If an attack occurs, it will be on the head of this White House to explain why they pinched pennies with homeland security.

Congress has a responsibility to protect the Nation. So does the President. The country’s serious vulnerabilities demand that we invest dollars where they are most needed.

That is why I intend to offer an amendment to this bill to target increased funding to those programs that have the most impact on well-documented vulnerabilities, such as rail security, port security, chemical security, fire and other first-responder programs, and border protection.

Mr. President, more than 95 percent of the Nation’s overseas cargo moves through our ports. The U.S. Coast Guard estimates that a one-month closure of a major U.S. port would cost our national economy $60 billion. We send over 9 percent of the cargo containers that come into our seaports. The 9/11 Commission concluded that we must do better, and I agree. In order to

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help secure those ports, the Coast Guard estimates that $1.1 billion is required to implement the Maritime Transportation Security Act in the first year, and $5.4 billion over 10 years. Yet the President requested only $16 million for port security grants, and this bill only provides $190 million. We need to do more.

On March 11 of this year, terrorists attacked commuter trains in Madrid, Spain, killing nearly 200 innocent passengers. The Senate Banking Committee has requested a dime for mass transit security. We should be investing in additional guards, better training, additional canine teams and better surveillance. Chairman Cochran has initiated a $150 million program for mass transit security, but the Senate Banking Committee has reported a bill authorizing over $3.5 billion for fiscal year 2005 for mass transit security and the Senate Commerce Committee has reported a bill authorizing $1.2 billion for rail and Amtrak enforcement. But the transportation over 32 million times per workday. We need to do more.

The Hart-Rudman report on the terrorist threat in this country recommended a $98 billion investment in equipping and training for our first responders over the next 5 years. Yet, this bill cuts first-responder funding below the levels enacted last year. The committee report calls on the Department to finally issue Federal guidelines to assist State and local governments in making wise purchases with first responder funding, but guidelines are not a substitute for money. The bill would reduce first-responder funding by $778 million from the fiscal year 2004 level, including cuts in the fire grant program. That is not acceptable.

This is a good bill but it simply does not do enough. My amendment, which I shall offer, will not simply throw money at homeland security. It will address our own vulnerabilities. It will fund a number of the security weaknesses identified by the 9/11 Commission.

Last week, the President said:

This election will also determine how we address the continuing danger of terrorism—and you know where I stand. Three days after September 11, I stood where Americans died in the ruins of the Twin Towers. Workers in hard hats were shouting to me, "Whatever it takes." A fellow grabbed me by the arm and he said, "Do not let me down. Since that day I wake up every morning and ask how to better protect our country. I will never relent in defending America, whatever it takes.

Whatever it takes? Well, Mr. President, it takes more than empty promises. Our country is not a target. If President Bush meant what he said last week, he would not accept a bill that cuts funds for first responders, that leaves first responders unable to communicate, that leaves airline passengers worrying about whether a fellow passenger has the means whereby to destroy the plane, whether a passenger has brought explosives on board, or that fails to adequately invest in securing our ports, our chemical facilities, and our trains.

Again, I commend Chairman Cochran for his work on this important legislation. He conducted hearings. He conducted fair hearings. I encourage Members to bring their amendments to a floor that has not been considered and so that we can bring this bill to final passage and go to conference. We need to get a fair freestanding bill to the President’s desk. We have waited far, far too long.

Mr. President, I ask the Senate to support this bill.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, we are considering a must-pass piece of legislation, the Homeland Security bill. Because of that, it is an appropriate vehicle to pass other must-pass appropriations. The appropriation I am speaking of is hurricane relief for the battered State of Florida and, in some cases, parts of Georgia, as well, but particularly the State of Florida because of not only one, but two, hurricanes. Hopefully, the good Lord is not going to make it three hurricanes.

Hurricane Ivan is on a track, as of the latest advisory from 11 this morning, from the National Hurricane Center, to come across Jamaica, up over the western side of Cuba and into the Gulf of Mexico, which is almost the identical track Hurricane Charley took 4 weeks ago.

Let us hope if it continues on that track that it continues on into the Gulf and does not take a right turn, which is what Hurricane Charley did, hitting the coast of Florida at Ground Zero, which was Punta Gorda, FL, with winds of 145 miles an hour coming straight off of the Gulf of Mexico and right up Charlotte Harbor.

We cannot do anything about that because that is the forces of Mother Nature, but what we can do is respond as a Federal Government in times of natural disaster.

We started that process last night when we passed a $2 billion supplemental appropriation. That is not nearly enough for the first hurricane, let alone the second hurricane. The $2 billion appropriation was a figure that the President requested, which is the ordinary procedure. Senator Graham of Florida and I had first ballparked only the FEMA portion at $2.5 billion and requested that of the President. The President chose a $2 billion figure and it is not enough in the wake of a national emergency, to go with the President’s request. So with bipartisan unanimous support, we passed a $2 billion appropriation last night. That was quite timely because FEMA’s coffers were running dry today.

Four weeks ago, FEMA had only $837 million in its emergency disaster relief fund. As of Monday, when I met with the FEMA director and his regional director who is now the Florida headquarters, they were down to less than $100 million and they were not able to pay bills and order supplies because they were fast running out of money. Thanks to the majority leader and minority leader and the leadership of the various committees of this body, the Senate passed what had been sent over from the House and $2 billion has now replenished the emergency disaster relief fund.

That is going to be used pretty quickly. That was only for FEMA. That does not say anything about the $500 million we are estimating through the Department of Agriculture in crop losses and all of the assistance from the Department of Commerce, not only for crop losses but for damage to equipment and buildings. Of course, that does not say anything about assistance to the Department of Transportation, where there was significant damage to airports, including the Orlando International Airport that got hit not once but twice.

That does not even say anything about a lot of that assistance that comes through the Small Business Administration for businesses but assistance to individuals, as well as low-interest loans to help people get back on their feet. That does not say anything about assisting the American Red Cross, which has been down there not once but twice in helping people who are walking around in a daze with no power, with a home that has been completely destroyed.

So in times of natural disaster, the country has to mount up. I will give a means of comparison. Twelve years ago in the monster hurricane, Hurricane Andrew, that savaged south Florida, it was a hurricane that went over a relatively unpopulated part of the State, south Miami, south Dade County, the city of Homestead, but then it exited over the Everglades, an unpopulated part of Florida. Yet, 12 years ago, the cost of that hurricane to the Federal Government, just for FEMA, was $2.9 billion. The total cost to the Federal Government, including other agencies, some of which I have mentioned, was over $6 billion, some $6.3 billion.

We are now dealing with not one hurricane, which was not as destructive as Hurricane Andrew for comparison, but now we are dealing with the second hurricane.

Now I will speak about this second hurricane, Hurricane Frances. By the time it hit the shore at Fort Pierce, its winds were down to 105 miles an hour. There were gusts of up to 120 miles an hour and those gusts were recorded at the Cape, what we refer to as the Cape,
Cape Canaveral, the Cape Canaveral Air Force station at the Kennedy Space Center. That center sustained considerable damage. The big vehicle assembly building, which used to be the largest building in volume in the world when it was constructed in the 1960s, was used to stack the space shuttle vertically to all of its component parts, was ravaged to the point of losing 1,000 panels, each panel being 10 feet by 4 feet, a total of over 50,000 square feet that is now open into the building.

I do not need to paint the picture of the disaster that could occur if this third hurricane were to come and hit the Kennedy Space Center, with the thousand huge, open windows allowing the forces of Mother Nature to go inside the vehicle assembly building. That could set back the American space program considerably if there were significant damage.

I had a little prayer session in the Commerce Committee with the administrator of NASA today about what we are going to do about this and how NASA itself has got to be a part of this emergency appropriation, as the Department of Defense was 12 years ago when Hurricane Andrew did so much damage to Homestead Air Force Base.

So, too, we have this problem at the Space Center. By the way, it is not only the vehicle assembly building.

There is no excuse for why the building that houses the delicate silicon tiles that go on the underbelly of the Space Shuttle Orbiter was ripped apart when these winds came across the Cape. My colleagues should see pictures of it. Our ability to produce the thermal protection system for the space shuttle was savaged by these winds. There is no excuse for not having a building that is constructed to withstand hurricane force winds, and I have asked NASA to answer to that.

The Senate has already gotten the reports that the first hurricane savaged the citrus crop 100 percent. Even more, because the young trees that snapped, that were loaded down with fruit, by the way, now have to be pruned back. So the loss of the orange crop is not just this year; 100 percent of the crop, but that loss will be sustained over several years as those pruned-back orange trees will take years to grow back. So that is the agricultural loss.

If that were not enough—let me call this to the attention of the chairman of the Agricultural Subcommittee of the Appropriations Committee. If that were not enough, here comes the second hurricane, and it ravages another part of the citrus growing region in Florida called the Indian River citrus region, where the delicacy fresh grapefruit is grown. There is no telling, I have wondered, what has happened, but if it is like the first one, even those grapefruits still on the tree, with the root rot going on with the floods, it is likely it is a 100 percent loss as well.

We can see the extraordinary destructive force of nature that has hit us. Lord forbid a third one, Ivan, comes to our State. We don't wish it to go to anybody's State.

Floridians are tired; they are stressed; they are hot; their patience is wearing thin. Yet they have been very appreciative of the response. One of the lessons that we learned from Hurricane Andrew was that it was total chaos afterward. One level of government was not talking to another level. That has been changed. There is communication and cooperation efficiently going on between all levels of government. However, when you get hit not once but twice, with opportunities to increase the size of the response, we have the opportunity to ensure that the human endurance and the ability to respond to natural disaster begins to have a finite limit.

If there is one reason for the Federal Government to exist, it is to help its people in time of disaster, so I will later on be offering some amendments to this bill. Most of what I have proposed here I would prefer that we strip off this bill and we handle it as a free-standing bill so it doesn't get mired in all of this. But I am only going on the instructions that the majority leader has given me, which is that we passed the $2 billion last night and he wanted to—and it was his words, many times over—attach it to the Homeland Security bill. So I will discuss what is the appropriate venue.

I yield to the distinguished Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. I am happy to compliment the distinguished Senator for his description of the damages in Florida. We are all keenly aware, because of the images on television, and the description in the newspapers, conversations with friends and family members in that State, how terrible those storms have been and the devastation that has been caused.

One thing that is unique of the history of my own State is the terrible force of the wave action. I can remember when Hurricane Camille struck the Mississippi Gulf Coast in, I think, 1969, that storm did more damage than any other storm that I have seen that is part of the gulf of Mexico. I recall going down to the gulf of Mexico and visiting that area, seeing how devastating the damage was and how long it took to recover from it. As a matter of fact, there is one shrimp boat about 2 blocks inland now that is sitting there as a reminder of the force of that hurricane.
Mr. REID. Mr. President, Senator SCHUMER is here. He has a very important agreement to offer. I think we could probably agree on a time for debate. We of course will ask the majority whip if you want to vote. I gather the Senate from New York would be in agreement to a time limit on his amendment.

Mr. SCHUMER. I thank my colleague from Nevada. I would be happy to set a time limit and then have a vote on the amendment.

Mr. REID. Could the Senator give us an idea about how much time it might take? Senator COCHRAN usually likes to work under time agreements. Could we have a general idea?

Mr. SCHUMER. That is fine with me. Maybe we could have a few minutes for the majority and a few minutes for the minority.

Mr. REID. We have a general idea about how much time it would take. We could have a vote sometime before 5 o'clock?

Mr. COCHRAN. Mr. President, before we start agreeing on times for votes, that is above my pay grade. We have a distinguished majority leader, and we will have to consult with him and other Senators.

Mr. REID. I did mention that, but to give Members an idea of when there might be a vote, Senator SCHUMER is ready to offer his amendment.

Mr. COCHRAN. It depends on what his amendment is. We may all rejoice and vote for it. Who knows? Again, we may not.

Mr. SCHUMER. If my colleague will yield, I can assure him it is a good one.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Thank you, Mr. President. I will be offering an amendment on nuclear security in a few minutes. But first, I would in general address this bill.

Let me first say at the outset I am glad we are doing this bill now. As you know, many of us on this side of the aisle asked that this bill come up much sooner. But to do it right here as our first business when we return from the summer break after the two conventions I think is very good. I am glad we are on this bill.

The second point I would make is this: I don't think anyone on this side—certainly not the senior Senator from New York—wants to obstruct or not have this bill pass. We want it to move forward. So there is no intention to delay. As my good friend from Mississippi has asked for a short period to debate this amendment, having spent 18 years in the House of Representatives, 45 minutes is a lifetime, but here in the Senate it is a relatively short amount of time. There are many obligatory tactics or anything of that sort.

I believe, being head of our Democratic Task Force on Homeland Security, and having talked to many of my colleagues about further amendments, my friend, our chairman of the Subcommittee on Homeland Security Appropriations, will find similarly short time limits are being called for. That is all the good news. The bad news is many of us think this amendment being cut off us is woefully inadequate. I would like to discuss that in general.

I have been quite hawkish on the war on terrorism, having supported the President's request to go into Iraq, I suppose, and I believe we need a strong and muscular foreign policy overseas. Mistakes are often made. We should do a lot better in terms of those mistakes. But inaction is perhaps the greatest mistake of all. I am for a vigorous war on terror overseas. I believe what our President said—former President Bill Clinton—is exactly right. To have strength and intelligence—that is exactly what he said, something to that effect—are not mutually exclusive categories when fighting a war on terror. If we are fighting a strong war on terror overseas, we are certainly not doing it here at home.

If I had to choose perhaps the greatest weakness of this administration in its war on terror, it would be the inadequacy of what we are doing here at home. The bottom line is this: We get a lot of rhetoric. We don't get the focus, the thoughtfulness, or the resources, the dollars to do what we need to do. Sure, if you think this is a 20-year plan, maybe we are doing enough. But we sure don't think it is a 20-year plan when we go overseas, nor should we. It is not a 20-year plan here.

Let me say my own view. We have a window in this global war on terror. In other words, my view is that this war on terrorism we face can be described in a single sentence: that is, the very technology which has blessed our lives and accounted for so much of the prosperity we have seen over the last two decades here at home has an evil underside, and that is that small groups of bad people can get hold of that technology and use it for terrible purposes. You can be in a cave in Afghanistan in the middle of the desert and have a wireless connection to the Internet you can learn as much about America as any of us knows. If you took 500 random people anywhere on the globe from the most highly intelligent and well-read and studious to maybe the guy who sweeps the floors at night and injected them all with an evil virus so that they all decide to spend the next 5 years fighting the United States and then implement it, the odds are too high they can succeed.

This is not simply a war against al-Qaida. Al-Qaida is the first group who learned how to use this technology to cause the terrible events in the city from which I hail and which I so love. Al-Qaida is on the run. We have not done enough maybe in Afghanistan and Pakistan, but clearly al-Qaida is weakened. I disagree, you can take away that they are focused on that offense. When it comes to defense, they are not home. They would be ranked as one of the worst defenses around. I have tried to figure out why this is, why we are doing little on homeland and security at home; why when it comes to our ports or our trucks or our rails or our borders, we are making such slow and halting progress, almost grudging progress, if you will.

I am not a person inside the brain of the President or his chief advisers, but having talked to people who have worked there and left—some of them in disgust—I can tell you that part of it is a lack of desire to spend the dollars necessary. Spend whatever it takes overseas, fine; spend whatever it takes here to make us secure, the money is not there.

There is also the mistrust of Government, a sort of antigovernment view that Government is not a good thing, that Government is not going to do it right, that Government should be the place of last resort. Unfortunately, when it comes to the war on terror, it is only the Government that can do it, whether it be overseas or here at home.

But as a result, this administration, in my judgment, whatever grade you give them in fighting the war overseas, would get a D or an F in most areas in terms of fighting the war here at home.

Let me give some general places where we are not close to doing...
enough. Regarding the air, we have done a good job making sure another September 11 does not happen specifically in the way it did; in other words, simply bolting the cockpits of all our planes greatly cuts down the average of a plane being hijacked. Putting air marshals on the planes the private sector did not want to do, they were hiring people at minimum wage who hardly spoke English. However, even in the air we are vulnerable to terrorists using shoulder-held missiles and taking down our planes. We can stop that.

There will be an amendment offered here either by me or by somebody else that will push us to do more, much more quickly. Are we doing nothing in these areas? Absolutely not. We are doing something. I, if you believe that we can take 20 years to tighten our defenses before, God forbid, terrorists strike again, that is fine. If you believe we have a window that may be 3 or 4 or 5 years, it is a dereliction of duty. This is a dereliction of responsibility, the same as not protecting our troops overseas.

Take the rails. We learned in Madrid that terrorists may want to hurt people by blowing up trains and railway stations in the best way they do that, the most efficacious way, is by using regular explosives. We have the technology to develop devices that can be like smoke detectors. They can be put on every railroad car, in every railway or subway station. If someone walks in with nitrates, they will be detected. We do this, of course, on airplanes. We have sniffing devices which are now used in a few airplanes. I went through one of the devices in Rochester. It works well. That does not work for crowbars and commuter rails and subways. We can increase the technology and it can be like a smoke detector. Place it on the ceiling, and it goes off if somebody carries explosives, thereby thwarting a blowing up of a train or a railroad station. We are not doing that.

Nor are we protecting the egress and ingress at most of our train stations in case, God forbid, something blows up. Penn Station, the busiest rail station in the country, stands up to little and a half long without ventilation and without escape routes. Two or three years ago we allocated $500 million to improve that. Only $100 million has been spent.

My colleague from California, Senator Boxer, will have an amendment on rail security that will address some of these concerns. She and I will be talking about that.

What about ports? We are still only inspecting, at best, 5 percent of all incoming containers. I was speaking to a few people who run the container operations in parts of New York. They say it is more like one percent that we are inspecting. Who knows what is in the containers? Shoulder-held missiles, nuclear weapons, terrorists themselves. They caught someone actually in a container trying to smuggling himself into Toronto. We do not inspect these containers and put them in. Again, the technology is there to do more, quicker, and better inspections, to detect explosives or biological or radiological compounds and to put a lock on the container so it cannot be removed. We have the technology in it.

My colleague from Washington will be offering an amendment on port security.

How about trucks? We have learned al-Qaeda is now using truck bombs as a weapon of choice. This is what our intelligence picked up when we had the last scare that said something might occur during the political season, either at the conventions—which, thank God, it didn’t—or maybe closer to the political season, that some kind of indications that truck bombs might be used. There are things that can be done, things that are technologically available and feasible to deal with truck bombs. We can, for instance, require any truck that carries hazardous materials have a GPS system so we know exactly where they are going. If they go off course, we will know. If they are stolen, we will know. A truck was stolen in Pennsauken, NJ, my neighboring state, that contained hazardous materials. It is missing. It has been missing for 3 months. Who knows who has it. The odds are it was robbery, but it is always possible someone for far more evil purpose was stealing that truck.

In Brazil, a country hardly as technologically advanced as we, every truck has a GPS system. When they go off course, it cuts off so the truck cannot run any further if they are worried. Brazilian truck companies did this to prevent them. That same purchase could be required here. How much is it? The cost is minimal. Put a GPS in your new Cadillacs, it costs a couple hundred bucks more. We can do the same thing for trucks.

We can have some controls on how ammonium nitrate is sold, which is used in truck bombs. We cannot stop it or limit it; our farmers need it. But certainly when someone buys a lot we can require them to identify themselves and call an 800 number to make sure they did not do this extraneously. In other words, we can track it. We do not have enough money. We do not have the urgency coming from this administration when, time and time and time again the Senator from West Virginia, who has been such a leader on this issue, Senator Byrd, or any who have been focused on this area, have brought amendments to the Senate to provide the dollars to make these things feasible, we have been told we do not have enough money.

I ask, would most Americans rather seven things that we are just not doing maybe half a percent less cut on the top tax rate? In other words, say we go, instead of from 39 to 35.5 percent, that would give us enough money to do all of these things. This is not a political choice. This is hard reality of protecting our homeland every bit as much as providing our soldiers overseas with the weaponry, the backup, that they need. Yet no one is home. There is some rhetoric, but every time the dollars aren’t there, there is not the focus, there is not the alarm, the sense of urgency some Members feel.

As we debate this bill, many Members will offer a series of amendments on each of the areas we have talked about and then some others.

These amendments are not intended for any political purpose. They are intended out of a sense of urgency, out of a sense of anxiety, out of a sense of evil purpose was stealing that truck.

In Brazil, a country hardly as technologically advanced as we, every truck has a GPS system. When they go off course, it cuts off so the truck cannot run any further if they are worried. Brazilian truck companies did this to prevent them. That same purchase could be required here. How much is it? The cost is minimal. Put a GPS in your new Cadillacs, it costs a couple hundred bucks more. We can do the same thing for trucks.

We can have some controls on how ammonium nitrate is sold, which is used in truck bombs. We cannot stop it or limit it; our farmers need it. But certainly when someone buys a lot we can require them to identify themselves and call an 800 number to make sure they did not do this extraneously. In other words, we can track it. We do not have enough money. We do not have the urgency coming from this administration when, time and time and time again the Senator from West Virginia, who has been such a leader on this issue, Senator Byrd, or any who have been focused on this area, have brought amendments to the Senate to provide the dollars to make these things feasible, we have been told we do not have enough money.

I ask, would most Americans rather seven things that we are just not doing maybe half a percent less cut on the top tax rate? In other words, say we go, instead of from 39 to 35.5 percent, that would give us enough money to do all of these things. This is not a political choice. This is hard reality of protecting our homeland every bit as much as providing our soldiers overseas with the weaponry, the backup, that they need. Yet no one is home. There is some rhetoric, but every time the dollars aren’t there, there is not the focus, there is not the alarm, the sense of urgency some Members feel.

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With police and fire, it is not much different. We all know how our localities’ budgets are strapped. We all know that the property taxes are a huge burden on people. To ask them to raise the property tax burden to do this means not only it will not be done or will not be done in the full way that it should. Yet we are not helping our first responders: our police, our firefighters, our hospitals.

So I would like to describe another amendment. I neglected to mention, which I will offer to increase funding overall for first responders. Senator Mikulski will have an amendment on the fire grants. But the bottom line is this: There is, as I said, a distinct lack of responsibility on homeland security. This administration almost has a disconnect. Dollars do not matter when it comes to fighting the war overseas, when it comes to defending our soldiers. Dollars cannot because their lives are precious. But dollars almost are the end-all and be-all when it comes to homeland security, and we do not do close to what we should be doing.

So in terms of my general remarks, I look forward to debating this bill. I hope some of my colleagues on the other side of the aisle will join us in supporting these amendments.

The bottom line is very simple: No one knows how the war on terror is going to twist and turn over the next generation. That is why I tend to like proactive policies both abroad and at home. But no one is a genius. There are a few of us who are not enough of us. No one can foresee the future, so we do not know what is in store for us. We certainly want to cut down the odds of a terrible, terrible incident occurring again the way one did on 9/11 in my city.

I wear this flag in memory of those who we lost. I put it on September 12, and I wear this very flag every day. I knew some of the people. I was friends with a firefighter who died, a guy who I played basketball with in school who died, a businessman who helped me as I was on my way up politically. So it is sort of personal. But the anguish I feel is maybe one-tenth the anguish, one-one-hundredth the anguish, one-one-thousandth the anguish of the families who live with this every day. But they would want us to do everything we can, and we are not.

It is my hope this debate will, at the very least, elucidate places where we are going and what we should, and maybe even provide the kind of dollars, resources, and focus that have been so sorely lacking thus far.

**AMENDMENT NO. 4380**

With that, Mr. President, I now send an amendment to the desk to address the critical issue of nuclear security in our ports in terms of research and development.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New York (Mr. Schumer) proposes an amendment number 3580.

Mr. SCHUMER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. COCHRAN. Mr. President, a point of order. I have no objection to the dispensing of the reading of the amendment, but a point of order. Is there already an amendment pending from Senator Coats at the desk? Is this the second amendment or is this a different amendment?

The PRESIDING OFFICER. There are no other amendments pending.

Mr. COCHRAN. The PRESIDING OFFICER. Without objection, it is so ordered. The reading will be dispensed with and the amendment will be considered as read.

The amendment—(Purpose: To appropriate an additional $150,000,000 for port security research and development grants)

On page 19, strike “$2,845,081,000” and all that follows in favor of the amendment. On page 20, line 11, and insert the following: “$2,905,081,000, which shall be allocated as follows: (1) $970,000,000 for formula-based grants and $400,000,000 for law enforcement terrorism prevention grants pursuant to section 1014 of the USA PATRIOT ACT (42 U.S.C. 3714); Provided, That the application for grants shall be made available to states within 45 days after enactment of this Act; that States shall submit applications within 45 days after enactment; and that the Office of State and Local Government Coordination and Preparedness shall act within 15 days after receipt of an application; (2) $525,000,000 for discretionary grants for use in high-threat, high-density urban areas, as determined by the Secretary of Homeland Security: Provided, That $900,000,000 shall be for port security grants:.”

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. Mr. President, this amendment, as I have said, is in favor of the amendment. I think the bottom line is this: There is good news and bad news.

The damage would be unimaginable. It is guessed if it were even a 10-kiloton device—smaller than the devices that were exploded in Hiroshima and Nagasaki—that over 100,000 people would die immediately, hundreds of thousands more in the next month, and then perhaps millions died from the radiation. The economic loss would be incredible, not just in the city where it was exploded but wherever the wind currents blew in terms of where the radiation blew. It would probably, in so many ways, change that. We cherish for every American, no matter what part of the country you lived.

So it seems to me we should be doing everything we can to prevent a nuclear weapon from being exploded here. Part of that, of course, is to try to buy up the nuclear weapons we know parts of the former Soviet Union have had and a few other countries have had. We should be funding Nunn-Lugar. But the bottom line is this: Is that enough? The other side is to prevent them from being smuggled in.

There is good news and bad news about nuclear material. The good news is, in terms of detection, every one of them emits something called gamma rays which can be seen and detected through metal, through anything but lead. Lead is very heavy, so it is hard to detect a device totally surrounded by lead. And then you can detect lead away.

The bad news is, right now the detection devices we have are not very proficient. They still have to detect the nuclear material at relatively close range. A Geiger counter needs 3 feet. Some of the other ones that have been developed need a little bit more space.

They are not foolproof, to say the least. I have talked to scientists in my State at Brookhaven National Laboratory and to scientists in many other States and devices could be developed that, No. 1, detect any kind of nuclear materials from 70 or 80 feet away and detect them in a far more foolproof way than the present devices.

Now, the only way a nuclear device can be smuggled into this country very easily—the only remaining way—is in large containers that come into our ports by the tens of thousands every day or in a truck that goes over the Mexican or Canadian border.

It is very easy to imagine that we could place these detection devices on every crane that loads a container coming to our country. You may say: Well, there are thousands of cranes all over the world. That is true, but already we only allow containers to come into this country that are loaded from 15 ports. I do not have the list of them, but it is Antwerp, Singapore, places such as that. You do not want to detect them here because then they could be exploded while the ship approaches our shore. They should be placed on every toll booth. We would basically prevent any nuclear weapon from being smuggled into the country.
But the devices that really work well and can detect radiation far enough away and do it well and sensitively are not yet developed.

Scientists say that with a couple of years of research they can do it. They right now detect small amounts of nuclear material in cyclotrons and atom smashers at a great distance, but those devices are too large and delicate. They can’t be bounced around very much to work.

All it takes, spending some dollars, maybe $150 million, maybe $250 million—it sounds like a lot, but it is not in terms of the $1.7 trillion budget—then installing them in the ways that I have stated.

I have tried for 3 years to get this body to do it. A few years ago we accepted an amendment that would have at least put in $150 million for these devices. But when it came back from conference, only $35 million was left. Guess what. That was in the 2003 budget. They didn’t spend it. Is that amazing? It is $35 million to start on this research, and Homeland Security still has not let the contracts.

What is going on here? This is a huge catastrophe that could, God forbid, happen, and we are just asleep at the switch.

This amendment seeks to rectify that. This amendment will provide all of the necessary funding to develop the devices and then install them in places we need them. My guess is the whole process would take 2 to 3 years, if we really put the energy and the muscle into it. It is true that there are a few places where we are doing this with rudimentary, more primitive types of detection devices. Yes, one of them is in my harbor, Howland Hook on Staten Island. I have visited. I see how it works. It is better than nothing. But it isn’t close to good enough. That is one container port, and there are 40 or 50 in New York alone.

We all know the terrorists have access to the Internet, and they know exactly where nuclear devices are being detected, the few ports that they are, and the huge number where they are not. They also know that the detection devices could be a lot bigger.

What we really want to do is develop a super Geiger counter, one that can detect nuclear materials from a distance and one that is more accurate. Against every crime that loads a container bound for the U.S., on every toll booth that has a truck that will go into the U.S., you have dramatically reduced the odds of this type of catastrophe occurring.

Is there anyone who doesn’t believe we should do it? Is there anyone who thinks the funding we are asking here, which is an additional $150 million, isn’t worth the cost? Yet my guess is that when we have this rollicking vote in a short while, people will just march up to the podium and vote no, and there is no good answer.

I hope my colleagues will not do that. One hundred fifty million dollars is not going to break this bank. It is quite broken already. It is not going to break it much further, and it will do a world of good.

I urge my colleagues to support this amendment. I hope, if we are going to support this, that we will vote yes. I have heard it through in conference and not do what happened a couple of years ago where it was knocked out in conference and a much smaller amount of money was provided for and then that money was not spent.

I am ready to sit down. I know my colleague from Mississippi wants to move the bill forward. I do not disagree with that. I think the argument is pretty clear and pretty succinct. I hope we will be off to a good start on this bill by supporting this amendment and not by ignoring homeland security, particularly a catastrophe that could occur if a nuclear weapon were smuggled into this country.

Mr. SCHUMER. It is actually a reduction in the amount of money by $50 million.

I urge my colleagues to support this deeply significant but, in terms of dollars, modest amendment so we can cut down the odds of a nuclear weapon being smuggled into this country and, God forbid, creating a catastrophe.

I yield the floor.

The PRESIDING OFFICER. The Senator has the floor.

The PRESIDING OFFICER (Mr. COCHRAN). Mr. President, I have a modification of my amendment at the desk, and I ask unanimous consent that it be so modified. It is just changing one number.

The amendment, as modified, is as follows:

On page 19, strike "$2,845,081,000" and all that follows through "grants;" on page 20, line 11, and insert the following: "$2,965,081,000," which shall be allocated as follows:

(1) $970,000,000 for formula-based grants and $490,000,000 for law enforcement terrorism prevention grants pursuant to section 1014 of the USA PATRIOT ACT (42 U.S.C. 3714); Provided, That the application for grants shall be made available to states within 45 days after enactment of this Act; that States shall submit applications within 45 days after the grant announcement; and that the Office of State and Local Government Coordination and Preparedness shall act within 45 days after receipt of application: Provided further, That each State shall obligate not less than 80 percent of the total amount of the grant to local governments within 60 days after the grant award; and

(2) $3,300,000,000 for discretionary grants for use in high-threat, high-density urban areas, as determined by the Secretary of Homeland Security: Provided, That $900,000,000 shall be for port security grants;: Provided

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The PRESIDING OFFICER. The Senator from Mississippi.
early in the fiscal year but to leave some opportunities for later grantmaking authority so that if any new discoveries or intelligence of recent terrorist threat information became available, these funds could be targeted to higher risk areas and where we would find them.

It is easy to offer an amendment to double an appropriation, and that is what this amendment does. We have $150 million in the bill for this one particular grant program within the Department of Homeland Security initiative grants. What the Senator from New York is doing is asking that be doubled.

You can just about go through this bill, I suggest, and find every incremental amount that is in this bill and pick out one and offer an amendment to double it and make a good persuasive case why it would be better off if we could spend twice as much money as we have allocated for that one activity. That is a pretty easy argument to make. It is a cheap shot, and the reason I am calling it a cheap shot is that we have within this Urban Area Security Grant Program $1.2 billion for discretionary grants to high-threat urban areas. The Secretary has to make decisions on the basis of the applications and the proposals that are submitted to the Department.

If we in the Congress are going to go back through the bill and try to second-guess every one of these accounts and double it and ask for a vet, you could easily double the whole cost of the bill. We have a $33.1 billion bill. It probably would be harder to get a vote to double that to $66 billion, but you could make some arguments why we could spend that amount of money. But could we spend it in a thoughtful way that would efficiently and responsibly use the taxpayers’ dollars in this area of concern, homeland security?

We have had 2 years of experience in writing this bill. Last year, we ended up having to make points of order on the basis of the fact that some of the amendments were in excess of the allocation that was given to this subcommittee.

I understand the full committee has been meeting this afternoon during the last hour to review the amount of funding that would be available to each subcommittee of the Senate Appropriations Committee. And I understand soon, already been done, there will be filed with the Senate this allocation, and this subcommittee will have a limited amount of money to use in writing this bill.

I am not suggesting we have gotten the cart before the horse, but I am suggesting that before we vote on this amendment, I want to be sure I know what the allocation amount is for this subcommittee. It is not just targeted to the amendment of the distinguished Senator from New York that I do this, but also that we are spending in and double an amount without any more justification than it would be good if we could spend twice as much as we are spending. And that is really the argument.

Sure, it would be good if we could spend twice as much as we are spending in a lot of areas, but we have to make the choices within a framework of funds available are for a wide range of activities, all of which are very important. We have to choose among programs of the U.S. Coast Guard, programs of the Transportation Security Administration, of the Secret Service, of the Federal Emergency Management Agency, and many others whose accounts are funded in this annual appropriations bill.

I am hopeful we can withhold action on this particular amendment and let us have an opportunity to review the committee’s work.

So awaiting the further advice of the chairman of the Appropriations Committee or his staff, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum be dispensed with so I might answer my friend from Mississippi.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I make this point. We were here 2 years ago, and at that time, the administration asked for zero, and the good friend from Mississippi, with the same eloquence, made the same argument: The amount of money is the amount of money we have; yes, we could double it, but let’s leave it up to the wisdom of the Department and the committee.

We did that, and in the last year, we have had no money spent on developing better nuclear detection devices. That is a cheap shot? In all due respect to my colleague from Mississippi, and I am sure the administration would do this if it could happen in New York and it could happen in Houston, TX, and blow over to Mississippi—this could happen anywhere in the country, and I am sure just as I would want to protect the citizens of every other State, so would my colleague from Mississippi.

This is hardly an urban issue. Chernobyl did not occur in an urban— it may have been in an urban setting, but it ruined millions of acres of farmland, workplace, and my colleague cares a great deal about, as do I.

We are asking not for $33 billion, although maybe that would be spent. If I were the President, I would spend a lot of time figuring out what we needed and then spend it. I would not just ask for extra money. This is a small amount of money, $150 million, specifically directed to nuclear security, when in the past we have not done it. And my colleague argues we have enough money and leave it to the wisdom of the Department.

By my good friend’s logic, we should not have a Congress. Let’s have one broad allocation for homeland security and let them do what they want. And let’s not even look, if they do not do something we all think is necessary, and come back and say let them do it again.

This is not a typical request. This is not something that just benefits one specific area or one specific company. This is dealing with one of the greatest dangers America faces, and spending a small amount of money after we have learned that Homeland Security will not do it themselves seems to me to be a reasonable request.

I greatly understand my colleague’s nose-in-the-tent argument: If I am for this, well, I have to be for it for so many other things. But I ask him to look at the substance of this amendment and its cost, and I cannot think of an argument against it.

Yes, there is $1.2 billion for all kinds of threats. This is the greatest threat that has faced us, and 2 years ago we have a specific money that says we have to do this. In the past, when we have had these broad categories, again Homeland Security has done virtually nothing. Why, I don’t know. I have asked them. They say: We are working on it, just as my good friend from Mississippi has said, but nothing happens. So we wait another year and another year. I hope we do not have to wait another year. That is not what anybody wants. To say that Congress should not be modifying what the administration has done says we should not have a Congress, and to say that this amendment is either frivolous or regional or unnecessary does not make any sense to me.

If my colleague could assure me that the Homeland Security Department would do this out of the existing allocation, I would say, sure, but we had that kind of assurance 2 years ago. My friend, the chairman of the Appropriations Committee, Senator STEVENS, said to me: You are right. Let us make sure we get this done.

It has not been done. So I would simply say, I know the committee has labored under what the administration has sent them on the issue, for instance, of rail security. Where the Rail Association says we need $6 billion to thoroughly protect our rails, the administration asked for zero, and the committee comes up with $150 million. That is a lot better than zero but is not close to what we need.

I say to my friend from Mississippi, the bottom line is a simple premise is we are not doing enough, we are not spending enough dollars, and we should have a significant increase.

When we came and found we needed $25 billion more for the war in Iraq, nobody said, well, could we double the number, let’s not. Nor should they have. Well, it is the same thing when it comes to homeland security. The difference is, it is not a day-to-day issue. Nothing happens, nothing happens, and they say: Yes, we are worse, thank God, and then something terrible happens and we say, why did we not do it?
I am trying to prevent that scenario. I am trying to prevent it for my city and my State and the Senators’ cities and the Senators’ States, and everybody.

So I ask that my colleagues look at this not be something else with the logic, well, if we double this one we will have to double every one. Let us look at every one and see what we need. Certainly this one, which is $150 million more, aimed at a specific program that no one could object to, makes a great deal of sense. I hope I will pass. I urge my colleagues to vote for it. I yield the floor.

THE PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, the Senate talks about we have sort of rubberstamped what the President has asked for in some of these areas. We have agreed with the President on some of his initiatives because we thought he was right, but when we thought the administration was wrong or where they have requested funds, as he pointed out, in the railroad area, for security programs there, this committee has recommended and the Congress has added funds over and above what has been requested by the President.

In this particular area, where the Senator is coming in now and doubling the amount of money we have in this one particular program—we have appropriated for this program almost $500 million, specifically for port security grants, since fiscal year 2002. We are addressing this issue. This is the point, and I am not apologizing for the decisions this committee has made and that have been ratified by both Houses of Congress and approved in the appropriations conference report. We have appropriated almost $500 million specifically for this program. We have asked for another $150 million this year. That is not enough, he says; double it.

We can talk about it on and on and on and go into all the other accounts that involve security in urban areas, high threat areas, but we have to realize there is a limit. Some Senators think we can come in and double the amounts in individual accounts and it will not matter, but if we keep on doing that before this bill is passed, we will be telling how much to the deficit. We would have put the administration in a position where they are going to have to either ask for deferments or recissions of funds. If they cannot possibly get grants out to people who are qualified to use the money or can justify the use of the funds, we cannot pour the money on the ground, and I am not going to stand here and go along with suggestions that amount to spending more because it sounds as if we are going to be doing more. It does not necessarily follow.

I am hopeful we will have in place within the next few minutes some information about the total allocation of funding to this committee, because without that we can continue to add money for individual accounts in this bill for the rest of today and tonight and on into the weekend and then we will have to go back through and start striking funds that have been added so we will be consistent with the allocation to the subcommittee.

What I am asking the Senate to do, and the reason I put in the suggestion for a quorum when I first made the point of order, is to give the advice of the Committee on Appropriations. I am told they sent the information over electronic device, but we need it written on paper so Senators can read it and can understand what the limitations are. So I am hopeful we can await the advice of the full committee on the action that has been taken today. I would appreciate it very much.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate Appropriations Committee met earlier this afternoon to approve the subcommittee funding allocations. The allocations approved are the same as those provided earlier by the full committee, for this subcommittee’s information. For Homeland Security appropriations, the approved fiscal year 2005 discretionary spending allocation is $32 billion in budget authority and $29.873 billion in outlays. The bill reported by the committee is at the $32 billion discretionary budget authority allocation and $144 million below the outlay allocation. The allocations for this bill are $897 million in budget authority and $730 million in outlay above the President’s request, showing the priority the committee has placed on Homeland Security accounts and its appropriations.

This is a fiscally responsible allocation and Members will be required to provide offsets for any additional spending proposed by amendments to be added to this bill, or the amendment will be subject to a 60-vote Budget Act point of order, I am advised. Therefore, I make a point of order against the Schumer amendment at section 302(c) of the Congressional Budget Act that the amendment provides spending in excess of the subcommittee’s 302(b) allocation.

Mr. SCHUMER. Mr. President, parliamentary inquiry: My friend from Mississippi said the outlays were still $144 million below what had been allocated by the committee. If I were to ask unanimous consent to make this amendment instead of $150 million, $144 million that the outlays, would a point of order still lie?

Mr. COCHRAN. Mr. President, I think the Senator asked for a par-

liamentary inquiry. I don’t have standing to rule on parliamentary inquiries. That is the responsibility of the Chair.

Mr. SCHUMER. I ask the Chair. Given the Budget Act, if this amendment were to be modified instead of $150 million of new money, given what was heard, if the outlays were below $144 million, below the full committee allocation to the subcommittee, would a point of order still lie?

The PRESIDING OFFICER. The Chair is advised that depends on the point of order. If it would affect the change in outlays as well as budget authority. It is the understanding of the Chair that there is no room with regard to budget authority.

Mr. SCHUMER. Continuing my parliamentary inquiry, that would mean a point of order would lie even if we were within the outlays.

The PRESIDING OFFICER. That is correct.

Mr. SCHUMER. Just one further parliamentary inquiry: If we said zero budget authority but $144 million in outlays, would that be in order?

The PRESIDING OFFICER. The Chair would have to check with the Budget Committee on the specific number.

Mr. SCHUMER. Mr. President, I imagine it is not. So pursuant to section 904 of the Budget Act of 1974, I move to waive the applicable section of that act for purposes of the pending amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate vote on the motion to waive in relation to the pending Schumauer amendment at 4:45 p.m. today, with the debate until that time equally divided in the usual form.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Who yields time?

Mr. SCHUMER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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Who yields time?

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The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have. The question is on agreeing to the motion to waive the Budget Act.

The yeas and nays have been ordered. The clerk will call the roll. The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from New York (Mrs. CLINTON), the Senator from North Carolina (Mr. 2004 CONGRESSIONAL RECORD — SENATE September 8, 2004
EDWARDS), and the Senator from Massachusetts (Mr. KERRY) are necessarily absent. The PRESIDING OFFICER (Ms. COLINS). Are there any other Senators in the Chamber desiring to vote? The yeas and nays resulted—yeas 50, nays 46, as follows: [Roll Call Vote No. 166 Leg.]

YEAS—50

Allen
Baucus
Bayh
Biden
Bingaman
Boxer
Breaux
Byrd
Cantwell
Carper
Conrad
Corzine
Dascalo
Dayton
DeWine
Dodd
Dorgan
DUNN. Are there any other Senators in the Chamber desiring to vote? The yeas and nays resulted—yeas 50, nays 46, as follows: [Roll Call Vote No. 166 Leg.]

YEAS—46

Alexander
Allard
Bennett
Bond
Brownack
Bunning
Burns
Campbell
Chafee
Chambliss
Crabiana
Cochran
Coleman
Collins
Curnyn
Craig
Crapo

The PRESIDING OFFICER. On this vote, the ayes are 50, the nays are 46. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. S951

Mr. LEAHY. Madam President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for himself, Mr. NELSON of Nebraska, Mr. LIEBERMAN, Mr. JEFFORDS, and Mrs. FEINSTEIN, proposes an amendment numbered S951.

Mr. LEAHY. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit funds from being used to process or award a competition under Office of Management and Budget Circular A-76 for services provided to the Department of Homeland Security, including employees serving on a temporary or term basis of the Bureau of Citizenship and Immigration Services of the Department of Homeland Security.)

At the appropriate place, insert the following:

SEC. 1. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A-76 for services provided to the Department of Homeland Security, including employees serving on a temporary or term basis of the Bureau of Citizenship and Immigration Services of the Department of Homeland Security, except that not more than two hundred fifty thousand dollars for the fiscal year 2005 shall be made available for the purpose of testing the implementation of a competition, and that no competition under such a competition shall be conducted for services provided to the Department of Homeland Security, except that the supervisor of a competition conducted for services provided to the Department of Homeland Security shall ensure that those services are provided in a manner that is consistent with the principles of performance contracting.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment being disposed of, the Senate proceeded to a consideration of the bill, as amended.
The decision to contract out these positions is all the more disturbing because it has the hallmarks of a decision made simply to meet a quota. The Bush administration set a goal of privatizing 15 percent of Government jobs, and it took office believing that the original decision to submit the IIO positions to competition was made, they were still INS and Department of Justice employees. According to a senior official at CIS, that original decision was made when the Office of Management and Budget informed INS that it had only hours to submit 1,200 positions that could be privatized. Only James Ziglar, then the INS Commissioner, even knew that the IIO positions would be submitted to OMB.

After the INS was transferred to DHS, the new Department had to decide whether to continue with the competition. DHS announced its decision to subject the jobs to competition in August 2003, and DHS documents suggest that the decision was a major factor in the decision, with the leader of the DHS privatization office referring to the need to meet OMB’s 15-percent goal as recently as October 2003. This was true even though Congress prohibited agencies in February 2003—10 months earlier—from applying or enforcing any numerical goals or targets for subjecting employees to public-private competition, and even though the administration grudgingly announced it would abide by the law forbidding this quota in July 2002.

This amendment would also protect the jobs of investigative assistants. These CIS employees work in the Fraud Detection Unit, searching a variety of private, governmental, and criminal databases to find information about applicants for immigration benefits. These positions were created in the aftermath of the September 11, 2001, attacks, to ensure that only qualified personnel would have access to these databases. Despite the nature of the position and the circumstances under which it was created, DHS has demonstrated interest in privatizing these positions as well. This amendment would put a stop to that misguided effort as well.

In conclusion, this amendment would protect Federal employees who are trying to weed out fraud in the immigration system and assist lawful immigrants seeking benefits to which they are entitled. It had overwhelming bipartisan support in the House, passing with nearly 50 Republican votes. I urge my colleagues to support this amendment.

Mr. President, I will summarize what this is about for my colleagues. There is an attempt to privatize a number of jobs in the Department of Homeland Security. These jobs are vital to our American security. I do not believe they should be privatized. A majority of the other side feels the same way.

My amendment would prohibit DHS, the Department of Homeland Security, spending money to contract out immigration information officer, contact representative, or investigative assistant positions. That is why I am glad Senators Nelson of Nebraska, Lieberman, Jeffords, and Feinsteine have cosponsored this amendment.

This is not a partisan issue. The House voted for this exact amendment. They just copied the wording of it. They voted overwhelming for it, 242 to 163, with 49 Republicans supporting it. I hope we will have similar bipartisan support in the Senate.

Let me explain immigration information officers. We call them IIOs. They are the people who screen applications for immigration benefits for fraud. They perform criminal background checks on applicants. There are more than 1,200 of these IIOs and contact representatives around the Nation. They work for the Citizenship and Immigration Service, a branch of DHS.

The work they do in attempting to discover immigration fraud and prevent very dangerous people from abusing the immigration system is clearly inherently governmental.

This is not a custodial service. This is not a landscape service. These are things preventing immigration fraud. It is clearly inherently governmental. So it should not be part of a privatization effort.

As we all know, our Nation continues to face the threat of terrorism. CIS carries a heavy burden to attempt to process immigration and naturalization applications, but they have to ensure that terrorists, along with a lot of fraudulent actors, do not abuse our immigration system. They play a vital role in meeting this burden. In fact, the agency’s own job description requires that “they have the skill to identify fraudulent documents in order to prevent persons from appealing for benefits for which they are not eligible.” That is a skill obviously all the more important in this era.

They are also required by DHS to have knowledge and skilled interviewing techniques in observation of applications. What they have to do comes from years of experience. They have to be able to find those people who are seeking a benefit who are not eligible.

I have spent a lot of time on immigration matters and I believe that weeding out potential fraud in our immigration system is a major responsibility of our Government. It is a major responsibility of our Government employees. We do not turn it over to somebody else, especially when the perpetrator of that fraud could be a very dangerous criminal or a terrorist. I do not want to have it turned over to Fraud Catchers USA. I want it within our Government so we know what standards are being followed.

They are jobs that are directly related to achieving President Bush’s goal of providing more efficient services to lawful immigrants. They increase efficiency, explore all avenues of assistance available to the customer to determine the benefit most advantageous when more than one exists, again based on vast experience.

The administration wants to reduce the number of jobs faced by immigration applicants to 6 months. Well, suddenly putting in a whole new service to do it makes little sense. If a private contractor does it, that contractor is going to be responsible for adjudicating immigration benefits and detecting fraud and criminal activity that will require the contractor to make decisions that are sensitive to our national security. It is also going to have a huge impact on the lives of millions of immigrants. I think this would be a bad idea in any era, but with the terror threat we face now, I think it is a very bad one.

The amendment would also protect the jobs of investigative assistants who work in the fraud detection unit. These employees were created in the aftermath of September 11 attacks. Despite the nature of the position, despite the circumstances under which it was created, DHS has demonstrated interest in privatizing these positions as well. I think that is a mistake.

As I said, this passed overwhelmingly in the other body. Republicans and Democrats alike supporting it. I hope we would do the same.

I see the distinguished Senator from Nebraska on his feet, and I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. Nelson of Nebraska. Madam President, I have cosponsored, as my distinguished colleague from Vermont has indicated, an amendment to the Homeland Security appropriations bill, and I ask unanimous consent that Senator Harry Reid of Nevada be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. Nelson of Nebraska. I believe this is a matter of great importance to the security of our country. The amendment would eliminate funding for an A-76 competitive outsourcing study of immigration information officer, contact representative, and investigative assistant positions within the Bureau of Citizenship and Immigration Services, or the BCIS, at the Department of Homeland Security.

As a general principle, I do not oppose privatization of Government jobs where doing so clearly is in the best interest of the most efficient use of taxpayers’ dollars and is in the best interest of not only our Government but of the taxpayers. I do believe, though, that there are some types of jobs that can and should be performed by Government, as well as some jobs and services that can be performed by private contractors. I believe that deciding what Government jobs or privatization should be a very careful and deliberative process. It should not be done to meet arbitrary quotas. In the
case of these particular BCIS jobs, I believe DHS has made a mistake in sub-
jecting them to an A-76 study.
In this instance in particular, I do not believe privatizing these particular jobs is appropriate or will best serve the interests of our country. I believe these jobs are intricately tied to the national security of our country and therefore are inherently governmental. These jobs require a high level of dis-
ccretion and of very specific knowledge of immigration laws to determine who is eligible for immigration benefits. These workers are charged with weed-
ing out fraud in the immigration system and identifying those with crimi-
nal histories or those who could be po-
tential terrorists. These are the types of jobs that are inherently govern-
mental in that they are vital to pro-
tecting our country from security threats.

The DHS’s own job descriptions for these positions illustrate why these po-
sitions are inherently governmental. For example, immigration information
officers are required to have the “skill to identify fraudulent documents in
order to prevent persons from appeal-
ing for benefits for which they are not eligible.” They are also required to have
“knowledge and skill in interviewing techniques and observation of applic-
ants in order to determine if an applicant is misrepresenting the facts in
order to appear eligible for a ben-
efit.”

In addition, according to the DHS’s own job descriptions, workers in these
positions are exposed to highly con-
fidential information and may at times
be exposed to national security infor-
mation. They must exercise their dis-
ccretion by observing and questioning
individuals for the purpose of deter-
mining if those individuals are at-
tempting to submit applications under fraudulent situations and reasons. This
can lead to the closure of those jobs
and subsequent deportation of those aliens
and may lead to the prosecution of
cases.

In Nebraska alone, there are 100
workers within the BCIS performing these functions, and I have heard from
them directly about why they believe their
duties are inherently govern-
mental. Quite frankly, I agree with them. I believe it would be unwise, es-
specially in our country’s current heighten-
ed state of alert to terrorist threats, to outsource jobs that are so closely linked to the security and safety
of our country. Weeding out poten-
tial fraud in our immigration system
must indeed remain a responsibility of Government employees, especially when the perpetrator of the fraud may be
a dangerous criminal or a terrorist.

Therefore, I urge my colleagues to
support Senator LEAHY’s and my
amendment and prevent these jobs
from being subjected to an A-76.
I thank the Senator from Vermont.

The PRESIDING OFFICER. The
clerk will report.

The legislative clerk read as follows:

The Senator from Wyoming [Mr. THOMAS]
proposes an amendment numbered 3582 to amendment No. 3581.

Mr. THOMAS. Madam President, I ask unanimous consent that the read-
ing of the amendment be dispensed with.

The PRESIDING OFFICER. Without
objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the Secretary of Home-
land Security to submit to Congress at
least 60 days prior to award, a report on
the results of an Office of Management and
Budget Circular A-76 competition, to in-
clude estimated savings, performance im-
provements, and the impact on jobs and
Federal Government employees)

Strike all after the word “Sec.” and insert
the following:

Sec. None of the funds appropriated by
this Act may be used to make an award,
pursuant to a competition under Office of
Management and Budget Circular A-76, to a
private sector or Government contractor
for the performance of services that
were provided as of June 1, 2004, by employ-
ees (including employees serving on a tem-
porary or temporary status) of the De-
partment of Homeland Security known as of
that date as Immigration Information Offi-
cers, Contact Representatives, or Investiga-
tive Assistants unless—

(1) the Secretary of Homeland Security
submits to Congress, not later than 60 days
before making such award, a report that de-
scribes—

(A) the performance requirements for
the services;

(B) the estimated savings to be derived
from the performance of such services by
that source;

(C) the actions that are to be taken to ef-
fectuate the transition to performance either
by Federal Government employees under the
applicable most efficient organization plan
or by a contractor, as the case may be; and

(D) the strategic and administrative
effects of such award, if any, on Federal Gov-
ernment employees; and

(2) the making of the award to that source
will not result in the closure of an immigra-
tion information service center that was in
operation on June 1, 2004.

Mr. THOMAS. Madam President, I
offer this as a second degree to the
pending amendment of the Senator
from Vermont. The amendment specif-
cally restricts the Department’s ability
to conduct competitions under Presi-
dent Bush’s competitive sourcing ini-
tiative, which is an integral part of his
management reforms. As a strong sup-
porter of the competitive sourcing process and consistent advocate for a
smaller and more efficient government,
I offer this second degree to ensure
that any attempts to restrict the De-
partment of Homeland Security in im-
plementing its competitive sourcing ef-
forts are limited.

The positions in question, immigra-
tion information officers, have been
identified by the Department as non-
inherently governmental functions.
They have been identified by the De-
partment in that category. They are
commercial activities and can be per-
formed in the private sector without
endangering our homeland security ef-
forts.

The Department of Homeland Secu-
rity is simply complying with the FAIR Act by subjecting these positions to public/private competition in order
to determine if they can be per-
formed by the private sector or remain
in house. This competition was initi-
ated by the Department of Justice
prior to the transfer to DHS. It is crit-
ically important that this process
have a positive outcome. In order to be
successful, the Immigration Information Officer position must be
identified and properly classified.

These jobs require a high level of dis-
ccretion by observing and questioning
individuals for the purpose of deter-
minal fraud in our immigration system
is eligible for immigration benefits.
The Department of Homeland Secu-
rity is in the process of completing its
competition in these very positions,
and the amendment of the Senator
would prohibit DHS from completing
this competition. Numerous studies
have confirmed that competitions cre-
ate opportunities for innovative, im-
proved data management, economic,
and performance improvements. They
are confident that competition has al-
ready provided a powerful incentive for
both the public and private sector
resources to identify new and better
ways of meeting the requirements.

This information has to do with
these positions. The IIOs are GS-5s, 7s,
and 8s, with supervisors at the GS-9 level. The first line pro-
cision, on the Senate floor that
would preclude public-private competi-
tion and turn back DHS efforts to sig-
nificantly improve customer service
for immigrants. If the final version of
the bill were to contain such a prohibi-
tion, the President’s senior advisor
would recommend veto to the Admin-
istration.

We have been through this a number
of times. It is always presented as if
these are replacing Government jobs

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with private sector jobs which, first of all, I don’t think is a bad idea but neverthe-
less that is not the case. This is competition. This is an opportunity for both those in the Government service and in the private sector to have an opportunity to deal with these administrative level jobs—these are the people who do not make the decisions, they simply go through the details of this—and to allow this agency to con-
tinue to seek to make their work more effective and more efficient. Somehow, every-
everybody’s already come up we have this opposition to this program that has been in place, is in place, and the fact is it has already been proven to save considerable amount of money. It is al-
ready proven in most cases, as a matter of fact, because of the improvement on the part of the Federal employees; they remain there through the com-
petition.

It just seems to me it is a mistake for us to get into this program and say you can do it anymore. Clearly these people are not the people who are decisionmakers. They are the folks who are doing the administrative work that brings it to the decisionmakers.

Additionally, my amendment would not prevent or delay opening of immi-
gration service centers or district offices currently in operation, which ap-
pears to be the concern of some of the sponsors.

I hope we can take a long look at this and that we realize this position was not taken in the other body is what he has asked for is something they could do anyway, simply ask for a reporting require-
ment. What they have done, in asking for that, they simply put it over for an-
other 60 days and then do exactly what they want. I don’t think anybody ques-
tions the reporting that would come back from the very department that wants to do this would be to say: Do what you want to do. They accept the report, they accept the way it will be done; then they could probably do it in 6 minutes.

What I am concerned about is the reason why there is such a bipartisan support for this in the other body—not for the gutting amendment of the Sen-
ator from Wyoming but for our amendment—was this makes sure that these very critical services are in the hands of Government agencies.

There are jobs that can be privatized but I think sometimes we privatize what we do not need. We sometimes privatize law enforcement and we have seen some of the problems we have had in our prisons when we have done that.

Otherwise we privatize investigations and we find that people have their records and their reputations ruined by private companies that do not meet the standards they are supposed to follow and afterwards they say, Sorry, we made a mistake. Frankly you vote for the second-
degree amendment you are voting to outsource positions that are critical to our security. We have had 35 Senators who have already written to Secretary Ridge, asking him not to do this. Bas-
ically, this amendment to the programme will simply says tell us why you think you should do it and just go ahead and do it anyway.

I hope we would not vote for it.

Mr. JEFFORDS. Mr. President, I strongly support the amendment of-
ferred by Senator LEAHY, myself, and other colleagues that would prohibit opening up the Immigration Informa-
tion Officers, IIO, position for commer-
cial competition.

This position was opened for com-
mercial competition after a determina-
tion that the IIO position was not per-
forming an ‘‘inherently governmental activity,’’ and thus capable of being filled through commercial competition. This amendment is technically flawed and, if implemented, be an impediment to national security.

While a very basic description of the functions performed by an IIO might include telephonic and written re-
quest for information to the public, a closer look at the duties actually per-
formed by IIOs results in a more varied list of duties. My staff and I have had the pleasure of being helped by IIOs on numerous occasions over the years in our attempts to assist our constitu-
ents. It is my experience, that IIOs not only provide basic immigration infor-
mation to the public, but they also have the ability to advise petitioners on the type of petition to file; they have the authority to correct mistakes made in Citizenship and Immigration Services, CIS, records and computer systems; they can reject petitions for various reasons; and it is my under-
standing that many IIOs adjudicate peti-
tions.

As anyone who is familiar with
United States immigration law knows, interpreting regulations and offering advice is a complicated business. When dealing with immigration law, the po-
tential is great for making a mistake that could severely impact a business or a family for a lifetime. Thus, it is inconceivable to me that CIS would consider opening this position to com-
mercial competition.

In the interest of security, following the 2001 terrorist attacks, the Federal Government decided that airport pas-
senger screeners should be Federal em-
ployees. Consistent with that decision, I believe that maintaining the IIO posi-
tion as a Federal employee position strengthens our protection against fu-
ture terrorist attacks.

In reality, IIOs have the ability to determine who can or cannot remain in
this country. When dealing with the public, they draw from a wealth of in-
stitutional knowledge that benefits not only the petitioner, but also the entire Nation. IIOs also have access to agency records and can, in fact, modify such information when appropriate.

By adding this amendment, the Immigration and Naturalization Service, INS, strug-
gled to live up to the word ‘‘service’’ in its name. It is my hope that at the be-
ginning of this new era, with the cre-
ation of the Department of Homeland Security, including the Citizenship and Immigration Service, we will not weaken our ability to provide per-
sions seeking immigration benefits with the service they deserve. Having the important duties of Immigration Inform-
ation Officers performed by individ-
uals selected through commercial com-
petition will only hinder the service provided, not improve it.

This amendment was passed in the House of Representatives during its consi-
eration of the Department of Homeland Security Appropriations bill this year, and I am hopeful that my Senate colleagues will join us in sup-
porting this important amendment.

The PRESIDING OFFICER. The Sen-
ator from Mississippi.

Mr. COCHRAN. Madam President, it oc-
tures to me that this is an issue that
probably ought not be on this bill. As a ma-
ter of general principle, it is a legis-
latively. It seems to me the committee of jurisdiction would prob-
ably not allow Senator Leahy amendment without changing it at all, then we are stuck with the lan-
due, it seems to me. I don’t know how you get away from having this provision in the final version of the bill, and this appropriations process would have been subverted and it
would have been distorted.

This is not an appropriations amend-
ment. We are not talking about an amount of money to be appropriated for any particular purpose. Immigra-
tion officers are provided for, by the Department of Homeland Security and apparently the Department feels it ought to have flexibility in the admin-
istration of that program. We are sing-
ing out an employment circular to pub-
lish the effectiveness of an appro-
priations bill. I think it is fairly con-
vinced. I don’t like the process. The Senator from Wyoming comes in and offers a modification, which basically requires the Department to provide information on its intentions.

It must submit to Congress not later than 60 days before making an award.
This is an award for providing services under the auspices of the Bureau of U.S. Citizenship and Immigration Services. Before it makes an award to someone to provide these services, it has to go through certain steps and make a determination. It seems to me that this is an appropriate place to at least call time out and let us put this issue on hold and give the Appropriations Committee an opportunity to consider it in conference. We would have to resolve the differences between this amendment and this provision in the Senate and the one adopted by the House.

I fully support the amendment offered by the Senator from Wyoming.

Let me turn to the administration. After we wrote a bill in the Appropriations Committee a Statement of Administration Policy, looking at their Statement of Administration Policy on the bill as reported by our Appropriations Committee, you get down to the bottom of page 2 where it talks about competitive sourcing, it states:

The administration has adopted a reasonable and responsible approach for ensuring the full implementation of public-private competition. On a government-wide basis, competitions completed in fiscal year 2003 are estimated to generate savings, or cost avoidance, of more than $1 billion over the next 3 to 5 years. The House version of the bill contains a provision that would block DHS from using competition to choose the best public or private sector source to handle basic administrative tasks associated with the processing of immigration applications and benefits. We understand an amendment has been offered on the Senate floor that would also preclude public-private competition and turn back DHS’ efforts to significantly improve customer service for immigrants. If the final version of the bill were to contain such a prohibition, the President’s senior advisers would recommend that he veto the bill.

So I can’t stand idly by and see this provision included in the bill and risk the veto of this Homeland Security appropriations bill that we have worked very hard to craft, after hearings and hearings, and with the good assistance of other Senators on the subcommittee such as the distinguished Senator from Vermont. I would hate to see all of our work go for naught and have to start over with a vetoed bill.

I am urging Senators to vote for the amendment and let us get down to this in conference and see if it can be resolved in a way that gets the bill signed and takes care of the concerns expressed by the distinguished Senator, my very good friend from Vermont.

Mr. LEAHY. Madam President, I have served for over a quarter of a century on the Appropriations Committee with the distinguished senior Senator from Vermont and hope this doesn’t hurt him back home when I state unequivocally that nobody works harder than he does. Nobody is more conscientious in going through legislation. I know he has worked very hard on the appropriations bill before us. As he knows, I have supported him in the subcommittee on a great deal of measures in this bill. We have similar views. On the last point I remember the last time a piece of legislation I was working on with the White House, saying they would veto legislation if we put in the TRICARE provisions to provide health care for our National Guard and Reserve members and overseas personnel, even at a time when an extraordinary, unprecedented number of National Guard and Reserve members were being called up for the war in Iraq and were being required to serve way beyond the time anyone ever anticipated. Nobody could understand why the White House would do that which basically undercut the brave men and women who are going over there. Fortunately, Republicans and Democrats came together in this body and we passed the legislation with very strong bipartisan support and somehow the veto threat disappeared.

I suspect the same thing. This bill is not going to be vetoed on this issue. I understand that body and past a provision here for 30 years, and I have seen Democratic Presidents and Republican Presidents and administrations. It never comes through the Presidents. It says their senior advisers would recommend a veto threat. I have seen hundreds of these in my 30 years I have been in the Senate. I have probably seen about a dozen vetoes come out of the hundreds and hundreds of threats, even though they have been ignored.

The distinguished chairman of the subcommittee has a responsibility to bring that forward. But he knows, as I do, that we hear veto threats almost as though they were being printed and cranked out when any bill comes along. I think the time has passed a time when nobody as tightly controlled by the Republicans as the House of Representatives, it would never have passed with the overwhelming support had they really thought there would be a veto.

I ask unanimous consent that the distinguished Senator from Wisconsin, Mr. FEINGOLD, be added as a co-sponsor to my amendment to the underlying amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, I would say only this: If the Thomas amendment is adopted, it effectively kills the Leahy amendment and allows the outsourcing to go forward on what is a critical governmental responsibility.

As I have said before, I would be happy to see a private enterprise take. As we know, this administration has dramatically increased the number of Government employees. They went from about 2 million during 8 years of President Clinton’s administration, and they have increased more than any time in a decade by this administra-

Mr. THOMAS. Madam President, are we going to vote? Fine. I would like to be able to make a closing statement pretty much as my friend from Vermont did.

I want you to remember that this is an effort that is being made throughout the Government to try to find a way to be more efficient. It is not outsourcing; it is competition; and whoever does the best job ends up doing this activity.

I further remind you that these are not people who make decisions with regard to terrorism. These are the people who do the detail work and report to folks who make the decisions.

I also remind you that this Department is in the process of doing this now, is willing to come to the Senate as we proceed and report where they are. This is part of the program that has been ongoing. It has been proven to work. We ought to continue to do it here.

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. REID. Mr. President, we have a situation where an amendment has been offered. Eventually, there will be a vote on the amendment offered by Senator LEAHY and Senator NELSON. It may not be tonight. Before this bill is finished, they have a right to have their amendment heard, which it has been, and voted on.

Everyone should understand this amendment will not go away. People will vote on outsourcing. That is the way it is. So everyone understands, there will be another opportunity for Senators NELSON and LEAHY to offer their amendment. If the majority wants to second-degree the amendment and filibuster their own bill, we would have to do it some other time.
We, in good faith offered, an amendment. Time was very limited. These two men spoke very short periods of time. There are many others who wanted to speak, but in the context of what the two leaders said, we should try to move along. We tried to do that. At least we should have an opportunity to vote on these amendments.

It appears the majority is attempting to not allow us an opportunity to vote on this amendment. And it will happen, sooner or later.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, so there is no illusion about who is responsible for suggesting we have a vote on the Thomas amendment, it is me. It is not the majority leader. As the manager of the institution to do that. It is inconsistent with the traditions of the institution to do that. It is absolutely right. We go forward with a consent, deprive any Senator of a right to a vote. It is in order.

Mr. LEAHY. I wonder if I might ask the senior distinguished Senator from Mississippi a question. He has said this matter has to go to conference. He is absolutely right. He will hold the majority votes in the conference. Why not this: Why not set both the Thomas amendment as a freestanding amendment, the Nelson-Leahy, et al amendment, as a freestanding amendment, take this out of conference?

Mr. COCHRAN. I will give a quick answer. I am not going to filibuster my own bill because of this amendment. I want people to understand it is not this big an issue. It is not going to bring down the Senate and block consideration of this bill as far as I am concerned.

Mr. LEAHY. I ask an unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment to the amendment follows:

(Purpose: To prohibit funds from being used to process or approve a competition under Office of Management and Budget Circular A-76 for services provided as of June 1, 2004, by certain employees of the Bureau of Citizenship and Immigration Services of the Department of Homeland Security)

At the end of the amendment add the following:

SEC. 8 . Notwithstanding any other provisions of this Act none of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A-76 for services provided as of June 1, 2004, by employees (including employees serving on a temporary or term basis) of the Bureau of Citizenship and Immigration Services of the Department of Homeland Security who are known as of that date as Immigration Information Officers, Contact Representatives, or Investigative Assistants. This section shall take effect one day after the date of the bill's enactment.

Mr. LEAHY. Mr. President, I ask an unanimous consent that the amendment (No. 3582) was agreed to.

The amendment (No. 3582) was agreed to.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I send an amendment to the desk on behalf of myself, Mr. NELSON of Nebraska, Mr. LIEBERMAN, Mr. JEFFORDS, and Mrs. FEINSTEIN, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont (Mr. LEAHY), for himself, Mr. NELSON of Nebraska, Mr. LIEBERMAN, Mr. WYDEN, and Mrs. FEINSTEIN, proposes an amendment numbered 3584.

The amendment (No. 3582) was agreed to.

The PRESIDING OFFICER. The amendment (No. 3582) was agreed to.

The PRESIDING OFFICER. The amendment to the amendment follows:

(Purpose: To prohibit funds from being used to process or approve a competition under Office of Management and Budget Circular A-76 for services provided as of June 1, 2004, by certain employees of the Bureau of Citizenship and Immigration Services of the Department of Homeland Security)

At the end of the amendment add the following:

SEC. 8 . Notwithstanding any other provisions of this Act none of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A-76 for services provided as of June 1, 2004, by employees (including employees serving on a temporary or term basis) of the Bureau of Citizenship and Immigration Services of the Department of Homeland Security who are known as of that date as Immigration Information Officers, Contact Representatives, or Investigative Assistants. This section shall take effect one day after the date of the bill's enactment.

Mr. COCHRAN. Mr. President, I do not know what the amendment is. It was sent to the desk. It would be nice to know what it is so we would know which one we should agree to. I ask an unanimous consent request to limit 2 minutes on each side and then go to a vote, if that is agreeable. I will make that request.

I ask unanimous consent that we have 4 minutes equally divided and that it then be in order to request the yeas and nays and go to a vote.

The PRESIDING OFFICER. Is there objection?

Mr. COCHRAN. Reserving the right to object, Mr. President.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I do not know what the amendment is. It was sent to the desk. It would be nice to know what it is so we would know which one we should agree to. I ask an unanimous consent request to limit 2 minutes on each side.

Mr. LEAHY. I apologize. I thought the distinguished Senator from Mississippi had been divided in this amendment. It is basically my underlying amendment as freestanding.

Mr. COCHRAN. Mr. President, parliamentary inquiry. If this is an amendment that has already been before the Senate and to which an amendment has been added, is it in order for the Senator to put before the Senate the same amendment as an amendment?

The PRESIDING OFFICER. It is in order because the amendment is now in a different posture as a second-degree amendment.

Mr. COCHRAN. Mr. President, I have no objection to the request for the time amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate from Vermont.

Mr. LEAHY. Mr. President, as I said before, the amendment offered is the same amendment that passed overwhelmingly in the House of Representatives, with strong Republican support.
It says on these very critical—very critical—steps based in the former INS in which they try to weed out possible terrorists on immigration applications that this not be contracted out to a private company but be done by professionals. That is really the bottom line. We can always debate it for hours. We have had the debate before.

I withhold the remainder of my time, and I will ask for the yeas and nays once time is yielded back.

The PRESIDING OFFICER. Time is not yielded back.

The PRESIDING OFFICER. Who yields time?

The Senator from Wyoming is recognized.

Mr. THOMAS. We just voted on this same issue. We have voted on it a dozen times. What we have here is an effort by this Government to try to be more efficient, more cost saving, by having competition. That is what is involved.

Let me say that these immigration information officers are GS-5s, 7s, and 8s, with supervisors at the GS-9 level, who perform only first-line procedural processing. They are not performing any ‘‘inherently governmental’’ work. They are not policymakers or regulators but do build the Government to a course of action. This is already underway in this administration. They have looked at doing this. Who knows who is going to do it more efficiently? We are saying to the Government, you cannot do that. You have to leave things the way they are, and we don’t want to have any opportunity to do things better than we have been doing them. That is what it is all about. I urge a ‘‘no’’ vote.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. I strongly urge Senators to vote against the Leahy amendment.

Mr. LEAHY. Mr. President, do I have time remaining?

The PRESIDING OFFICER. The Senator has 56 seconds.

Mr. LEAHY. Mr. President, we are talking about people who attempt to discover and prevent immigration fraud, prevent dangerous people from abusing the immigration system. This is inherently governmental. We have kept inherently governmental things like law enforcement within the Government. We should do it here with these 1,200 immigration information officers who contact representatives around the Nation. We have an inherent body of expertise that we need in this fight against terrorism.

I yield back my remaining time and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. All time is yielded back.

The question is on agreeing to the amendment of the Senator from Vermont.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. AKANA), the Senator from New York (Mrs. CLINTON), the Senator from North Carolina (Mr. EDWARDS), and the Senator from Massachusetts (Mr. KERRY), are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 49, nays 47, as follows:

Yeas—49

Baucus
Bayh
Biden
Bingaman
Bond
Boozman
Baucus
Byrd
Cantwell
Carper
Chafee
Collins
Conrad
Corsino
Daschle
Dayton
Dodd
Dodd
Lieberman

Nays—47

Alexander
Allard
Allen
Bennett
Brownback
Burns
Campbell
Chambliss
Cooper
Cochran
Coleman
Corzine
Craig
Crapo
DeWine
Dole

Not voting—4

Akaka
Clinton
Edwards
Kerry

The amendment (No. 3584) was agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3581, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3581, as amended.

The amendment (No. 3581) was agreed to.

Mr. REID. Mr. President, I move to reconsider the vote and I move to lay that on the table.

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 3586 THROUGH 3588, EN BLOC

Mr. COCHRAN. Mr. President, I send to the desk the amendments that are making technical changes to the bill. They have been cleared on both sides of the aisle. I ask they be considered and agreed to en bloc.

I ask my statement on each of these amendments be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the amendments by number.
On page 11, line 25, strike “audit” and insert “review”.

AMENDMENT NO. 357
On page 7, line 3, strike “General Accounting” and insert “Government Accountability”.

AMENDMENT NO. 358
(Purpose: To make modifications to the Government Accountability Office study of the Transportation Security Administration’s Computer Assisted Passenger Prescreening System (CAPPS II) or Secure Flight or other follow on successor programs, that the Transportation Security administration (TSA) plans to utilize to screen aviation passengers, until the Government Accountability Office has reported to the Committees on Appropriations of the Senate and the House of Representatives that—

(1) a system of due process exists whereby aviation passengers determined to pose a threat and either delayed or prohibited from boarding their scheduled flights by the TSA may appeal such decision and correct erroneous information contained in CAPPS II or Secure Flight or other follow on successor programs;

(2) the underlying error rate of the government and private data bases that will be used both to establish identity and assign a risk level to a passenger will not produce a large number of false positives that will result in a significant number of passengers being treated mistakenly or security resources being diverted;

(3) the TSA has stress-tested and demonstrated the efficacy and accuracy of all search tools in CAPPS II or Secure Flight or other follow on successor programs and has demonstrated that CAPPS II or Secure Flight or other follow on successor programs can make an accurate predictive assessment of those passengers who may constitute a threat to aviation;

(4) the Secretary of Homeland Security has established an internal oversight board to monitor in which CAPPS II or Secure Flight or other follow on successor programs are being developed and prepared;

(5) The TSA has built in sufficient operational safeguards to reduce the opportunities for abuse;

(6) substantial security measures are in place to protect CAPPS II or Secure Flight or other follow on successor programs and has unauthorized access by hackers or other intruders;

(7) the TSA has adopted policies establishing effective oversight of the sue and operation of the system;

(8) there are no specific privacy concerns with the technological architecture of the system; and

(9) the TSA has, pursuant to the requirement of 49 USC 44903 (1)(2)(A), modified CAPPS II or Secure Flight or other follow on successor programs to permit state transportation to accommodate States with unique air transportation needs and passengers who might otherwise regularly trigger secondary selective status;

(b) During the testing phase permitted by paragraph (a) of this section, no information gathered from passengers, foreign or domestic air transportation systems may be used to screen aviation passengers, or delay or deny boarding to such passengers, except in instances where passenger names are matched to a government watch list.

(c) The Government Accountability Office shall submit the report required under paragraph (a) of this section no later than February 15, 2005.”

AMENDMENT NO. 356
Mr. COCHRAN. Madam President, this amendment makes necessary technical changes in the bill language authorizing the Government Accountability Office—GOA—to perform review activities to verify air carriers’ calendar year 2000 security costs and makes funds available to GOA for this purpose.

AMENDMENT NO. 357
This amendment makes a technical correction to the bill in conformance of Public Law 108-271 renaming the General Accounting Office the Government Accountability Office.

AMENDMENT NO. 358
This amendment makes technical corrections to bill language for the Government Accountability Office to report on the progress of the Secure Flight program.

The PRESIDING OFFICER (Ms. MURKOWSKI). Without objection, the amendments are agreed to.

The amendments (Nos. 3586 through 3588), en bloc, were agreed to.

Mr. REID. Madam President, while I certainly OK with me for Senator Byrd to offer his amendment any time he wants to offer it. We are not putting one Senator in front of another. But he is the distinguished ranking member of the subcommittee, and we would be happy to see his amendment when he wants to in the morning.

Mr. REID. I would say through the Chair to the distinguished manager of the bill that Senator Byrd is planning to be here when morning business finishes around 10:30 tomorrow. Our next amendment in order will be that offered by Senators DODD and STABENOW on first responders. That would be the next one that we would offer, just so the distinguished manager of the bill knows that that is on the table.

Mr. COCHRAN. If it suits Senator Byrd, it suits me. There are some amendments on the list that we have been reviewing hoping to agree those would be the only amendments in order to the bill. I don’t know how close we are to reaching an agreement on that or whether the acting leader is empowered to sign off on those agreements. We probably should wait until Senator Byrd is here then.

Mr. REID. We are working on a list of amendments that we are not ready to do it at this time, but maybe tomorrow sometime we could do that. We will do our very best.

Mr. COCHRAN. Madam President, I encourage Senators to let us know if they intend to offer an amendment to this bill. We would like to have a finite list of amendments so we can expedite final conclusion of this bill tomorrow or as soon as possible.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. SPECTER. Madam President, I ask unanimous consent that the order for the quorum call be dispensed with. The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Madam President, I have sought recognition to discuss an amendment which I have been discussing with the manager of the bill which would allocate $50 million for high-risk organizations as defined under section 501(c)(3) of the Internal Revenue Code with the priority of that $50 million to be determined by the Secretary of Homeland Security. The $50 million figure is firm, and there is no doubt that there will be a need for more than $50 million. This is a start. This is a start on the protection of 501(c)(3)s and the discretion of the Secretary of Homeland Security is limited to establishing the priority for the use of the $50 million. The Secretary does not have the authority to put up the $50 million. The $50 million is firm under this amendment, with the discretion of the Secretary to establish the priority.

This amendment, which is currently being reworked, is expected to have $50 million dedicated for assistance to non-profit organizations as defined under section 501(c)(3) of the IRS Code 1986 which are at high risk of international terrorist attack, with priority funding to be determined by the Secretary of Homeland Security.

An earlier draft of this amendment was to be cosponsored by Senator Mikulski, Senator Santorum, Senator Murray, Senator Lugar, Senator Kennedy, and Senator Lieberman, but they are not being added as cosponsors at this point because they have to look over the change in wording. But the substantive thrust is exactly the same, to provide $50 million for these 501(c)(3) institutions which are at high risk.

Mr. REID. Madam President, the following organizations have stated that al-Qaeda has turned its attention to so-called “soft targets.” Al-Qaida’s willingness to attack soft targets of all kinds has been made readily apparent with the attacks in the United States, England, Canada, Spain, Germany, Iraq, Tunisia, Kenya, Morocco, and Turkey, including an International Red Cross building, synagogues, train stations, hotels, airplanes, restaurants, nightclubs, and cultural and community centers.

There is broad national support for this initiative with the following organizations illustrative of the support: the American Association of Homes
and Services for the Aging; the American Jewish Committee; the American Jewish Congress; the American Red Cross; the American Society of Association Executives; the Association of Art Museum Directors; the Association of Jewish Aging Services of North America; Independent Sector; National Assembly of Health and Human Service Organizations; National Association of Independent Colleges and Universities; Theater Communications Group; Union of Orthodox Jewish Congregations; United Jewish Communities, representing 155 Jewish federations; the United Synagogue of Conservative Judaism; the United Way of America; and the YMCA of the United States of America.

This assistance would be delivered pursuant to pending legislation which Senator MIKULSKI and I have introduced as Senate bill 2275 which was marked up by the Governmental Affairs Committee. The Byrd amendment is now on the docket of the Senate.

I would have waited until tomorrow to make this presentation, but I will be traveling with President Bush in Pennsylvania so I will not be here to offer the amendment. The amendment has been discussed, as I say, with the manager. I believe it is going to be accepted, but it cannot be offered at the present moment because the senior Senator from West Virginia, Senator BYRD, has an amendment which he intends to offer which is broader in scope and, if enacted, may well cover this amendment. It is hard always to say what is going to happen if any amendment is offered in the future, but in the event the Byrd amendment is not accepted, then this amendment will be offered.

To repeat, I think it will be acceptable to the managers; however, no commitment can be made. If the Byrd amendment is not accepted, or voted for and adopted, this amendment may still be in order, depending on the precise language of the amendment to be offered by the Senator. I wanted to lay out the provisions. It is very important that churches, synagogues, YMCAs, and other religious institutions have some specified protection under this Homeland Security bill.

The legislative language which Senator MIKULSKI and I produced has been marked up and approved by the Governmental Affairs Committee. It authorizes some $100 million. But in discussions with the manager, the $50 million figure appears to be acceptable. We want to proceed on that basis.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

MARITIME PATROL AIRCRAFT REQUIREMENTS

Mr. SHELBY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The legislative clerk proceeded to call the roll.

Mr. SHELBY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The legislative clerk proceeded to call the roll.

Mr. SHELBY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Maritime Patrol Aircraft Modernization

Mr. SHELBY. Madam President, I seek recognition for the purpose of engaging Senator COCHRAN, Chairman of the Homeland Security Appropriations Subcommittee, in a discussion on the U.S. Coast Guard’s Deepwater program.

The chairman of the subcommittee, Senator COCHRAN, has the good fortune of representing the Gulf of Mexico very similar in geography to my State of Alabama. The chairman is an outstanding steward and supporter of the United States Coast Guard and in particular the ongoing Deepwater modernization program in the Coast Guard. This bill addresses numerous issues related to Deepwater and I appreciate the chairman’s support and leadership on this vital issue to every coastal State, as well as the Nation.

Mr. COCHRAN. I thank the Senator from Alabama for his kind words. He is both a colleague and a neighbor to my State of Mississippi. As neighbors, our two States have a strong appreciation for a strong and capable Coast Guard.

Mr. SHELBY. I am pleased that this bill contains a provision to address a continuing issue of concern over the provision of Maritime Patrol Aircraft assets for the United States Coast Guard.

Last year, the chairman wisely and judiciously included in his bill a fund for a third Maritime Patrol Aircraft.

This year, the subcommittee bill includes a total of $15.25 million for the Maritime Patrol Aircraft requirement. This amount, together with available balances from appropriated funds for maritime patrol purposes, will enable the Coast Guard to place the third CN–235 Maritime Patrol Aircraft under contract and to fund long-lead items for the next series of CN–235 aircraft to be purchased, thereby reducing the cost of these next aircraft.

Mr. COCHRAN. As the Senator from Alabama is well aware, the Coast Guard has been moving slowly on the Maritime Patrol Aircraft Modernization program. I stand today to support the modernization of all assets to meet the modernization of all assets to address the mission needs of the Coast Guard. It is clear that the Maritime Patrol Aircraft modernization requirement has been delayed due to the Coast Guard review and I support any expedited effort to ensure that the long-term maritime patrol mission requirement is addressed.

Mr. SHELBY. I thank the Senator for his time and attention and I yield the floor.

Mr. NICKLES. Madam President, the pending Department of Homeland Security appropriations bill for Fiscal Year 2005, S. 2397 as reported by the Senate Committee on Appropriations provides $32.867 billion in budget authority and $30.736 billion in outlays in Fiscal Year 2005 for the Department of Homeland Security. Of these totals, $867 million is for mandatory programs in Fiscal Year 2005.

The bill provides total discretionary budget authority in Fiscal Year 2005, of $32 billion. This amount is $1.05 billion more than the President’s request, it is $2.812 billion more than the budgetary authority in Fiscal Year 2004 enacted levels excluding Fiscal Year 2004 supplemental appropriations.

I commend the distinguished chairman of the Appropriations Committee for bringing this legislation before the Senate. I ask unanimous consent that a table displaying the Budget Committee scoring of the bill be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

H.R. 4567, 2005 HOMELAND SECURITY APPROPRIATIONS

(Spending comparisons—Senate-reported bill (Fiscal Year 2005, $ millions))

<table>
<thead>
<tr>
<th>General purpose</th>
<th>Manda-</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senate-reported bill:</td>
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<td></td>
</tr>
<tr>
<td>Budget authority</td>
<td>32,000</td>
<td>867</td>
</tr>
<tr>
<td>Outlays</td>
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<td>867</td>
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<tr>
<td>Senate committee allocation:</td>
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<tr>
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<tr>
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<td>Budget authority</td>
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<td>President’s request</td>
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<td>Budget authority</td>
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<td>863</td>
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<tr>
<td>House-passed bill</td>
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<td>Budget authority</td>
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<td>867</td>
</tr>
<tr>
<td>Outlays</td>
<td>29,813</td>
<td>867</td>
</tr>
</tbody>
</table>

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with scoring conventions.

Mr. GRAHAM of Florida. Madam President, I ask unanimous consent to speak for 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.
Mr. GRAHAM of Florida. Madam President, there are now fewer than 72 hours from this hour, on this Wednesday afternoon, until we observe the third anniversary of the terrorist attacks on this Nation when 19 hijackers took off from Logan International Airport, converted them into weapons, and struck the symbols of our economic and military might.

When the House and Senate Intelligence Committees began the Joint Inquiry into the attacks of September 11, the first witness we called in public session was Kristen Breitweiser. Kristen’s husband Ronald, who worked in the World Trade Center, was one of the 3,000 innocent lives lost that day. In his memory, she helped found the family group September 11th Advocates.

In her brave testimony, she described her husband’s last words to her. She described her daughter placing flowers on an empty grave. On her right hand, she was wearing her husband’s wedding band—charred, scratched, but intact—recovered from Ground Zero with a part of her husband’s left arm.

Her testimony was deeply moving. Her words presented a call to action. This is what she said:

All we have are tears and a resolve to find the answers because we continue to look into the eyes of our young children who ask us why.

We have an obligation as parents and as a nation to provide these innocent children with answers so to why their mother or father never returned home from work that day.

We need people to be held accountable for their failures.

We need leaders with the courage to take responsibility for what went wrong.

Mistakes were made and too many lives were lost.

We must investigate these errors so that they will never happen again.

It is our responsibility as a nation to turn the dark day of September 11th into something from which we can all learn and grow, so that we, as a nation, can look forward to a safe future.

As we debate the scope of reforms of our intelligence community, I hope we will keep in mind the challenge laid down by Kristen Breitweiser and the others whose lives have been touched by this tragedy.

Today, and over the next several days, I want to discuss with my colleagues the question of whether we have met her challenge. I, for one, do not believe we have. And then we need to look at the question of where do we go from here?

I will start my discussion this evening with a look at the history of our intelligence efforts and what that history tells us about the challenge of the future.

While America has understood the utility of intelligence since Paul Reveré’s midnight ride from Boston to Lexington warning that the British were coming, America has never embraced intelligence. It was contrary to a nation that had fought a 7-year war to secure liberty from the very things that were the stock and trade of King George III’s intelligence gathering; the late night knock on the door to separate a husband, father, or son from a frightened family; the use of torture to discover the rebellious plans of patriots; the use of private effects without notice or permission.

So it is of little surprise that the United States was the last advanced nation in the world to establish a permanent civilian intelligence agency. We did it only after two world wars when we realized that a new era—the cold war—was dawning.

When the Berlin Wall came down, the Soviet Union dissolved and the cold war ended, we had lost our single clear enemy, and our intelligence capabilities were allowed to wither.

There was no reliable and consistent source of funding for intelligence agencies, and the agencies failed to anticipate the nature of the new threats in the 21st century.

That is clear from what we have come to know about the attacks of September 11. All Americans now realize that in this new world, an attack on the United States may require us to know the identity of an enemy, but also in the form of a boat, a backpack, or a vial.

Now all Americans realize that intelligence has become a crucial shield, an evermore integral part of our national and personal security.

In this century, effective intelligence will be more important than it has ever been to this Nation for six reasons.

First, our adversary is different from any we have engaged in the past. It is not a nation but a tribe of tribes united by an ideology. The terrorists are not constrained by the global standards and values of the West but are instead a foe for which death and an afterlife in paradise are the highest goals of life.

To know this enemy is essential to defeating this enemy, and Americans will be dependent on effective intelligence to gain that knowledge.

Second, we learned on September 11 that the Atlantic and Pacific are not the protective barriers to our domestic security they have been in the past.

Our new enemy was capable of instigating 19 or more of its trained killers into our Nation, where they were able to refine a plan, practice and execute what was the most deadly attack on the continental United States in our history, and to do all of that in anonymity.

America will look to alert intelligence to do what two oceans can no longer do protect us here at home.

Third, America cannot any longer abide by the rule of never striking first, waiting only until we have been acted upon. The consequences of waiting for threats to gather is too risky. But to be anticipatory, to be preemptive, requires the highest quality of intelligence, or we risk something else—the loss of lives of soldiers and civilians and the loss of our global credibility.

If we are to adhere to a doctrine of preemption, we have to be certain we know what it is we are preempting. We cannot afford to be deceived, manipulated, or blinded by ideology, as we have been in Iraq, or to waste time and resources fighting threats that are not real.

Fourth, sound intelligence will enhance our long-term security. America’s political, economic, and security interests now span the globe. A vigilant intelligence community will alert us to emerging threats against our interests beyond the homeland. Through both strategic and actionable intelligence, we will be better able to confront terrorist threats abroad before those threats materialize at home.

But we face threats beyond terrorism—most especially the spread of weapons of mass destruction, including nuclear weapons. Accurate and actionable intelligence is absolutely necessary if we are able to make what is a difficult calculation wrong.

Fifth, effective intelligence is important to maintaining our international relationships. Success in the 21st century will require alliances and nations that share our vision and our values, if not our views on all subjects. Credible information upon which wise judgments can be founded must be the bedrock of those alliances.

Sixth and finally, with better intelligence, our Nation and its leaders will be more able to focus on the challenges of the future rather than the failures of the past. The pace of technological change will only continue to accelerate, and the rising tide of globalization will lead to a new and complex web of relationships between state and nonstate actors. Better intelligence will help us keep up with the pace of change as we continue to identify new challenges.

For all these reasons, in the 21st century, intelligence will have a role to play in almost every way we seek to provide greater security at home and advance our interests abroad.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the list of amendments I will send to the desk be the only first-degree amendments in order to the bill; provided further that they be subject to second degrees that are relevant to the first degrees; finally, that all other provisions of the previous order governing this bill remain in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list is as follows:
Sally’s husband Tom Kitzia and her children Emily and Ethan know what the rest of us should remember: One person can make a difference.

Sally was one person who made a great difference. Nevada and America are better and wilder for it, forever.

INTERNATIONAL MARIACHI CONFERENCE AND FESTIVAL

Mr. REID. Madam President, today I celebrate the Clark County School District’s inaugural International Mariachi Conference and Festival. This event, promoting cultural awareness and appreciation in the Las Vegas community through the performance of mariachi music, will be held in Henderson, NV, this September.

The Clark County School District, already highly regarded for its progressive approach to music education, serves close to 1,000 mariachi students in 12 schools through its newly formed Secondary Mariachi Education Program.

Thanks to the tireless efforts of Jesus Javier Trujillo, Marcia Neal and many others in the Clark County School District, the conference and festival will offer participants a quality musical experience and help foster a lifelong interest in music. For performers, such as the members of Mariachi Cobre, Mariachi Los Arrieros del Valle, and the Clark County School District’s Mariachi Task Force, the event will offer an opportunity to promote their culture and showcase their musical talents.

I salute Mr. Trujillo, Ms. Neal, and the Clark County School District on establishing the International Mariachi Conference and Festival, and extend my best wishes that this event will enjoy a successful future.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Madam President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator Kennedy and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

In Fort Worth, TX, on October 21, 2003, a high school student was hospitalized after two 17-year-olds allegedly attacked him in a parking lot, beating him and scratching antigay epithets into his car. The victim suffered a broken nose and numerous other injuries, including cuts, bruises and two blood clots on his brain.

I believe that the Government’s first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can be very substantive by passing this legislation and changing current law, we can change hearts and minds as well.
HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS NICHOLAS SKINNER

Mr. GRASSLEY. Madam President, I rise today to pay tribute to a great patriot. PFC Nicholas Skinner, U.S. Marine Corps. Private First Class Skinner courageously gave his life on August 26, 2004, in support of Operation Iraqi Freedom when he was shot during a heavy exchange of gunfire in Najaf, Iraq. Private First Class Skinner is survived by his father Randy Skinner, his mother Laura Hamann, his older brother James and his younger sister Stephanie. This brave young soldier was killed in action. In his short life he made a lasting impression on his friends, family and fellow soldiers.

I ask my colleagues in the Senate and my fellow Americans to join me today in paying tribute to my fellow Iowan, Private First Class Skinner, for his sacrifice on behalf of our country. My deepest sympathy goes out to his family and friends. Private First Class Skinner was a great man that dedicated himself to his duty as a soldier. Private First Class Skinner told his grandparents he joined the marines because “They’re over there fighting for me and my country. I want to go over there and fight for you and my country.” Private First Class Skinner is the example of a fine man and a strong soldier. I salute him for his sense of duty and his service to the American people.

We can all be proud of this extraordinary soldier. He did not die in vain, but died for his country that he loved to serve. Private First Class Skinner has entered the ranks of our Nation’s greatest patriots. He will always be honored as a hero who gave the ultimate sacrifice for liberty. He will be greatly missed.

CONGRATULATIONS TO MICHIGAN OLYMPIANS

Mr. LEVIN. Madam President, I take this opportunity to congratulate all of the athletes who competed in the 2004 Summer Olympic Games in Athens, Greece. The Olympic Games celebrate years of training, struggle and perseverance in overcoming obstacles and striving to become the best. It was wonderful to see so many athletes from across the globe come together in peaceful competition.

Greece did a tremendous job of hosting the Games. The scenery was breathtaking, and the venues were spectacular. These Games were especially notable because of the return of the Olympics to its birthplace in Greece. The historic legacy of Greece was particularly noteworthy for the marathon competitors who began their journey in the ancient city of Marathon, the original location of the event, and for the shot-put competitors who began their journey in the ancient city of Marathón, the original Olympic stadium in Athens.

Over a 16-day span, the Olympic spirit was embodied by the athletic prowess and grace displayed by the best athletes our country has to offer, including many from Michigan. Michigan continued our long tradition of contributing world-class athletes to both the Summer and Winter Olympic Games. In all, 116 athletes represented Michigan in 13 different sports in this year’s Games. It was inspiring to watch their total effort, and in many cases, the realization of their dreams. There are legions of young athletes who watched these Games and will continue to dream and strive to one day represent their country with the same pride, grace and determination that was on display at these Games.

I am particularly proud of the 28 individuals from Michigan who competed for the United States in the 2004 Athens Olympics. All of the athletes on Team USA achieved amazing feats to qualify for these Games. The Michigan Olympians included Martin Boonzaayer in judo; Turk and field; Swin Cash in basketball; Tara Cunningham in weightlifting; Andre Dirrell in boxing; Kate Johnson in rowing; Kara Lynn Joyce in swimming; Klete Keller in swimming; Dan Ketchum in swimming; Rachel Komisarz in swimming; Alex Ritzenhein in track and field; Artour Komisarz in swimming; Karla Malchow in swimming; Kate Markgraf in soccer; Jamie Nieto in track and field; Carly Piper in swimming; Andy Potts in the triathlon; Jaana Reed in table tennis; Rich Rodriguez in track and field; Dathan Ritzenhein in track and field; Artour Komisarz in swimming; Steve Warner in rowing; and Lauryn Williams in track and field. This outstanding group of athletes brought honor to our State and Nation and accounted for a total of 15 medals for the United States: eight gold, five silver, and two bronze.

In addition, competing at these Games were nine other athletes with ties to Michigan: Michael Phelps in swimming, who will be attending the University of Michigan, U of M; Alan Webb in track and field, who attended the U of M; and Venus Williams in tennis, who lived in Michigan, competed for Team USA. In addition, six athletes with Michigan ties competed for other countries: Tania Carr for Canada in track and field; Carlos Delfino for Argentina in track and field; Chris Demetral for Greece in baseball; Andrew Hurd for Canada in swimming; Kevin Sullivan for Canada in track and field; and Nick Willis for New Zealand in track and field.

Every two years we watch the Summer and Winter Games to catch a glimpse of these extraordinary athletes’ struggles and successes. An Olympian’s life is one of sacrifice, about showing up to grueling practices day after day, about working hard to become the best in the world. It was riveting to watch these Games unfold.

In Athens, as is the case in every Olympiad, there were many amazing moments that will resonate in our minds for years to come. Let me take a moment to highlight a few of them. Representing the WNBA Champion Detroit Shock, two U.S. women’s basketball teams won gold. The winning women’s basketball team was Ruth Riley and Swin Cash. The women won the gold medal by going unbeaten, increasing their Olympic winning streak to an incredible 25 games. Another notable U.S. achievement was accomplished by Andre Dirrell of Flint, who won a bronze medal in the middle-weight division in boxing. Dirrell showed the heart of a champion as one of only two U.S. boxers to win a medal in these Games.

First-time Olympic Lauryn Williams of Detroit won the silver medal in the 100-meter sprint. In an extremely close race, Williams edged out a Jamaican runner to finish with the silver and a personal best time. In addition, the Johnnies of M, won a silver medal as part of the women’s eight rowing team. The team set a world record in one of their preliminary heats en route to winning their medal.

On the soccer field, the U.S. women’s team took the gold medal with an extremely thrilling 2 to 1 overtime victory over Brazil. Michigan residents Kate Markgraf and Lindsay Tarpley helped the team achieve this victory over an extremely tough Brazil team. Tarpley, a midfielder from Kalamazoo, tallied one assist against Greece and scored the first goal in the gold medal match against Brazil. Markgraf of Bloomfield Hills, starting in all six games as a defender, helped her team remain undefeated. This was her second time representing the United States in the Olympics.

Another heart pounder came in the men’s 4x200 meter freestyle swimming relay. The U.S. men’s relay included Peter Vanderkaay from Royal Oak, Klete Keller from Ann Arbor, U of M alumnus Dan Ketchum and future Wolverine Michael Phelps, held off a strong Australian team to win the gold and set an American record. In addition to this golden performance, Keller won the bronze medal in the 400-meter freestyle, and Michael Phelps won an additional five gold and two bronze medals to establish himself as one of the stars of this or any Olympiad.

For the women’s 4 x 100 meter freestyle relay, one of the athletes with Michigan ties who represented other countries had many
notable achievements as well. Second baseman and Troy resident Chris Demetral, a Greek American, assisted the Greek baseball team to a 7th overall finish. In men’s basketball, Carlos Delfino, who was drafted by the World Champion Detroit Pistons in 2003 and will begin his third year, competed for the Argentinean Olympic team.

Our athletes were supported by a great number of coaches and staff who made their success in the Games possible. The coaches with ties to Michigan include Bob Bowman of the U of M in swimming; Larry Brown of the Detroit Pistons in basketball; Todd Dagenals of Michigan State University in volleyball; Steven Fraser from the U of M in wrestling; Kevin Jackson from Jackson in wrestling; Al Mitchell of Northern Michigan University in boxing, and Jon Urbanchek of the U of M in swimming. In addition to the coaching staff, three U of M alumni were involved in the administration of the Games. Jeffrey Benz is the current general counsel and Abigail Tompkins is a member of the United States Olympic Committee, USOC. Thomas Miller is the current United States Ambassador to Greece. All of these individuals worked tirelessly to assist the athletes in their pursuit of greatness at these Games.

I know I speak for all Michiganders in expressing appreciation and congratulations to all of the Michigan athletes who took part in the 2004 Summer Olympic Games. The Games last a few short weeks, but the memories will be ingrained in the minds of all who saw them and shared vicariously in the efforts of these great athletes. For their commitment, drive and competitive spirit, I congratulate all the athletes of the 2004 Olympic Games, but it is with particular pride that I salute the athletes and coaches from Michigan.

2004 OLYMPIC GAMES

Mr. FEINGOLD. Madam President, I am sure that my colleagues will join me in congratulating the American athletes who competed in the 2004 Olympic Games in Athens, Greece.

The Olympics have a rich history, with records dating the first Olympic Games to 776 B.C. in Olympia, Greece. The early athletic contests allowed youths to highlight their physical prowess, with victory reflecting well upon the competitor’s home city. The modern Olympic Games have endured for over a century, through times of war and peace, and this year, the Olympics returned to its origins.

The symbols of the Games—the motto, the flames, the rings—carry important meanings. The Olympic motto “citius—altius—fortius”, which is Latin for “quicker—higher—stronger”, encourages all to strive to achieve their personal best. The Olympic flame, lit by the sun’s rays in Olympia and passed around the world, burns bright while the competitions continue. The five Olympic rings represent the five continents, interwoven to demonstrate the universality of the Games. Being an Olympian is a tremendous honor, and I commend the many athletes who represented our Nation well. America sent some of the finest athletes in the world. Dedicated to their sport, these individuals often devote years of their lives to training for the ultimate experience of competing in the Olympics. All competitors’ efforts were rewarded as a remarkable 103 medals were earned by Americans in Athens.

I would like to particularly recognize the Olympians from my home State of Wisconsin. Fifteen athletes competing in the 2004 Olympic Games have ties to Wisconsin, and I am proud of their efforts. These 15 athletes traveled to Athens to compete in a variety of sporting events, events that ranged from rowing to gymnastics to the modern pentathlon. It is my honor to recognize these fine competitors from Wisconsin:

Chris Ahrens. A graduate of Whitefish Bay High School and two-time Olympian, Chris earned a gold medal this year as a member of the men’s eight rowing team.

Deirdre Demet-Barry. A seven-time national cycling champion originally from Milwaukee, Deirdre competed in women’s cycling while in Athens.

Rebecca Dagenals. A kayaker since age 10, this Green Bay native earned the bronze medal in the women’s K1 flat kayak slalom.

James Gruenwald. Originally hailing from Greenendale, James competed in his second Olympics in the men’s Greco-Roman wrestling competition.

Dennis Hall. A proud cheesehead and Plover resident, Dennis competed in the men’s Greco-Roman wrestling for his third Olympics.

Paul Hamm. An Olympic native of Waukesha, Paul won gold and silver medals in men’s gymnastics events in his second Olympic Games.

Morgan Hamm. As a member of the U.S. men’s gymnastics team, this Waukesha native helped lead the team to a silver medal.

Ben Holbrook. Ben is originally from Hartland and competed in the Men’s quadruple sculls rowing competition in Athens.

Beau Hoopman. Raised in Plymouth, Beau rowed at the University of Wisconsin and won a gold medal in Athens with the men’s eight rowing team.

Mary Beth Larsen-Iagarashvili. A graduate of Mukwonago High School who attended Marquette University, Mary Beth competed in the women’s modern pentathlon.

Garrett Lowney. Athens was the second Olympic Games at which this Freedom resident competed in men’s Greco-Roman wrestling.

Erin Mirabella. Erin, a native of Racine and former student at UW-Parkside, won the bronze medal for her performance in women’s track cycling.

Jeff Nygaard. Jeff showed his Wisconsin roots when he named Brett Favre as a favorite athlete. From Madison, Jeff competed in men’s beach volleyball.

Andrew Rock. A student at UW-La Crosse, Andrew won a gold medal as a member of the men’s 1,600 meter relay in Athens.

Matt Smith. A graduate of the University of Wisconsin, Matt currently serves our country as an infantry captain for the U.S. Army. He competed as a rower in the men’s lightweight four.

Neil Walker. A swimmer originally from Verona, Neil earned two Olympic medals—a bronze in the men’s 4 x 100 freestyle relay and a gold medal in the men’s 4 x 100 medley relay.

Mike Wheeler. A Sun Prairie High School graduate, Mike rowed in his first Olympics with the men’s four in Athens.

I offer my congratulations to these athletes. They demonstrated great passion, dedication to their sport and to the spirit of the Olympics. They made Wisconsin proud.

RATIONALE

Mr. TALENT. Madam President, I was unavoidably detained and unable to participate in roll call vote No. 164 that took place on September 7, 2004. My flight was diverted from its intended destination of Reagan National Airport to Dulles International Airport and prevented me from being able to cast my vote. Had I been present I would have voted in favor of the nomination of Virginia Maria Hernandez Covington to be U.S. District Judge for the Middle District of Florida.

SUPPLEMENTAL APPROPRIATIONS BILL

Mr. GRAHAM of Florida. Mr. President, I rise today to say thank you on behalf of the millions of citizens of my State who have been affected by the incredible events of the last month. Thank you to all of the State and local officials who took quick and decisive actions that saved many lives. Thank you to the first responders who helped citizens evacuate and continued working to keep people safe throughout these major storms. Thank you to the thousands of volunteers from the Red Cross, who staffed thousands of shelters that served as the only safe haven for many Floridians. Thank you to the professionals from FEMA and the Small Business Administration, who activated immediately and began responding in a manner I have not witnessed before.

I did a workday as a hurricane recovery volunteer in Port Charlotte, FL, on August 31, assisting Red Cross volunteers to distribute midday meals to people who were still without power and then going door-to-door with FEMA workers for follow-up damage assessments. I was moved by the gratitude on the faces of people fighting to
recover some degree of normalcy in their lives, even as they face daunting odds—roofs open to the sky, shattered windows, no air conditioning, their possessions scattered and broken.

Every June 1, the citizens in my State face another hurricane season. Some have lived in Florida all their lives and are very well versed in hurricane procedures. Some are new residents and have never been through a large storm. Nothing, however, could have prepared Floridians for the recent series of events. It all started with Tropical Storm Bonnie striking the panhandle in early August, followed by Hurricane Charley crashing into Florida’s west coast on August 13, and continued with Hurricane Frances attacking the entire State this past weekend. Now we are tracking Hurricane Ivan, which is again headed in our direction.

It is remarkable that these massive storms, which impacted nearly all of the 67 counties in the State of Florida, have caused only 29 confirmed fatalities. Hurricane Charley, a category 4 storm with winds in excess of 135 miles per hour, and Hurricane Frances, a category 2 storm with winds near 100 miles per hour, could have been much deadlier. However, while human losses were mercifully low, Florida’s infrastructure suffered greatly.

Now we must move forward and look toward cleaning up and rebuilding our homes, businesses, and farms. I applaud the Senate’s quick approval of supplemental appropriations of $2 billion in emergency assistance through both FEMA and the Small Business Administration. After responding to these major events in my State as well as the recent tropical storm in Virginia, FEMA is stretched extremely thin and needs an influx of funds to keep operations up and running and planning for the long-term recovery.

In the past 8 weeks alone, FEMA has issued over $100 million in individual assistance funds to Florida residents. Over $2.7 million of that has already been allocated for Hurricane Frances’ victims, while the storm is still moving up the Eastern seaboard. The SBA has already approved over $23 million in disaster loans from Charley and with a filing deadline for assistance extended until October 12, 2004, we expect that number to increase exponentially.

The supplemental appropriations bill passed yesterday is only the first installment of badly needed funds for recovery. We must get an accurate assessment of the damage and determine the appropriate amount of funding needed and the appropriate federal agencies to assist specific sectors of the State in rebuilding.

The physical infrastructure needs must be determined. How much damage did the road network suffer? Early estimates from Charley alone total over $65 million for the Federal-aid system. Several Florida airports sustained major damage, which totals nearly $34 million. These are just a few quick estimates. Across the board, we need to determine the extent of damage to Florida’s infrastructure from both Charley and Frances—the highway and transit network, airports, seaports, and schools.

Additionally, our Florida growers have been devastated. Early estimates top $225 million in citrus losses for Charley alone, with over 40 percent of the citrus crop lost. It is too early to tell, but losses from Frances could top $500 million. Since the research program will not be able to cover losses of this magnitude, Congress must step in to help Florida farmers.

These examples are just a small snapshot of the needs of our State. As we determine the amount of damage in other areas, we will need to appropriate funds for other Federal agencies, such as Army Corps of Engineers, Housing and Urban Development, Health and Human Services, Department of Agriculture, NASA and others.

We must move quickly to put together an accurate assessment of the impact that these storms have had on the State of Florida and respond to this need with adequate Federal funding. I look forward to working with my colleagues in the coming days to achieve this goal.

THE BENIGNO FAMILY AND BRAIN INJURY RESEARCH

Mr. CORZINE. Madam President, I rise today to pay tribute to the Benigno family of Clifton, NJ, for their tireless efforts to advance the cause of brain injury research.

Nearly 20 years ago, Dennis and Rosalind Benigno’s 15-year-old son, Dennis John, was struck by a car while walking home from a football physical. Dennis John suffered severe, long-term brain injuries, a number that exceeds the incidence of HIV/AIDS and breast cancer. Right now, there is no cure. In fact, brain injuries are the only cata
damages illness for which scientists have yet to readily identify a cure as their research goal. The Brain Injury Research Act, finally, offers hope to the hundreds of thousands who suffer from brain injuries that an effective therapy may be in sight.

While religious authorities, ethicists, and we here in the halls of government continue to debate the implications of stem and fetal cell research, the Benigno’s remain focused on one thing—supporting the research efforts that may find a cure for their son and others like him. As we make decisions that have the power to spark or extinguish the hopes of millions that the cures they pray for may be found, we should keep the Benignos in mind.

One point is very clear—this new law and the hope it nurtures are a credit to Mr. Benigno’s dedication, courage, and perseverance. He is an inspiration to all of us, and a testament to what one determined citizen can achieve in our democracy.

ADDITIONAL STATEMENTS

HONORING THE ACCOMPLISHMENTS OF THE LOUISVILLE STUNNERS

Mr. BUNNING. Madam President, I pay tribute and congratulate the Louisville Stunners 16-and-under fast pitch softball team. Their recent play has given Kentucky reason to be proud.

Led by coach Kevin Johnson, the Stunners qualified for their division’s USSSA World Series in Columbus, IN, held from July 26 to August 1, 2004, being the only team to represent Kentucky. While there, they finished in fourth place out of 54 teams. Not only did they play well against the best teams in the country, but they also received a sportsmanship award.

I cannot think of a much better group of young people to represent Kentucky. As a former Major League
Baseball player. I appreciate their athletic excellence. As a United States Senator from Kentucky, I appreciate the dignity and decorum with which they played.

I am proud to read the names of these teammates into the Congressional Record today. They are Whitney Atcher, Alicia Ewen, Jodi Pence, Jennifer Young, Jennifer Kisselbaugh, Tiffany Dean, Courtney Roller, Holly Goerner, Jessica McGohon, Krystle Johnson, Kasey Graham, and Jennifer Johnstone.

The citizens of Kentucky should be proud of these young ladies. Their example of dedication and hard work should be an inspiration to the entire Commonwealth. I wish them continued success both on and off the softball field.

IN RECOGNITION OF SENATOR CARPER’S NATIONAL PARKS COMMITTEE

• Mr. CARPER. Madam President, today I give thanks to the members of my National Parks Committee in Delaware for all of their efforts, time, and dedication in attempting to establish a national park here in Delaware.

Delaware is the only State that does not have a national park, national monument, national historic site or any other unit of the National Park Service. It is through the hard work of the members of this committee that we have narrowed down the search in recommending the first national park in the First State.

I began the process of trying to establish a national park in 2002. My staff and I took suggestions from the public via surveys, a web poll, and phone calls. We received hundreds of responses, and suggestions ranged from Fort DuPont to Cape Henlopen State Park to the Underground Railroad to the World War II Towers. After several months of hearing what the public recommended, I established the National Parks Committee in 2003.

The committee was comprised of 12 people, including Dr. James Soles, the head of the committee, Dr. Wilma Mishoe, Ms. Norma Lee Derrickson, the Honorable John Schroeder, Mr. O. Francis Biondi, Mr. Ernst Dannemann, Dr. Linda Johnson-Gilliam, Ms. Jane Richter, Ms. Maria Matos, Mr. Ruly Carper and Mr. Bill Powers and Mr. Edwin Morgan III. For several months, the members met and discussed extensively each of the suggestions offered by the public. They held workshops in each county whereby the public could attend, participate and offer suggestions. They took a tour of the proposed sites to determine which location would make the best national park.

After months of deliberation, the committee came to its final recommendation: the incorporation of the Delaware National Coastal Heritage Park.” This National Park would memorialize the rich and diverse history of Delaware’s coastal areas, bringing that history and related attractions into sharp focus for area residents and visitors alike.

This park would be unique among national parks in both its physical dimensions and its theme. Physically, it would be comprised of a series of four interpretive centers. The centers would largely direct visitors to already existing attractions related to the theme of the park—that is that Delaware’s coastal region is comprised of a series of historic, cultural and natural interwoven threads that hold great significance in the history of both Delaware and the United States.

The concept of the unit recognizes that Delaware’s coastal region is a near perfect microcosm of America’s coastal regions and that they have always played a key role in human activity. It recognizes that the fabric that makes up our Nation is in turn made up of many threads of human and natural activity that have their origins in coastal regions like Delaware’s.

In the First State, these threads start with the development of the earliest human settlers in the area and run through the most sophisticated human activities of modern times. Among the most significant are the history of the first European settlers in the Delaware Valley who built Fort Christina in 1638, the development of coastal defenses from the beaches of the Delaware River, the establishment of Cape Henlopen on the Atlantic Ocean to Pea Patch Island in the Delaware River and, the successful operation of the Underground Railroad, by which thousands of enslaved Africans found their way to freedom along Delaware’s ocean, bay and river coastline. Other threads include: the history of the Native American tribes such as the Lenni Lenape in what is now Delaware, the arrival of the Finns and the Swedes at the Rocks in Wilmington, the increased immigration of English and Irish that is integral parts of the threads highlighted by the park. These would include the John Dickinson Mansion, Dover’s historic Green and others.

The fourth and final hub would be located in Kent County, along the coast of the Delaware River. It would provide information on the existing preserved natural areas such as Bombay Hook and on the myriad other attractions in Kent County that are integral parts of the threads highlighted by the park. These would include the Zwaanendael Museum, the Fenwick Lighthouse and the Georgetown County Courthouse.

Together, these four interpretative centers would direct visitors to the many existing attractions that help us understand and appreciate the entire fabric of our society, a fabric woven from the many threads of Delaware’s coastal region.

It is through the dedication and hard work of these sixteen members that this park is even a possibility. Each of the members took time out of their busy lives to help with this important project marking Delaware’s history. I thank them, along with several members of my staff, for all their hard work and congratulate them on a job well done.

IN RECOGNITION OF THE VOICES OF DETROIT INITIATIVE

• Mr. LEVIN. Madam President, I would like to take a moment to recognize the Voices of Detroit Initiative, VODI. VODI provides an opportunity for people living in Detroit and Wayne County to recognize the Voices of Detroit Initiative, VODI.
County, who do not have insurance, to improve their health. VODI has emerged as an extraordinary leader in Michigan’s efforts to provide better health care access for the uninsured. The Robert Wood Johnson Foundation, RWJF, recognizing VODI for its efforts and awarding her a grant as part of RWJF’s Urgent Matters initiative to increase understanding of the health care safety net and improve the efficiency of emergency care.

Over a quarter million residents are without health insurance coverage in Detroit and Wayne County. This lack of insurance has severe implications on patient health and the availability of resources to care for the uninsured, most of whom are low-income working people. As a result, more than 50 percent of emergency room visits are for problems that could have been treated outside of the emergency room.

VODI is a coalition between Michigan’s leading systems: Henry Ford Health System, Detroit Medical Center, St. John Health, Oakwood Healthcare and Federally Qualified Health Centers. The Federally Qualified Health Centers are made up of Advantage Health Centers, Community Health and Social Services, CHASS, and Detroit Community Health Connection, and the Detroit and Wayne County Health Departments. Together these leaders work to connect the uninsured with a provider or clinic that can provide direct care on an ongoing basis. "A "medical home." Health care services at these sites are provided to VODI’s members on a sliding-fee scale. VODI also engages in multiple activities to promote better health care access for the uninsured, including a pharmacy assistance and medication review program, a tobacco use reduction program, and care management services to assist clients with managing their chronic health conditions.

On behalf of the people of Michigan, I am expressing appreciation to the Voices of Detroit Initiative for their untiring leadership in coordinating and leveraging scarce resources on behalf of the underserved and uninsured and to honor the organization, its staff, and its partners as they continue to work to fulfill their lifesaving mission.

TRIBUTE TO MR. WALTER HAMBLIN

- Mr. BUNNING. Madam President, I pay tribute today to the life of Mr. Walter “Sam” Hamblin of Demossville, KY.

Sam served his country in the Army for 22 years. He enlisted as a private, but worked his way through Officer Candidate School before retiring with the rank of major. He served with distinction during the Vietnam war and provided important service both at his station and at the Pentagon in Washington, DC.

Sam chose to retire near his family’s home in Kentucky, adopting the farm life and raising his children. Family and service were very important to Sam. Six generations earlier, Pierce Dant Hamblin crossed the Delaware River with General Washington during the Revolutionary War. His great grandfather, Henry Clay Hamblin, served in the Kentucky 7th Regiment during the Civil War. And Sam’s father, Walter Hamblin, served in the Navy during World War II. Through the years, the Hamblins have been known as defenders of the Commonwealth.

Sam served in the Kentucky National Guard—and in between attending local sporting events and taking care of his growing family—he continued to travel to Washington and lend his expertise to the American military. He was also the manager and owner of the Peaselburg Inn of Covington and he still found time to write country music songs with his son, Samuel.

Unfortunately, Sam developed thyroid and throat cancer 5 years ago. After fighting hard against cancer, Sam died Friday, July 22, 2004 at his home.

I am proud of Sam Hamblin’s distinguished service. He honored the legacy and traditions of the Hamblin family and served our country well. My thoughts and prayers are with his family.

AMERICAN LEGION OF OSAGE, IA

- Mr. HARKIN. Madam President, I would like to pay special tribute to the American Legion Auxiliary Unit 278 of Osage, IA. On Sunday, April 18, the American Legion, the Auxiliary, and SAL held one of their “famous omelet” breakfasts for a fundraiser to support the Osage High School Band’s trip to Washington, DC on May 29. The Osage band was chosen to represent Iowa in the parade at the dedication of the new World War II Memorial.

It was necessary for the band to raise $65,000 so that all members could participate in this great event. The American Legion Family of Osage agreed to host a breakfast and to match funds that were raised that day. A number of Legion members cooked meals, with band members serving the food. In all, over 300 people were served.

The American Legion was proud to present a check in the amount of $2,400.00 to band director Jeff Kirkpatrick at their regular monthly meeting on Wednesday, April 20.

I join State Commander John Ross in congratulating his hometown band for being chosen to represent Iowa. Along with the Osage Legion family, I salute the community, the band, and all who helped in any way to make this trip possible.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGESREFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(THe nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under authority of the order of the Senate of September 7, 2004, the Secretary of the Senate, on September 7, 2004, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

H.R. 5005. An act making emergency supplemental appropriations for the fiscal year ending September 30, 2004, for additional disaster assistance.

Under the authority of order of September 7, 2004, the enrolled bill was signed by the President pro tempore (Mr. STEVENS) during the adjournment of the Senate on September 7, 2004.

MESSAGE FROM THE HOUSE

At 4:15 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3831. An act to designate the facility of the United States Postal Service located at 2811 Springdale Avenue in Springdale, Arkansas, as the “Harvey and Bernice Jones Post Office Building”;

H.R. 4422. An act to designate the facility of the United States Postal Service located at 1115 South Clinton Avenue in Dunn, North Carolina, as the “General William Carey Lee Post Office Building”.

H.R. 4618. An act to designate the facility of the United States Postal Service located at 10 West Prospect Street in Nanuet, New York, as the “Anthony I. Lombardi Memorial Post Office Building”.

H.R. 4854. An act to reauthorize the Tropical Forest Conservation Act of 1996 through fiscal year 2007, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3831. An act to designate the facility of the United States Postal Service located at 2811 Springdale Avenue in Springdale, Arkansas, as the “Harvey and Bernice Jones Post Office Building”; to the Committee on Governmental Affairs.
H.R. 4442. An act to designate the facility of the United States Postal Service located at 1050 North Hills Boulevard in Reno, Nevada, as the "Guardians of Freedom Memorial Post Office Building"; to authorize the installation of a plaque at such site, and for other purposes; to the Committee on Governmental Affairs.

H.R. 4613. An act to designate the facility of the United States Postal Service located at 1115 South Clinton Avenue in Dunn, North Carolina, as the "General William Carey Lee Post Office Building"; to the Committee on Governmental Affairs.

H.R. 4614. An act to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2007, and for other purposes; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2774. A bill to implement the recommendations of the National Commission on Terrorist Attacks Upon the United States, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–8878. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation to authorize the addition of approximately 64,000 acres of land in the Rouge River-Siskiyou National Forest in the State of Oregon; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8880. A communication from the Director, Regulatory Policy Group, Farm Service Agency, transmitting, pursuant to law, the report of a rule entitled "Guaranteed Loans - Rescheduling Terms and Loan Subordination"; received on August 18, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8881. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "17 CFR Part 36 Exempt Commercial Markets" received on August 6, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8882. A communication from the Acting Administrator, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Beef or Pork with Barbecue Sauce; Revision of Standard" (RIN0583-A009) received on August 6, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8883. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Corrections to Regional Office Information, References to Section 4d(2) and Criteria for CPO Registration Exemption" (48 FR 41424, July 9, 2004); received on August 6, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8884. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled "Eligibility and Scope of Financing; Loan Policies and Operations; General Provisions; Credit and Related Services" (RIN0352-AC06) received on August 6, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8885. A communication from the Assistant Secretary, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Vehicle and Maximum Excess Shelter Expense Deduction Provisions of P.L. 106-387" (RIN0585-AD13) received on August 1, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8886. A communication from the Under Secretary, Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Vehicle and Maximum Excess Shelter Expense Deduction Provisions of Public Law 106-387"; to the Committee on Agriculture, Nutrition, and Forestry.


EC–8888. A communication from the Deputy Chief of Naval Operations, Department of Navy, transmitting, pursuant to law, the report of a decision to implement performance by the Organization (MEO) for the Pacific Northwest Facilities Management in Silverdale, WA; to the Committee on Armed Services.

EC–8890. A communication from the Assistant Secretary, Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Vehicle and Maximum Excess Shelter Expense Deduction Provisions of P.L. 106-387"; to the Committee on Agriculture, Nutrition, and Forestry.


EC–8892. A communication from the Deputy Chief, Programs and Legislation Division, Department of the Air Force, transmitting, pursuant to law, a report relative to reducing the cost of the Base Operating Support function at March Air Reserve Base (ARB), California; to the Committee on Armed Services.

EC–8893. A communication from the Principal Deputy, Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting, pursuant to law, a list of officers approved to wear the insignia of major general or brigadier general; to the Committee on Armed Services.

EC–8894. A communication from the Acting Under Secretary of Defense for Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, the approval of a list of officers to wear the insignia of the grade of rear admiral; to the Committee on Armed Services.

EC–8896. A communication from the Under Secretary of Defense, Comptroller, Department of Defense, transmitting, pursuant to law, a report entitled "Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account"; to the Committee on Armed Services.

EC–8897. A communication from the Under Secretary of Defense, Comptroller, Department of Defense, transmitting, pursuant to law, a report entitled "Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account"; to the Committee on Armed Services.

EC–8898. A communication from the Principal Deputy, Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting, pursuant to law, the approval of the wearing of the insignia of the grade of rear admiral; to the Committee on Armed Services.

EC–8899. A communication from the Principal Deputy, Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting, pursuant to law, the approval for a list of officers to wear the insignia of the next higher grade; to the Committee on Armed Services.

EC–8900. A communication from the Principal Deputy, Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting, pursuant to law, the approval of the wearing of the insignia of the grade of lieutenant general; to the Committee on Armed Services.

EC–8901. A communication from the Principal Deputy, Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting, pursuant to law, the approval of the wearing of the insignia of the grade of admiral; to the Committee on Armed Services.

EC–8902. A communication from the Principal Deputy, Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting, pursuant to law, the approval for a list of officers to wear the insignia of the grade of admiral and vice admiral; to the Committee on Armed Services.

EC–8903. A communication from the Principal Deputy, Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting, pursuant to law, the approval for a list of officers to wear the insignia of the grade of junior admiral; to the Committee on Armed Services.

EC–8904. A communication from the Principal Deputy, Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting, pursuant to law, the approval of the wearing of the insignia of the grade of rear admiral; to the Committee on Armed Services.

EC–8906. A communication from the Acting Under Secretary of Defense for Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to security guards" needs; to the Committee on Armed Services.

EC–8907. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, a report entitled "Written Assurance of Technical Data Conformity" (DFARS Case 2003-D1014) received on August 6, 2004; to the Committee on Armed Services.

EC–8908. A communication from the Acting Under Secretary of Defense for Acquisition,
Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the Defense Acquisition Challenge Program; to the Committee on Armed Services.

EC–8909. A communication from the Acting Under Secretary of Defense for Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the Group II Mission Computer Replacement Program; to the Committee on Armed Services.

EC–8910. A communication from the Deputy Chief of Naval Operations for Manpower and Personnel, Department of the Navy, transmitting, pursuant to law, a report relative to the most efficient organization (MEO) for design engineering at the Puget Sound Naval Shipyard, Detachment Bangor; to the Committee on Armed Services.

EC–8911. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Use of FAR Part 12 for Performance-Based Acquisition” (DFARS Case 2004–D111) received on August 6, 2004; to the Committee on Armed Services.

EC–8912. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Firefighting Services Contracts” (DFARS Case 2002–D202) received on August 6, 2004; to the Committee on Armed Services.

EC–8913. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Designated Countries—New European Union Members” (DFARS Case 2004–D106) received on August 6, 2004; to the Committee on Armed Services.

EC–8914. A communication from the Acting Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “TRICARE: Individual Case Management Program, Program for Persons with a Service-Related Beneficiary Eligible Family Members of Active Duty Service Members, Custodial Care” (RIN7203– AA76) received on August 11, 2004; to the Committee on Armed Services.

EC–8915. A communication from the Alternate OSC FRLOG, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “31 CFR Part 575, Iraqi Sanctions Regulations; General License No. 1 Under Executive Order 13222” received on August 18, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8916. A communication from the Under Secretary for Industry and Security, Department of Commerce, transmitting, pursuant to law, a report of the Department’s assumption of the licensing responsibility for exports and reexports to Iraq, by virtue of the President’s termination of Executive Order 12722 relating to the Iraqi invasion of Kuwait; to the Committee on Banking, Housing, and Urban Affairs.

EC–8917. A communication from the Under Secretary for Industry and Security, Department of Commerce, transmitting, pursuant to law, a report of the Department’s assumption of the licensing responsibility for exports and reexports to Iraq, by virtue of the President’s termination of Executive Order 12722 relating to the Iraqi invasion of Kuwait; to the Committee on Banking, Housing, and Urban Affairs.

EC–8918. A communication from the Deputy Secretary of the Treasury, transmitting, pursuant to law, a report relative to a national emergency with respect to Iraq that was declared in Executive Order 12722 of August 2, 1990; to the Committee on Banking, Housing, and Urban Affairs.

EC–8919. A communication from the General Counsel, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled “Registration of Federal Home Loan Bank Equity Securities” (RIN3609–AB22) received on August 18, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8920. A communication from the Chief Counsel, Bureau of the Public Debt, Treasury Department, transmitting, pursuant to law, a report of a rule entitled “31 CFR Parts 351, 359, and 363, Regulations Governing Treasury Securities—New Treasury Direct System” received on August 14, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8921. A communication from the Deputy Secretary of the Treasury, transmitting, pursuant to law, a report relative to the national emergency with respect to a terrorist threat by Iraq, to the Committee on Banking, Housing, and Urban Affairs.

EC–8922. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Final Flood Elevation Determinations; 69 FR 34588” (44 CFR 67) received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8923. A communication from the Acting General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Regulation SHO, on Short Sales” (RIN3235–AJ00) received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8924. A communication from the Secretary of Commerce, transmitting, pursuant to law, the report of a rule declared by Executive Order 13222 of August 17, 2001 to deal with the threat to the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC–8925. A communication from the Acting Under Secretary of Defense for Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Final Flood Elevation Determinations; 69 FR 34588” (44 CFR 67) received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8926. A communication from the Acting General Counsel for Regulations, Office of the Secretary, Department of Labor, transmitting, pursuant to law, the report of a rule entitled “Requirements for Notification, Evaluation, and Reduction of Lead-Based Paint Hazards in Housing Receiving Federal Assistance, Hazard Evaluation Under the Residential Property Being Sold, Conforming Amendments and Corrections” (RIN2505–AB97) received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8927. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled “12 CFR Parts 701 and 790, Organization and Operations of Federal Credit Unions; Description of NCUA” received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8928. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled “Investment in Exchangeable Collateralized Mortgage Obligations” received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8929. A communication from the Director, Legislative and Regulatory Activities Division, Consumer Financial Protection Bureau, transmitting, pursuant to law, the report of a rule entitled “Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance Through Collateral Backstop; Commercial Paper Programs and Other Related Issues” received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8930. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report of a rule entitled “FHA Single Family Mortgage Insurance; Lender Accountability for Accuracy” (RIN2902–AA16) received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8931. A communication from the Acting Under Secretary of Defense for Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Final Flood Elevation Determinations; 69 FR 34588” (44 CFR 67) received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

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SECURITIES AND EXCHANGE COMMISSION, transmitting, pursuant to law, the report of a rule entitled “Regulation SHO, on Short Sales” (RIN3235–AJ00) received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8932. A communication from the Acting Executive Director and General Counsel, American Institute of Certified Public Accountants, transmitting, pursuant to law, the report of a rule entitled “Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance Through Collateral Backstop; Commercial Paper Programs and Other Related Issues” received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8933. A communication from the Acting General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Final Flood Elevation Determinations; 69 FR 34588” (44 CFR 67) received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8934. A communication from the Under Secretary for Domestic Finance, Department of the Treasury, transmitting, pursuant to law, the annual report on the Resolution Funding Corporation for calendar year 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–8935. A communication from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled “Requirements for Notification, Evaluation, and Reduction of Lead-Based Paint Hazards in Housing Receiving Federal Assistance, Hazard Evaluation Under the Residential Property Being Sold, Conforming Amendments and Corrections” (RIN2505–AB97) received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8936. A communication from the Assistant General Counsel for Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled “Extension of Minimum Funding Requirements; Indian Housing Authority Program” (RIN2977–AC43) received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8937. A communication from the Assistant General Counsel for Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled “Eligibility of Mortgages on Hawaiian Home Lands Insured Under Section 247” (RIN3250–AH92) received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8938. A communication from the Assistant General Counsel for Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled “Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance Through Collateral Backstop; Commercial Paper Programs and Other Related Issues” received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8939. A communication from the Assistant General Counsel for Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled “Eligibility of Mortgages on Hawaiian Home Lands Insured Under Section 247” (RIN3250–AH92) received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.
EC–8909. A communication from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled “Involuntary Participation of Faith-Based Organizations” (RIN2501-A0D3) received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8908. A communication from the Assistant General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Suspension of Community Eligibility; 69 FR 40324” (Doc. No. FEMA 783S) received on August 6, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8941. A communication from the Director, Legislative and Regulatory Activities Division, Bureau of the Currency, transmitting, pursuant to law, the report of a rule entitled “Fundamental Change in Asset Composition of a Bank” received on August 11, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–8942. A communication from the Assistant Secretary for Legislative Affairs, Department of the Interior, transmitting, pursuant to law, a determination that allows the Export-Import Bank to provide a guarantee or insurance in support of the sale of defense articles to Colombia upon completion of a 45-day Congressional notification period; to the Committee on Banking, Housing, and Urban Affairs.

EC–8943. A communication from the Secretary of Energy, transmitting, pursuant to law, the Annual Report for the Strategic Petroleum Reserve covering calendar year 2003; to the Committee on Energy and Natural Resources.

EC–8944. A communication from the Secretary of the Interior, transmitting; a draft of proposed legislation to clarify the authorities for the use of certain National Park Service properties within Golden Gate National Recreation Area and San Francisco Maritime National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

EC–8945. A communication from the Executive Director, Council on Environmental Quality, transmitting, pursuant to law, the report of a rule entitled “Protection of Historic Properties” (RIN3010-A100) received on July 27, 2004; to the Committee on Energy and Natural Resources.

EC–8946. A communication from the Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for the California Condor (Gymnogyps californianus); and Special Rule Exemption for Existing Routine Ranching Activities; Final Rule” (RIN1018-A168) received on August 6, 2004; to the Committee on Energy and Natural Resources.

EC–8947. A communication from the Office of the Assistant Secretary for Policy, Management, and Budget, Department of the Interior, transmitting, pursuant to law, a legislative proposal to make revisions to Title II of Public Law 106-35, the Federal Land Transaction Facilitation Act (PL106); to the Committee on Energy and Natural Resources.

EC–8948. A communication from the Office of the Assistant Secretary for Policy, Management, and Budget, Department of the Interior, transmitting, pursuant to law, a report entitled “Fundamental Change in Asset Composition of a Government Savings Bank” received on August 6, 2004; to the Committee on Energy and Natural Resources.

EC–8949. A communication from the Director, Coastal Analysis and Planning, Bureau of Ocean Energy Management, transmitting, pursuant to law, the Administration’s report entitled “Emissions of Greenhouse Gases in the United States, 2000”; to the Committee on Energy and Natural Resources.

EC–8950. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Kentucky Regulation Program” received on August 6, 2004; to the Committee on Energy and Natural Resources.

EC–8951. A communication from the Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program: Changes to the Hospital Inpatient Prospective Payment Systems and Fiscal Year 2005 Inpatient PPS” (RIN2502-AM80) received on August 6, 2004; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STEVENS, from the Committee on Appropriations:


By Mr. STEVENS, from the Committee on Appropriations:


INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CHAMBLISS:

S. 2778. A bill to amend title 10, United States Code, to provide for the establishment of a unified combatant command for military intelligence, and for other purposes; to the Select Committee on Intelligence.

By Mr. DOMENICI (for himself and Mrs. LINCOLN):

S. 2779. A bill to improve protections for children and to hold States accountable for the orderly and timely placement of children across State lines, and for other purposes; to the Committee on Finance.

By Ms. STABENOW (for herself, Mr. KENNEDY, Mr. ROCKEFELLER, Mr. DAYTON, Mrs. BOXER, Mr. LUTTENBERG, Mr. CORZINE, Mr. HARKIN, Mr. REID, and Mr. LEAHY):

S. 2780. A bill to amend title XVIII of the Social Security Act to stabilize the amount of the Medicare part B premium; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 322. At the request of Mr. INOUYE, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 322, a bill to amend the Internal Revenue Code of 1986 to exempt certain sightseeing flights from taxes on air transportation.

S. 401. At the request of Mr. BUNNING, the name of the Senator from Nebraska (Mr. NEUMANN) was added as a cosponsor of S. 401, a bill to protect children from exploitive child modeling, and for other purposes.

S. 107. At the request of Ms. MIKULSKI, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from Maryland (Mr. S. DEMPSEY), the Senator from Washington (Mrs. MURRAY), the Senator from New Mexico (Mr. BINGAMAN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 107, a bill to provide for uterine fibroid research and education, and for other purposes.

S. 1194. At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 1194, a bill to foster local collaborations which will ensure that resources are effectively and efficiently used within the criminal and juvenile justice systems.

S. 1717. At the request of Mr. HATCH, the name of the Senator from Alaska (Ms. FLANAGAN) was added as a cosponsor of S. 1717, a bill to amend the Public Health Service Act to establish a National Cord Blood Stem Cell Bank Network to prepare, store, and distribute human umbilical cord blood stem cells for the treatment of patients and to support peer-reviewed research using such cells.

S. 2268. At the request of Mr. Bunning, the name of the Senator from Missouri (Mr. TALENT) was added as a cosponsor of S. 2268, a bill to provide for recruitment, training, and deputizing persons for the Federal Flight Deck officer program.

S. 2278. At the request of Mr. ENSIGN, the name of the Senator from Oklahoma (Mr. INHOFFE) was added as a cosponsor of S. 2278, a bill to amend title 28, United States Code, to provide for the appointment of additional Federal circuit judges, to divide the Ninth Judicial Circuit of the United States into 3 circuits, and for other purposes.

S. 2599. At the request of Mr. DURBIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2599, a bill to strengthen the national security by encouraging and
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S. 2388

At the request of Mr. BOND, the name of the Senator from Missouri (Mr. TALMADGE) was added as a cosponsor of S. 2388, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 2363

At the request of Mr. LEAHY, the names of the Senator from California (Mrs. Boxer) and the Senator from New York (Mrs. Klein) were added as cosponsors of S. 2363, a bill to revise and extend the Boys and Girls Clubs of America.

S. 2393

At the request of Mr. ROCKEFELLER, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2393, a bill to improve aviation security.

S. 2437

At the request of Mr. ENSIGN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2437, a bill to amend the Help America Vote Act of 2002 to require a voter-verified permanent record or hardcopy under title III of such Act, and for other purposes.

S. 2536

At the request of Mr. BOND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2536, a bill to reauthorize the Children’s Hospitals Graduate Medical Education Program.

S. 2568

At the request of Mr. BIDEN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 2568, a bill to amend title III of the Social Security Act to provide for other purposes; to the Select Committee on Intelligence.

S. 2593

At the request of Mr. LINCOLN, the name of the Senator from New Mexico (Mr. HAGEL) was added as a cosponsor of S. 2593, a bill to amend title XVIII of the Social Security Act to provide Medicare beneficiaries with access to geriatric assessments and chronic care management, and for other purposes.

S. 2598

At the request of Mr. REID, his name was added as a cosponsor of S. 2598, a bill to protect, conserve, and restore public land administered by the Department of the Interior or the Forest Service and adjacent land through cooperative cost-shared grants to control and mitigate the spread of invasive species, and for other purposes.

S. 2613

At the request of Mr. HAGEL, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 2613, a bill to amend the Public Health Service Act to establish a scholarship and loan repayment program for public health preparedness workforce development to eliminate critical public health preparedness workforce shortages in Federal, State, and local public health agencies.

S. 2623

At the request of Mr. SMITH, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2623, a bill to amend section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to authorize a 2-year extension of the supplemental security income in fiscal years 2005 through 2007 for refugees, asylees, and certain other humanitarian immigrants.

S. 2671

At the request of Mr. ROCKEFELLER, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 2671, a bill to extend temporary State fiscal relief, and for other purposes.

S. 2761

At the request of Mr. GRASSLEY, the name of the Senator from Mississippi (Mr. LOFT) was added as a cosponsor of S. 2761, a bill to amend the Internal Revenue Code of 1986 to provide tax relief for farmers, ranchers, and fishermen, and for other purposes.

S. 2762

At the request of Mr. GRASSLEY, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from South Dakota (Mr. CONRAD) were added as cosponsors of S. 2762, a bill to encourage the use of indigenous feedstock from the Caribbean Basin region with respect to ethyl alcohol for fuel use.

S. 2774

At the request of Mr. LIEBERMAN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2774, a bill to implement the recommendations of the National Commission on Terrorist Attacks Upon the United States, and for other purposes.

S. J. RES. 19

At the request of Mr. LIEBERMAN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. J. Res. 19, a joint resolution recognizing Commodore John Barry as the first flag officer of the United States Navy.

S. CON. RES. 119

At the request of Mr. CAMPBELL, the name of the Senator from Alaska (Ms. MUKOWSKI) was added as a cosponsor of S. Con. Res. 119, a concurrent resolution recognizing that prevention of suicide is a compelling national priority.

S. CON. RES. 128

At the request of Mr. NELSON of Nebraska, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. Con. Res. 128, a concurrent resolution expressing the sense of Congress regarding the importance of life insurance, and recognizing and supporting National Life Insurance Awareness Month.

S. CON. RES. 133

At the request of Mr. CORZINE, the names of the Senator from Florida (Mr. NELSON) and the Senator from Maryland (Mr. SARBAKES) were added as cosponsors of S. Con. Res. 133, a concurrent resolution declaring genocide in Darfur, Sudan.

S. RES. 387

At the request of Mr. FEINGOLD, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Res. 387, a resolution commemorating the 40th Anniversary of the Wilderness Act.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CHAMBLISS:

S. 2778. A bill to amend title 10, United States Code, to provide for the establishment of a unified combatant command for military intelligence, and for other purposes; to the Select Committee on Intelligence.

Mr. CHAMBLISS. Mr. President, today I am introducing legislation to establish a unified combatant command for military intelligence within the Department of Defense. This bill is designed to complement several other pieces of intelligence reform legislation that have been, or will be introduced, all of which call for the creation of a National Intelligence Director who will oversee our intelligence community and be separate from the position of Director of the Central Intelligence Agency.

The very essence of my bipartisan bill is to bridge the gap between the National Intelligence Director and the array of military intelligence entities that he or she will have to deal with, either through direct budget authority or coordination with to ensure all of our intelligence priorities are being properly resourced. The goal of my bill is to make the National Intelligence Director as effective as possible, ensure our military men and women get the best intelligence possible when they are risking their lives to protect our freedoms, and to better integrate our military and civilian intelligence officials into one team.

Let me explain the rationale for this bill and how it will help strengthen the overall intelligence collection and analysis of the United States.

Currently, there are 15 recognized members of the Intelligence Community, eight of which are in the Department of Defense. The Department of
Defense is not only the largest user of intelligence; it is the largest collector as well. These are realities that won’t appreciably change, regardless of how we reframe our Intelligence Community.

The centerpiece of almost all intelligence reform legislation is the creation of a National Intelligence Directorate, as proposed by the 9/11 Commission and endorsed by President Bush. However, I believe that to make the National Intelligence Director realy effective and to make our Intelligence Community function more efficiently, quickly, and be more responsive, the vast intelligence elements and capabilities within the military need to be brought under a single command.

I want to give the National Intelligence Director one point of contact in the military, not eight. I want to give the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and our Unified Commanders one person to turn to for their military intelligence needs. I want the military services to resource, organize, and support the command for intelligence in the same way they are supporting other functional commands such as our Special Operations Command and the Transportation Command.

Let me highlight some of the main provisions of this bill as they pertain to the responsibilities of the commander of the military intelligence command, especially as they relate to the responsibilities of the National Intelligence Directorate. This bill specifies that the military intelligence commander will represent the Department of Defense in the Intelligence Community under the direction of the National Intelligence Director; carry out intelligence collection and analysis activities in response to requests from the National Intelligence Director; prepare and submit to the Secretary of Defense and the National Intelligence Director, and the President, unified and coordinated proposals for military intelligence forces and activities; establish priorities for military intelligence in harmony with national priorities established by the National Intelligence Director; and approved by the President; ensure the interoperability of intelligence sharing within the Department of Defense and within the Intelligence Community as a whole, as directed by the National Intelligence Director, and in response to intelligence requirements levied by the National Intelligence Director.

Let me reiterate that this bill is designed to complement broader legislation creating the National Intelligence Directorate, not as eight separate members but as one. I am convinced that creating a unified command for military intelligence will be good for the military, good for the National Intelligence Director, and good for our country.

By Mr. DOMENICI (for himself and Mr. LINCOLN):

S. 2779. A bill to improve protections for children and to hold States accountable for the orderly and timely placement of children across State lines, and for other purposes; to the Committee on Finance.

Mr. DOMENICI. Mr. President, I rise today with my colleague, Senator LINCOLN, to introduce a bill to improve the Interstate Compact on the Placement of Children.

The Compact is a uniform law that has been enacted by all 50 States, the District of Columbia, and the U.S. Virgin Islands. It establishes orderly procedures for the interstate placement of children and fixes responsibility for those involved in placing the child.

As the father of 8 children myself, I understand that all children deserve and need a safe and supportive environment. The bill I am introducing today will protect the safety of children who are placed across State lines for foster care, adoptive care, and other permanent care. This bill will ensure informed placement decisions, including a full exchange of information between sending and receiving States and it will set and enforce specific timelines for the permanent placement of children. The bill will also create Federal incentives to help foster children find safe and permanent homes.

It is estimated that some 20,000 children need to go to another State to find adoptive families in such cases, safe and stable homes simply cannot be found in the child’s State of residence, where they are typically bounced from one foster home to another. The Interstate Compact on the Placement of Children (ICPC) is premised on the belief that children requiring out-of-state placement will receive the same protections and services that would be provided if they remained in their home States. Yet, the median time spent in the foster care system by children in need of out-of-State placements is 43 months; 2 full years longer than the average time spent by an in-state placed child.

The two primary reasons for an abused and neglected child to move to another option, or foster care placement, typically into the care of relatives. The ICPC establishes uniform legal and administrative procedures governing the interstate placement of children and outlines the many steps necessary to facilitate a child out of State. The ICPC is the highest means we have to ensure protection and services to children who are placed across State lines for foster care or adoption. However, the ICPC was drafted 40 years ago, and through no fault of their original authors, has begun to show its age. It has now become outdated and a barrier to the timely placement of children across State lines.

Finding permanent homes for all children must be the highest priority of the foster care system. Children placed out of State need to be assured of the same protections and services that would be provided if they remained in their home States. Circumstances which make interstate placement of children necessary and the types of protections needed, offer compelling reasons for a mechanism which regulates those placements and Congress should expeditiously revise the ICPC to better serve the interests of these children.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2779
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Orderly and Timely Interstate Placement of Foster Children Act of 2004”.

SEC. 2. SENSE OF THE CONGRESS.

The Congress finds that the Interstate Compact on the Placement of Children (ICPC) was drafted more than 40 years ago, is outdated, and is a barrier to the timely placement of children across State lines.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that the States should expeditiously revise the ICPC to better serve the interests of children and reduce unnecessary work, and that the revision should include—

(1) limiting its applicability to children in foster care under the responsibility of a State, except those seeking placement in a residential facility primarily to access clinical mental health services; and

(2) providing for deadlines for the completion and approval of home studies as set forth in section 4.

SECTION 3. ORDERLY AND TIMELY PROCESS FOR INTERSTATE PLACEMENT OF CHILDREN.

Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended

(1) by striking “and” at the end of paragraph (23);

(2) by striking the period at the end of paragraph (24) and inserting “;” and “;”;

(3) by deleting “(a) F Inding.—The Congress finds that the

(25) provides that the State shall have in effect procedures for the orderly and timely interstate placement of children; and processes implemented in accordance with an interstate compact approved by the Secretary, if incorporating the procedures prescribed by paragraph (26), shall be considered to satisfy the requirement of this paragraph.”;

SEC. 4. HOME STUDIES.

(a) ORDERLY PROCESS.—

(1) IN GENERAL.—Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is further amended—

(A) by striking “and” at the end of paragraph (24);

(B) by striking the period at the end of paragraph (25) and inserting “;” and “;” and
(C) by adding at the end the following:—

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(26) provides that—

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(b) Notice of Proceeding.—Section 438(b) of such Act (42 U.S.C. 638(b)) is amended by inserting “shall have in effect a rule requiring State courts to notify foster parents, pre-adoptive parents, and relative caregivers of a child in foster care under the responsibility of the State of any proceeding to be held with respect to the child, and” after “highly sensitive placement”.

SEC. 10. Reasonable Efforts. (a) In General.—Section 471(a)(15)(C) of the Social Security Act (42 U.S.C. 671(a)(15)(C)) is amended by inserting “(including identifying appropriate out-of-State relatives and placements)” after “may”.

(b) Permanent Habeas Corpus.—Section 471(a)(15)(F) of such Act (42 U.S.C. 671(a)(15)(F)) is amended by inserting “, which considers in-State and out-of-State permanent placement options” before “may”.

SEC. 11. Case Plans. (a) In General.—Section 475(j)(1)(E) of the Social Security Act (42 U.S.C. 675(j)(1)(E)) is amended by inserting “to foster care and timely interstate placements” before the period.

(b) Delay to Enacted State Legislation Required.—If the Secretary of Health and Human Services determines that State legislation (other than legislation appropriating funds required in order for a State plan under part B or E of title IV of the Social Security Act to meet the additional requirements imposed by the amendments made by this Act) shall not be regarded as failing to meet any of the additional requirements before the 1st day of the following calendar quarter beginning after the first anniversary of the date of enactment of this Act, the plan shall not be regarded as failing to meet any of the additional requirements before the 1st day of the 1st calendar quarter beginning after the first anniversary of the date of enactment of this Act.

SEC. 12. Case Review System. Section 475(b)(3) of the Social Security Act (42 U.S.C. 675(b)(3)) is amended—

(1) by striking “develop plans for the” and inserting “make”;

(2) by inserting “, and shall eliminate legal barriers,” before “to facilitate”.

SEC. 13. Use of Interjurisdictional Resources. Section 422(b)(12) of the Social Security Act (42 U.S.C. 622(b)(12)) is amended—

(1) by striking “develop plans for the” and inserting “make”;

(2) by inserting “, including through contracts for the purchase of services” after “resources”; and

(3) by inserting “, and shall eliminate legal barriers,” before “to facilitate”.

SEC. 14. Gao Study on Child Welfare Background Checks. (a) Study.—The Comptroller General of the United States shall conduct a study of background checks that are performed for the purpose of determining the appropriateness of placing a foster or adoptive home a child who is under the custody of a State. The study shall review the policies and practices of States in order to—

(1) identify the most common delays in the background clearance process and where in the process the delays occur;

(2) describe when background checks are initiated;

(3) determine which of local, State, or Federal (such as FBI) background checks are used, how long it takes, on average, for each kind of check to be processed, which crimes or other events are included in each kind of check, how the States differ in classifying the crimes and other events checked, and how thoroughly and reliably by the checks is used in determining eligibility to act as a foster or adoptive parent;

(4) examine the barriers child welfare agencies face in obtaining criminal background check information;

(5) examine the use of the latest information-sharing technology, including electronic and participatory in the Integrated Automated Fingerprinting Information System;

(6) identify the varied uses of such technology for child welfare purposes as opposed to criminal justice purposes; and

(7) recommend best practices that can increase the speed, efficiency, and accuracy of child welfare background checks at all levels of government.

(b) Report to Congress.—Within 12 months after enactment of the Social Security Act for calendar quarters beginning on or after such date, without regard to whether regulations to implement the amendments are promulgated by such date.

SEC. 15. Effective Date. (a) In General.—Except as provided in subsection (b), the amendments made by this Act shall take effect on October 1, 2004, and shall apply to payments under parts B and E of title IV of the Social Security Act for calendar quarters beginning on or after such date, without regard to whether regulations to implement the amendments are promulgated by such date.

(b) Delay to Enacted State Legislation Required.—If the Secretary of Health and Human Services determines that State legislation (other than legislation appropriating funds required in order for a State plan under part B or E of title IV of the Social Security Act to meet the additional requirements imposed by the amendments made by this Act) shall not be regarded as failing to meet any of the additional requirements before the 1st day of the 1st calendar quarter beginning after the first anniversary of the date of enactment of this Act, the plan shall not be regarded as failing to meet any of the additional requirements before the 1st day of the 1st calendar quarter beginning after the first anniversary of the date of enactment of this Act. If the State has a 2-year legislative session, each year of the session is deemed to be the State regular session of the State legislature.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3577. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; which was ordered to lie on the table.

SA 3581. Mr. LEAHY (for himself, Mr. NELSON, of Nebraska, Mr. LIEBERMAN, Mr. JEFFORDS, and Mrs. FEINSTEIN) proposed an amendment to the bill H.R. 4567, supra, which was ordered to lie on the table.

SA 3584. Mr. LEAHY (for himself, Mr. NELSON, of Nebraska, Mr. LIEBERMAN, Mr. JEFFORDS, and Mrs. FEINSTEIN) proposed an amendment to the bill H.R. 4567, supra, which was ordered to lie on the table.

SA 3586. Mr. COCHRAN (for himself and Mr. BYRD) proposed an amendment to the bill H.R. 4567, supra.

SA 3587. Mr. PRINGOLID submitted an amendment intended to be proposed by him to the bill H.R. 4567, supra; which was ordered to lie on the table.

SA 3588. Mr. COCHRAN (for himself, Mr. BYRD, and Mr. STEVENS) proposed an amendment to the bill H.R. 4567, supra.

SA 3589. Mr. ALLARD (for himself and Mr. AKAKA) submitted an amendment intended to be proposed by him to the bill H.R. 4567, supra; which was ordered to lie on the table.

SA 3590. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 4567, supra; which was ordered to lie on the table.

SA 3591. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 4567, supra; which was ordered to lie on the table.

SA 3592. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 4567, supra; which was ordered to lie on the table.

SA 3593. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 4567, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3577. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC.—Amounts appropriated under this Act for expenses relating to the operation of federally owned and leased buildings and for the operations of the Federal Protective Service shall not be made available unless the Secretary of Homeland Security determines that, with respect to contracts (including subcontracts) entered into on or after October 1, 2003 with private security firms to provide protective services for federally owned or leased buildings, the terms of such contracts are not modified in a manner that results in a change in benefits for the employees involved unless to employees involved consent to such changes.

SA 3578. Mr. BAUCUS (for himself, Mr. LEVIN, Ms. STABENOW, Mrs. MURRAY, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill H.R. 4567, supra; which was ordered to lie on the table.

SA 3580. Mr. SCHUMER (for himself and Mr. CONRAT) proposed an amendment to the bill H.R. 4567, supra.

SA 3581. Mr. LEAHY (for himself, Mr. NELSON, of Nebraska, Mr. LIEBERMAN, Mr. JEFFORDS, Mrs. FEINSTEIN, Mr. REID, and Mr. FEINGOLD) proposed an amendment to the bill H.R. 4567, supra.

SA 3582. Mr. THOMAS proposed an amendment to amendment SA 3581 proposed by Mr. LEAHY (for himself, Mr. NELSON of Nebraska, Mr. LIEBERMAN, Mr. JEFFORDS, Mrs. FEINSTEIN, Mr. REID, and Mr. FEINGOLD) to the bill H.R. 4567, supra.

SA 3583. Mr. SPECHER (for himself, Ms. MIKULSKI, Ms. SANDERS, Mrs. MURRAY, Mr. LOUGAR, Mr. KENNEDY, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill H.R. 4567, supra; which was ordered to lie on the table.

On page 39, between lines 5 and 6, insert the following new section:

SEC. 315. (a) The total amount appropriated by this Act for expenses for the Office of the Under Secretary for Border and Transportation Security under the heading “Air and Marine
SA 3579. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; which was ordered to lie on the table; as follows:
On page 21, lines 17, strike "$700,000,000" and insert "$900,000,000".

SA 3580. Mr. SCHUMER (for himself and Mr. CORZINE) proposed an amendment to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; which was ordered to lie on the table; as follows:
On page 19, strike "$2,845,081,000" and all that follows through "grants:" on page 20, line 11, and insert the following:
"$2,906,081,000 which shall be allocated as follows:

(1) $970,000,000 for formula-based grants and $400,000,000 for law enforcement terrorism prevention grants pursuant to section 1014 of the USA PATRIOT ACT (42 U.S.C. 3714): Provided, That the application for grants shall be made available to states within 45 days after enactment of this Act; that all applications be submitted within 45 days after the grant announcement; and that the Office of State and Local Government Coordination and Preparedness shall act within 15 days after receipt of an application: Provided further, That each State shall obligate not less than 80 percent of the total amount of the grant to local governments within its state or shall return the grant award; and

(2) $1,550,000,000 for discretionary grants for use in high-threat, high-density urban areas, as determined by the Secretary of Homeland Security: Provided, That $300,000,000 shall be for port security grants:"

SA 3581. Mr. LEAHY (for himself, Mr. NELSON of Nebraska, Mr. LIEBERMAN, Mr. JEFFORDS, Mrs. FEINSTEIN, Mr. REID, and Mr. FEINGOLD) proposed an amendment to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; as follows:
At the appropriate place, insert the following:
Sec. — None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A-76 for services provided as of June 1, 2004, by employees (including employees serving on a temporary or term basis) of the Office of Immigration Information Officers, Contact Representatives, or Investigative Assistants.

SA 3582. Mr. THOMAS proposed an amendment to amendment SA 3581 proposed by Mr. LEAHY (for himself, Mr. NELSON of Nebraska, Mr. LIEBERMAN, Mr. JEFFORDS, Mrs. FEINSTEIN, Mr. REID, and Mr. FEINGOLD) to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; as follows:
At the end of the amendment add the following:
Sec. —Notwithstanding any other provisions of this Act none of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A-76 for services provided as of June 1, 2004, by employees (including employees serving on a temporary or term basis) of the Office of Immigration Information Officers, Contact Representatives, or Investigative Assistants.

SA 3583. Mr. SPECTER (for himself, Ms. MIKULSKI, Mr. SANTORUM, Mrs. MURRAY, Mr. LUGAR, Mr. KENNEDY, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; which was ordered to lie on the table; as follows:
On page 20, between lines 22 and 23, insert the following:
In addition to all amounts appropriated under this heading, $50,000,000 for discretionary assistance to nonprofit organizations (as defined under section 501(c)(3) of the Internal Revenue Code of 1986) determined to be at high risk of international terrorist attack.

SA 3584. Mr. LEAHY (for himself, Mr. NELSON of Nebraska, Mr. LIEBERMAN, Mr. JEFFORDS, Mrs. FEINSTEIN, Mr. REID, and Mr. FEINGOLD) proposed an amendment to amendment SA 3581 proposed by Mr. LEAHY (for himself, Mr. NELSON of Nebraska, Mr. LIEBERMAN, Mr. JEFFORDS, Mrs. FEINSTEIN, Mr. REID, and Mr. FEINGOLD) to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; as follows:
On page 11, strike "Provided further" on line 13 down through and including "proviso" on line 23, and insert the following: "Provided further, That the Government Accountability Office shall submit within a methodology deemed appropriate by the Comptroller General, the calendar year 2000 cost information for screening passengers and property pursuant to section 44904(a)(2) of Title 49, United States Code, of air carriers and foreign air carriers engaged in air transportation and intrastate air transportation, and report the information within six months of enactment of the Act but no earlier than March 31, 2005, to the Committees on Appropriations of the Senate and House of Representatives and to the Comptroller General, or any of the Comptroller General’s duly authorized representatives, for the purpose of reviewing such cost information, to the personnel and to the books;
accounts; documents; papers; records (including electronic records); and automated data and files of such air carriers, airport authorities, and their contractors; that the Comptroller General’s right of access to such information shall be enforceable pursuant to section 552 of title 5, United States Code: Provided further, That the Comptroller General shall maintain the same level of confidentiality for information made available under the preceding proviso as that required under section 716(e) of Title 31 of the United States Code: Provided further, That the Comptroller General, the Secretary of the Department of Homeland Security shall transfer to the Government Accountability Office from appropriations available for administration expenses of the Government Accountability Office, the amount requested by the Comptroller General, not to exceed $5,000,000, to cover the full costs of any review and report of the 2000 cost information conducted by the Comptroller General, with 15 days advance notice by the Transportation Security Administration to the Committees on Appropriations of the Senate and the House of Representatives: Provided further, That the Comptroller General shall credit funds transferred under the authority of the preceding proviso to the account established for salaries and expenses of the Government Accountability Office, and such amount shall be available, and without fiscal year limitation to cover the full costs of the review and report: Provided further, That any funds transferred and credited under the authority of the preceding proviso that are not needed for the Comptroller General’s performance of such review and report shall be returned to the Department of Homeland Security and credited to the appropriation from which transferred.

On page 11, line 23, strike “audit” and insert “review”.

SA 3587. Mr. COCHRAN proposed an amendment to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; as follows:

On page 7, line 7, strike “General Accounting” and insert “Government Accountability”.

SA 3588. Mr. COCHRAN (for himself, Mr. BYRD, and Mr. STEVENS) proposed an amendment to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; as follows:

On page 37, line 6, strike all after “(a) down through and including “2005.” on page 39, line 5 and insert the following:

None of the funds provided by this or previous appropriations Acts may be obligated for deployment or operation of a system that is less mature than a test basis, of the Computer Assisted Passenger Pre-screening System (CAPPS II) or Secure Flight or other follow on/ successor programs of the Transportation Security Administration (TSA) to utilize plans to screen aviation passengers, until the Government Accountability Office has reported to the Appropriations Committees of the Senate and the House of Representatives that—

1. a system of due process exists whereby aviation passengers determined to pose a threat and either delayed or prohibited from boarding their scheduled flights by the TSA may request an appeal of any erroneous information contained in CAPPS II or Secure Flight or other follow on/ successor programs;

2. the underling error rate of the government and private data bases that will be used both to establish identity and assign a risk level to a passenger will not produce a large number of false positives that will result in a significant number of passengers being treated mistakenly or security resources being diverted;

3. the TSA has test- and demonstrated the efficacy and accuracy of all search tools in CAPPS II or Secure Flight or other follow on/ successor programs can make an accurate predictive assessment of those passengers that may constitute a threat to aviation;

4. the Secretary of Homeland Security has established an internal oversight board to monitor the manner in which CAPPS II or Secure Flight or other follow on/ successor programs are being developed and prepared;

5. the TSA has built in sufficient operational safeguards to reduce the opportunities for abuse;

6. substantial security measures are in place to protect CAPPS II or Secure Flight or other follow on/ successor programs from obtaining unauthorized access by hackers or other intruders;

7. the TSA has adopted policies establishing effective oversight of the use and operation of the system;

8. there are no specific privacy concerns with the technological architecture of the system; and

9. the TSA has, pursuant to the requirements of 49 USC 44903 (1)(2)(A), modified CAPPS II or Secure Flight or other follow on/ successor programs with respect to intra- state transportation to accommodate States with unique air transportation needs and passengers who may otherwise regularly trigger primary selectors.

(b) During the testing phase permitted by paragraph (a) of this section, no information about domestic air carriers, or reservation systems may be used to screen aviation passengers, or delay or deny boarding to such passengers, except in instances when passenger names are matched to a government watch list.

(c) The Government Accountability Office shall submit a report required under paragraph (a) of this section no later than February 15, 2005.

SA 3589. Mr. ALLARD (for himself and Mr. AKAKA) submitted an amendment intended to be proposed by him to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; as follows:

On page 39, between lines 5 and 6, insert the following:

(a) Not later than 3 months after the date of enactment of this Act, the Secretary of Homeland Security shall submit a report to the Committees on Appropriations of the Senate and the House of Representatives and to the Committee on Homeland Security of the House of Representatives that—

1. the Department’s plan and associated timeline for the implementation of geospatial information systems management, procurement, and interoperability; and

2. the timeline for creating the Department-wide Geospatial Information System under the direction of the Chief Information Officer.

SA 3590. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 515. CHIEF FINANCIAL OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) In General.—Section 901(b)(1) of title 31, United States Code, is amended—

(1) by redesignating subparagraphs (G) through (P) as subparagraphs (H) through (Q), respectively; and

(2) by inserting after subparagraph (F) the following:

“(G) The Department of Homeland Security, immediately before the date of enactment of this Act, shall appoint or designate a Chief Financial Officer of the Department of Homeland Security under the amendment made by subsection (a) by not later than 180 days after the date of the enactment of this Act.

(c) Conformed Service of Current Official.—The individual serving as Chief Financial Officer of the Department of Homeland Security immediately before the date of enactment of this Act may continue to serve in the position until the date of the confirmation or designation, as applicable (under section 901(a)(1)(B) of title 31, United States Code), of a successor under the amendment made by subsection (a).

(d) Conforming Amendments.—

(1) HOMELAND SECURITY ACT OF 2002.—The Homeland Security Act of 2002 (Public Law 107-296) is amended—

(A) in section 103 (6 U.S.C. 113)—

(i) in subsection (d) by striking paragraph (4), and redesignating paragraph (5) as paragraph (4);

(ii) by redesigning subsection (e) as subsection (f); and

(iii) by inserting after subsection (f) the following:

“(e) CHIEF FINANCIAL OFFICER.—There shall be in the Department a Chief Financial Officer, as provided in chapter 9 of title 31, United States Code.; and

(B) in section 702 (6 U.S.C. 342) by striking “shall report” and all that follows through the period and inserting “shall perform functions as specified in chapter 9 of title 31, United States Code.”.

(2) FEMA.—Section 901(b)(2) of title 31, United States Code, is amended by striking subparagraph (B), and by redesigning subparagraphs (C) through (H) as subparagraphs (B) through (G), respectively.
proposed by him to the bill H.R. 4567, making appropriations for the Depart-
ment of Homeland Security for the fis-
cal year ending September 30, 2005, and
for other purposes; which was ordered
to lie on the table; as follows:

On page 39, between lines 5 and 6, insert
the following:

TITLE VI—DEPARTMENT OF HOMELAND SECURITY FINANCIAL ACCOUNTABILITY

SEC. 601. SHORT TITLE.
This title may be cited as the “Department of Homeland Security Financial Accountability Act”.

SEC. 602. CHIEF FINANCIAL OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.
(a) In general.—Section 901(b)(1) of title 31, United States Code, is amended—
(1) by redesignating subparagraphs (G) through (P) as subparagraphs (H) through (Q), respectively; and
(2) by inserting after subparagraph (P) the following:

“(Q) The Department of Homeland Security;”.

(b) APPOINTMENT OR DESIGNATION OF CFO.—The President shall appoint or designate a Chief Financial Officer of the Department of Homeland Security under the amendment made by subsection (a) by not later than 180 days after the date of the enactment of this Act.

(c) CONTINUED SERVICE OF CURRENT OFFICIAL.—The individual serving as Chief Financial Officer of the Department of Homeland Security immediately before the date of en-
actment of this Act may continue to serve in that position until the date of the con-
firmation or designation, as applicable (under section 901(a)(1)(B) of title 31, United States Code), of a successor under the amendment made by subsection (a).

(d) CONFORMING AMENDMENTS.—
(1) HOMELAND SECURITY ACT OF 2002.—The Homeland Security Act of 2002 (Public Law 107-296) is amended—
(A) in section 103 (6 U.S.C. 113)—
(i) in subsection (d) by striking paragraph (4), and redesignating paragraph (5) as para-
graph (4);
(ii) by redesignating subsection (e) as sub-
section (f); and
(iii) by inserting after subsection (d) the following:

“(e) CHIEF FINANCIAL OFFICER.—There shall be in the Department a Chief Financial Offi-
cer, as provided in chapter 9 of title 31, United States Code.”; and
(B) in section 702 (6 U.S.C. 342) by striking “shall report” and all that follows through the period and inserting “shall perform func-
tions as specified in chapter 9 of title 31, United States Code.”.

(2) FEMA.—Section 901(b)(2) of title 31, United States Code, is amended by striking subparagraph (B), and by redesigning sub-
paragraphs (C) through (H) as subparagraphs (B) through (G), respectively.

SEC. 603. FUTURE OF CHIEF FINANCIAL OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.
(a) PERFORM AND ACCOUNTABILITY REPORTS.—Section 3516 of title 31, United States Code, is amended by adding at the end the following:

“(f) IMPLEMENTATION OF AUDIT OPINION RE-
quirement.—The Secretary of Homeland Secu-
rity shall include audit opinions in per-
formance and accountability reports under subsection (a) in the same manner as the Secretary of Defense, as amended by subsection (a), only for fiscal years after fiscal year 2004.

(g) ASSERTION OF INTERNAL CONTROLS.—The Secretary of Homeland Security shall in-
clude in the performance and accountability report for fiscal year 2004 submitted by the Secretary under section 3516(f) of title 31, United States Code, an assertion of the inter-
nal controls that apply to financial re-
porting by the Department of Homeland Secu-

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rity.

SEC. 604. AUTHORIZATION OF APPROPRIATIONS.
There are authorized to be appropriated to the Secretary of Homeland Security such sums as are necessary to carry out this title.

SA 3592. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 4567, making appropriations for the Depart-
ment of Homeland Security for the fis-
cal year ending September 30, 2005, and
for other purposes; which was ordered
to lie on the table; as follows:

On page 39, between lines 5 and 6, insert
the following:

TITLE VI—DEPARTMENT OF HOMELAND SECURITY FINANCIAL ACCOUNTABILITY

SEC. 601. SHORT TITLE.
This title may be cited as “Department of Homeland Security Financial Accountability Act”.

SEC. 602. FINDINGS.
The Congress finds the following:

(1) Influential financial management leader-
ship is of vital importance to the mission
success of the Department of Homeland Se-
rcurity. For this reason, the Chief Financial
Officer of the Department must be a key figure
in the Department’s management.

(2) To provide a sound financial leadership structure, the provisions of law enacted by the Chief Financial Officers Act of 1990 (Pub-
lic Law 101-576) provide that the Chief Finan-
cial Officer of each of the Federal executive departments or a Presidential ap-
pointee who reports directly to the Sec-
retary of that department on financial man-
gement matters. Because the Department of Homeland Security was only recently cre-
ated, the provisions enacted by that Act must be amended to include the Department within these provisions.

(3) The Department of Homeland Security was created by consolidation of 22 separate Federal agencies, each with its own account-

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ing and financial management system. None of these systems was developed with a view to the execution of the Department of Homeland Security to prevent terrorist
attacks within the United States, reduce the nation’s vulnerability, and to am-
imize the damage and assist in the recovery
from terrorist attacks. For these reasons, a
strong Chief Financial Officer is needed
within the Department both to consolidate
financial management operations, and to in-
sure that management control systems are comprehensively designed to achieve the mission and execute the strategy of the De-
partment.

(4) The provisions of law enacted by the Chief Financial Officers Act of 1990 require the Comptroller General to improve the financial information available to agen-
cy managers and the Congress. Those provi-
sions also specify that agency financial man-
agement systems must provide for the sys-
tematic measurement of performance. In the case of the Department of Homeland Secu-

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rity, therefore, it is vitally important that
management control systems be designed with a clear view of a homeland security strategy, including the priorities of the De-
partment in addressing those risks of ter-
rorism deemed most significant based upon a comprehensive assessment of potential threats, vulnerabilities, criticality, and con-
sequences. For this reason, Federal law
should be amended to clearly state the re-
sponsibilities of the Chief Financial Officer of the Department of Homeland Security to provide management control information, for the benefit of managers within the De-
partment and to help inform the Congress,
that permits an assessment of the Depart-
ment’s performance in executing a homeland
security strategy.

SEC. 603. CHIEF FINANCIAL OFFICER OF THE DE-
PARTMENT OF HOMELAND SECURITY.
(a) In general.—Section 901(b)(1) of title 31, United States Code, is amended—
(1) by redesignating subparagraphs (G) through (P) as subparagraphs (H) through (Q), respectively; and
(2) by inserting after subparagraph (P) the follow-

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ing:

“(Q) The Department of Homeland Security;”.

(b) APPOINTMENT OR DESIGNATION OF CFO.—The President shall appoint a Chief Financial Officer of the Department of Homeland Security under the amendment made by subsection (a) by not later than 180 days after the date of the enactment of this Act.

(c) CONTINUED SERVICE OF CURRENT OFFICIAL.—An individual serving as Chief Financial
Officer of the Department of Homeland Security immediately before the date of en-
actment of this Act, or another person who is ap-
pointed to replace such an individual in an acting capacity after the date of en-
actment of this Act, may continue to serve in that position until the date of the confirma-
tion or designation, as applicable (under sec-

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tion 901(a)(1)(B) of title 31, United States Code), of a successor under the amendment
made by subsection (a).

SEC. 604. CONFORMING AMENDMENTS.—
(1) HOMELAND SECURITY ACT OF 2002.—The Homeland Security Act of 2002 (Public Law 107-296) is amended—
(A) in section 103 (6 U.S.C. 113)—
(i) in subsection (d) by striking paragraph (4), and redesignating paragraph (5) as para-
graph (4);
(ii) by redesignating subsection (e) as sub-
section (f); and
(iii) by inserting after subsection (d) the following:

“(e) CHIEF FINANCIAL OFFICER.—There shall be in the Department a Chief Financial Offi-
cer, as provided in chapter 9 of title 31, United States Code.”; and
(B) in section 702 (6 U.S.C. 342) by striking “shall report” and all that follows through the period and inserting “shall perform func-
tions as specified in chapter 9 of title 31, United States Code.”.

(2) FEMA.—Section 901(b)(2) of title 31, United States Code, is amended by striking subparagraph (B), and by redesigning sub-
paragraphs (C) through (H) as subparagraphs (B) through (G), respectively.
“(1) shall for each fiscal year submit a performance and accountability report under subsection (a) that incorporates the program performance report under section 1116 of this title for the Department of Homeland Security;

“(2) shall include in each performance and accountability report an audit opinion of the Department’s internal controls over its financial reporting; and

“(3) shall design and implement Department-wide management controls that—

“(A) ensure that the most recent homeland security strategy developed pursuant to section 874(b)(2) of the Homeland Security Act of 2002;

“(B) permit assessment, by the Congress and by managers within the Department, of the Department’s performance in executing such strategy.

(b) IMPLEMENTATION OF AUDIT OPINION REQUIREMENT.—The Secretary of Homeland Security shall include audit opinions in performance and accountability reports under section 3516(f) of title 31, United States Code, as amended by subsection (a), only for fiscal years after 2005.

(c) ASSERTION OF INTERNAL CONTROLS.—The Secretary of Homeland Security shall include in the performance and accountability reports under section 3516(f) of title 31, United States Code, an assertion of the internal controls that apply to financial reporting by the Department of Homeland Security.

(d) AUDIT OPINIONS OF INTERNAL CONTROLS OVER FINANCIAL REPORTING BY CHIEF FINANCIAL OFFICER AGENCIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Chief Financial Officers Council and the President’s Council on Integrity and Efficiency established by Executive Order 12865 of May 11, 1993, shall jointly conduct a study of the Department’s internal costs and benefits of requiring the agencies listed in section 901(b) of title 31, United States Code, to obtain audit opinions of their internal controls over their financial reporting.

(2) REPORT.—Upon completion of the study under paragraph (1), the Chief Financial Officers Council and the President’s Council on Integrity and Efficiency shall promptly submit a report on the results of the study to the Committee on Government Reform of the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Comptroller General of the United States.

(3) GOVERNMENT ACCOUNTABILITY OFFICE ANALYSIS.—Not later than 90 days after receiving the report under paragraph (2), the Comptroller General shall perform an analysis of the information provided in the report and report the findings of the analysis to the committees referred to in paragraph (2).

SEC. 606. ESTABLISHMENT OF OFFICE OF PROGRAM ANALYSIS AND EVALUATION.


(1) inserting “(a) In General.—” before the first sentence; and

(2) adding at the end the following:

“(b) PROGRAM ANALYSIS AND EVALUATION FUNCTION.—

“(1) Establishment of Office of Program Analysis and Evaluation.—Not later than 90 days after the enactment of this subsection, the Secretary shall establish an Office of Program Analysis and Evaluation within the Department (in this section referred to as the ‘Office’).

“(2) Responsibilities.—The Office shall perform the following functions:

“(A) Analyze and evaluate plans, programs, and budgets of the Department in relation to the homeland security strategy established by Executive Order 12805. The Office shall provide an analysis of the Department’s performance and accountability report under section 1115 of this title and the financial reporting of United States Department of Homeland Security.

“(B) Develop and perform analyses and evaluations of alternate plans, programs, and budgets of the Department in relation to the homeland security strategy established by the Secretary, that was used to develop program planning guidance for the Future Years Homeland Security Program; and

“(C) Establish policies for, and oversee the integration of, the planning, programming, and budgeting system of the Department.

“(D) Review and ensure that the Department met performance-based budget requirements established by the Office of Management and Budget.

“(E) Provide guidance for, and oversee the development of, the Future Years Homeland Security Program of the Department, as specified under section 874.

“(F) Ensure that the costs of Department programs, including classified programs, are presented accurately and completely.

“(G) Oversee the annual performance plan for the Department and the program and performance section of the annual report on program performance for the Department, consistent with sections 1115 and 1116, respectively, of title 31, United States Code.

“(H) Provide leadership in developing and promoting improved analytical tools and methods for analyzing homeland security planning and the allocation of resources.

“(I) Any other responsibilities delegated by the Secretary to the Office to improve an effective program analysis and evaluation function.

“(J) DIRECTOR OF PROGRAM ANALYSIS AND EVALUATION.—There shall be a Director of Program Analysis and Evaluation, who—

“(A) shall be a principal staff assistant to the Chief Financial Officer of the Department for program analysis and evaluation, and

“(B) shall report to an official no lower than the Chief Financial Officer.

“(K) REORGANIZATION.—The Secretary may allocate or reallocate the functions of the Office, or discontinue the Office, in accordance with section 872(a).

“(L) EXCLUSION FROM LIMITATIONS.—Section 872(b) shall not apply to any action by the Secretary under this paragraph.”.

SEC. 607. NOTIFICATION REGARDING TRANSFER OR REPROGRAMMING OF FUNDS FOR DEPARTMENT OF HOMELAND SECURITY.

Section 702 of the Homeland Security Act of 2002 (6 U.S.C. 342) is further amended by adding at the end the following:

“(c) NOTIFICATION REGARDING TRANSFER OR REPROGRAMMING OF FUNDS.—In any case in which appropriations available to the Department or any component thereof are transferred or reprogrammed and notice of such transfer or reprogramming is submitted to the Congress (including any officer, office, or Committee of the Congress), the Chief Financial Officer of the Department shall simultaneously submit such notice to the Select Committee on Homeland Security (or any successor to the jurisdiction of that committee) and the Committee on Governmental Reform of the House of Representatives, and to the Committee on Governmental Affairs of the Senate.”.

SA 3593. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; which was ordered to the table; it follows:

On page 39, between lines 5 and 6, insert the following:

“SEC. 515. Section 702 of the Homeland Security Act of 2002 (6 U.S.C. 342) is amended by striking ‘‘, or to another official of the Department, as the Secretary may direct’’.”

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that the oversight hearing regarding the current status of the Hard Rock Mining Industry in America previously scheduled for Thursday, September 16 before the Committee on Energy and Natural Resources was postponed until Thursday, September 23, at 10 a.m. in room SD–366 of the Dirksen Senate Office Building.

For further information, please contact Dick Bouts at 202–224–7545 or Amy Millet at 202–224–8276.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ENZI. Mr. President, I ask unanimous consent that Committee on Commerce, Science, and Transportation be authorized to meet on September 8, 2004, at 10 a.m. on NASA: Space Shuttle in SR–235.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ENZI. Mr. President, I ask unanimous consent that Committee on Commerce, Science, and Transportation be authorized to meet on September 8, 2004, at 2:30 p.m. on Spectrum for Public Safety Uses in SR–233.

THE PRESIDENT. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. ENZI. Mr. President, I ask unanimous consent that the Committee on
Governmental Affairs be authorized to meet on Wednesday, September 8, 2004, at 10:30 a.m. for a hearing titled “Building an Agile Intelligence Community to Fight Terrorism and Emerging Threats.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. ENZI. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Wednesday, September 8, 2004 at 10:00 a.m. on “Judiciary Nominations” in the Dirksen Senate Office Building Room 226.

WITNESS LIST

Panel I: Senators.
Panel II: Susan B. Neilson, to be United States Circuit Judge for the Sixth Circuit.
Panel III: Micaela Alvarez, to be United States District Judge for the Southern District of Texas; Keith Starrett, to be United States District Judge for the Southern District of Mississippi; Raymond L. Finch, to be Judge for the District Court of the Virgin Islands for a term of ten years. (Re-appointment).

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE PLACED ON CALENDAR—S. 2774

Mr. MCCONNELL. Madam President, I understand there is a bill at the desk that is due for its second reading.

The PRESIDING OFFICER. The Senator is correct. The clerk will read the title of the bill for the second time. The legislative clerk read as follows:

A bill (S. 2774) to implement the recommendations of the National Commission on Terrorist Attacks Upon the United States, and for other purposes.

Mr. MCCONNELL. Madam President, in order to place the bill on the calendar under rule XIV, I object to further proceedings on this measure.

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

ORDERS FOR THURSDAY, SEPTEMBER 9, 2004

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, September 9. I further ask that following the prayer and the pledge, the morning hour be deemed to have expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate begin a period of morning business for up to 60 minutes, with the first 30 minutes under the control of the majority leader or his designee, and the remaining time under the control of the Democratic leader or his designee; provided that following morning business, the Senate resume consideration of Calendar No. 588, H.R. 4567, the Homeland Security appropriations bill. The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MCCONNELL. Madam President, for the information of all Senators, following morning business, the Senate will resume consideration of the Homeland Security appropriations bill. We will continue the amending process tomorrow morning, and Senators should expect rollover votes throughout the day.

Moments ago, we were able to lock in the final list of amendments, and the chairman and ranking member will continue working through the list tomorrow.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order. There being no objection, the Senate, at 7:47 p.m., adjourned until Thursday, September 9, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate September 8, 2004:

DEPARTMENT OF DEFENSE

RAYMOND F. DUBOIS, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY UNDER SECRETARY OF DEFENSE FOR LOGISTICS, REPAIR, READINESS, VICE JAMIE K. MOIR, RESIGNED.

ENVIRONMENTAL PROTECTION AGENCY

THOMAS V. SKINNER, OF ILLINOIS, TO BE CHAIRMAN, BOARD OF TRUSTEES OF THE GREAT LAKES, VICE RICHARD Y. FLANAGAN, RESIGNED.

DEPARTMENT OF STATE

HOWARD J. KREINDLER, OF NEW JERSEY, TO BE CONSUL GENERAL, NEW YORK, VICE STEPHEN E. SIGEL, RESIGNED.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

DOUGLAS MENAHER, OF TEXAS, TO BE ASSISTANT ADMINISTRATOR FOR HUMANitarian DEVELOPMENT, VICE PATRICK M. CROWN, RESIGNED.

DEPARTMENT OF STATE

CATHERINE TODD BAILLY, OF KENTUCKY, TO BE AMBASSADOR-AT-LARGE FOR WOMEN'S RIGHTS, VICE LINDSAY E. GERSHON, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 1220:

To be major

JUAN H. BANKS, 0000
THOMAS D. RECKER, 0000
FRED S. MILLER, 0000
SUSAN M. CRUZADA, 0000
CONRAD C. COLSON, 0000
MARGARET A. FAUVERTANMUELL, 0000
MARIA F. RAMOS, 0000
MARK A. HASKELL, 0000
DAN T. HERRING, 0000
JULIE R. BOLLOMBAUGH, 0000
TARA HOWELL, 0000
SHAWN B. KENNEDY, 0000
VINCENT KIM, 0000
PHIL J. KIM, 0000
KENNETH T. KUSHNITZ, 0000
TIMOTHY LEE, 0000
KATHLEEN R. MARTIN, 0000
ADAM J. MCKISSOCK, 0000
ANNE M. MILLER, 0000
Randy E. Muccillo, 0000
DONALD R. FRIEDEL, 0000
MARK E. RANSCHAERT, 0000
Caballero A. Roche, 0000
HEROD ROSENFELD, 0000
JOHN C. SHILLINGBURG, 0000
RYAN L. SNYDER, 0000
JAY E. SONG, 0000
CHARLES C. STONE, 0000
DIRK B. TAHANARA, 0000
NATHANIEL D. THICKER, 0000
DIMITRE WILSON, 0000
MICHAEL H. WU, 0000
BOLF M. WURCH, 0000
LISA N. YARBROUGH, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JOHN M. ISSERSON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ANDREW M. ANGHELLA, 0000
KIRK R. ARLEIGHA, 0000
ANTHONY R. ARTHUR JR., 0000
DAVID J. BACHAND, 0000
DAVID J. BACON, 0000
TAUSEEF A. BADAR, 0000
KENNETH J. ARLINGHAUS, 0000
ANTHONY R. ARTINO JR., 0000
KENNETH J. ARLINGHAUS, 0000
THOMAS Z. BOSY, 0000
RONALD D. BOLDING, 0000
THOMAS Z. BOSY, 0000
WAYNE C. BOUCCHE, 0000
ROBERT G. CHRYSLER, 0000
GARY T. BRICE, 0000
REGINALD C. BROWN, 0000
MARY J. BURKES, 0000
MICHAEL J. BUSH, 0000
Jerome T. CAMPBELL II, 0000
ELIZABETH C. CARE, 0000
WILLIAM D. CARROLL, 0000
THOMAS V. SKINNER, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL DEVELOPMENT, VICE PATRICK M. CROWN, RESIGNED.

DEPARTMENT OF DEFENSE

MARTIN S. FASS, 0000

TO THE GRADE INDICATED IN THE UNITED STATES NAVY

TO THE GRADE INDICATED IN THE UNITED STATES NAVY

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TO THE GRADE INDICATED IN THE UNITED STATES NAVY

TO THE GRADE INDICATED IN THE UNITED STATES NAVY
CONGRESSIONAL RECORD — Extensions of Remarks

Extensions of Remarks

CITY OF SOUTHLAKE RANKED IN TOP TEN

HON. MICHAEL C. BURGESS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 2004

Mr. BURGESS. Mr. Speaker, it is my great honor to recognize five communities within my district for being acknowledged as among the "Top Ten Suburbs of the Dallas-Fort Worth Area," by D Magazine, a regional monthly publication. Top honors went to Southlake, Colleyville, Highland Village, Flower Mound, and Coppell based on these communities' excellent schools, affordability, and low crime rates.

Every two years, the magazine ranks some fifty plus suburbs of the Dallas-Fort Worth region, the State of Texas' largest metropolitan area. Southlake was ranked number three on this year's top ten after receiving top marks as a community dedicated to its school's athletics and music. D Magazine also noted the city's efforts for resident involvement through SPIN (Southlake Program for the Involvement of Neighborhoods), which "helps residents communicate with the city government." As a congressman, I appreciate Southlake's efforts to encourage civic engagement because constituent communication is essential to improving our communities.

I applaud Mayor Andy Wambgsanss and the City Council of Southlake for building the City of Southlake into a distinguished community. I am proud to represent such a vibrant city.

CONGRATULATING AN EXCEPTIONAL GROUP OF NORTHWEST INDIANA RESIDENTS

HON. PETER J. VISCLOSKY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 2004

Mr. VISCLOSKY. Mr. Speaker, it is with great pride and enthusiasm that I wish to congratulate an exceptional group of Northwest Indiana residents. The Lake County Chapter of the American Red Cross will be honoring several local heroes for their bravery and selfless acts of kindness during the "In Honor of Heroes" banquet on Thursday, September 9, 2004 at the Avalon Manor in Merrillville, Indiana. They will also be recognizing two fallen military heroes and two fallen police heroes.

The First Congressional District is proud to commend the following youth for their acts of bravery. Thomas Jones displayed courage when he dialed 9-1-1 while his mother was having a seizure. The 9-1-1 dispatcher, Debbie Kochis, kept 5-year-old Thomas calm and feeling secure while she dispatched help. Thomas bravely responded to Kochis' request for information needed to get help and followed her instructions to help save his mother. Five-year-old Bobby Bodnar's grand-

mother fell unconscious while on a shopping trip. Bobby freed himself from the car seat and tried to help her. The young hero stayed calm, showed an employee where his grandmother was, and gave valuable information to the police. While on his way to school, Mike Spurlock came upon an accident scene. Assisted by other heroic citizens, Mike broke out one of the automobile's windows and removed the badly injured victim from the car. After the incident, he continued on to school as usual to take his final exam.

The Red Cross is also recognizing the following Northwest Indiana residents for using their training in life saving techniques to assist victims in life threatening situations. Mr. Daniel Luczak, an EMT, administered care to an injured worker which reduced further injury to the victim's lumbar spine. Lt. Yvonne Hogan Foster used CPR to revive a 90-year-old female who was unconscious. The tragic outcome of this heroic attempt to save a life should not diminish the fact that Lt. Hogan-Foster reacted quickly to the situation and put her lifesaving technique into action. Dave Mays and Kandidis Pigg are lifeguards trained and certified by the YMCA. Dave Mays activated the YMCA's emergency procedure and safely rescued a young man in the water complaining of severe back pain. Ms. Kandidis Pigg's training in delivering oxygen proved to be a lifesaving technique after she was able to remove a man from the water who complained of shortness of breath. This heroic rescue resulted in the man's full recovery. The members of the Courage Aktion Club feel that they are in good hands whenever James Harris is around. While having lunch, James noticed a woman choking and performed the Heimlich maneuver to dislodge the food. A week later, while riding the bus, James helped a passenger who was having a seizure. Without the courageous efforts of these individuals; Karl Samuel, Hignio Martinez, Hank Carmona, Brian Gregory, Paul Jacquez, Sam Rhoten, and Bill Curtis, a heart attack victim would not have survived. Their CPR/AED training revived the victim until the EMS arrived.

Carrie Clemens, Laura Layman, Stacey Gibbons, Samantha Yochitz, Stephen Kolodziej, Adam Wythe, and Matt Plassman were all working at a local Schoops restaurant when a tragic automobile accident occurred. The driver of a pickup truck suffered a fatal heart attack that resulted in the truck crashing into the restaurant. The heroic employees stepped right in to assist and aid the injured. Also being recognized are Randy Edmaiston and Martin Chelich, two courageous men that entered the home of a senior citizen while her home was on fire and evacuated the woman. Because of this selfless act, the woman's life was saved.

It takes dedication and hard work to make a blood drive a success. Hyles Anderson College and First Baptist Church work together to make blood drives successful. Due to the hard work of Kris Grafton, Karen Basham, Pastor Jack Schaad, and all the others involved, they have increased their blood collections by 40 percent and helped save 1,026 lives. Blood donors like Beth Groff truly give the gift of life. She has graciously donated 18 gallons of blood.

John D. Amos II and Luis A. Perez were two residents of Northwest Indiana who sacrificed their lives during Operation Iraqi Freedom, and their deaths come as a difficult setback to a community already shaken by the realities of war. These fallen soldiers will forever remain heroes in the eyes of this community, and this country.

I would like to also honor Trooper Scott A. Patrick and Detective William Rolniak, Jr. Trooper Patrick was the 40th Indiana State Police Officer to be killed in the line of duty. While stopping to aid a stranded motorist, he was shot by the motorist who had stolen the car. Detective William Rolniak, Jr. a 14-year police veteran, was killed in the line of duty when a suspect took him as a hostage and later killed him.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in commending and acknowledging these outstanding heroes of Northwest Indiana. Their bravery and selfless deeds to others are worthy of the highest honor and respect.

MARRIAGE PROTECTION ACT OF 2004

SPREECH OF

HON. DENNIS MOORE
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2004

Mr. MOORE. Mr. Speaker, I rise in opposition to H.R. 3313, which would bar federal courts, including the Supreme Court, from hearing cases related to provisions in the Defense of Marriage Act [P.L. 104–199]. Under that law, the definition of marriage as a union between a man and a woman extends to all aspects of federal law and prevents states from being forced to recognize same-sex marriages from other states. In addition to P.L. 104–199, 38 states—including Kansas—have adopted laws limiting marriage to a man and a woman. H.R. 3313 would not bar state courts from hearing cases related to same sex marriage.

While Congress has broad authority under Article III of our Constitution to regulate the jurisdiction, procedures and remedies available in state and federal courts, this power is generally not used as a means to affect substantive law. Over the years, various proposals have been made—but not enacted—to limit the jurisdiction of federal courts to hear cases regarding particular, controversial areas of constitutional law, such as school busing, abortion, prayer in school, and recitation of the Pledge of Allegiance. Congress' Article III authority is generally used to address broad issues of court efficiency and resource allocation, rather than to allocate judicial power in a way that affects or influences the result in
cases concerning specific constitutional issues. Limiting the jurisdiction of any court for any particular class of cases raises questions regarding both the separation of powers doctrine and the Equal Protection Clause of our Constitution.

Additionally, it is not settled doctrine that Congress has the power to eliminate Supreme Court review of constitutional questions. As President Reagan’s first attorney general, William French Smith, noted: “The integrity of our system of federal law depends upon a single court representing a final say on the resolution of federal questions. The ultimate result of depriving the Supreme Court of jurisdiction over a class of cases would be that federal law would vary in its impact among the inferior courts. State courts could reach disparate conclusions on identical questions of law and the Supreme Court would not be able to resolve the inevitable conflicts.”

For all of these reasons, Mr. Speaker, enactment of H.R. 3313 would be unwise and quite possibly unconstitutional. I agree with the late Senator Barry Goldwater who opposed actment of H.R. 3313 would be unwise and others follow the path set by H.R. 3313. The Constitution would be rendered meaningless if the Act in 1996. In his correspondence to mem-

Barr, who authored the Defense of Marriage and it was signed into law by President Clin-
des in his letter that, “the frontal assault on the independence of the Federal courts is a dan-
gerous blow to the foundations of a free soci-
y. I noted with great interest a letter I recently received from former U.S. Representative Bob Barr, who authored the Defense of Marriage Act in 1996. In his correspondence to mem-
bers of the House, dated July 19, 2004, former Congressman Barr urged the House to defeat H.R. 3313, stating that it will “weaken the defense of marriage. The Constitution —
determined that DOMA is fully constitutional. Although there are a few naysayers and wish-
ful thinkers who opined that DOMA is unconsti-
tutional, the overwhelming weight of author-
ity was clear that DOMA is constitutional. Based on the exhaustive review of these opin-
ions, Congress overwhelmingly passed DOMA and it was signed into law by President Clin-
ton. DOMA remains good law. It is a sound and wise example of congressional authority, pursuant to the Full Faith and Credit Clause of the Constitution.”

Further, former Congressman Barr com-
ments in his letter that “because H.R. 3313 does not strip state courts of jurisdiction to hear challenges to the cross-state recognition section of DOMA, the result will be that each of the 50 state supreme courts will be the final authority on the constitutionality of a federal law. The chaotic result could be 50 different interpretations reached by state supreme courts, with no possibility of the U.S. Supreme Court reversing any incorrect interpretation of the federal DOMA. The potential for mischief by these courts is obvious. Ironically, I fear an increased likelihood of an adverse decision on DOMA’s constitutionality if H.R. 3313 becomes law.”

Mr. Speaker, for all of these reasons, H.R. 3313 is neither good law nor good policy. My personal belief is that marriage is a union be-
tween a man and a woman, but that the reg-
ulation of marriage should be left to the states. Amending the Constitution of the United States is a serious matter not to be taken lightly and neither is enactment of legislation that would alter the careful balance of power and responsibility that the founders of our na-
tion apportioned between the three branches of the federal government. I oppose H.R. 3313.

HONORING LOUISIANA EMPLOYER BAKER OIL TOOLS—THE FIRST RECIPIENT OF THE MANUFACTURING EXTENSION PARTNER-
SHIP OF LOUISIANA’S ANNUAL PACE AWARD

HON. CHRISTOPHER JOHN
OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 2004

Mr. JOHN. Mr. Speaker, our local employers are dedicated contributors to our local econ-
omy. Each day our local manufacturers not only produce valuable products in our commu-
nities, they employ the skills of area workers and resources to get the job done. Manufac-
turers like the one I am recognizing today are committed to success, and their success di-
rectly benefits our communities.

One such local manufacturer is Baker Oil Tools located in Lafayette, Louisiana. Baker Oil Tools is a leader in oilfield services and today they are being honored by the Manufac-
turing Extension Partnership of Louisiana (MEPoL) with the first-ever Platinum Award for Continued Excellence (PACE Award).

MEPoL—a non-profit business resource based at the University of Louisiana at Lafay-
ette—has a distinguished history of providing business and technical assistance to manufac-
turing firms throughout the State of Louisiana. They have worked with over 550 Louisiana businesses—including Baker Oil Tools—since 1997 to increase the productivity and profit-
ability of their clients.

MEPoL educated, encouraged and empow-
ered Baker Oil Tools to embrace the principles of ‘Lean Manufacturing,’ a systematic ap-
proach to identifying and eliminating waste in the manufacturing process through continuous improvement. This efficient approach enabled the organizational advancements that led to the receipt of this prestigious award.

Thanks to a committed workforce and lead-
ership dedicated to excellence, Baker Oil Tools has made significant advances in driving productivity, quality and technology throughout their organization. Baker Oil Tools is a local manufacturing leader and this award is an out-
standing achievement.

Congratulations to Baker Oil Tools on re-
ceipt of MEPoL’s first annual PACE award and to their long standing commitment to the peo-
ple and prosperity of our community.
Hon. Peter J. Visclosky
Of Indiana
In the House of Representatives
Tuesday, September 7, 2004
Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and honor that I congratulate Mr. John Daniel Artis for being selected as the East Chicago Citizen of the Year. For fifteen years, the Twin City Community Services in East Chicago, Indiana, has awarded this title to prominent members of the community who have greatly contributed to the city and people of East Chicago. This year's festivities will take place Friday, August 20, at the Knights of Columbus Hall in East Chicago. During this prestigious event, John's friends and family will accompany him in a roast held in his honor.

Throughout his education and career, John D. Artis has accomplished many admirable goals. He graduated from Tennessee State University in Nashville, Tennessee, with a Bachelor of the Arts in political science and history and later received his masters in public administration from Indiana University Northwest's School of Public and Environmental Affairs.

After finishing his undergraduate education, John selflessly devoted two years to working as a caseworker for the Crippled Children Division of Mary's Department of Public Works. John then served as the Assistant Director of the Cooperative Area Manpower Planning Agency followed by a two year term as the Supervisor of Relocation for the Department of Redevelopment. As a hardworking, disciplined, and dedicated leader, John was promoted to Deputy Director of Redevelopment in 1975 and to Director of Housing and Redevelopment in 1978, a position he continues to hold. John has been an integral part of several programs that have bettered the lives of those in his community: he aided in designing The History and later received his masters in public

Mr. Speaker, I ask that you and my other distinguished colleagues join me in congratulating Mr. John Daniel Artis on being recognized as the East Chicagoan of the Year. It is my privilege to extend my personal thanks to Mr. John Daniel Artis for his lifelong dedication to the citizens of the First Congressional District of Indiana. I confidently await Mr. Artis' future contributions to society and wish him continued personal and professional success.

TRIBUTE TO DANIEL J. WATKINS
Hon. Dennis Moore
Of Kansas
In the House of Representatives
Tuesday, September 7, 2004
Mr. MOORE. Mr. Speaker, I rise to note the passing of Daniel J. Watkins, of Prairie Village, Kansas, who passed away peacefully at his home with his children around him on Wednesday, July 21, 2004, the feast day of his patron, St. Daniel the Prophet.

Dan Watkins was born on December 18, 1923, the second of four children of Thomas J. and Theresa A. Watkins, and raised on the family farm near Albia, Iowa. He enlisted in the Navy in 1943 and was commissioned and assigned to the 37th Spec. Construction Battalion (Sea Bees) in the Pacific Theatre, where he was Asst. Company Commander on the island of Oahu, Hawaii, near Pearl Harbor. Following his service in the Navy, Dan completed his studies at Iowa State University, where he earned a degree in civil engineering. He was a member of the Phi Kappa fraternity and the track team. He was also inducted into the Tau Beta Pi, the Knights of St. Patrick and the Iowa Engineering honorary societies.

Dan married Barbara L. Van Cleave on September 9, 1946. They moved to Kansas City in 1947 when Dan accepted a position with the firm of Howard Needles Tammen and Bergendoff. His entire professional career was spent with HNTB, culminating as the chairman of the Executive Committee. He took great satisfaction in the many roads, bridges, airports and other projects that HNTB designed. In 1989, Dan was awarded the Marston Medal by his alma mater, Iowa State University for outstanding achievement in engineering. He was also the recipient of the Distinguished Service Award by the National Society of Professional Engineers and by the Missouri Society of Professional Engineers.

Mr. Speaker, I rise today to honor the memory of a fine American, a devoted son and a brave soldier who gave his life serving our Nation in Operation Iraqi Freedom.
David Paul Burridge served with the U.S. Marine’s 1st Marine Expeditionary Force. On the afternoon of the 6th of September, was killed outside Fallujah, Iraq when a suicide bomber detonated a vehicle near a U.S. con-

voy.

David had been stationed in Iraq since April and most recently, his Marine unit was charged with securing the volatile western Anbar province.

David was one of seven brave Marine’s killed outside Fallujah on Monday. While we here in the United States honor America’s workers on Labor Day, David and his col-

leagues were hard at work defending our free-

dom. In the line of duty, David bravely gave his life to help make this world a better place for his fellow soldiers and indeed for us all.

A 2004 graduate of Lafayette High School, David’s principal remembered him as “happy-
go-lucky,” saying “he was just the kind of kid that if I were a teacher, that’s the kind of kid that you say, ‘I’d take a whole class of them.’”

Mr. Speaker, please join David’s friends, family and me as we honor his memory and thank him for his heroic service to our country.

IN RECOGNITION OF THE WELL-
NESS COMMUNITY OF THE SAN FRANCISCO EAST BAY AREA FOR ITS COMMITMENT TO INDIVID-

UALS, FAMILIES, AND LOVED ONES AFFECTED BY CANCER

HON. ELLEN O. TAUSCHER
OF CALIFORNIA
İN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mrs. TAUSCHER. Mr. Speaker, I rise today to bring to your attention the accomplishments of the Wellness Community of the San Fran-

cisco East Bay area.

The Wellness Community provides support, education, and hope for people with cancer and their loved ones, serving more than 1,000 participants in the Bay Area annually.

Cancer affects three out of four families across our Nation, over 1.3 million Americans each year. Cancer does not discriminate, crossing all ethnic, racial, age, national origin, sexual orientation, and socio-economic lines. It is one of the most devastating diseases afflict-

ing Americans today.

The Wellness Community of the San Fran-

cisco East Bay area provides services to im-

prove the quality of life for cancer patients, their families, and loved ones. Services in-

clude weekly and monthly support groups, monthly educational programs, stress man-

agement and gentle movement programs, and a cancer resource library.

In addition to providing a close-knit, home-

like atmosphere, the Wellness Community’s programs also enable those with cancer to take an active stance in combating the dis-

ease by forming a support network for patients and their families.

The Wellness Community believes that hope is a valuable tool for combating cancer. Rather than identifying themselves as passive victims, the Wellness Community empowers patients to play an active role in improving their own lives by working directly with their health care team to bring about the possibility of recovery.

Mr. Speaker, I rise today to recognize and commend the Wellness Community on over twenty years of dedicated service in improving the lives of individuals, families, and loved ones who are affected by cancer in the San Francisco Bay area.

I urge the House of Representatives to rec-

nounce their declaration of September 18, 2004 as “The Wellness Community Day of Celebration.”

CITY OF COLLEYVILLE RANKED IN TOP TEN

HON. MICHAEL C. BURGESS
OF TEXAS
İN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. BURGESS. Mr. Speaker, it is my great honor to recognize five communities within my district for being acknowledged as among the “Top Ten Suburbs of the Dallas-Fort Worth Area,” by D Magazine, a regional monthly publication. Top honors went to Southlake, Colleyville, Highland Village, Flower Mound, and Coppell based on these communities’ ex-

cellent schools, affordability, and low crime rates.

Every two years, the magazine ranks some fifty plus suburbs of the Dallas-Fort Worth re-

gion, the State of Texas’ largest metropolitan area. Colleyville was ranked number five on this year’s top ten after receiving top marks as a “laid back” community. D Magazine also noted the city’s recognition for being a national “Kid Friendly City,” “Tree City U.S.A.” and “Texas’ Safest City.”

I applaud Mayor Joe Hocutt and the City Council of Colleyville for building the City of Colleyville into a distinguished community. I am proud to represent such a vibrant city.

COMMENDING DR. MILDRED C. HARRIS

HON. PETER J. VISCLOSKY
OF INDIANA
İN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. VISCLOSKY. Mr. Speaker, it is my dis-
tinct pleasure to announce that the God First Ministries Chicago, Illinois Chapter will be hosting a heavenly breakfast on Saturday, September 18, 2004, at the Dynasty Banquets Hall, in Hammond, Indiana.

This year’s guest speaker, Dr. Mildred C. Harris, is one of the most caring, dedicated, and selfless citizens of Illinois. Dr. Harris gradu-

ated from DePaul University with a Bachelor of Arts degree in Human Development with an emphasis on Communication Science. She then obtained a Master of Arts degree from Governors State University, a Master of Arts degree in Pastoral Studies from Loyola Uni-

versity, and a Doctorate in Ministry from the International Bible Institute and Seminary. Dr. Harris also holds two honorary doctorate de-

grees.

Dr. Harris has demonstrated a sincere love for the community in which she lives. In addi-

tion to improving the lives of others through her professional career as a retired school teacher, Dr. Harris is an ordained minister. She is the President and CEO of God First Ministries in Chicago, Illinois, and she has also established other God First Chapters in the states of California, Georgia, Illinois, Indiana, and Ohio. Dr. Harris was selected as one of the 6 leading ministers from the City of Chi-

cago to participate in the Chicago remembers September 11th Observance in leading the Prayer of Hope for Chicago. She has also vol-

unteered her time to those in need of assistance. Under her leadership, God First Ministries has fed thousands of people, given scholarships to graduating high school sen-

iors, and hosted a clothing drive in which 21,000 clothing items were distributed to those in need.

Among her many contributions to the care of all people, Dr. Harris is a member of sev-

eral boards and organizations, including: the Independent Assemblies of God, the National Religious Conference Management Associa-

tion, the Administration Interacting with Min-


Although she dedicates her life to serving her community, Mildred never limits the time she gives to her loving family. She is the daughter of the late Dr. and Mrs. Jordan Clotpton and she is married to Dr. Herbert C. Harris.

For all of her conscientious efforts, both pro-

fessionally and voluntarily, Dr. Harris has been recognized by her peers by earning numerous awards for excellence. She has authored three books and was awarded the Popular Music Award from the American Society of Com-

posers. Dr. Harris was also featured on bill-

boards and busses throughout Chicago pro-

moting a citywide organ donation drive. In 2000, she was awarded the Woman of the Year Award from the American Biographical Institute. She was then honored with the Dominick’s Fresh Spirit Award as one of Chi-

cago’s Leading Women Religious Leaders in 2001. Dr. Harris was also featured in the Reli-


Mr. Speaker, throughout Dr. Harris’ career in ministry she has touched the lives of many around the world. Her unselish and lifelong dedication to those in need is worthy of the highest recommendation. I am proud to com-

mend her for her lifetime of service and dedi-

cation.

TRIBUTE TO THE LATE RICHARD A. BLOCH

HON. DENNIS MOORE
OF KANSAS
İN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. MOORE. Mr. Speaker, I rise today to note the passing of Richard A. Bloch, of Kan-

sas City, Missouri, who was a co-founder of H&R Bloch, Inc., and a passionate crusader for cancer patients.

In 1955, Richard Bloch and his brother, Henry, launched a small family owned book-

shop as H&B Bloch, focusing on in-

come tax preparation. Richard Bloch was a primary force behind the company’s rapid ex-

pansion in the two decades thereafter.
Diagnosed with terminal lung cancer and told he had 3 months to live in the late 1970s, he was declared cured after 2 years of aggressive therapy. After that, Richard Bloch dedicated the rest of his life to helping others fight cancer. He and his wife, Annette, founded the Bloch Cancer Management Institute and the R.A. Bloch Cancer Support Center at the University of Missouri, Kansas City, which became models for more than 100 similar organizations nationwide. As he once said, “Our sole goal is to try to get people to fight. If they fight, they have a chance to win.”

Another of his signature achievements was creating the Physicians Data Query, a computer program now used by the National Cancer Institute that provides treatment for all forms of cancer. To honor Bloch, the Federal Government named the Bethesda, Maryland, building that is housing the program as the R.A. Bloch International Cancer Information Center.

Born on February 15, 1926, in Kansas City, Missouri, he is survived by Annette, his wife of 58 years, their four children, and fourteen grandchildren. Earlier, I had introduced House Resolution 376, which expresses the sense of the House of Representatives with respect to the Bloch Cancer Foundation; its text aptly summarizes the many public contributions the House of Representatives with respect to Resolution 376, which expresses the sense of the House of Representatives with respect to the Bloch Cancer Foundation.

Whereas Richard and Annette Bloch are founders of the Bloch Cancer Foundation, established to help cancer survivors, to be a network of invaluable volunteers on behalf of 8,400,000 Americans living with cancer.

Additionally, Mr. Speaker, I include in the RECORD an article surveying Richard Bloch’s life and accomplishments that appeared in today’s Kansas Star.

A SUCCESS IN BUSINESS—AND AT HELPING OTHERS

(Ray Meyer)

Richard Bloch, a passionate crusader for cancer patients and co-founder of the world’s largest income tax preparation company, H&R Block Inc., died of heart failure Wednesday morning at his home. He was 78.

Bloch and his brother, Henry, relaunched a small family bookkeeping service in 1955 as H&R Block, specializing in what then was the newly emerging field of income tax preparation.

Although Henry Bloch may be more widely associated with the company because of the advertising campaigns he oversaw for years, Richard Bloch is credited as a driving force in the company’s rapid expansion in the 1960s and later.

“Dick was a true entrepreneur, and his energy and talents helped create the path that makes H&R Block the professional and accessible company it is today,” said Mark Ernst, the company’s current chairman and chief executive.

“His personal integrity and commitment to helping people remain an important part of our company’s culture,” he said.

In addition to his business accomplishments, Richard Bloch in his later years touched the lives of more through his courageous personal battles with cancer, and his tireless advocacy for cancer patients.

Bloch was diagnosed with terminal lung cancer in 1978, and was told he had three months to live. But he fought the disease and was declared cured after two years of aggressive therapy. He was diagnosed in 1989 with colon cancer, which he also fought aggressively and survived.

Bloch always attributed his successful fight to the support of his family, finding the right skilled medical help and keeping a positive attitude.

“Our sole goal is to try to get people to fight,” he said in a story last year commemorating his 25 years of helping other cancer survivors. “If they fight, they have a chance to win.”

Bloch returned briefly to Bloch as chairman after fighting his lung cancer, but sold his interest in the enterprise in 1992 to become a full-time crusader for cancer patients everywhere.

Henry Bloch could not be reached for comment Wednesday. A spokesman said he was occupied with family business.

Richard Bloch and his wife, Annette, who survives him, founded one of the first cancer hot lines in the U.S. in 1980, which has since logged more than 125,000 calls from newly diagnosed cancer patients. The Blochs also founded the R.A. Bloch Cancer Foundation Inc., the R.A. Bloch Management Center and the R.A. Bloch Cancer Support Center at the University of Missouri-Kansas City.

“His generosity have become models for a national network of more than 100 similar organizations across the United States that provide medical, moral and other support for cancer patients and their families,” Rich said.

Bloch also conceived the Physician Data Query, a computer program at the National Cancer Institute that provides the latest treatment options for all types of cancers. He started an annual Fighting Cancer Rally now held in several U.S. cities on the second Sunday of each June. He financed the Richard and Annette Bloch Cancer survivors’ Park in Kansas City. And he wrote several books supporting cancer education, awareness and support for survivors.

He served on the advisory board of the National Cancer Institute and was a member of the Institute of Medicine and the President’s Circle of the National Academy of Sciences. Late in life, he pushed for laws making second opinions mandatory for patients diagnosed with cancer.

“He definitely will be missed,” said Anne Mueller of Mission, whose husband, David, has survived four kinds of cancer since 1978 and has worked with Bloch as a hot line volunteer.

“He’s been an inspiration to David and many others,” Anne Mueller said. “Now we look at it as cancer with a small c, not cancer with a big C.”

Bloch was born Feb. 15, 1926, in Kansas City, Missouri. He attended Bryant Elementary School, Southwest High School and the Wharton School of Finance at the University of Pennsylvania.

Funeral services are scheduled for 10:30 a.m. Friday at Louis Memorial Chapel, 6830 Troost Ave.

The R.A. Bloch Cancer Foundation, at 4400 Main St., Kansas City, can be reached online at www Blochcancer.org or by calling 1-800-433-0464.

HONORING ARMY SPc JOSEPH C. THIBODEAUX, III OF LAFAYETTE, LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 2004

Mr. JOHN. Mr. Speaker, I rise today to honor the memory of a fine American, a devoted son, brother and friend who gave his life serving our nation in Operation Iraqi Freedom.

Joseph C. "Joe" Thibodeaux, III served with the U.S. Army’s 25th Infantry Unit stationed in Hawaii. On the 1st of September, while in a convoy on a mission in Iraq near Hawija, Joe was killed by enemy sniper fire.

Joe is survived by his parents Rebecca and Joseph, Sr. as well as a devoted Jennifer Kazemir; brother, Greg Thibodeaux, Army Maj, Maxwell Thibodeaux and Jerome Thibodeaux; and a younger sister, Brittany Thibodeaux.
He is also survived by his maternal grandmother, Thelma Istre of Egan, LA and his uncles Daniel Istre, Johnny Istre, O’Neil Istre, James Istre and John R. Thibodeaux, all of Lafayette, as well as many proud nieces and nephews.

An Army sharpshooter, Joe had just re-enlisted in the service and planned to teach at the Army sharpshooter school when he returned from Iraq. Family and friends describe him as a “kind-hearted soul” who loved what he did and took great pride in serving his country.

On September 1, Joe undoubtedly approached what would be his last assignment with that same pride and determination. He bravely gave his life to help make this world a better place for his fellow soldiers and indeed for us all.

His brother Jerome remarked that Joe “lived as if he were invincible, and now he’ll be forever invincible.” Joe’s selfless bravery and commitment to country are an example to each of us.

Mr. Speaker, please join Joe’s friends, family and me as we honor his memory and thank him for his heroic service to our country.

TOWN OF FLOWER MOUND RANKED IN TOP TEN

HON. MICHAEL C. BURGESS OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. BURGESS. Mr. Speaker, it is my great honor to recognize five communities within my district for being acknowledged as among the most selfless and caring citizens of the First Congressional District of Indiana. Mr. Ernie Dillon. Ernie has dedicated his life to serving the people of Northwest Indiana. His career as a public servant has allowed him the opportunity to touch the lives of numerous people. In honor of his faithful service to his alma mater, Hammond Tech High School, Ernie will be recognized by the Hammond Tech Appreciation Society for his dedication to their mission at a recognition dinner on September 12, 2004 at Dynasty Banquets in Hammond, Indiana.

Ernie Dillon has held many offices and positions throughout his career as a public servant. He is currently the Director of the Lake County Department of Veterans Affairs Service Office and Chairman of the Hammond Port Authority. Prior to that, he was elected Councilman-at-Large for the City of Hammond. While on the Council, Ernie served as Vice-President and Chairman of the Finance Committee, overseeing a budget of $50 million. Ernie has also served the City of Hammond as Commissioner of the Board of Zoning Appeals.

Along with the countless hours of dedication that Ernie has provided to the people of Northwest Indiana, he has also been involved with many organizations in the community. Ernie has been a longtime member and past Commander of American Legion Victory Post #168, and he is currently serving a second term as Vice Chairman for the State of Indiana Veterans Homeless Committee. Ernie has also been a committed member of the Calumet College Alumni Association, the Hammond Central Lions Club, the Hammond Elks, the Hammond Jaycees, the Hammond Kiwanis Club, the Hammond Moose Club, and he has also been a member of the T.K.C. Fraternity. I have known Ernie for many years and I can truly say that he is a dedicated, distinguished and committed citizen. Through his loyal service to his community, Ernie has been responsible for the development of numerous programs and activities, which have become sources of pride for the people he has served.

As a dedicated member of the Lake County Convention and Visitors Bureau Board of Directors, Ernie was instrumental in designing and bringing the Indiana Welcome Center to Hammond. His devoted insight and vision also enabled him to find the City of Hammond’s first city festival, Octoberfest, in 1979. This later became the Augustfest and is now known as the Festival of the Lakes. This festival continues to provide entertainment to residents and visitors of Hammond.

While Ernie has dedicated a considerable amount of time and energy to his community, he has never limited the time he gives to his alma mater, Hammond Tech High School, Ernie will be recognized by the Hammond Tech Appreciation Society for his dedication to their mission at a recognition dinner on September 12, 2004 at Dynasty Banquets in Hammond, Indiana.

Mr. Speaker, it is with great pleasure that I congratulate one of the most selfless and caring citizens of the First Congressional District of Indiana, Mr. Ernie Dillon. Ernie has dedicated his life to serving the people of Northwest Indiana. His career as a public servant has allowed him the opportunity to touch the lives of numerous people. In honor of his faithful service to his alma mater, Hammond Tech High School, Ernie will be recognized by the Hammond Tech Appreciation Society for his dedication to their mission at a recognition dinner on September 12, 2004 at Dynasty Banquets in Hammond, Indiana.

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While Ernie has dedicated a considerable amount of time and energy to his community, he has never limited the time he gives to his most important interest, his family. Ernie and his wife Margie have four children, Steven, Lori, Elizabeth, and Kathleen. They are also the proud grandparents of Elia, Korey, and Faith.

Mr. Speaker, Ernie has given his time and efforts selflessly to the people of Lake County throughout his years of service. He has taught the true meaning of service to all members of the Northwest Indiana community. I respectfully ask that you and my other distinguished colleagues join me in congratulating Mr. Ernie Dillon for his outstanding contributions to Indiana’s First Congressional District. I am proud to commend him for his lifetime of service and dedication.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE FOR S. 1576

HON. RICHARD W. POMBO OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. POMBO. Mr. Speaker, I request that the attached cost estimate for S. 1576, the Harpers Ferry National Historical Park Boundary Revision Act of 2003, be submitted for the record.

S. 1576 would expand the boundary of the Harpers Ferry National Historical Park in West Virginia by about 1,240 acres. The act would authorize the National Park Service (NPS) to acquire the added acreage by purchase, donation, or exchange, except that lands that are already owned by the federal government would be acquired by transfer. Finally, the act would authorize the appropriation of whatever amounts are necessary for these purposes.

Assuming appropriation of the necessary amounts, CBO estimates that implementing S. 1576 would cost the federal government about $5 million over the next year or two. Of this amount, we estimate that $4 million would be used to purchase about 190 acres of private property, and $1 million would be used to develop that land. The remaining acreage that would be added to the park is either already owned by the federal government or would be donated by the nonprofit Civil War Preservation Trust. CBO estimates that the additional costs to maintain those additional lands would be less than $200,000 a year. This estimate is based on information provided by the NPS.

CBO estimates that S. 1576 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

On March 25, 2004, CBO transmitted a cost estimate for S. 1576 as ordered reported by the Senate Committee on Energy and Natural Resources on March 9, 2004. The two versions of the legislation are identical, as are the estimated costs.

The CBO staff contact for this estimate is Deborah Reis, who can be reached at 226-2860. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.
district for being acknowledged as among the “Top Ten Suburbs of the Dallas-Fort Worth Area,” by D Magazine, a regional monthly publication. Top honors went to Southlake, Colleyville, Highland Village, Flower Mound, and Coppell based on these communities’ excellent schools, affordability, and low crime rates.

Every two years, the magazine ranks some 50 plus suburbs of the Dallas-Fort Worth region, the State of Texas’ largest metropolitan area. Highland Village was ranked number seven on this year’s top ten after receiving top marks for the sprawling location on Lake Lewisville. D Magazine also noted that the city was ranked by the FBI as North Texas’ Safest City two years running. Highland Village residents enjoy spending time around the lake and walking around the 12 foot wide walking trail that traverses the community.

I applaud Mayor Bill Lawrence and the City Council of Highland Village for building the City of Highland Village into a distinguished community. I was a long-time resident of Highland Village, and I am proud to represent such a vibrant city.

RECOGNIZING MAJOR GENERAL TERRY E. JUSKOWIAK, COMMANDING GENERAL, UNITED STATES ARMY COMBINED ARMS SUPPORT COMMAND AND FORT LEE, VIRGINIA, FOR HIS SERVICE AND DEDICATION

HON. J. RANDY FORBES
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. FORBES. Mr. Speaker, I rise today in recognition of Major General Terry E. Juskowiak, Commanding General of the United States Army Combined Arms Support Command and Fort Lee, for his loyal service to the United States and Virginia’s Fourth District.

Major General Juskowiak’s dedication and loyalty to the advancement of our district and the nation as a whole is to be commended.

Major General Juskowiak’s devotion to duty has reflected the highest standards of the military profession through a number of commands and staff positions. He served with the 82nd Airborne Division as a member of the division staff and participated in Operation Just Cause in Panama. He went on to command the 407th Supply and Transport Battalion (Airborne), 82nd Airborne Division during Operations Desert Shield and Desert Storm. He also served as Commander of the Division Support Command, 10th Mountain Division (Light Infantry) in Fort Drum, New York. He deployed to Haiti for Operation Uphold Democracy. He also participated in an eight-month rotation to the Bosnian Theater as the Assistant Division Commander for Support with the NATO Stabilizing Force for Operation Joint Endeavor/Guard. In 1998, Major General Juskowiak served as the Commanding General of CJTF-Kuwait during Operation Desert Fox. In 2000, he earned the position of Deputy Chief of Staff for Logistics at Headquarters, United States Army Forces Command. He then went on to additionally take on the responsibility of Commanding General of the Combined Arms Support Command and Fort Lee. His military education is extensive and includes the U.S. Army Command and General Staff College, and the Industrial College of the Armed Forces. Major General Juskowiak also holds a Bachelor of Arts degree from the Citadel and a Masters degree of Science in Contract and Acquisition Management from the Florida Institute of Technology.

Major General Juskowiak’s awards and decorations include the Defense Superior Service Medal, the Legion of Merit with two Oak Leaf Clusters, the Defense Meritorious Service Medal with OLC, the Bronze Star Medal, the Meritorious Service Medal with Silver Leaf Cluster, the Army Commendation Medal with OLC, the Army Achievement Medal, Master Parachutist Wings, the Ranger tab, the Parachute Rigger Badge, the General Staff Identification Badge, the Australian, the Canadian, the Greek and the Israeli parachute badges.

Major General Juskowiak has shown tremendous commitment and devotion to his country. Today we recognize him for his unwavering patriotism and dedication to both his profession and the American people. Mr. Speaker, please join me in honoring Major General Terry E. Juskowiak.

HONORING BELLEMORESE MAYOR THOMAS VAN BUSKIRK

HON. CAROLYN MCCARTHY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mrs. McCARTHY of New York. Mr. Speaker, I rise today to honor Thomas Van Buskirk, the Mayor of Bellemore, and a monument to the residents. Through hard work, dedication and his love for his hometown, Tom has made Bellemore’s slogan come to life, “Bellemore Village . . . an American Beauty.”

I am happy for Tom and his family have no plans of leaving Bellemore because although he is no longer Mayor, I know he will be active in his community. Once again Tom, thank you.

CONFERENCE REPORT ON H.R. 4613, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005

SPEECH OF
HON. C. A. DUTCHE RUPPERSBERGER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 22, 2004

Mr. RUPPERSBERGER. Mr. Speaker, I rise today to voice my support for the conference report for H.R. 4613, the Department of Defense Appropriations FY05. At a time when our brave men and women in uniform are serving their country with great honor and distinction, this legislation will provide valuable funding for personnel, equipment, and so many other great needs our military faces. This money is critical to their continued success in their current missions. As long as our troops are in harms way, fighting the war on terrorism, we must continue to make sure they receive our full support.

The district I represent includes well over one hundred thousand soldiers at Fort Meade and the Aberdeen Proving Ground. This bill provides a 3.5 percent pay raise for our uniformed personnel—a critical step in the right direction. This bill also includes important funding for our Active Guard Personnel for their missions abroad and here at home.

This conference report includes the proper balance of tactical military and necessary diplomatic funding. For example, I am pleased to see money for many important projects like the Shadow 200 TUAV and the F/A 22 lighter as well as support for humanitarian initiatives. The Shadow 200 TUAV, which is a product of one of the vital military companies in the Maryland 2nd Congressional District, allows for secure surveillance operations to be performed with optimal safety for our military personnel. I am also pleased to see that the F/A-22 lighter program has received the full appropriation request. And I believe that the 99 million dollar appropriation to aid State Department efforts in the Horn of Africa represents an important part of our responsibility to ensure that stability and security are brought to this region of the world.
The strong fabric of our Nation is held together by those who are willing to put their lives on the line to defend our core values, and we need to support these brave men and women by putting the proper resources in place to allow them to most safely complete their mission. I am pleased with the results of this bill as it gives crucial assistance to our brave military service members.

UNITED STATES-MOROCCO FREE TRADE AGREEMENT IMPLEMENTATION ACT

SPREAD OF
HON. HENRY A. WAXMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2004

Mr. WAXMAN. Mr. Speaker, I deeply value the close relationship between the United States and Morocco and the effort to strengthen our economic ties. Morocco is one of our strongest partners in the war on terrorism. The Kingdom, under the leadership of King Hassan II and now his son King Mohammed VI, has long been a steadfast supporter and key player in the Middle East peace process. Its recent designation as a major non-NATO ally is an important step toward further enhancing cooperation between our countries on security issues.

In many ways, this free trade agreement, or FTA, is a tribute to the significant economic and political reforms that Morocco has recently undertaken to stimulate growth and development. I strongly support the FTA’s robust anti-piracy standards to protect the transmission of digital, satellite, and other copyrighted material, as well as broad market access for a wide array of audio visual products and services. I regretfully rise in opposition to this agreement, however, because of a number of other troubling provisions that could have profound public health consequences for the Moroccan people.

At the crossroads between Africa and Europe, Morocco is actively engaged in the battle against the spread of the HIV/AIDS epidemic. With 19 percent of its people living in poverty, the country’s healthcare system is stretched thin and heavily reliant on the availability of generic drugs. It is shocking to me that despite this reality, the Bush administration’s trade negotiators demanded intellectual property restrictions that will severely curtail Morocco’s generic market.

Most egregiously, the FTA requires Morocco to grant an automatic five-year monopoly to all new drugs approved in the market freeing them from competition with less expensive generic copies even if their patents have already expired. The Bush administration maintains that it negotiated the standard based on U.S. laws like Hatch-Waxman, which provides similar protections for new drugs introduced in the United States. But this is a distortion of the bill as co-authored. When Hatch-Waxman was devised in 1984, virtually no generic drugs were available in the United States. The law was passed to increase competition by easing the approval of low-cost generics while providing specified periods of marketing exclusivity to help pharmaceutical companies recoup development costs. In sharp contrast, Morocco is a country with a robust generic market where the introduction of this measure will only reduce competition and cause drug prices to soar.

As a co-author of Hatch-Waxman, I cannot emphasize enough that this carefully balanced legislation represented a tailored solution to a specific regulatory problem in the United States. It is irresponsible for U.S. trade negotiators to apply the same policy in a developing country like Morocco whose generic drug market, health-care regulatory system, and public health needs look nothing like those in the United States.

Although the Bush administration has cited the inclusion of similar provisions in the Jordan FTA as a precedent, there is clear evidence that the restrictions on the availability of generics have already had a terrible impact there. First, as the Wall Street Journal recently reported from an interview with the Executive Director of the Global Fund to Fight AIDS, AIDS drugs purchased in Jordan with Global Fund money cost an average of $7,000 a year per patient, compared with the average $250 to $400 paid in other countries. Second, the U.S.-Jordan FTA was signed before the WTO’s Doha Declaration on trade and health authorized developing countries like Jordan to resist such regulatory changes and preserve access to affordable drugs for life-threatening diseases.

Under this agreement, the Moroccan government could not import generic copies of drugs if domestic prices became too expensive because the FTA codifies U.S. and Moroccan laws that allow patent holders to block the importation of their product. Here in the United States, this provision undermines the Doha Declaration, to import drugs if a public health crisis arises.

In the event of a public health emergency, the only recourse Morocco would have is to strip a drug of its patent and issue a compulsory license for a major international motor vehicle company located in my congressional district. Twenty-five years ago, the first Elsinore motorcycle rolled off Honda’s Marysville motorcycle plant assembly line with 64 associates, marking the beginning of Honda’s manufacturing presence in Ohio.

From motorcycle production, Honda became the first Asian automaker to manufacture vehicles in the U.S., a 1983 Honda Accord produced on November 1, 1982. Engines and transmissions are among the other products Honda has added to the Ohio production list over the last 25 years. In 2003, Honda was the top manufacturer of cars and trucks in the state. The company’s facilities produced 677,000 automobiles and 108,000 motorcycles and ATVs last year alone.

Today, that Ohio presence represents 16,000 jobs at Honda, investments of $6.1 billion in plants and equipment, as well as 154 Ohio supplier companies that employ more than 40,000 Ohio residents. Over this time period, Honda’s Ohio manufacturing facilities have produced 10 million automobiles, 7,800,000 motorcycles and 1.2 million ATVs. In 25 years, Honda has paid the state off one employee, a remarkable achievement.

A recent study of Honda’s economic impact provides some further insight into the company’s presence in Ohio and its positive impact on the state’s economy. Among the findings, in 2003, seven jobs were created for every individual directly employed by Honda. That result in 128,000 additional jobs and means $3.30 is generated for every $1 Honda pays in wages. Total statewide earnings were $4.85 billion in 2003. In addition, state and local taxes paid by Honda and its associates total $1 billion across the U.S., Honda employs more than 25,000 associates. Their facilities include eight
factories and ten research and development facilities. In the U.S., Honda’s capital investment exceeds $7 billion with more than $12 billion in parts and materials purchased annually from 580 suppliers in 33 states.

Honda’s philosophy of respect for the individual, the development of placing responsibility and accountability with each associate. That philosophy and accountability has allowed its U.S. workforce to produce the highest quality products at an affordable price and great reliability. Honda’s involvement in the communities where its facilities are located has been another kernel to its success because it has treated state and local leaders as well as parts suppliers as equal partners. Honda is a great example of a company that has invested and reinvested significant financial and human resources in its plants, equipment and associates here in the U.S.

I want to offer my congratulations to Honda on the occasion of the 25th anniversary and look forward to another 25 years of growth and success in Ohio and throughout the U.S.

CONGRATULATING DIANA ROYCROFT ON WINNING FIRST PLACE IN THE JUNIOR HISTORICAL PAPER CATEGORY OF THE 2004 FLORIDA HISTORY FAIR

HON. JEFF MILLER
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. MILLER of Florida. Mr. Speaker, it is my honor today to recognize Diana Roycroft and congratulate her on winning first place in the Junior Historical Paper category at the Florida History Fair and also for her participation at the National History Day competition.

Sponsored by the Museum of Florida History, the Florida History Fair is an annual statewide activity that enhances the teaching and learning of history at both the elementary and secondary levels. The first and second place winners in each category and division of the fair are chosen in order to represent the State of Florida at the National History Day competition. The 2003–2004 theme was “ Exploration, Encounter, Exchange in History.” Participating students analyzed and interpreted information they gathered from primary and secondary resources and expressed their findings in a paper, exhibit, performance, or documentary.

Diana Roycroft is a student at the PATS Center and Workman Middle School in Escambia County, Florida. Diana received first place in the category of Junior Historical Paper for her paper entitled “Heroes in the Bubble” at the Florida History Fair on May 9 in Tallahassee, Florida. Diana’s paper detailed the courageous flight of the ball turret gunners in the B–17 and B–24 bomber planes during World War II. Those brave young men who served as gunners deserve great honor and respect for their service to this nation. Diana’s first place award at the Florida History Fair earned Diana the distinct honor of representing the Sunshine State at the 2004 National History Day competition in College Park, Maryland, on June 13–16.

Mr. Speaker, on behalf of the United States Congress, I would like to congratulate and offer my sincere appreciation to Diana Roycroft and all the participants of the Florida History Fair and the National History Day competition. It is because of bright students like Diana Roycroft that America is a hopeful nation destined for a bright future.

HONORING MARK F. GRADY, DEAN OF GEORGE MASON UNIVERSITY SCHOOL OF LAW

HON. TOM DAVIS
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to honor Mark F. Grady for his years of dedicated service to the George Mason University School of Law.

Dean Grady has been a pivotal member of the George Mason community for 6 years, both as Dean and professor of law. Students enjoy his wisdom and expertise in the area of law.

As the dean of the School of Law, Mr. Grady has played an important role in the success of the school and its students. Through his guidance, George Mason has become the youngest law school ranked in U.S. News and World Report’s top tier.

Under Dean Grady’s direction, the School of Law has become a national leader not only of law but also economics and technology. In 1999, the National Center for Technology and Law was established. This center examines the causality of the existing legal structure and the society’s evolving economy. Through this relationship, new fields of course work were created that allow the student to gain the necessary skills to succeed in both technology and communications.

George Mason School of Law is one of the most innovative schools in the country. Due to its emphasis on intellectual property, technology law and the legal application of economic methods, George Mason was also ranked in the top 10 in the Nation for an outstanding faculty in law and economics in University of Texas Professor Brian Lieter’s Ranking of Law Faculty Quality for 2003.

Professor Grady should be honored and commended for his dedication to not only the School of Law but also the surrounding community. With his instruction and guidance, he has enabled Mason Law graduates to pursue careers in numerous fields and become successful attorneys who practice law with great distinction and honor.

Mr. Speaker, in closing, I would like to extend my heartfelt thanks to Dean Grady for his years of service and dedication to George Mason University. His contributions and efforts are noted and greatly appreciated. I wish him the best of luck in all future endeavors.

TRIBUTE TO MR. ERNEST J. GREGORY

HON. TOM DAVIS
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. TOM DAVIS of Virginia. Mr. Speaker, it has come to my attention that Mr. Ernest J. Gregory is retiring after 37 years of exemplary Federal service, initially with the United States Air Force and then as a career civil servant in the Department of Defense (DoD). Mr. Gregory is a gifted leader and manager, and has served his country with dignity, honor and integrity.

Ernest Gregory, a native of the Commonwealth of Pennsylvania, is a 1967 graduate of the University of Scranton in Scranton, Pennsylvania, and holds a Bachelor of Science in accounting from that institution. He began his service to the Nation in 1968, when he entered the U.S. Air Force as an aircraft maintenanceman officer at the Strategic Air Command, Loring Air Force Base Management.

Upon completing his military term in 1972, Mr. Gregory was hired as a staff auditor for the U.S. Army Audit Agency in Philadelphia. He proved to be quite skilled and soon was promoted to auditor-in-charge. Mr. Gregory continued his illustrious civilian career at the U.S. Army Security Center with various assignments, including chief, internal review (1976–1979), financial systems analyst (1979–1980), deputy comptroller (1980–1981) and senior financial systems analyst (1981–1982).

At the time of the Army Security Center, Mr. Gregory played a key role in developing and implementing financial management performance objectives. He simultaneously earned a Masters of Business Administration in 1979 from Syracuse University.

In 1982, Mr. Gregory was selected to join the Army secretarial staff as assistant comptroller for internal review, office of the comptroller of the Army. He was a restless master in reviewing financial management systems and integrating measures to address shortcomings uncovered during the process. In recognition of his talent and dedication, Mr. Gregory was promoted in 1987 to director, internal review, office of the assistant secretary of the Army (financial operations). He again challenged the financial management community and was a model civil servant, embracing opportunities and creating new methodologies in an environment of continual development. Additionally, in 1988, he attended the Industrial College of the Armed Forces.

In January 1993, the Army acknowledged Mr. Gregory’s abilities and leadership, elevating him to the Senior Executive Service and the position of deputy assistant secretary of the Army for financial operations. As deputy assistant secretary, he was responsible for all Army policy, programs, systems and procedures associated with the service’s accounting and finance operations, financial systems and internal review and controls. He took charge of combating fraud, waste and abuse. He also was the primary ambassador on financial management issues to external stakeholders.

Mr. Gregory’s efforts to ensure the program’s requirements and responsiveness with emerging functional systems, such as the Single Stock Fund and the Defense Integrated Military Human Resource System, were successful and greatly improved Army financial management.

Mr. Gregory was again promoted in February 2002, when Ms. Sandra Pack, then assistant secretary of the Army (financial management and comptroller), chose him as her principal deputy. (When she departed the Army in December 2003, he succeeded Ms. Pack as acting assistant secretary and served in that role for eight months.) During his tenure as principal deputy, Mr. Gregory shared responsibility for the development, formulation
and advocacy of policies and programs to improve the efficiency and effectiveness of U.S. Army resource management. He took bold and decisive measures to improve business procedures, and tirelessly pursued financial system integration and streamlining of Army processes.

For instance, Mr. Gregory led the Army-wide effort to eliminate the Instrumentation Supply Buffer and associated annual maintenance costs, while integrating supply management and financial processes. These changes reduced processing cycle time from four days to one, improving the flow of spare parts to critical units and saving taxpayers more than $1 billion in monetary benefits. He administered implementation of Army Budget and Performance Initiatives, as well, including designing and deploying a training package and reviewing metrics for the fiscal year 2005 budget.

Mr. Speaker, in this final position Mr. Gregory also had a significant impact on the House Government Reform Committee. His forthright information and proactive attitude assisted our committee in addressing the financial management challenges of mobilized Army National Guard and U.S. Army Reserve soldiers. He identified the problem—processing limitations caused by separate pay and personnel systems—and played a significant role in crafting a solution. His commitment to solving pay issues for all soldiers, whether active or reserve component, exemplifies his devotion to our men and women in uniform.

On every day of his service to our country, Mr. Gregory demonstrated honor, integrity and personal courage. He projected the values and the broad perspective of the government, and provided the solid executive skills demanded by the American public. He helped to ensure that the Army was of the highest quality and was responsive to the needs, policies and goals of the Nation.

Mr. Gregory’s leadership and attention to people were truly outstanding. He actively participated in the personal and professional development of both military and civilian subordinates and peers. He was a premier team builder within the office of the assistant secretary of the Army (financial management and comptroller) and a truly exemplary leader, empowering those with whom he worked and motivating them to achieve at higher levels than they thought possible.

Mr. Gregory’s character and accomplishments have earned him numerous awards. He was the first civilian to be honored with the Finance Colleagues Award. He also has received two Meritorious Presidential Rank Awards, the Executive Excellence Award for Executive Achievement, the Special Act Award—Kuwait Reconstruction Program, the Leonard H. Kerman Memorial Award, the Meritorious Civilian Award, the Superior Civilian Service Award, multiple Outstanding Performance Awards and several Significant Accomplishment Awards.

Mr. Speaker, Mr. Ernest J. Gregory, a resident of the Commonwealth of Virginia, retires after 37 years of Federal service to the United States Army on the 2nd day of October, 2004. He, his lovely wife, Johanna, and their children, Maura, Emie and Jason, deserve the thanks and praise of this grateful Nation, which he has faithfully served for so long. I know the members of the U.S. House of Representatives will join me in wishing him and his family all the best in the years ahead.

IN HONOR OF MISS NICOSIA YOUNG AND MISS HEATHER ADAMS

HON. CAROLYN C. KILPATRICK
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Ms. KILPATRICK. Mr. Speaker, I rise today to honor the exemplary performance of two young women who have greatly contributed to my office through Congressional Black Caucus intern programs.

Heather Adams, after undergoing a rigorous selection process, came to my office in late May of this year as a Congressional Black Caucus Foundation intern. She has been a constant help to my staff and myself in the performance of the office operation. Though currently residing in Pickerington, Ohio, she originates from my district, Detroit, Michigan.

Heather earned her Bachelors Degree in Business Administration with an emphasis in Marketing at Wayne State University. Moreover, she was a member of Omicron Delta Epsilon-International Honor Society in Economics as well as a consistent Dean’s List honoree.

Heather has helped my legislative staff maintain correspondence with my constituents. She conducted research regarding constituent demographics, issues, and policies and organized and presented me with informative memos on key issues. As a participant in the Congressional Black Caucus Foundation’s Summer Congressional Internship Program, Heather has expressed her interest in public policy and the political process. Heather aspires to one day to work on Capitol Hill focusing on domestic and international development issues.

I would also like to congratulate my Congressional Black Caucus Foundation, Eleanor Holmes Norton, High School intern, Nicosia Young. Nicosia is a rising senior at Cesar Chavez Public Charter high school for Public Policy in the District. Aside from providing exceptional support to my staff, Nicosia brings with her a positive spirit and infectious laugh everyday with her to work. Always understanding and eager to help, she expresses true determination to succeed and extraordinary work ethic.

Aside from her outstanding work ethic, Nicosia is an outstanding student. While maintaining a 3.33 GPA, she has been awarded the honor of Student of the Month, and student ambassador from her high school. Her goal is to attend college following her senior year, and she aspires to become a doctor. She is a vibrant, outgoing, and unique young woman, and I am happy to have had the opportunity to get to know her, and have her in my office.

I am sure that both young women will succeed in whatever they put their minds to, just as they have succeeded within my office. I am proud to say that both Nicosia and Heather for being such outstanding interns, and I wish them both the best in future endeavors.

TRIBUTE TO CROFTON, MARYLAND

HON. BENJAMIN L. CARDIN
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. CARDIN. Mr. Speaker, I rise today to pay special tribute to the town of Crofton, Maryland, which is celebrating its 40th anniversary. Located near Annapolis, Baltimore, and Washington, Crofton has contributed to Maryland’s cultural and economic life since 1964.

This celebration is designed to commemo-rate Crofton’s growth from its beginnings as a small farm town to the large suburban community it is today. Crofton was established when work began on the Baltimore and Annapolis rail line in 1955.

I ask my colleagues to join me in thanking and congratulating Sergeant First Class William R. Dwyer for his dedicated and committed service to the United States. I wish him and his family the best as they look toward the future.
In 1965, one year after its establishment, the town experienced major growth and development, becoming home to more than 500 residents in its first year. A civic center, recreational facilities, schools, stores, and restaurants quickly followed. This expansion continued during subsequent decades, and today Crofton is a thriving community with more than 30,000 residents.

Crofton prides itself on the fact that it has experienced economic growth while retaining its safe, family-oriented, and close-knit roots. Residents today still enjoy the amenities that originally attracted them—tree-lined streets, suburban environment and convenience to two major cities.

Crofton’s 40th anniversary celebration features children’s activities, concerts, athletic events, banquets, and parades. The events began in April and will continue through the end of November. Local businesses, sports teams, armed forces, and firemen are all participating in these events.

I hope my colleagues in the House of Representatives will join me in commemorating this milestone in Crofton history, as we celebrate 40 years of this dynamic Maryland community.

HONORING MR. JEFFERY J. DAAR
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. BERMAN. Mr. Speaker, I rise today to ask my colleagues to join in saluting Mr. Jeffery J. Daar, Chair of the Democratic Party of the San Fernando Valley, who is being honored on August 14 by the Sherman Oaks Democratic Club. Jeffery is a remarkable man with many accomplishments in both politics and law.

Since founding his own professional law firm 22 years ago, Jeffery has handled cases that are both highly complex and in the public interest. As a specialist in complex litigation, he represents California and its municipalities in 3 years of insurance insolvency court proceedings, resulting in a legislative amendment to the California Insurance Code. He has led important consumer class action cases that have reached the highest courts in California, and has authored several influential publications covering varied topics from the insurance industry to election law. He is a leader in his field.

Jeffery was born and raised in Los Angeles. He earned his Bachelor of Arts degree at Claremont Men’s College and his Juris Doctorate in 1982 from University of California Davis. His strong interest in politics was first evident during his college years when he served as President of the Student Democratic Coalition, a statewide organization of more than 20 college Democratic Clubs.

Jeffery has taken an active part in his community’s school system, serving as an elected member of the managing councils of both Dearborn Elementary School and Holmes Middle School. He also serves as a Member of the Board of Directors of The Zacaries Foundation, an nonprofit education foundation. In addition, he helps promote our community through his work as a Member of the Los Angeles Area Chamber of Commerce.

Jeffery is married and has four children. Mr. Speaker and distinguished colleagues, I ask you to join me in saluting Jeffery J. Daar for his impressive career and dedication to the people of California and to congratulate him on earning the Democratic Volunteer of the Year Award.

A TRIBUTE TO BIG BROTHERS BIG SISTERS OF NORTH ALABAMA

HON. ROBERT E. (BUD) CRAMER, JR.
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. CRAMER. Mr. Speaker, I rise today to honor an important group of individuals whose hard work and dedication has made a tremendous impact on the lives of numerous children throughout North Alabama.

For over twenty years, the Big Brothers Big Sisters of North Alabama has provided hundreds of children with a positive influence and a strong foundation to help guide them through adolescence. Every volunteer does a great deal to improve the quality of life of these children and to help them develop goals and aspirations of their own. For its hard work and continued commitment, Big Brothers Big Sisters of North Alabama is recognized nationally for its performance as one of the best agencies in the country.

Mr. Speaker, this year marks the 100th year of the national Big Brothers Big Sisters program, and on August 14th, a reunion and centennial picnic will take place. This picnic was an opportunity for everyone involved with Big Brothers Big Sisters to come together, trade success stories, and relive the times each volunteer and child has had together.

Mr. Speaker, I’ve always believed that our children should have an opportunity to succeed and be an active participant in our communities. I’m pleased that there are a large number of individuals who are committed to helping less fortunate children in our area. I rise today to commend each and every person who is involved with Big Brothers Big Sisters and join in their centennial celebration.

SUPPORTING GOALS OF NATIONAL MARINA DAY

SPEECH OF
HON. MICHAEL C. BURGESS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 21, 2004

Mr. BURGESS. Mr. Speaker, I rise today in support of House Resolution 647, which express Congress’s support of the goals of National Marina Day.

I would also like to recognize Mr. Marshall Funk of Marinus International for his work with Pier 121 Marina on Lake Lewisville, Scott’s Landing Marina and Silver Lake Marina in Grapevine, and Twin Coves Marina in Flower Mound, located in my Congressional District.

National Marina Day will be celebrated this year on August 14. This annual celebration promotes the United States’ marinas and recognizes the importance of marinas across the country. National Marina Day focuses on two central themes: the important role that marinas play as family-friendly and environmentally-friendly gateways to the water.

There are more than 12,000 marinas nationwide, which employ over 140,000 people. Marinas provide the public with a safe way to enjoy outdoor activities like sailing, cruising, and fishing.

I’ve spent many enjoyable hours boating with my family and, as a member of the Congressional Boating Caucus, I am glad to support House Resolution 647.

RECOGNIZING MR. BILL GARRETT
OF EL CAJON, CA

HON. DUNCAN HUNTER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. HUNTER. Mr. Speaker, I rise today to recognize Mr. Bill Garrett of El Cajon, CA and his commitment and accomplishments for his community, his family and his country. He began by preparing himself with the finest education by earning a Masters Degree in Public Administration with specialty in personnel and labor relations from California State University, Fullerton. He also earned a Masters in Science in Urban Planning from the University of Arizona and a Bachelors Degree in Political Science from the University of Washington.

Bill has a history of public service that began with his commitment to his country when he joined the United States Army. After his military commitment, Bill worked as an urban planning consultant in Arizona and California before becoming City Manager of the City of Corona. In 1996, Bill became the City Manager of El Cajon and brought a “can do” attitude to every department.

For the past eight years, Bill Garrett has played an integral role in the shaping of El Cajon and the surrounding communities. His efforts with the downtown corridor, the expansion of housing rehabilitation and his role in assisting first time home buyers are well known. His strong belief that the employees of El Cajon are its greatest resource has caused the city to excel far beyond expectations. His obedience to the dictates of his council and the elected mayor has created a team effort second to none.

Bill Garrett is highly respected by his peers from around the nation but his greatest satisfaction comes from the accolades and respect from his fellow employees for the City of El Cajon. He has nurtured, trained, educated, and assisted his fellow employees through the good and tough times. He has also shared his insight and knowledge with the California City Management Foundation, the International City Management Association, the San Diego City-County Managers Association and the National Association of Housing and Redevelopment Officials.

In addition, Bill is a vital player as President of the Cuyamaca College Foundation Board, a member and past President of the El Cajon Rotary Club, Secretary of the Grossmont-Cuyamaca College District Auxiliary, founding member of El Cajon Sister Cities Committee and President of the El Cajon Historical Society.

Bill Garrett has allowed his experience to lead him into great service for his community,
his country and his family. His great partner in life, Judy Garrett, is a great public servant in her own right and has many accomplishments to her credit. The couple live in Fletcher Hills in El Cajon. Bill has decided to retire and to spend his time with family traveling and doing those things retired people do. He has received great praise from every sector of the community for his unselfish commitment to his profession and the people he represents.

Mr. Speaker, I know my colleagues join me in thanking Bill for his public service and wishing him the very best future possible.

DAVE AND MARY COSTIGAN’S 50TH WEDDING ANNIVERSARY

HON. LANE EVANS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. EVANS. Mr. Speaker, I would like to take this opportunity to congratulate Dave and Mary Costigan on the occasion of their 50th wedding anniversary, which they celebrated on August 21, 2004. They have five children and nine grandchildren and have lived in Quincy, Illinois for most of their marriage.

Dave and Mary were both born and raised in Bloomington, Illinois. Mary Enzenberger graduated from Fontbonne College in St. Louis and majored in Physical Education. David Costigan graduated from Notre Dame University and received his Masters and PhD in History from Illinois State University. He served in the U.S. Army from 1953–1955 and was honorably discharged.

Since 1957 David Costigan has taught history at Quincy University. He has held the Aaron M. Pembbleton Chair in History and is now Professor Emeritus at the University. After many years and many awards for outstanding teaching. Dave continues to lecture and teach particularly in his areas of interest which include local Quincy history, the Civil War, and U.S. foreign policy.

Throughout her life, Mary Costigan has been an extraordinary teacher in her own right. Upon graduation from college, she taught Physical Education at my alma mater, Alleman High School in Rock Island. For many years, she also served as a tennis instructor in the Quincy area. Mary won many area tennis titles in Quincy as well as throughout the tri-state area of Illinois, Iowa and Missouri during her years on the courts.

Both Mary and Dave have contributed their time and energy to a variety of community and civic projects during the past 50 years. They have been very active in their church and local schools and regularly attend church services at St. Francis Solanus Church. Through their church they helped sponsor a family from Laos, bringing a Laotian family to Quincy to escape war and poverty in Southeast Asia.

Mr. Speaker, please join me in honoring Mr. and Mrs. Costigan on this joyous occasion. I wish them all the best as they celebrate the life they have created and as they enjoy their many years to come.

HON. TOM UDALL
OF NEW MEXICO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. UDALL of New Mexico. Mr. Speaker, last month my home state of New Mexico lost a great man. Lorenzo Armijo Chavez, who spent his entire life in the Land of Enchantment, died at the age of 90. Born and raised in Magdalena, Lorenzo rose from modest beginnings to become a celebrated attorney, state legislator, and father of Albuquerque Mayor Martin Chavez. He was a legend in his own time, and he leaves a long and unique legacy.

Afflicted with polio, Lorenzo received his Bachelor of Arts degree from the University of New Mexico in 1941. Attending Georgetown Law School as a full-time student, Lorenzo earned his Juris Doctor degree while working 70 hours per week, where he became the head of the 1st floor of the Reading Room at the Library of Congress. He was a member of the Georgetown Law Journal Staff for 2 years and co-authored “Insurance-Rate Making,” graduating third in his class.

Upon graduation, Lorenzo became a law clerk for Justice J.C.onaill in the Court of Custom & Patent Appeals in Washington, D.C., followed by work for the Reconstruction Finance Corporation in the District of Columbia, in charge of War Risk Insurance. He then became a special assistant to the Attorney General of the U.S. in charge of land condemnation in New Mexico. In this position, he obtained for the Federal Government the land where Sandia Corporation is now located for $3.00 per acre.

In 1946, he started his law practice in Albuquerque. During these early years, he was elected to the House of Representatives in the New Mexico Legislature representing Socorro County where the press characterized him as one of the two most effective freshman legislators.

In 1955, he co-founded and became the first president of the American Savings and Loan Association in Albuquerque, NM. Also in the 1960s, he served on the Board of the prestigious International Academy of Trial Lawyers, of which he was a member for many years. After the death of U.S. Senator Dennis Chavez, he raised the funds necessary, contributing substantially himself, to have a statue of the Senator cast and placed in Statuary Hall in the Capitol in Washington, D.C. where it will remain for posterity. He made the presentation himself, along with Senator Hubert Humphrey, Vice President Lyndon Johnson, and other distinguished statesmen, to U.S. Congress.

Lorenzo’s love and compassion for the poor and the underdog manifested itself in legal representation, despite lucrative offers from the insurance companies. He handled over 16,000 plaintiffs suits in every county of the state where there was a court, winning over 90 percent of them, and handling 85 cases in the Supreme Court of New Mexico winning 89 percent of those cases. During his 52 years of law practice, he tried cases in every surrounding state as well as in California and Illinois. He handled some 12 cases in the Court of Appeals for the 10th Circuit and handled cases in the Court of Claims in association with eventual U.S. Supreme Court Justice Abe Fortas. He handled cases in the New Mexico Federal District Court. His pro-bono cases were numerous. These accomplishments led to him being the first New Mexican accepted into the International Academy of Trial Lawyers and he was regularly named in America’s Best Lawyers.

Lorenzo served as a mentor to many up-and-coming Hispanic lawyers, including former Governor Toney Anaya. He was a founder of the G.I. Forum, a Hispanic veterans’ political group. Former Governor David Cargo recalls Lorenzo approaching him in the 1960’s and urging broader Hispanic representation on boards of regents throughout the state.

When taxpayers complained about the high income tax they paid, Lorenzo’s favorite comment was that he was delighted to pay taxes, that he remembered only too well when he didn’t make enough money to pay taxes at all. He had firm principles—and, I believe, right ones. He expounded them clearly, he acted upon them decisively.

Lorenzo is survived by his wife, Sara Chavez, three sons, Larry, Phil and Martin, 6 grandchildren and 3 great-grandchildren. When Martin was running for office and he was asked to name his heroes, his father was always the first person he named.

Mr. Speaker, Lorenzo Chavez lived a long, productive and admirable life. He was a kind and loving husband, father and grandfather and enjoyed his life with family and friends to the fullest extent. His life left an indelible mark in the most significant of ways. He never forgot the foundations of family values, love and concern for others, a good education, and a solid work ethic. A great man is no longer with us, but will always be remembered in the minds and hearts of everyone who knew him. I cannot think of a more honorable legacy than that.

HONORING LANCE CORPORAL MARK E. ENGEL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. TANCREDO. Mr. Speaker, it is with deep regret and heartfelt admiration that I rise today to honor a fallen Marine from my district, Lance Corporal Mark E. Engel, Lance Corporal Engel sadly succumbed to injuries he suffered during combat in the Al Anbar province of Iraq. He was on his second deployment.
During a routine patrol on July 6th, Lance Corporal Engel’s light armored vehicle struck a roadside bomb. After a valiant fight that lasted the better part of a month, Lance Corporal Engel passed away with his family at his side, just one day before his 22nd birthday. 

Marc was a bright young man. He attended West Middle School, and later attended Cherry Creek High School, where he played varsity football as a fullback. By all accounts, Mark was an avid athlete, an outdoorsman, a neighbor and a friend. Mark was a man that will be dearly missed by his family, his friends, his fellow Marines, and our community.

Mr. Speaker, my deepest sympathy goes out to the family of Lance Corporal Mark Engel. Mark served his country with distinction, making the ultimate sacrifice for freedom and liberty in defense of a grateful nation. All of us owe him a great debt of gratitude.

Hon. DUNCAN HUNTER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. HUNTER. Mr. Speaker, I rise today to honor my close friend, Bill Lambert, for his outstanding contributions to our community and for his steadfast commitment to the education of our children and to their teachers.

RECOGNIZING THE SERVICE OF VERONICA ZASADNI (RONNE) FROMAN, REAR ADMIRAL, U.S. NAVY, RETIRED

HON. DUNCAN HUNTER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. HUNTER. Mr. Speaker, I rise today to recognize the service of Veronica Zasadni
Ronne Froman serves as Chief Executive Officer of the American Red Cross of San Diego and Imperial Counties. Froman joined the American Red Cross in 2003 and through her leadership quickly and decisively developed “The New American Red Cross” in San Diego by refocusing the organization on its core mission of disaster relief and emergency preparedness.

Admiral Froman comes to the American Red Cross from the San Diego Unified School District, where she served as Chief of Business Operations for one-and-a-half years. As the Chief Business Officer, she was responsible for the modernization and automation of the district’s finance, technology and logistics support operations and infrastructure.

She is a retired Rear Admiral from the United States Navy and the former “Navy Mayor of San Diego.” Admiral Froman brings a wealth of knowledge and experience to the American Red Cross of San Diego and Imperial Counties, with over 31 years of service as a Naval Officer leading similar reform efforts.

Her expertise is reorganizing, saving money and improving services. Froman is a no-nonsense “efficiency expert” and whether she’s helping the military, education or human services organizations, Froman is always ready to meet any challenge head-on.

Admiral Froman has received the Department of Defense Distinguished Service Medal, and the United States Navy Distinguished Service Medal, as well as various service and unit awards.

In the civilian community she currently sits on the Board of Directors of 1st Pacific Bank of California, the Monarch School, and the San Diego Aircraft Carrier Museum. She was recognized by the San Diego Mediation Center with the Peacemaker of the Year Award (2004), and by San Diego Magazine as one of the “50 People to Watch in 2004.” In 2003, she was honored to serve as the Chair of Fleet Week and received the Girl Scouts’ Cool Woman Award. Other awards include: the “YMCA TWIN” Award, (2002), the San Diego Soroptimists’ Woman of Accomplishment (1998), the National Association of Women Business Owners’ Advocate of the Year (1998), the San Diego Press Club’s Headliner Award (1998), and a San Diego Women Who Mean Business Award (1997).

With 20-years senior executive experience in complex, multi-functional, multimillion dollar organizations; with extensive experience in operations, facility management, marketing and human resources; being skilled in building teams through collaborative management; being a strategic planner and proven executor of the plans; being a designer and implementor of major organizational change; always being people and customer focused; and extremely comfortable handling community relations, I would like to take this opportunity to recognize Veronica Zasadni (Ronne) Froman and commend her accomplishments to my colleagues.

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each year and spanning two generations, the wilderness areas that can be found from the West to East Coasts are a tangible source of pride, progress, and potential for our Nation. In 1924, at the insistence of forester and future "A Sand County Almanac" author Aldo Leopold, the Forest Service created the very first federally designated wilderness—the Gila Primitive Area. Located north of Silver City, the Gila Wilderness is a gigantic reserve whose boundaries were eventually made into the 558,000-acre wilderness it is today. Senator Clinton Anderson of New Mexico, chair man of what was then called the Committee on Interior and Insular Affairs, stated that his support of the wilderness system was the direct result of discussions he had held almost 40 years before with Mr. Leopold. The Wilderness Act made the Gila Primitive Area official 40 years later.

After passing Congress with bipartisan support, President Lyndon Johnson signed the Wilderness Act into law on September 3, 1964. By the stroke of President Johnson’s pen, the Act created 9.2 million acres of wilderness across the country. Today the system includes 662 areas covering about 105.7 million acres in 44 states, about 4 percent of the United States.

For the first time in American history, the Federal Government protected land as it is and defined wilderness as a place that “in contrast with those areas where man and his works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a member of the natural community instead of its master but does not remain and whose travels leave only trails.”

The Wilderness Act is a deeply personal law to me. The legislation that President Johnson signed was sponsored by Senator Anderson and was guided through Congress at the urging of my father, then Secretary of the Interior Stewart Udall. Serving as Interior Secretary for Presidents John F. Kennedy and Lyndon B. Johnson, Stewart Udall’s accomplishments during his tenure are numerous: he created new national programs such as the Wild and Scenic Rivers Act and the Wilderness Act, which pushed the nation toward a deeper appreciation and protection of its remaining wild spaces. He helped create many new national parks and forests and the first national seashores. Perhaps most importantly, he established a bipartisan consensus on conservation issues that would endure for 20 years.

I visited with my father recently in Santa Fe about the Wilderness Act. He recalled that President Johnson awarded him 62 ceremonial bill signing pens throughout his service to the White House. As he signed the Wilderness Act into law, President Johnson spoke of Secretary Udall and his staff “going all over the country, looking for places to save.” My father recalls the remark as one of the highest compliments he has ever received; this in a lifetime of distinguished service to his country.

With 2.1 percent of its land area protected as wilderness, New Mexico harbors 23 wilderness areas. I have introduced legislation which would designate the first wilderness approved in New Mexico since 1987—the 10,794-acre Ojito Wilderness Study Area. The Bureau of Land Management recommended wilderness status for the Ojito area in 1992. We have had hearings in both the House and Senate on this bipartisan proposal. The bill is strongly supported in New Mexico by a diverse coalition. It is my sincere hope we can pass this legislation before the 108th Congress adjourns. Ojito would remain a natural place, perfect for recreation and quiet contemplation.

My legislation would also provide for the sale of about 13,000 acres of adjacent Bureau of Land Management holdings to Zia Pueblo, land that holds much historic and religious significance to the pueblo. All of it would remain open to the public. As such, the pueblo would be able to unite two separate pieces of its reservation, and in total, 24,000 acres would be preserved and protected. Not only is this place incredibly beautiful, it also contains rich cultural and archeological values. Designating the Ojito as wilderness will ensure that this vast landscape remains as it is, in all its natural glory, for future generations to treasure.

Mr. Speaker, the 40th anniversary of the Wilderness Act is an opportunity to rekindle the public interest in safeguarding our Nation’s unique natural heritage for future generations to enjoy. I urge my colleagues to join with me to ensure we leave a rich legacy of unspoiled wilderness for our families, for our future.

PAYING TRIBUTE TO ADAM AIRCRAFT

HO.N. THOMAS G. TANCREDO
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. TANCREDO. Mr. Speaker, one of my greatest joys is to see businesses in my district flourish. Today, I am honored to recognize Adam Aircraft based out of Centennial Airport in Englewood, Colorado. Adam Aircraft designs and manufactures advanced aircraft for civil and government markets.

On August 17, 2004, the company marked the first anniversary of the A700’s debut. The A700 being the first personal aircraft with an installed interior featuring seven seats and an aft lavatory.

In addition to the A700, Adam Aircraft has also made a big showing at the EAA AirVenture 2004 with the A500. The A500 has accumulated three national and two world records for speed over a recognized course and is currently approaching FAA certification by the end of 2004.

Adam Aircraft is building a strong customer base and took a record nine orders for its two aircraft models at the EAA AirVenture 2004 show. Currently they have also taken over 60 orders for the A500 and they promise to be a strong employer for Colorado for the years to come.

Mr. Speaker, the back bone of any community is the businesses that operate there. It is my distinct pleasure to honor one of those businesses Adam Aircraft here today, and wish them all the best in their future endeavors.

CAPTAIN SCOTT SHIELDS, HIS GOLDEN RETRIEVER, BEAR, AND ALL OF THE BRAVE RESCUE DOGS WHO SERVED DURING THE 9/11 TRAGEDY

HON. CAROLYN B. MALONEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mrs. MALONEY. Mr. Speaker, I rise to acknowledge the achievements of Captain Scott Shields, his golden retriever, Bear and the more than 300 dogs that served our country at the World Trade Center and the Pentagon after the September 11th terrorist attacks. On that fateful morning, Captain Shields and Bear answered the call for assistance at the World Trade Center and were one of the first search and rescue teams to enter the devastated area. Bear and other highly-trained rescue dogs spent the next few days searching in extremely dangerous conditions for those who lost their lives in the attack.

Scott Shields raised Bear in Westport, Connecticut, where there were no leash laws. As a result, Bear quickly learned to be comfortable maneuvering and taking direction “off leash.” In addition to his regular search training, Captain Shields also took Bear to parks, beaches and even obstructions to continue his instruction. This preparation proved remarkably useful on the morning of September 11. Trained in disaster management, Captain Shields felt compelled to respond to the disaster and he and Bear drove to what they would soon come to know as Ground Zero. Captain Shields and Bear entered the disaster site shortly after the second Trade Center tower collapsed to search for those who might have been trapped in the wreckage. Later that day, Captain Shields organized harbor activities, directing boats to transport emergency workers to the Trade Center site. Bear and his fellow rescue dogs worked in very harsh conditions without the benefits of protective clothing and gas masks. They climbed through piles of debris and squeezed through tunnels of steel and concrete in their attempts to find any signs of human life.

While working in these dangerous conditions, many dogs, including Bear, were injured. Captain Shields and Bear were walking along a steel beam when a piece of twisted metal gouged Bear’s back. Although the gash was deep, Bear kept working. Several months later, however, Bear developed a form of skin cancer around the perimeter of the wound. A veterinarian successfully removed the infected tissue, but from then on, Bear’s health declined. Bear passed away on September 23, 2002; the following month, hundreds of mourners gathered at his memorial service aboard the aircraft carrier USS Intrepid.

In Bear’s memory, Captain Shields, along with the New York law firm Proskauer Rose, established the Bear Search and Rescue Foundation to ensure that all dogs who participated in search and rescue operations at the World Trade Center and the Pentagon receive appropriate health care. Additionally, the foundation works diligently to provide equipment and instruction to emergency response teams throughout the country.

Mr. Speaker, I request that my colleagues join me in honoring Bear, Scott Shields and the hundreds of search and rescue teams who
served our nation so bravely on September 11th. To these heroes, I offer my continuing respect, admiration and support.

HONORING NANCY HABERLAND, OLYMPIC ATHLETE

HON. BENJAMIN L. CARDIN
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. CARDIN. Mr. Speaker, I rise today to congratulate my constituent, Nancy Haberland, for her participation in the Games of the XXVIIIth Olympiad.

In her Olympic debut this August, Nancy Haberland was forward in the Yngling boat. Ms. Haberland, along with skipper Carol Cronin and middle Liz Filter made up Team Atkins. The yngling class was one of the most closely contested races at the U.S. Olympic trials. In a remarkable achievement, Team Atkins beat out a field that included a previous Yngling world champion, Betsy Alison, and past Olympians John Swanson and Cory Sertl. Ms. Haberland has also won numerous national titles in several classes.

Nancy Haberland grew up in Northbrook, Illinois and started sailing at the age of 13. In 1984, she graduated from Miami University in Ohio with a degree in dietetics and management, and she is a registered dietitian. She serves our country now as a sailing coach at the United States Naval Academy in Annapolis, and I am privileged to represent her in Congress.

It has been said that the trademarks of a champion are, “The will to prepare, the guts to risk, and the desire to be the best.” Ms. Haberland certainly possesses all three, and I urge my colleagues to join me in congratulating her.

SALUTING AMBASSADOR YUVAL ROTEM

HON. HOWARD L. BERMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. BERMAN. Mr. Speaker, it is with great pleasure that I ask my colleagues to join me in congratulating Ambassador Yuval Rotem, who served as consul general of Israel in Los Angeles from September 1999 to August 2004. Ambassador Rotem recently wrote an article for the Los Angeles Daily News on his experiences in Southern California that I would like to share with you today.

L.A.’S STORY ABOUT LIVING SIDE BY SIDE
(By Yuval Rotem)

Critics say Los Angeles is only image. The city, they claim, presents an illusion to the world much like the movies Hollywood projects on it. The myth goes that it’s a city of facades, with the favored tools being the editor’s airbrush or the plastic surgeon’s scalpel. There are no friendships here, only contacts and connections.

After five years on “extended vacation” in Southern California, I have found these statements far more superficial than the city they describe. As a permanent resident of the tormented Middle East, my time here has left me in awe of the wide variety of reli-

TRIBUTE TO PETER VANDERKAAY

HON. JOE KNOLENBERG
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. KNOLENBERG. Mr. Speaker, I would like to congratulate Peter Vanderkaay, a resident of Oakland Township, Michigan, on his Olympic gold medal he won at the XXVIII Olympic Games in Athens, Greece. He has made all of us from Oakland County and Michigan proud.

Peter won his gold medal on the men’s 4 x 200 meter freestyle swimming relay team, swimming the third leg of the race. Peter and his teammates, Michael Phelps, Ryan Lochte, and Klete Keller, set a new American record on their way to beating Australia by 0.13 seconds. It is the first time an American Olympic team has won this race since 1996.

Peter was a standout in high school swimming for Rochester Adams High School where he earned four varsity letters. He is a Michigan State champion in the 200 yard freestyle and a two-time Michigan State champion in the 500 yard freestyle. He was also selected as the 2002 Oakland Press Scholar Athlete of the Year.

Peter will return to the University of Michigan this fall as a junior and will continue to swim for the school and Club Wolverine. His accomplishments are overwhelming and impressive, especially considering it has only taken him two years to reach these achievements. Peter is a seven-time NCAA All-American, was the 2004 Co-Big Ten Conference Swimmer of the Year, the 2003 Big Ten Conference Freshman of the Year, and a six-time Big Ten Champion.

Being a world-class swimmer takes dedication and resolve. It takes sacrifice and long hours of practice. It is not always immediately rewarding and there are many challenges before becoming a champion. I commend Peter on his determination.

I also realize raising a swimmer is not easy and that is why Peter’s parents, Mark and Robin, deserve recognition for their hard work over the years. In fact, they have raised four swimmers; Peter’s brothers Christian, Alex and Dane are accomplished swimmers in their own right.

Mr. Speaker, I congratulate Peter Vanderkaay on his Olympic success and wish him all the best in his future endeavors, both in and out of the pool.

HONORING RHADI FERGUSON

HON. BENJAMIN L. CARDIN
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. CARDIN. Mr. Speaker, I rise today to commend Rhadi Ferguson, a Maryland resident who proudly represented the United States as a member of its Judo Team in the games of the XXVIIIth Olympiad.
In Athens, Beezie (Elizabeth) Madden was an integral part of the U.S. equestrian team that took the silver medal in Team Jumping. Nicknamed after her great-grandmother, Beezie took her first riding lesson at the age of 3. She got her first horse as a Christmas present when she was 4, and 2 years later, she competed in her first horse show.

Mr. Speaker, I would like to thank all four of these athletes for representing our country with such honor, and congratulate them on their success.

RECOGNIZING PURDUE PHARMA AND LIFETIME LEARNING SYSTEMS FOR THEIR OUTSTANDING WORK

HON. CHRISTOPHER SHAYS OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. SHAYS. Mr. Speaker, it gives me great pleasure to recognize the wonderful work of Purdue Pharma, L.P. and the Weekly Reader to educate America’s youth on the dangers of prescription drug abuse.

Purdue has partnered with Lifetime Learning Systems, publisher of Weekly Reader, to distribute drug abuse awareness materials, entitled “Painfully Obvious,” in selected schools and classrooms throughout the country. Nearly 13,000 middle schools will receive these materials, which include a student discussion guide and a teacher’s instructional guide, for distribution to more than 4 million fifth- to eighth-graders. The distribution will cover students throughout the Northeast, South and Midwest.

An estimated 9 million people aged 12 and older used prescription drugs for non-medical reasons in 1999, according to the National Institute on Drug Abuse (NIDA). Also, according to the National Household Survey on Drug Abuse, the sharpest increases in new abusers of prescription drugs occur in 12–25 year olds. NIDA’s 2003 Monitoring the Future survey, conducted amongst 8th, 10th and 12th grade school students nationwide, found that Vicodin, a prescription drug, was the second most frequently reported drug used among 12th graders in high school, after marijuana. The same survey also found that 4.5 percent of 12th graders surveyed reported using Vicodin for non-medical reasons and 4.5 percent of 12th graders surveyed reported using OxyContin without a prescription. These statistics indicate a growing problem amongst the nation’s teens. Individuals may also visit www.painfullyobvious.com to learn more about this important issue.

A critical first step in the prevention of prescription drug abuse by young people is to equip them with knowledge and information about its potentially devastating effects. America’s youth will be in a better position to make the right choices because of this effort.

HON. MIKE ROGERS OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. ROGERS of Michigan. I rise today to pay tribute to Janet Trautwein for receiving the Gordon Memorial Award presented by the National Association of Health Underwriters. Since 1949, The National Association of Health Underwriters have been recognizing individuals that have generously and selflessly given their time and effort to the health insurance industry and the financial protection they provide to millions of Americans.

Janet Trautwein is well deserving of this award. She has served the association well as a staffer, but more notably in her years of uncompensated service as a former agent and active member NAHU. Born in the State of Texas, Ms. Trautwein has exemplified the character of the Gordon Memorial Award by working hard to better the insurance industry without expecting anything in return.

Mr. Speaker, today, more than ever, volunteers are coveted members of our communities, selflessly giving their precious time and effort for the greater good. I ask my colleagues to join me in recognizing Janet Trautwein for her service and for receiving the Gordon Memorial Award from the National Association of Health Underwriters.
They were looking for a hilltop, near water. They found such a spot 3 miles east of here on the first high ground west of the Silver Spring. Now the sound was of axes and the ground began to fall to be used for the walls and blockhouses of the fort. The year was 1827.

Four miles to the west, Fort King, was to stand as a symbol of justice and peace on the Frontier. It is how we faced by our young republic in maintaining our democracy as we knew it. To the Seminoles, Fort King was a symbol of hope. The Seminoles could not buy corn. They had no hunting grounds. They were viewed positively by the Seminoles. As Coahajo said to Gad Humphreys, the Indian Agent in Jan 1829, "This house was built for us, so that when we had any difficulty, we might come here and settle it." It represented the 'Great Father's' (i.e., the US President's) commitment to them for their safety. Chief John Hicks said to Gad Humphreys 'We know that the Great Father's power is great, and he can do with us as he chooses; but we hope that his justice is as great as his power also.' They trusted the Great Father and his Indian Agents. To the Seminoles, Fort King was a symbol of hope. But the Great Father could not stop the overwhelming advance of the white settlers, the whisky peddlers, and the slave hunters.

Two years after being constructed, Fort King was an act of desperation. For the Seminoles, Fort King road, the Seminoles ambushed and annihilated two companies of US Army regulars in route to Fort King. That afternoon, Osceola shot and killed the Indian Agent. Thin shot went through the walls of Fort King. The Second Seminole War had begun.

During the seven year guerilla war that followed, every major general and every regiment of the US Army was stationed at or passed through Fort King. Here stood the Generals: Gaines, Scott, Clinch, Jessup, Taylor, and Armistead. Here stood the junior officers Worth, Johnson, Prince, Bragg, Meade, and Pemberton. Their names go down in the annals of the Mexican and Civil Wars. And here stood the enlisted men: Hemrose, Clarke, and hundreds of others who served in the Florida War.

Following the joint series of engagements, most of which the Seminoles won, US forces withdrew from the interior of Florida abandoning Fort King in May 1836. The Seminoles stood victorious. At this zenith of their success and hopes, the Seminoles burned the hated Fort King to the ground.

But it would be a short lived victory. The Army returned a year later and rebuilt Fort King. It would be garrisoned throughout the remaining 5 years of the war and from here the Army pushed the Seminoles back into the swamps and mountains. The Seminoles put up a顽强 defense; they would fight back every inch of the way. They held Fort King and fought back. They trusted the Seminoles would stand victorious. At this zenith of their success and hopes, the Seminoles burned the hated Fort King to the ground.

The lesson learned from Fort King is our struggle for freedom should be for us and the Seminoles, Fort King was the stuff of which America was made. Fort King was the stuff of which the American frontier was made. Fort King was the stuff of which the West was made.

To stand on that hilltop puts us in the footsteps of Osceola and the native Americans who roamed and lived on this land for thousands of years before the Spanish, French, English, and Americans ruled it. It is a place in the modern city that links us to our wilderness past. It reminds us of the difficulties faced by the Seminoles in maintaining their culture, hope and future. It is the beginning of a place.

The Historical significance of Fort King is that it links us to our past and to our future. To stand on that hilltop puts us in the footsteps of Osceola and the native Americans who roamed and lived on this land for thousands of years before the Spanish, French, English, and Americans ruled it. It is a place in the modern city that links us to our wilderness past. It reminds us of the difficulties faced by the Seminoles in maintaining their culture, hope and future. It is the beginning of a place.

The lesson learned from Fort King is that we need to seek common understanding of other cultures who in the final analysis value being American as much as we. We can become a better people? The fact that we stand here as friends with the Seminoles, the very people who fight for their land against the US Army, is a testament that we can. Fort King is a place of hope.
our brave servicemembers while they are courageously fighting overseas. These families and communities need the support of others who can relate to them and comfort them in this time of need.

Working without pay, not expecting recognition, and often using their own resources, military unit family volunteers have been filling this need for decades. These generous men and women have taken it upon themselves to provide guidance, support, and advice to military families.

Each branch of the United States Armed Forces has organized its military unit family support volunteers into effective networks of support.

Generally, the spouse of a servicemember will serve as a military unit family support volunteer and will work hard to improve the lives of other spouses and their children.

In San Diego, I have had the opportunity to work closely with Navy Ombudsmen and Marine Key Volunteers on a regular basis.

It is an understatement to say that I have been amazed by their dedication. These volunteers spend hours and hours each week to help other military families. Working as a military unit family support volunteer is a full-time job.

They provide these services while at the same time, dealing with the hardships of military life in their own right. But without their efforts, military life for military families would be much more difficult—especially for those who are new to the service.

Next week on Tuesday, September 14, the Navy will honor its selfless volunteers on Ombudsmen Appreciation Day. Each year, the Navy recognizes its 6,000 Ombudsmen on this special day.

Mr. Speaker, I cannot think of a better occasion to recognize the fine efforts of all our military unit family support volunteers from each branch. It is my goal to let each volunteer know that this Congress stands firmly behind your efforts and recognizes the invaluable support you give to America’s brave military families.

Today, I am introducing a concurrent resolution to officially recognize the efforts of the Air Force Spouses Together and Ready volunteers (STARS), the Army Family Readiness Volunteers, the Marine Key Volunteers (KVs), and the Navy Ombudsmen.

This Congress stands firmly behind your mission. Thank you very much for your efforts and your dedication.

COMMENDING ARMY RESERVE PRIVATE FIRST CLASS LUIS A. PEREZ

HON. PETER J. VISCLOSKY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. VISCLOSKY. Mr. Speaker, it is with great pride and respect that I wish to commend Army Reserve Private First Class Luis A. Perez for his bravery in the field of battle and his willingness to fight for his country. Private Perez was assigned to the 223rd Transportation Company, United States Army Reserve, Norristown, Pennsylvania. Private First Class Perez lost his life on Thursday, August 26, 2004, in Fallujah, Iraq, when the fuel truck he was driving hit a land mine causing a deadly explosion. His sacrifice will be remembered by a community that has been struck hard by the devastating loss of one of its own.

A native of East Chicago, Indiana, Private Perez attended Morton High School in Hammond for two years, but graduated from a high school in New York. Two years, he had gone to live with his father after his parents divorced. He enjoyed playing video games, basketball and he also liked to write poetry. All Private Perez ever wanted was to grow up and be a soldier like his father. After graduating from high school, he enlisted in the United States Army and two weeks later he was off for training.

It came as no surprise to those who knew Private Perez that he would serve his country. Growing up, he traveled with his parents and two younger sisters all over the world, living in Hawaii and Germany. A true patriot, his love for his country was evident from the time that he was a child. At a young age he told imaginative tales of what his life would be like, he said he wanted to be a green man and continue traveling around. Reluctantly Private Perez enrolled in college, but he wanted to be a hero like his father, Sergeant Jose Perez, a 20-year veteran of the United States Army. Private Perez felt tremendous pride for his country, and he was willing to endanger his own life to protect the liberties of all his fellow citizens. His courage and heroism will always be remembered, and his sacrifice will forever live in the hearts and minds of those for whom he battled. He gave his life so that the freedoms and values that he treasured could be enjoyed by those around the world. Although he has left his family and his country, Private Perez treasured his family above all else. He is survived by his wife, Theresa, his father, Sergeant Jose Perez, his mother, Lisa Perez, two sisters, and his grandmother, Clara Madrigal.

Mr. Speaker, at this time I ask that you and my other distinguished colleagues join me in honoring a fallen hero, United States Army Reserve Private First Class Luis A. Perez. He will forever remain a hero in the eyes of his family, his community, and his country. Let us never forget that we must preserve the ideals of freedom and democracy.

ON THE OCCASION OF THE 50TH ANNIVERSARY OF NIST’S BOULDER LABORATORIES

HON. MARK UDALL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. UDALL of Colorado. Mr. Speaker, a week from today, the Boulder laboratories of the National Institute of Standards and Technology will celebrate their 50th anniversary. I rise today to honor NIST and its employees on this important occasion.

It wasn’t long ago that we celebrated the centennial of NIST’s founding, which Congress marked with the passage of a resolution that Representative MORELLA and I sponsored.

The National Institute of Standards and Technology was chartered by Congress on March 3, 1901 as the federal government’s first physical science research laboratory. Scientists, engineers, and industrialists first advocated the establishment of a standards laboratory, pointing to the new challenges facing the U.S. as a rapidly industrializing world power.

Today, I’d like to draw attention to the work of NIST’s laboratories in Boulder, Colorado, in my district.

In 1950, to address the lack of laboratory space, NIST established a cryogenic engineering laboratory and radio facilities on land donated by citizens of Boulder. NIST’s Boulder facilities were expanded in the mid 1960s, when NIST and the University of Colorado (CU) joined forces to create the Joint Institute for Laboratory Astrophysics (JILA), a cooperative effort that has gained widespread recognition in atomic physics and other fields.

The partnership between NIST and CU has led to some amazing discoveries. Beginning in the 1970s, the discipline of cooling and trapping atoms was established in part by experiments with electrically charged atoms by researchers at NIST’s Boulder campus. This work inspired Dr. William Phillips and his team to demonstrate both the trapping and the cooling of atoms well below the temperature limits generally believed possible. Dr. Phillips was awarded the Nobel Prize in Physics in 1997 for this work.

In 1995, using these same techniques of laser cooling and trapping of atoms, scientists at JILA—NIST’s Eric Cornell and CU’s Carl Wieman—created rubidium atoms colder than 1 millionth of a degree absolute zero. This was 300 times lower in temperature than ever achieved before and created a new state of matter predicted decades ago by Albert Einstein and Indian physicist Satyendra Nath Bose. The Bose-Einstein condensate is widely hailed as one of the century’s major achievements in physics, and has been honored with several internationally prestigious awards.

All of this research has enabled the design and construction of one of the world’s most accurate clocks, NIST F-1, which is used by NIST (in cooperation with the Naval Observatory) to maintain the nation’s time standard. The NIST—F1 is so accurate that it will neither gain nor lose a second in 20 million years! It is approximately three times more accurate than NIST—7, the previous time piece for the nation. This precise time information is needed by such users as electric power companies, radio and television stations, telephone companies, air traffic control systems, the Global Positioning System, participants in space exploration, the Internet, and navigators of ships and planes—all of whom need to compare their own timing equipment to a reliable, internationally recognized standard, which NIST provides.

I’d also like to mention an interesting tale of “technology transfer” that has resulted from the time and frequency research in NIST’s Boulder laboratories.

In the early 1970s, NIST developed a time distribution system that placed a hidden time code on an unused part of the TV signal. While the system was not implemented, this technology provided the basis for closed captioning. In the following years, several networks, working with NIST, took up the project and developed convenient encoding equipment and improvements to the captioning format. Then in 1980, NIST, with American Broadcast Companies, Inc., and the Public Broadcasting System received Emmys from the Academy of Television Arts and Sciences for this development.

Today the Emmy is proudly displayed at...
NIST's Boulder laboratories and is a wonderful example of federal research that led to significant commercial spin-offs. These are just some of the contributions NIST's Boulder laboratories have made to the nation in the half-century of their existence. NIST's contributions to even greater advances in the 21st century. I will continue to call attention to the Boulder labs' contributions and the necessity of upgrading the facilities so that the Boulder scientists can continue to produce top-flight research.

As we have learned from the Daily Camera notes, Washington scientists who were reassigned to the new Boulder labs in 1954 weren't happy about moving to what they thought was a "scientific Siberia." It's remarkable what a difference five years can make. It turns out that NIST's arrival triggered a "scientific renaissance" that made Boulder the scientific hub it is today.

I am proud to represent the scientific hub of Boulder and all the talented and dedicated scientists and employees who work at NIST, which has rightly been called a "crown jewel of federal R&D." I would like to press my congratulations again to NIST's Boulder labs for reaching this important half-century mark.

(From the Daily Camera, Aug. 29, 2004)

NIST AT 50

FEDERAL LABS HELPED TURN BOULDER INTO TECHNOLOGY CENTER

(By Todd Nef)

Half a century ago this Sept. 14, President Dwight D. Eisenhower stepped before a new $4 million structure south of Boulder and dedicated the Department of Commerce's Boulder Laboratories. It was a landmark day for the city, then with a population of 20,000, and not just because it was the first visit to Boulder by a sitting president. The 10,000 people who braved the beating sun that Monday could not have known the Boulder labs would, over the course of the next 50 years, bring billions of dollars and thousands of jobs to the area. Nor could those present have imagined the role the labs would play in turning Boulder into a technology center.

The lab's arrival in Boulder was a combination of good fortune and determined effort. Some of the good fortune was President Harry Truman's 1949 secret order to stop clustering major buildings in Washington, D.C., because of the threat of nuclear attack. Yet the Bureau of Standards recognized the potential of the area and the Cryogenics Laboratory at Boulder.

By the Boulder NBS 10-year anniversary in 1964, it employed 1,400 people in two major laboratories. One was the original Central Radio Propagation Laboratory, which tested radio-wave behavior and developed standards associated with radio transmission and propagation, including weather radar. The second was the Cryogenics Engineering Laboratory. The names have all changed, often in mind-bending ways. For example, NBS' Central Radio Propagation Laboratory moved to the U.S. Weather Bureau in 1965, then became the Environmental Science Services Administration and, in 1970, the National Oceanic and Atmospheric Administration, or NOAA, as it's known today. The same 1965 period saw the creation of NBS' National Center for Atmospheric Sciences, which did radio-spectrum work. Today, the Institute for Telecommunication Sciences labs make up the whole of what is today the National Telecommunication and Information Administration's presence in Boulder. The Cryogenics Engineering Laboratory and a host of additions remained with the NBS until 1988, when NBS became the National Institute of Standards and Technology, or NIST.

Changes there were the two NIST joint laboratories with the University of Colorado at Boulder. The Joint Institute for Laboratory Astrophysics, or JILA, was created in 1962, building on research at the National Bureau of Standards in atomic physics. It was two JILA scientists, Eric Cornell of NIST and Carl Wieman of CU, who won the 2001 Nobel Prize in physics for their discovery of Bose-Einstein condensate, a new form of matter. The CU-NIST Cooperative Institute for Research in Environmental Sciences, or CIRES, was created in 1982 and focuses on atmospheric physics. NIST, NOAA and the smaller NTIA make up today's Boulder labs. Combined, they employ about 1,800 including full-time equivalents, with research and student projects.

As a Daily Camera editorial on Sept. 10, 1954, put it: "Of all the agencies of the government, the NBS is perhaps the greatest money-earning organization we have. It has the main cost of maintenance is offset many times by what it saves the government, business and the people in money, time and safety." With the World War II era's area out of the question, NBS sought a small-town location with little radio noise, a university and a nearby transportation hub. Boulder, Charlestown, Va., and Palos Verdes, were the main contenders. Some of the key effort came from the Boulder Chamber of Commerce, led by Francis W. Reich. The chamber led a 1950 cash drive that raised $90,000—about $700,000 in today's dollars—in two weeks. They used $65,000 to buy 217 acres of pasture to donate to the federal government. The rest was spent on the land east of Boulder that's now home to Ball Aerospace & Technologies Corp. The local money tipped the scales. Crews began building Boulder Labs in July 1952, finishing work in the spring of 1954. It turned out to be a good investment. A 2002 University of Colorado study projected that the labs would bring $2 billion in economic benefit to the state between 2001 and 2016 and NIST would be alone. About 450 scientists and support staff—some from Washington, other from local NBS field offices—had moved in by the time Eisenhower drove Turnpike from his summer White House at Denver's Lowry Air Force Base. Yet those scientists weren't the first at the site. The Atomic Energy Commission, in a rush to build hydrogen bombs after the Soviet Union's successful nuclear tests, wanted a remote location to produce liquid hydrogen and tapped its Atomic Energy Commission's Washington, D.C.-based Heat and Power Division to build a plant to produce liquid hydrogen. The plant began churning out the super-cool liquid hydrogen and went into the world's first hydrogen bomb. When a nuclear scientists decided atomic bombs didn't need mass volumes of liquid hydrogen, the operation became the Boulder Cryogenic Engineering Laboratory in Boulder.

ON THE DEATH OF FORMER CONGRESSMAN ROBERT D. "BOB" PRICE OF TEXAS

HON. MAC THORNBERY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 2004

Mr. THORNBERY. Mr. Speaker, I regret to have to inform the House that our former colleague, Robert D. "Bob" Price, passed away August 24, 2004.
Congressman Bob Price’s life was a shining example of a true American experience. Throughout his 76 years, Bob Price compiled an admirable record of service to his community, his state, and his country.

Bob Price was born September 7, 1927 in Reading, Kansas. He received a bachelor’s degree in animal husbandry from Oklahoma State University in 1951, the same year he married his wife, Martha, or “Marty,” in Oklahoma City.

Also in 1951, Mr. Price began a four-year stint in the United States Air Force. During the Korean conflict, Mr. Price served as a fighter pilot, flying 27 combat missions and earning the Air Medal. After leaving the Air Force, Mr. Price owned and operated a ranch with his wife in Pampa, Texas for 50 years.

He was first elected to the U.S. House in 1966 and served here for eight years. Mr. Price served on the Armed Services Committee, the Agriculture Committee, and the Science and Aeronautics Committee. During his time in Congress, Mr. Price was known as the only member who had flown Mach-3 in the SR-71 Blackbird, the F-111-A and the F-4E Phantom. After leaving the U.S. House in 1975, he later served in the Texas Senate from 1978 through 1980.

Mr. Price was also an active member of his community as a member of the First Baptist Church, the Pampa Masonic Lodge Number 966 AF & AM, the Pampa Shrine Club and the Downtown Kiwanis Club. He was also a member of the El Paso Scottish Rite Consistory and the Khiva Shrine Temple of Amarillo.

Bob Price is survived by his wife, Marty; a son, Carl Price, his wife, Kelly, and their children, Courtney, Grayson, Bridget, and Caroline; a daughter, Janice Anderson Rydell, who worked for one of our former colleagues and was a staff member of the House Committee on Agriculture. Caroline Anderson Rydell, the Pampa Masonic Lodge Number 966 AF & AM, the Pampa Shrine Club and the Downtown Kiwanis Club. He was also a member of the El Paso Scottish Rite Consistory and the Khiva Shrine Temple of Amarillo.

Bob Price is survived by his wife, Marty; a son, Carl Price, his wife, Kelly, and their children, Courtney, Grayson, Bridget, and Caroline; a daughter, Janice Anderson Rydell, who worked for one of our former colleagues and was a staff member of the House Committee on Agriculture. Caroline Anderson Rydell, who farms south of Tulia, called Anderson a great asset to the Texas cotton industry.

He is a real educator and helps farmers understand the futures market. He is a great guy and is very approachable.

Asked about the most rewarding part of his career, he replied, “Seeing farmers that have adapted to change, whether it was new systems of farming, new varieties or learning to price cotton when prices were most favorable...”

He has seen tremendous changes in the cotton industry since his childhood, from mechanical harvesting, hericides and development in genetics.

“I remember my father plowing with mules,” he said. “The first tractors were two-row tractors that they have four-wheel drive machines that do at least 12 rows at a time.”

Anderson remembers spending the summer of 1949, after he graduated from high school, participating in a small degree in growing and harvesting the Texas cotton crop that still stands as a state record. As he retires,

The producers were very good at production, but they did not think beyond the gin,” he said. “At that point, the producer was pretty much at the mercy of the market—with the exception of a few co-ops.

Improving the quality of cotton was a gradual process that was helped greatly by the change from hand evaluation of quality and quality of cotton fibers to machine evaluation. Cotton grown in West Texas today has higher fiber strength, longer fibers and better yields, he said.

Carl Anderson’s involvement in the cotton industry began as a boy. He recalls picking cotton, draping a heavy cotton sack behind him, and repeatedly hoesing the stubborn and prolific Johnson grass that sprouted in the black Texas soil of the family farm outside Taylor, near Austin.

“...It got me started on thinking,” he said.

Asked what he finds most rewarding about his career, he replied, “Seeing farmers that have adapted to change, whether it was new systems of farming, new varieties or learning to price cotton when prices were most favorable...”

He has seen tremendous changes in the cotton industry since his childhood, from mechanical harvesting, herbicides and development in genetics.

“I remember my father plowing with mules,” he said. “The first tractors were two-row tractors that they have four-wheel drive machines that do at least 12 rows at a time.> Anderson remembers spending the summer of 1949, after he graduated from high school, participating in a small degree in growing and harvesting the Texas cotton crop that still stands as a state record. As he retires, it appears the state will top that record this year.

“It is exciting to me that, with about half the acreage we had the 6 million bales we had in 1949,” he said. The future of cotton in Texas will probably be on even fewer acres, he said. Some of the marginal acreage for cotton now will probably be used to grow other things, but the acres that remain will be higher-yielding ones.

And the United States will continue to be challenged by international competition, particularly from China, which Anderson says dominates the world cotton production. One problem has been the shrinking of the U.S. textile industry and the strength of China’s textiles, he said.

Anderson says the key to compete with them is to be the most efficient, from field to fabric,” Anderson noted.
He is honored by a graduate assistant scholarship fund that has been established in his name at A&M. While he is looking forward to slowing down a bit, his remaining on part-time status after his retirement will be welcomed by those who have come to depend on him.

“I have heard people introduce him as the dean of cotton,” said Billy Tiller, who farms west of Littlefield. “I take my hat off to him for serving us for all of these years. What would we do without him?”

IN MEMORY OF HANNAH H. HAGIN
HON. ROB PORTMAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. PORTMAN. Mr. Speaker, I rise today in tribute to a dear friend and constituent, Hannah H. Hagin, who passed away in Cincinnati on August 30, 2004.

There are special people in our lives, and Hannah was one of them. It is especially hard to lose them. She brought love, laughter, and happiness to everyone she met. She was funny and modest and giving. Hannah had an enormous number of devoted friends who adored her. People loved her because her kind of compassion, generosity and dignity is rare.

Hannah's real legacy is her wonderful and accomplished family. She took tremendous pride in them, and she has a special place in each one of their hearts. This is true of her husband of nearly fifty years, Joe; her two sons, Joe and Hunt; her daughter-in-law, Lauren; and her twin granddaughters, Lily and Kate. Hannah was a very proud grandmother, and loved nothing more than spending time with Lily and Kate.

Hannah grew up in Lexington, Kentucky, where she met Joe, whom she married during their junior year of high school. She later attended the University of Kentucky, where she majored in history.

Hannah was also active with gardening, knitting and needlepoint. She was a member of the Indian Hill Garden Club.

All of us in Cincinnati who knew Hannah are grateful to have had her in our lives. She made all of us better human beings.

JOE Serna, JR.
HON. DENNIS A. CARDOZA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. CARDOZA. Mr. Speaker, I rise today, shortly following what would have been former Sacramento Mayor Joe Serna’s 65th Birthday, to join with his friends and family in helping to honor Joe’s lifelong commitment to bettering the lives of his fellow citizens through the dedication of the Joe Serna Jr. Amphitheater at Delta College.

The great labor leader, Cesar Chavez, once said, “You knock on twenty doors or so, and twenty guys tell you ... that they haven’t got time. But maybe at the fortieth or sixtieth house you find the one guy who is all you need.”

Joe was one of those remarkable men that Cesar Chavez was looking for. He was a much rarer breed than one in forty or one in sixty. Joe was, at the very least, one in a million.

He answered this call to service and action at an early age, losing his job at a manufacturing facility by endorsing a strike. He continued this fight on behalf of his fellow man for the remainder of his life. Joe was often called upon to lend assistance to his mentor, Cesar Chavez, and did not once turn down such a request.

His devotion to others was remarkable and unrelenting; whether as a worker in a trailer factory, as a labor leader, as a volunteer in the Peace Corps, as the civic leader of California’s capital city, or as a husband, father and grandfather.

It is fitting that Delta College is naming a building for him. Once Joe had decided to answer Chavez’s call and take the path of self-sacrifice and dedication to his community, Delta College was the first place he turned to hone the skills that would allow him to be the most effective advocate he could be.

We can only hope that future generations passing through the campus will have some measure of the integrity and dedication to his fellow man as Joe Serna Jr. displayed his entire life. We are all the better for his efforts and it is my honor to recognize and pay tribute once again to this fine American.

TRIBUTE TO THE REVEREND JESSE LANGSTON BOYD, JR.
HON. DIANA DeGETTE
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Ms. DeGETTE. Mr. Speaker, I rise to honor the exceptional and extraordinary life of the Reverend Jesse Langston Boyd. This remarkable gentleman merits both our recognition and esteem as his impressive record of leadership and his invaluable service has done much to improve the lives of our people.

Reverend Boyd’s standing within our community is rivaled by few others. He was a dynamic preacher whose counsel was infused with a spiritual fire that moved all of us to do what was right. He lived his life on the front lines of progress and proved to be a powerful champion of economic and social justice. His indomitable spirit carried him through many of life’s challenges and molded a life of genuine accomplishment.

Jesse Boyd began his life in St. Louis, Missouri and settled in Los Angeles during the height of the civil rights movement. He joined the Reverend Jesse Jackson’s Operation Breadbasket and organized the city’s Operation PUSH. In the early 1970’s, he spent two years as a missionary in Zambia building schools and houses. He later studied at the Center for the Study of Religions in Jerusalem and earned a degree in divinity from Harvard University.

Reverend Boyd came to our community in 1978 and was pastor of Shorter African Methodist Episcopal Church for over twenty-six years. As a spiritual leader, he advanced the cause of civil rights and the development of our youth and burnished a reputation as a powerful advocate for civil liberties, inclusion and expanding opportunities for all people. Under Reverend Boyd’s leadership, Shorter A.M.E. became a beacon of hope and remains a positive force in the spiritual and civic life of our community.

He served as President of the Black Ministerial Alliance and in the mid-1980’s, he helped create People Against Coors at Coors after William Coors, board chairman, was quoted in the Rocky Mountain News as saying that blacks lacked “intellectual capacity.” The newspaper later retracted the story and a suit filed by Coors against the newspaper was also retracted. His civic accomplishments included building a fifty-unit housing development and establishing a park near Shorter A.M.E. Church.

Reverend Boyd was no stranger to political and community activism. He served as director of the Southern Christian Leadership Conference and chaired the boards of directors of Denver Metro PUSH and the Rainbow Coalition. Former Governor Roy Romer appointed him to the Colorado Wildlife Commission and he co-chaired the state campaigns for the Reverend Jesse Jackson.

It comes as no surprise that the Muscular Dystrophy Association honored Reverend Boyd with the 2004 Personal Achievement Award for his extensive religious, social and political contributions. Recently, Mayor John Hickenlooper proclaimed June 24th, 2004, as “The Reverend Jesse Langston Boyd Day.”

We are indeed grateful for the life of Reverend Boyd and for his inestimable contribution to the spiritual life of our community and to the causes that elevate the human condition. He was a fervent defender of the civil liberties which have deep roots in our republic and we are all diminished by the passing of the remarkable gentleman. His contemporaries, including the Reverend James Peters, the Reverend Paul Martin and the Reverend Gil Caldwell recently noted that Reverend Boyd “was a spiritual giant in our community” who “helped us blaze the trail” and “dared challenge America to become a land ‘with liberty and justice for all.’”

I would simply add that I believe Reverend Boyd’s message to us would be that we must be ever vigilant and continue to affirm the values of equality, inclusion and tolerance—the values which define us as Americans. Please join me in paying tribute to the life of Reverend Jesse Langston Boyd, a distinguished spiritual and civic leader. His service, accomplishments and leadership command our respect and serve to build a better future for all Americans.

REGARDING PRESENTATION OF THE MILITARY AWARD TO DEBRA WADE
HON. IVE SKELTON
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. SKELTON. Mr. Speaker, as we return to session following a productive August among the people we represent, it is worth remembering that for the most part, the staff of the House has been here and working through the months.

I believe we do not recognize often enough those dedicated public servants, who get lumped into that antiseptic word “staff.”
Among the staff of the House are leading experts in their fields, prize winners, men and women noted in their own right for achievements both professional and prosaic. Many know far more in their fields of expertise than any Member of Congress ever will. And yet they bite their lips and say “Yes, sir,” when we hear their counsel yet choose to go another way.

Perhaps the greatest tribute to the selflessness of the staff is the fact that almost any one of them could leave this place tomorrow for jobs with better pay, better recognition, and much better hours, yet their dedication to the common weal binds them to this House. And we Members all wind up looking the better for it.

Fortunately, while we may not say “thank you” often enough, others sometimes take up the slack. And so it is with Debra Wada, a member of the Armed Services Committee staff.

Debra handles matters concerning military personnel for the committee, and does so with zeal and knowledge and grace. She is always looking out for the common soldier. Millions of Americans in uniform owe the improvement of their pay and benefits to Debra and her foresight and dedication. I trust her guidance, and even more admire the energy with which she works and lives.

I am not alone in that sentiment. Not long ago, Debra was recognized by the National Guard Association of the United States, who presented her with their Militia Award. In their words, she was selected “for her exceptional dedication and effort to improve the status, welfare and professionalism of the enlisted members of the National Guard of the United States.” That is indeed an honorable achievement, particularly at a time when military personnel are working so hard on our behalf.

While the Association did not formally recognize the effervescent personality that suffuses her work and brings joy to those around her, I have no doubt that those qualities played a role in her selection as well.

Debra has overcome a great obstacle to get where she is today; she was formerly employed in the other body of Congress. I compliment her for taking on this challenge.

Mr. Speaker, people wonder how Members of Congress can vote one minute on education, the next on health, the next on defense, and understand so many issues in enough depth to make good decisions. The answer is that we are all fortunate to be surrounded by an ocean of talent. People like Debra Wada make our job possible. I salute her not only for her award, but for the unrecognized work that she and other staff professionals perform all year round.

AN APPRECIATION AND TRIBUTE TO NANCY WILSON

HON. JOHN LEWIS
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. LEWIS of Georgia. Mr. Speaker, I join my fellow colleagues in the Congressional Black Caucus, to salute and pay tribute to Nancy Wilson, a living American legend. When one thinks of Nancy Wilson, the word that immediately comes to mind is sophistication. She is one of the last in line of elegant entertainers who performed naturally onstage exuding refinement, poise and grace.

For years her style has blurred the lines between jazz, R&B and pop, redefining the essence of good music. With a career that has transformed, been translated, and ultimately survived over forty years in the music industry, Nancy Wilson has proven herself more than merely an entertainer—she is a world-class interpreter of everything from blues and gospel to Broadway showtunes. She is just as at home in front of a full orchestra as she is in front of a jazz quartet. Her multifaceted stage presence has undoubtedly contributed to her staying power.

Born in Chillicothe, Ohio in 1937, Nancy Wilson came of age to the sounds of Nat “King” Cole, Louis Jordan, Dinah Washington, Jimmy Scott, Bull Moose Jackson, Ruth Brown, Billy Eckstein, and LaVern Baker. At age 15 she entered a voice contest with other high school students and so impressed the judges that she won her own television show, Skyline Melodies. Later in her career, Ms. Wilson was a popular guest of TV variety shows from Johnny Carson and Andy Williams to Flip Wilson and Arsenio Hall. Her series’ appearances include I Spy, Room 222, Hawaii Five-O, The Cosby Show, Undercover, and the films The Big Score and Meteor Man. Noting Wilson’s versatility as an artist, her acting talent should be no surprise. As she once said: “Each song is a little play; a little vignette.” Her acting simply turned an outstanding career.

Since her beginnings, Nancy Wilson has given voice to those ineffable feelings of heartache, heartbreaking, and those first soul-stirring moments when one falls in love. Songs like “Guess Who I Saw Today,” “Save Your Love For Me” and “Like in Love” sung in that sultry signature tenor, have given the world a soundtrack for the love experience. Her songs have personified love; but more than that her songs have given us the assurance that someone else has experienced love deeply.

Nancy Wilson has without question served us all well from the stage and on the airwaves—her voice a soothing balm to life’s multiple wounds. But her service extends beyond the entertainment realm. Over the years she has contributed her time and energy to causes such as the Martin Luther King Center for Social Change, the Cancer Society, and the National Heart Association. She has been the recipient of numerous awards from the United Negro College Fund, CORE, and the NAACP including the NAACP Image Award. She is an Essence Award winner and has been honored with the Paul Robeson Humanitarian Award. She has received honorary degrees from the Berkeley School of Music and Columbus Central State College.

As we honor this great entertainer, this great artist, this great American, we give thanks for the inspiration future artists will find in her voice, her life, and in Nancy. Although we know no one will ever fill the shoes of Nancy Wilson, we already find traces of her—the voice of pure velvet, the self-assured performance, and the entreating gaze—in the young talents of our day. We only find traces—bits and pieces of her and never the whole because there will only ever be one Nancy Wilson.

TRIBUTE TO LUCIOUS WOOTEN, ROSIE BRAISHER, IRENE CHARLOTTE SMITH, ELSIE LOUISE LAROY AND BESSIE GILMORE

HON. FRED UPTON
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. UPTON. Mr. Speaker, I rise today to pay tribute to five residents of the South Haven Nursing and Rehabilitation Community, including southwest Michigan who have achieved the great milestone of 100 years of life. This grand feat is especially important today, since these very special individuals have lived for a century or more and in two different millenniums.

The vast experiences and accomplishments of these five people are awe-inspiring. I can only imagine the wonder and amazement of watching our country progress and grow through two world wars, international flight, the Internet, cell-phones, and the many other advances that have occurred over the last century.

It is my fortunate honor to extend my very best wishes to Lucious Wooten who became 107 years old on February 6, 2004, Roxie Braisher who became 100 years old on February 22, 2004, Irene Charlotte Smith who became 100 years old on June 1, 2004, Elsie LaRoy who became 100 years old on June 29, 2004, and Bessie Gilmore who became 102 years old on July 16, 2004.

Along with the entire Sixth District of Michigan, it gives me great pleasure to send wishes for much love, health, and happiness to each in the years ahead.

TRIBUTE TO YU-AI-KAI’S 30TH ANNIVERSARY

HON. ZOE LOFGREN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Ms. LOFGREN. Mr. Speaker, I rise to acknowledge and commend Yu-Ai-Kai, a Japanese American Community Service, based in the San Jose enclave of Japantown on their 30th anniversary of providing services to the senior citizen community.

Yu-Ai-Kai’s mission is to advance the health, education and well being of older adults in the community. Yu-Ai-Kai does this by developing cultural programs, providing educational resources about ailments affecting older adults, and making all of its services available in various languages. These services are open to all. No one is excluded.

The activities hosted by Yu-Ai-Kai are as varied and diverse as the community they serve. Activities such as their annual crab and spaghetti feed and springtime walk/run race help fund Yu-Ai-Kai’s efforts to provide a healthy and supportive environment for senior citizens.

In addition, Yu-Ai-Kai’s volunteers assist in outreach to homebound seniors and provide invaluable services such as transportation to doctor appointments, shopping, and regular visits just to make sure no one is too isolated.

My district office is located within a few blocks of Yu-Ai-Kai, and I can tell you from first-hand experience that I am proud of the
leadership, volunteers and network of supporters whose dedication has built Yu-Al-Kai into an integral part of the fabric of our local community.

**SALUTING THE LAMAR LITTLE LEAGUE ALL-STARS**

HON. TOM DeLAY of Texas

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 2004

Mr. DeLAY. Mr. Speaker, I rise today to congratulate the Lamar National Little League All-Stars of Richmond, Texas, on their magnificent performance in the Little League World Series this year.

I want to thank Jim Michalek, the team’s manager, not only for leading the Lamar All-Stars to Williamsport for the second straight year, but for doing it the right way—by teaching his players the fundamentals of baseball and of teamwork and sportsmanship. If he keeps this up, I wouldn’t be surprised to hear the Astros want him in their dugout next year.

Mr. Michalek and his coaches—Tommy Abraham and Bobby Murski—gave more than their time and energy to this team. They gave themselves to it, and the character the boys displayed during their tournament run showed the Houston community and our nation once again that there is no substitute in a boy’s life for the strong influence of good men. I want to thank them for their dedication and example.

As for the players—Joey Scheunich, Dustin Moehlig, Chance Murski, Stephen Michalek, Tyler Ford, Steven Crawford, Cody Abraham, Ray Cervenka, Randal Grichuk, Christian DeLeon, Matt Daniels, and Daniel Homann—well, I’m certainly glad these young men are from my district. They did Richmond and Fort Bend County proud this year, and I’m honored to represent them and their families here in Washington.

It is often said that sports teach kids important lessons about life. Well, Mr. Speaker, I think the Lamar All-Stars taught us a thing or two this year.

Throughout their season, they modeled the virtues of hard work, perseverance, courage, and determination. Their amazing performance this summer is a testament to their talent, certainly, but most of all a testament to their character.

I offer every player, coach, parent, and friend who followed the Lamar All-Stars this year my congratulations for their success, but more importantly, my thanks for their example.

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**THE EUGENE O’NEILL FOUNDATION 30TH ANNIVERSARY RECOGNITION**

HON. GEORGE MILLER of California

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 2004

Mr. MILLER of California. Mr. Speaker, I rise today to recognize the 30th anniversary of The Eugene O’Neill Foundation, Tao House, in Danville (Contra Costa County), California, and the unrelenting work this organization has accomplished in realizing its mission of celebrating the life and works of the only American playwright to receive the Nobel Prize and four Pulitzer Prizes.

The all-volunteer foundation is headquartered at Tao House, which was the residence where O’Neill and his wife Carlotta lived from 1937 to 1944. It is here that O’Neill wrote his last six plays, including the classics “A Moon for the Misbegotten,” “A Long Day’s Journey into Night,” and “The Iceman Cometh.” O’Neill’s works helped shape American theater as we enjoy and appreciate it today.

I am honored to have played a role three decades ago in helping the foundation realize its goal of preserving Tao House, which is on a 158-acre ranch bordering the Las Trampas open space in the rolling hills west of Danville, with a commanding view of the San Ramon Valley and Mt. Diablo. Our collective efforts resulted in the house and property achieving designation as a National Historic Site under management of the National Park Service. It has also become a valuable resource center that is shared and enjoyed by hundreds of scholars and visitors today and for future generations.

The foundation has brought worldwide attention to Contra Costa County and its cultural activities through development of Tao House into a center for literary, performing, and visual arts and a resource center for scholars studying O’Neill’s work. It now offers programs, as historians and producers of film and television documentaries on O’Neill.

The library at Tao House houses a rare collection of O’Neill memorabilia that has been amassed through the efforts of individual board members and donations from close friends of Eugene and Carlotta. The priceless collection includes photographs, letters, signed and annotated editions of O’Neill’s plays, and personal clothing. In 1991, the foundation established a program for encouraging creative expression in talented high school students. Through the program, students learn about O’Neill and are given an opportunity to spend time in the environment that O’Neill found so inspiring. Instruction in art, photography/video, writing and drama is provided by college professors and actors.

Five years later, the foundation initiated the Playwrights’ Theatre in the Old Barn on the Tao House estate, where staged readings of plays are presented on Sunday afternoons. Prominent Bay Area directors and actors take part. The name of the series honors O’Neill’s Playwrights’ Theatres, formed in 1916 in New York City by the Provincetown Players who committed themselves to fostering American playwrights.

Each year, Bay Area artists are selected to create new works in the natural setting of the Tao House estate. Works are displayed during the O’Neill Festival in the Danville Fine Arts Gallery.

This month September 2004, the foundation will present its fifth annual Eugene O’Neill Festival, a community celebration that includes performances of O’Neill works, lectures and seminars by authorities on O’Neill, discussions with prominent actors, authors and O’Neill scholars, and exhibits.

While a tribute to the great literary genius O’Neill, the festival is also a fitting tribute to the Eugene O’Neill Foundation and its 30th anniversary. The foundation represents not only a significant resource and asset in the cultural life of America, but for actors, artists, authors, playwrights, scholars and visitors from throughout the world.

I invite my colleagues to join me in congratulating the foundation staff on its 30th anniversary.

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**THE JOSHUA FOUNDATION**

HON. EDOLPHUS TOWNS of New York

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 2004

Mr. TOWNS. Mr. Speaker, I rise this morning in recognition of the tireless work of the Joshua Foundation, operating out of our capital city of Albany, New York, to bring much needed life-saving medicines to the poor regions of Africa. I want to especially applaud the work of Mr. Lorenzo Hodges, founder of the Joshua Foundation, for his vision and determination in his efforts to help save the lives of adults and children in Africa by providing medicines to treat HIV/AIDS, malaria, diphtheria and other debilitating diseases.

Mr. Speaker, as I understand it, the Joshua Foundation has served to provide humanitarian aid in the form of medicines and clinical support facilities in Kenya and most recently in Tanzania to ensure that deprived areas in these countries receive the medical supplies they need. My further understanding is that the Joshua Foundation has plans underway for additional deliveries of medicines to Liberia, Mozambique and a second delivery to Tanzania. It is well known that Mr. Hodges, that while health care is often available to those who can afford it, the challenge is to provide these basic medicines to those who can’t. To this end, the humanitarian efforts of Mr. Hodges and the Joshua Foundation must not go unrecognized.

Mr. Speaker, I urge my colleagues to join me in this expression of recognition and support for the continuing humanitarian work of the Joshua Foundation in Africa.

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**IN RECOGNITION OF AMELIA DODY**

HON. ROY BLUNT of Missouri

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 7, 2004

Mr. BLUNT. Mr. Speaker, I rise today to pay tribute to a Southwest Missouri educator who each day stands before a class of fourth graders in a 110-year-old building to teach math, science, social studies and science. For Amelia “Mamie” Dody it has been a routine that began its 58th year on August 19.

Forty years earlier, Ms. Dody agreed to be a substitute teacher for two weeks and ended up staying to teach in the same classroom at Rocky Comfort, Missouri. “I only came for two weeks, to help out while they found somebody else. They haven’t found anybody yet,” she told me with a smile when I visited her classroom in Rocky Comfort on August 25th to wish Ms. Dody well and congratulate her on a lifetime of achievement.

Ms. Dody began her teaching career at age 16 to save enough money to buy her first car. She told me, “My dad asked ‘How are you going to buy gas?’ so I kept teaching. I guess
CONGRATULATING ESPN ON ITS 25TH ANNIVERSARY

HON. JOHN B. LARSON
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to congratulate ESPN on its 25th anniversary. At 7 p.m. on September 7, 1979, the Entertainment and Sports Programming Network began broadcasting SportsCenter from Bristol, CT in my district. Bill Rasmussen had the crazy idea that a 24-hour sports cable network might be a success. It started with a single building with no running water and a control truck on cinderblocks showing such odd sports as Australian rules football and darts. Twenty-five years later, he has proven to be right. That single building has grown into nine control rooms, 31 edit suites, more than 2,000 television monitors, and a library of over a million tapes.

ESPN is now one of the most widely known brand names in the world and more than 90 million people are exposed to ESPN each week. It has expanded its networks to includeESPN2, ESPN Classic, ESPNEWS, ESPN Deportes, ESPN Today, and ESPN Radio. ESPN's signature program, SportsCenter, has developed a cult following and many viewers will admit to watching multiple episodes of the same sports report back-to-back-to-back. It has touched all corners of the globe with locally produced episodes in Canada and Brazil, a Spanish version for the rest of Latin America, China, India, and Taiwan. SportsCenter has not only helped create sports superstars, its personalities have become stars in their own right. Chris Berman, Keith Olbermann, Bob Ley, Greg Gumbel, Dan Patrick, Stuart Scott, and Craig Kilborn have become celebrities and their vernacular has become the language of the sports fan.

Not to be forgotten is the major role ESPN has played in the expansion of women's sports. Who would have thought in 1979 that the NCAA women's lacrosse national championship game would be shown in front of a national television audience? Or that the highest rated basketball telecast ever on ESPN would be the 2004 NCAA women's basketball championship, won by the University of Connecticut. That includes more than 6,000 men's and women's basketball games. Where else can young girls aspiring to become the next Mia Hamm watch their heroes?

Mr. Speaker, I ask my colleagues to join me today in congratulating Bill Rasmussen for his crazy idea and thanking ESPN President George Bodenheimer and all the folks at Bristol U. for their passion and dedication to bringing the wonderful world of sports into living rooms 24 hours a day, seven days a week. I am proud to say that ESPN is in the First Congressional District and I wish you 25 more years of success.

RIBS TO OUR TROOPS IN IRAQ—COURTESY OF THE HOLTVILLE ATHLETIC CLUB

HON. BOB FILNER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 7, 2004

Mr. FILNER. Mr. Speaker and colleagues, I rise today to recognize the Holtville Athletic Club and the entire Holtville community for cooking 1,000 pounds of ribs and sending them to our troops in Iraq, in the “Ribs to Iraq Project.” I also want to give special thanks to the Naval Air Facility in El Centro for assisting in the coordination and transportation of the smoked BBQ pork ribs.

The Holtville Athletic Club is a small, nonprofit organization that is known in Imperial Valley for its Rib Cook-off Extravaganza that is enjoyed by visitors from all over the world each winter. The “Ribs to Iraq Project” started from a desire to thank our troops in Iraq for their commitment to our country. The project took about a year to implement. Twenty barbecues were built with the assistance of the Navy base. The ribs were completely pre-cooked, sauced and frozen by club members. Holtville citizens wrote letters to the soldiers that were included in the care package. The project ended up bringing an entire and grateful community together to participate in this project.

The BBQ-Ribs were packaged and frozen for transportation via the USS Denver, USS Howard, and the USS Mobile Bay to the Middle East arriving in July of this year. The Athletic Club attached its own special message to each case of ribs: “These specific ribs were prepared on barbecues built by the club with volunteer assistance of Navy specialists, who we welcome and embrace as a very special part of our community and heart. Please enjoy the enclosed ribs wherever they may find you.”

I’ve seen my constituents show their appreciation to our troops in many ways. And this is just one example of a great community project that brings the residents together to accomplish an extraordinary goal.

Mr. Speaker, I thank the Holtville Athletic Club for bringing the community of Holtville together in the “Ribs to Iraq Project.” I am sure the troops in Iraq were thankful for a little taste of homemade loving barbecue.

HONORING THE ST. MARY SCHOOL PAROCHIAL INVITATIONAL BASKETBALL TOURNAMENT ON THEIR 30TH ANNIVERSARY

HON. ROSA L. DeLAURO
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Ms. DeLAURO. Mr. Speaker, it is with great pleasure that I rise today to join the community in celebrating the 30th Anniversary of the St. Mary Parochial Invitational Basketball Tournament. This is a remarkable milestone and I am proud to extend my sincerest congratulations to all of those involved in making this annual event such a great success.

What first began as a two-day event with eight competing teams has grown into the longest running and largest parochial school basketball tournament in Connecticut. In this, its thirtieth year, sixty teams from across the state will participate in a two-week long tournament that will also include a cheerleading exhibition. Over seven hundred boys and girls in grades three through eight will participate—making this year’s tournament a real landmark event.

Each of the teams which will compete in the St. Mary Invitational have already accomplished so much. Through their hard work and efforts they have already learned one of life's...
most important lessons—the value of team work. Basketball, like all sports, teaches us the value of sportsmanship, camaraderie, practice, and commitment to excellence. These are skills which will serve these young people well as they begin to make a difference in the world. I am proud to extend my sincere congratulations to all of our colleagues. I wish them all the best as they begin the tournament.

I would be remiss if I did not extend a special note of thanks to the many volunteers who so generously donate their time and energy to making this event possible. Coaches, parents, faculty, administrators, and friends all play important roles in bringing the St. Mary Invitational to life. Without your dedication, commitment, and energies, we would not be able to share this very special event with our young people. The fact that many of the adults who today volunteer their time to the tournament were once players themselves is testament to the legacy of this special event.

In its thirty-year history, the St. Mary Invitational has touched the lives of over fifteen thousand young people across Connecticut. It is with deepest thanks and sincerest appreciation that I rise today to join the many well-wishers in extending my heartfelt congratulations to the St. Mary School Parochial Invitational Basketball Tournament on their 30th Anniversary. You have made such a difference in the lives of so many and I know that you will continue to leave an indelible mark on our community.

LET FREEDOM RING

HOI. ROBERT T. MATSUI
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. MATSUI. Mr. Speaker, today my colleagues from the 3rd district of California, the Honorable DOUG OSE and I ask all of our colleagues to join us in a special commemoration of the tragic events of September 11, 2001. On September 11, 2004, as part of the “Let Freedom Ring—Bells Across America” remembrance, participating churches across the nation will, beginning at noon, toll four bells at one-minute intervals to honor those who perished on the four hijacked commercial aircrafts on September 11, 2001. On the fifth minute, a chorus of bells will be played to recognize and pay tribute to the countless people whose lives were greatly affected by the events of 9/11. As the churches of the Sacramento Region join together to remember one of the most tragic days in our nation’s history, we ask all our colleagues to join us in the “Let Freedom Ring—Bells Across America” remembrance.

The “Let Freedom Ring—Bells Across America” remembrance is the brainchild of Mr. Stu Varner, a resident of the Sacramento Region. Like millions of his fellow Americans, Mr. Varner was greatly affected by the catastrophic series of attacks that occurred at New York City, the Pentagon, and Shanksville, Pennsylvania. Mr. Varner held a deep conviction that those who lost their lives on 9/11 should never be forgotten, and that they should be recognized as heroes. Mr. Varner believed that September 11 should be a day of somber and serious reflection much like Memorial Day and Veterans Day. As a result, Mr. Varner developed the idea of the “Let Freedom Ring—Bells Across America” remembrance. Mr. Varner wishes that the syn-chronic ring of bells by churches across America will help create a wave of remembrance for the thousands who lost their lives and the many more whose lives were drastically cut short or greatly altered by the 9/11 tragedy. We ask our colleagues to join us in remembering the tragic events of September 11, 2001 by participating in the “Let Freedom Ring—Bells Across America” remembrance.

TRIBUTE TO LAKE FENTON COMMUNITY SCHOOLS

HOI. DALE E. KILDEE
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. KILDEE. Mr. Speaker, I rise before you today to bring to your attention an event that took place in my district. On Saturday, August 21, 2004, the Lake Fenton Community School district gathered to mark the official ribbon cutting and formal dedication of their newly constructed Lake Fenton High School. The celebration concluded on Sunday, August 22, 2004 with a non-denominational service and community open house.

Lake Fenton High School was first dedicated on May 19, 1961. With increasing enrollment and changing educational needs the Lake Fenton Board of Education and the Lake Fenton Schools Support Services/Facilities Committee implemented plans to build a new high school. Their hard work and dedication resulted in three elective bond activities, and the final product is the first newly built facility within the Lake Fenton School district and the only new high school constructed within Genesee County in over 30 years. This is indeed an accomplishment worth commending.

The new high school boasts state of the art technology, computer and science labs, a media center, auditorium, gymnasium, and an outdoor athletic facility. The labs will allow the school to fully support their new program entitled “Project Lead the Way”. This program introduces students to the demanding field of Engineering and Digital Electronics. As stated by their Principal, Julie Clontz, Lake Fenton High School is trying to in every way possible to adjust their curriculum to meet the needs of the students and help prepare them for life after high school. The completion of this beautiful new facility and the implementation of these exciting educational programs is without a doubt a step in the right direction. Superintendent Ralph Coaster has provided excellent leadership in this endeavor.

Mr. Speaker, as a Member of Congress, I consider it both my duty and privilege to work to improve the quality of our public school system. I am glad that communities such as Lake Fenton School system are working to continue their efforts. They continue to work diligently to ensure students have the tools necessary to compete and succeed. I ask my colleagues of the 108th Congress to please join me in congratulating this fine community and its school district and in wishing them the very best in future endeavors.

TRIBUTE TO ALAMEDA HIGH SCHOOL VALEDICTORIAN BEN HOFFMAN

HON. FORTNEY PETE STARK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. STARK. Mr. Speaker, I rise today to pay tribute to Alameda High School Valedictorian, Ben Hoffman. Ben, a resident of Alameda, California, did not use notes or index cards when he spoke with rhyme and rhythm to his fellow classmates during the graduation ceremonies for the Alameda High School Class of 2004. His remarks were met with a standing ovation.

Ben’s Valedictory Address, entitled “Responsibility” is an outstanding commentary about the challenges and opportunities facing the youth of today. He shared with his graduating class, remembrances of the past four years, and what he learned from his experiences in today’s world and urged his classmates to make the world a better place in the future.

Responsibility

(By Benjamin Hoffman)

A lot of people look at graduation, and say that it will give us many new opportunities, I think its more than that, I think it gives us many new responsibilities.

We live in a world where people of different nations Face starvation, extermination Exploitation, or discrimination Based solely on race, religion or sexual orientation.

These are the problems that we are facing Perpetuated by a lack of education But here we are at our graduation.

For the past four years in this community We’ve had a unique opportunity To get a chance to truly see The value of growing up in unity And just take a chance to be free.

If we take time to reflect Bout the great affect How we learned to connect Protect and respect everyone we met Without expecting to collect And all of this in an atmosphere That provided not a thing for us to fear And being sincere when I say I hold dear The value and promise of these past four years.

And now we have a responsibility Because of our recent history To promote an end to slavery And poverty, and adversity Wherever it may be.

Until the world is free.

Gotta conquer our own But hope that mankind is not blind But much of mankind is blind to the suffering that exists.

And our first obstacle is going to be to conquer ignorance.

But we got to start at home Gotta conquer our own Before our true potential can finally be shown.

Its been so easy to get caught up in only thinking About doing drugs or drinking,
We gotta tear them down, and stop sounding the alarm
And instead open our hearts and open our arms
To embrace the world, and all those in need
From those who bleed, to those who can’t read
In order for us to move ahead
We gotta get our heads out of hiding under our beds
Instead of continuing to spread the fear that we’ve been fed
And once we’re not afraid, we will refuse to fade
And answer those who’ve prayed
For someone to come
To their aide
But what I fear most
Is that with all the problems we host
You’ll think the world’s toast
And all that’s left is a ghost, cold and morose
From coast to coast
And lose all hope, cuz we’re not even close.
And as we see the depression
Caused by years of oppression
And violent aggression
We get the impression
That all the people in possession
Of such lost expressions
Have become resigned to the repression
As we ask ourselves the question
I’m only one person, what can I do?
Well to this, I remind you all, history is made only by a few.
Never let your apathy, impede your sympathy
To the point where you fail to see
That it is WE that hold the key
To unlock the chains and set the world free
Never underestimate
A small group willing to dedicate
Their lives to something great
With intellect, courage and humanitarian trait
And in the four years that I’ve gotten to know this class, I believe THAT is our fate.
Our lives will have meaning and we’ll have stories to tell.
Fighting to the end as the world goes to hell
The journey won’t be easy, and we may get beat
But at least we’ll be right there, and have a front row seat.

HONORING FR. RICHARD G. HARTNETT, S.J.

HON. JIM DAVIS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. DAVIS of Florida. Mr. Speaker, I rise in honor of Fr. Richard G. Hartnett, S.J., who in his lifetime of service to Jesuit High School earned the respect and loyalty of students, colleagues and Jesuit alumni. Through his more than 60 years of involvement with Jesuit High School, Fr. Hartnett left an indelible mark on the school family.

In 1937, Fr. Hartnett, who had been a student at Jesuit, returned to the school after college to teach. In 1940, he left his Alma Mater to attend seminary, but after being ordained as a priest, he came home again to Jesuit High School to teach English, Latin and Religion from 1945 until 1980. Even after his career as a teacher had ended, Fr. Hartnett continued to serve Jesuit High School by working with the alumni department.

Throughout the years, Fr. Hartnett’s imposing stature and stern disposition matched the high standards to which he held his students; yet he had a soft side that shone through as he shepherded students on to greater things. Many alumni also remember how he spearheaded the annual Penny Drive. Each year, students bring in their spare pennies to benefit Jesuit missions in South America.

In 1973, in honor of Fr. Hartnett’s continued dedication to Jesuit, the Jesuit High School Alumni Association founded the Father Richard G. Hartnett Golf Classic to raise financial assistance for Jesuit students who cannot afford full tuition. This October marks the 26th anniversary of the fundraiser, which makes the tournament regarded as Tampa’s longest running golf charity fundraiser. From now on, the tournament will be called the Fr. Richard G. Hartnett Memorial Golf Classic.

Fr. Richard G. Hartnett, S.J. challenged his students to be their very best, and thanks to his guidance, countless Jesuit students are honorably serving their community and our nation in a host of different ways. On behalf of the entire Tampa Bay community, I honor Fr. Richard G. Hartnett, S.J. for his contributions and extend my deepest sympathies to his many loved ones.

IN MEMORY OF JUDGE H.A. KELSO

HON. IKE SKELTON
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. SKELTON. Mr. Speaker, it is with deep sadness that I inform the House of the death of Judge H.A. Kelso of Nevada, Missouri. He was 92.

H.A. Kelso was born on September 6, 1911, in Alma, Nebraska, a son of John W. and Mariam Belle Hereford. He attended SMSU, then known as Springfield Teacher’s College and the University of Colorado in Boulder. He received a Doctor of Jurisprudence Degree in 1937 from the University of Arkansas.

In 1938, he came to Nevada, Missouri, and was elected Prosecuting Attorney of Vernon County. During World War II, he served in the United States Army as Tech Sergeant with the Judge Advocate’s Office.

In 1948, he was elected to the post of Probate/Magistrate Judge and Acting Juvenile Judge. Governor John Dalton appointed Judge Kelso to the bench as Judge of the 28th Judicial Circuit. He served in this position until his retirement in 1976. During his tenure, he also served as a Lieutenant Colonel on Governor John Dalton’s staff.

Judge Kelso was a member of the United Methodist Church of Nevada and served there
as a Sunday School teacher. Also, he was a member of Ducks Unlimited, Vernon County Bar Association and the Missouri Bar Association. Judge Kelso was a charter member of the Nevada Jaycees, served on the steering committee for the Nevada Centennial Celebration and was a leader in the Boy Scouts. He dedicated himself to conservation and was a leader in the Boy Scouts. He had three daughters, Maridee Kelso Devore, Constance Kelso Beaver and Sylvia Kelso Tucker.

LACK OF FUNDING FOR THE AIDS DRUG ASSISTANCE PROGRAM

HON. MAURICE D. HINCHLEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. HINCHLEY. Mr. Speaker, I rise today to call attention to an emerging health problem. People living with HIV/AIDS are not able to afford the cost of the medications that improve their health and extend their lives. People who have traditionally been able to rely on the AIDS Drug Assistance Program (ADAP) under Title II of the Ryan White Care Act are not able to get the help that they need because we continue to underfund the program.

In the 2004 fiscal year, New York has a federal shortfall in ADAP funding of the tens of millions of dollars. New York bears about 20% of the national HIV/AIDS epidemic impact, as it has for over two decades. Yet this number extends far beyond just money; it equates to people, specifically, 3,137 people in New York who are HIV positive, with gross incomes of less than $44,000 a year, who cannot afford their AIDS drugs, which can cost as much as $1,000.00 a month, or more. These 3,137 people are obviously in need of ADAP, but are not receiving assistance. According to the federal poverty statistics, these people are impoverished, but they remain unserved by New York's ADAP.

Today we have more people living with HIV/AIDS as opposed to dying from HIV/AIDS than ever before. AIDS-related deaths have declined drastically since 1986, which can be attributed to the success of HIV/AIDS treatment regiments and ADAP. We can't continue to allow Americans to die of HIV/AIDS when we know how to save their lives.

Yet, as I stand here today, we are allowing Americans to die that cannot afford their treatment regiments because we are not fully funding the AIDS Drug Assistance Program. We cannot allow Americans to die on waiting lists as they have in Kentucky and West Virginia.

ADAP helps people like Annie Ball of New Hampshire, a mother who had become too sick to work due to her HIV status. Yet, because of a successful treatment regimen she was able to return to work. Annie relies on ADAP to afford the expensive prescriptions that have allowed her to become a productive member of society again. Yet, if the ADAP program is threatened, Annie will, in her words, “devastate me, my family and my loved ones, and my community, as I will not be able to work and contribute my talents.”

President Bush just allocated an additional $20 million to help in the face of the ADAP crisis, however we need a total of $122 million just to clear all of the waiting lists for ADAP and preserve existing drug access in line with federal standards of HIV care. We need to increase funding above that level to deal with expected demand for new enrollment, and for existing patients in the coming 24 months. The true need for ADAP in Fiscal Year 2005 is $217 million; the committee fell far short of that mark in the bill we are considering today. I urge that the conference report on this bill fully fund the program so that no American who qualifies for ADAP will suffer needlessly.

I urge that the conference report on this bill fully fund the program so that no American who qualifies for ADAP will suffer needlessly.

HON. JON C. PORTER
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. PORTER. Mr. Speaker, I stand today to honor a great man who has dedicated his life to his country as a Citizen Soldier of the United States Army Reserve. After 10 years of service, Daniel Porter received the Meritorious Service Medal as a Master Sergeant in the United States Army Reserve. This medal was presented for service offered from June of 1986 until June of 1996 as Daniel dedicated his free time to serving our Nation and the great state of Nevada as a military reservist.

Mr. Speaker, it is with great honor that I stand today to honor this man. It is men and women such as Daniel Porter that continue to help our country remain safe and protected from the increasing dangers we see every day. I would hope that my colleagues would stand with me in honoring Daniel Porter, and the many other military reservists that protect our freedom and combat terror.

RECI PHLPS: SAN DIEGO LABOR COMMUNITY AWARD WINNER

HON. BOB FILNER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. FILNER. Mr. Speaker, I recognize Regi Phelps, as he is honored by the San Diego Labor Community with the 2004 Johns Fellowship Award at the Twenty-Second Annual John S. Lyons Memorial Banquet on September 11, 2004.

Regi was born and raised in San Diego, California, graduating from San Diego State University with a Bachelor of Arts Degree in Economics. He served in the United States Navy from 1970–1973 and completed overseas tours of duty in Vietnam and the Philippines.

His job with Bechtel began in 1976. He worked as a subcontractor administrator on the Hope Creek Nuclear Project in southern New Jersey. In 1978, he moved to Richmond, Virginia to work in labor relations for the Virginia Electric Power Company at the North Anna Nuclear Facility. In 1979, he rejoined Bechtel in labor relations in the early days of construction at the San Onofre Nuclear Project.

Regi has served at Bechtel as Labor Relations Representative, Senior Labor Relations Representative, Labor Relations Manager and Regional Manager. In 2004, he was named Vice-President and Manager/Labor Relations, with overall labor relations responsibility for Bechtel Worldwide.

He has been involved in developing the San Onofre Nuclear Project Labor Agreement—including the recently-renegotiated agreement in effect through 2010—between Southern California Edison (the owner), the San Diego Building Trades, and Bechtel. This labor agreement and project provides employment for thousands of Building Trades Craftspersons.

Regi also serves as a Director to the North American Contractors Association, and as Management Trustee to the Laborers' National Safety and Health Fund. He previously served as Vice-Chairman of the Boilermakers' Health and Welfare fund and was Trustee to numerous local union apprenticeship trusts throughout the western United States.

Regi's grandfather was a proud member of Laborers' Local 89. His father, Ray, retired from Bechtel in 1985, is a current member of IBEW Local 569, and was recently awarded his 45-year membership pin. Regi and his wife, Christine, have been married for 28 years and are currently living in San Francisco Bay area. They have two children: Kevin, who is a junior at the University of Southern California, and Lauren, who is a sophomore at Lafayette College in Pennsylvania.

The banquet at which Regi will be presented his award is named in recognition of the late John Lyons of the Teamsters who was very active in the San Diego community. He was a founder of the San Diego Chapter of the Leukemia Society of America. The friends of Mr. Lyons continue to support his cause, and proceeds from the yearly banquets are used to support bone marrow testing and local research grants. Since its inception, the John Lyons Memorial Banquet has raised over one million dollars.

Regi deserves our highest praise for his dedication to the labor movement and specifically to labor relations. My congratulations go to Regi Phelps as he receives this prestigious Johns 2004 Fellowship Award from his peers.

RECOGNIZING THE ACHIEVEMENTS OF OLYMPIAN PAUL HAMM

HON. DEBORAH PRYCE
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Ms. PRYCE of Ohio. Mr. Speaker, I would like to congratulate Paul Hamm for his historic 2004 Olympic gold medal in the individual All-Around exercise, for his silver medal on the high bar exercise, and for being a member of the silver medal-winning U.S. men's Olympic gymnastics team.

Mr. Hamm is one of the true world's great athletes. He is a true American hero and an inspiration to millions of Americans. The badge of honor is one that he has earned in every aspect of his life, and he is a role model for the American spirit of determination and perseverance.

He has represented the United States in the 2002, 2003, and 2004 World Championships, the 2002 World Cup and the 2004 Olympics. His record of achievement will be remembered for years to come. He is a true American hero and a true American spirit.
give up. He willed his way through flawless executions on the parallel bars and the high bars to retake first, claim the gold medal, and make history.

However, this was not the first time that Paul has made history. Paul also became the first American man to win the individual all-around world title last at the 2003 World Championships in Anaheim, California. Hamm completed a clutch performance on the difficult high bar routine during the final rotation to secure the title. He was only the second American to win a medal in the all-around world competition. Paul also secured a gold medal for the floor exercise, helping to lead his team to a silver medal.

In 2003, Paul was named by the International Gymnastics Federation as the Gymnast of the Year. Without question, gymnastics is making a strong, vocal advocate willing to stand and fight for the needs of its members. Reverend Marsach has been just this kind of advocate—a passionate, active leader who has made a real difference in the lives of many. It is not surprising that such dedicated individuals who commit themselves so fully to the betterment of their community.

As both a community and spiritual leader, Reverend Marsach has touched the lives of thousands in New Haven. In his role as President of the Asociacion Ministerial Evangelica Hispana de New Haven, he helped to unite religious leaders across the community and worked with municipal leaders to effect change in the community. The founder of Junta for Progressive Action, he created a social service agency which has helped thousands in New Haven’s Hispanic community access the programs and services they need to improve their quality of life. Mentor, leader, advocate, and friend—Reverend Marsach is a true community treasure.

Reverend Marsach has been a fixture in our community for many years and we owe him a great debt of gratitude for the multitude of contributions he has made that have enriched all of our lives. And at the Star of Jacob Christian Church in New Haven, he has nourished the souls of many, often providing much needed comfort in the hardest of personal trials. I would be remiss if I did not personally thank him for the wonderful tribute that he made to each of my staff who passed away just over two years ago. He shared a unique friendship with Maria and his words were of great comfort to her family and my staff during a most difficult time.

Mr. Speaker, the Oakland Literacy Council showcases the very best of America’s generosity. Besides the thousands of hours of donated time, the Literacy Council is entirely supported by public and private donations to offer free tutoring to all of its students. I ask my colleagues to join me in recognizing the outstanding work of the Oakland Literacy Council, and its gracious donors and volunteers, to provide to Southeastern Michigan.
While the loss of Steve Thompson to the state of California and the health care community is great, it is also of great personal loss to me. Steve and I attended grammar school together and were life long friends. I will always cherish my memories of Steve, he was a “good troublemaker” as one of our friends put it. Doris and I will dearly miss his friendship.

Steve is survived by his wife, Nancy; his sister, Dagmar, and his four children, Peter, Schuyler, Hallie, and Scott.

Mr. Speaker, as Steve Thompson’s family members and friends gather to honor his legacy and many contributions, I am honored to pay tribute to one of my closest friends. His successes are unparalleled. I ask all my colleagues to join with me in paying my respect and acknowledging the deeds and life of an extraordinary man.

HONORING THE DISTINGUISHED PUBLIC SERVICE OF REVEREND MICHAEL YOSHI

HON. FORTNEY PETE STARK OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. STARK. Mr. Speaker, I rise today to honor Reverend Michael Yoshi, a clergyman in the city of Alameda, California. Reverend Yoshi has quickly become an integral part of Alameda’s community as a champion in the struggle for both human and civil rights. Reverend Yoshi will be honored for his outstanding contributions at a reception in his honor on Saturday, October 16, 2004.

A third-generation Japanese American, Reverend Yoshi has been a strong advocate and spokesperson for a number of important issues, such as housing for the poor, racial diversity, and civil liberties. Reverend Yoshi has also helped to initiate discussion forums among Alameda’s citizens, in an effort to encourage those of different ethnic and cultural backgrounds to become better acquainted.

Reverend Yoshi has also been responsible for the creation of several school and community programs. In particular, he was instrumental in the establishment of the Alameda Multicultural Community Center. This center offers services to the Alameda community ranging from yoga classes to children’s art classes. Reverend Yoshi has also contributed to the creation of several youth projects, including the Asian Pacific Youth Institute and the Asian Pacific Peer Counseling Project.

Several years ago, Reverend Yoshi worked alongside community members in lobbying the Alameda School District and the Alameda Board of Education to conduct a diversity audit. The diversity audit produced new hiring goals to increase diversity among the district’s workforce. Reverend Yoshi has also helped reinvigorate programs like the Organization of Alameda Asians, which promotes voter registration for the Alameda community. He also was the convener for the Coalition of Alamedans for Racial Equality (CARE), a community response to racial controversy within the Alameda Police Department. Currently, CARE has evolved into a multicultural training program for students to address issues surrounding identity, culture, and racism.

I join in congratulating Reverend Yoshi for his commitment in creating new multicultural relationships in Alameda. I am confident Reverend Yoshi will continue to be an invaluable resource to the city and a tremendous asset.

HONORING ANN GRACE SMITH

HON. JIM DAVIS OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. DAVIS of Florida. Mr. Speaker, I rise in honor of Ann Grace Smith, a Titan Oaks resident and U.S. Army veteran who is currently serving on the management board of the Conejo Valley Little League team of Willemstad, Curacao.

While struggling with ALS herself, Ann helped found the ALS Association Florida Chapter in Tampa. Throughout her 19 year illness, she served on the board of directors, helping to build up the chapter and its services to our community.

Always able to see the big picture, Ann recognized the need to support not only ALS patients, but also their caregivers. She worked to provide respite relief for caregivers to relieve the stress and burden on those providing constant care for loved ones.

On behalf of the entire Tampa Bay community, I honor Ann for her selfless dedication to serving others, and I extend my deepest sympathies to her loving husband David, her family and friends. Ann was a true inspiration.

TRIBUTE TO NATIONAL CHAMPION CONEJO VALLEY LITTLE LEAGUE TEAM

HON. ELTON GALLEGLY OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. GALLEGLY. Mr. Speaker, I rise to pay tribute to the coaches and players of the Conejo Valley Little League team, who won 22 consecutive postseason games on their way to earning the title of U.S. Champions on August 29.

To emphasize the enormity of this accomplishment by a dozen 11- and 12-year-old ball players from my district, allow me to cite some stats. About 7,400 teams and more than 88,800 players started the post-season quest. It was a two-month odyssey that began on June 29. The boys from Thousand Oaks, California, outscored their opponents 165–29. They played their final games thousands of miles from home, in South Williamsport, Pennsylvania, before an international television audience and more than 30,000 people in the stands.

Talk about pressure. They also lost their final game, and the world championship, to the Pabao Little League team of Willemstad, Curacao. But they turned that loss into a victory of respect when they circled the field with the Curacao players, tipped their hats to the Curacao fans and threw baseballs into the stands for souvenirs.

The Conejo Valley Little League team displayed class, talent, drive and true sportsmanship in a long string of wins on their way to becoming U.S. Champions, and during a single loss to Curacao.

As manager Tim Ginther told a reporter: “Now we’re No. 2 in the world overall. That’s not bad.”

Political columnist and baseball fanatic George Will once observed that “sports serve society by providing vivid examples of excellence.” The members of the Conejo Valley Little League team are vivid examples of excellence.

Mr. Speaker, I know my colleagues will join me in congratulating Manager Tim Ginther; his coaches Jim Barrett, Rick Brower and Frank Leon; the players, James Brady, Jordan Broder, Hayden Kronenbold, Derrick Francis, Timmy Ginther, Adam Justiniano, Tyler Karp,
Danny Leon, John Lister, Sean McIntyre, Evan Ocello and Cody Thomson; and their families, for winning the U.S. championship with drive, talent and true sportsmanship.

IN MEMORY OF THE HONORABLE HARRY WIGGINS
HON. IKE SKELTON
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. SKELTON. Mr. Speaker, it is with sadness that I inform the House of Representatives of the passing of my friend, The Honorable Harry Wiggins of Kansas City, Missouri. He was 71.

Harry, a son of Dr. John and Helen Murphy Wiggins, was born in Kansas City, Missouri, on August 1, 1932. He spent the entirety of his life in Kansas City, attending grade and high schools and then Rockhurst College. Harry achieved many honors while at Rockhurst. He was elected the president of the student body. He joined Alpha Delta Gamma fraternity and was president of his chapter and then national president three times. When he was a senior he was chosen to be a member and served as president of the university chapter of Alpha Sigma Nu, the National Jesuit honor society. He also was selected for Who’s Who in American Colleges and Universities.

After graduating from Rockhurst College with an AB, he was awarded a three-year scholarship to attend law school at St. Louis University. From 1957 to 1959, Harry served in the United States Army as a legal advisor to the 2nd United States Army Missile Command at Fort Hood, Texas. Upon his discharge, he received a Certificate of Achievement for Distinguished Service.

After his discharge, he came back home to Kansas City and began to practice law. Soon he became a part of John F. Kennedy’s 1960 presidential campaign, serving as Kansas City’s chairman for the campaign. It was during this time that he met and became good friends with Robert F. Kennedy. Once John F. Kennedy became president, Robert Kennedy became United States Attorney General and was appointed Harry as the assistant U.S. Attorney for the Western District of Missouri. He then appointed Harry as the assistant U.S. Attorney for the Western District of Missouri. He then appointed Harry as the assistant U.S. Attorney for the Western District of Missouri. He then appointed Harry as the assistant U.S. Attorney for the Western District of Missouri. He then appointed Harry as the assistant U.S. Attorney for the Western District of Missouri. He then appointed Harry as the assistant U.S. Attorney for the Western District of Missouri. He then appointed Harry as the assistant U.S. Attorney for the Western District of Missouri.

During his tenure, he also prosecuted a group of liquor and prostitution cases. Then Governor Warren Hearnes appointed Harry as state attorney general. He served with distinction in this position, leading the state’s efforts to promote clean government.

In 1973, Governor Kit Bond asked Harry to serve in his administration as general counsel for the state’s historic performance. As a two-time Olympian, Morgan has pushed his limits and proven himself to be a strong competitor. In 1976, he began his eighteen years at the San Diego Building and Construction Trades Council. As a member of the council, he served as its youngest member at the age of 17. After Morgan overcame adversity and showed his determination by winning the silver medal winning U.S. men gymnastics team, for his contribution and leadership to this team’s historic performance, was appointed by Michael J. Sullivan, General President of the Sheet Metal Workers’ International Association as Chief International Representative/Director of Jurisdiction for the Washington, D.C. office, and he resides in Arlington, Virginia. His daughter and son and their families live in San Diego.

The banquet at which Rich will be presented with the 2004 Labor Leader of the Year Award is named in recognition of the late John Lyons of the Teamsters who was very active in the San Diego community. He was a founder of the San Diego Chapter of the Leukemia Society of America. The friends of Mr. Lyons continue to support his cause, and proceeds from the yearly banquets are used to support bone marrow testing and local research grants. Since its inception, the John Lyons Memorial Banquet has raised over one million dollars.

Through his dedication and willingness to serve, Rich has done much to advance the cause of the labor movement, and my congratulations go to Rich McClees for his significant contributions. He is highly deserving of the 2004 Labor Leader of the Year Award.

RECOGNIZING THE ACHIEVEMENTS OF OLYMPIAN MORGAN HAMM
HON. DEBORAH PRYCE
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Ms. PRYCE of Ohio. Mr. Speaker, I would like to congratulate Morgan Hamm, member of the silver medal winning U.S. men’s Olympic gymnastics team, for his contribution and leadership to this team’s historic performance. In its historic performance, the Olympic Games in Athens, Morgan made the Olympic team for the Sydney Games as its youngest member at the age of 17. After the Sydney Games, Morgan smashed a nerve casing in his left shoulder and struggled with this injury for two years. However, while only partially recovered, Morgan overcame adversity and showed his determination by winning the floor exercise title in the 2002 U.S. National competition. At the 2003 U.S. Nationals, he won another floor title, and later that year, the U.S. silver medal team competition at the World Championships.

As a two-time Olympian, Morgan has provided a strong leadership role to his team and helped the United States secure its first men’s gymnastics medals in 20 years.
While Morgan was born in Wisconsin, he chose to train for the Olympics at The Ohio State University and is now a distinguished resident of Columbus. His community is proud of all that he has accomplished.

Again, I congratulate Morgan for the dedication and hard work he has demonstrated over the years, and for the memorable achievements that he has made both personally and with his team while representing our great nation on the world stage in Athens.

HONORING BRANDON MANTHEI

HON. JON C. PORTER
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. PORTER. Mr. Speaker, I rise today to honor Brandon Manthei. Brandon recently won 1st place in the Nevada TAR WARS poster contest. TAR WARS is an anti-smoking campaign and tobacco-free education program for 5th graders that is sponsored by the American Academy of Family Physicians.

Brandon's winning poster features a surfer that says “Hang Tough, . . . Don’t Puff.” This creative and positive message helps to educate his peers and community. Currently, 2% of 5th graders smoke and that number jumps to 28% by the time students reach high school. The Tar Wars program is designed to target 5th graders at this early stage in the hopes of reducing the number of under-age smokers.

Mr. Speaker, it is my great privilege to stand here and honor Brandon Manthei with my deepest admiration for his contribution to the State of Nevada. I urge the entire House to join me in congratulating him on his accomplishment.

CELEBRATING THE 150TH ANNIVERSARY OF THE CITY OF POUGHKEEPSIE

HON. MAURICE D. HINCHHEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. HINCHHEY. Mr. Speaker, I rise today to honor the City of Poughkeepsie in Dutchess County, New York, which is part of the 22nd Congressional District that I proudly serve. This year marks the 150th Anniversary of the incorporation of the City of Poughkeepsie. I am pleased to recognize the City of Poughkeepsie and the important contributions it has made to Dutchess County and to the State of New York.

Located along the banks of the majestic Hudson River, the City of Poughkeepsie is situated in the heart of Dutchess County. European settlers chose the site because it was surrounded by unbroken and abundant waterways. These waterways provided the early settlers with the source of energy needed to power their water wheels and mills, beginning a long tradition of economic ingenuity that the City of Poughkeepsie continues to demonstrate.

Poughkeepsie was the first seat of county government and, during the American Revolution, General George Clinton mobilized the Continental Army activities from the city. Spared from battle during the war, Poughkeepsie became the second capital city of New York State in 1777. In 1788 the Ratification Convention for New York State, including Alexander Hamilton and John Jay, assembled at the courthouse in Poughkeepsie, and ratified the New York version of the Bill of Rights to be included in the Constitution.

Poughkeepsie has been home to many milestones over time, including the publication of the first newspaper in New York State which, by 1791, became the Poughkeepsie Journal that is still being read today. Poughkeepsie was also home to the introduction of the magnetic telegraph in 1846. By the 1850’s manufacturing had become the city’s staple, providing employment at businesses such as the Poughkeepsie Glass Works, Poughkeepsie Iron Works, and J.O. Whitehouse Boot and Shoe Factory. Poughkeepsie was home to Governor George Clinton’s recommendation that “an act for the encouragement of schools” be passed, leading to the idea of public funding of district education in New York State. In subsequent years the city became known as a stanchion for the promotion of education, and was home to numerous learning institutions such as the Eastman Business College and Riverview Military Academy.

In 1854 Governor Myron Clark signed the papers making the incorporation of the City of Poughkeepsie official. Since the late nineteenth century, Poughkeepsie has grown by leaps and bounds. Manufacturing jobs at companies like Fiat Motors and Western Publishing have driven economic growth. The construction industry completed such notable projects as the Mid-Hudson Bridge, the Poughkeepsie Railroad Bridge and, under the direction of the Works Progress Administration, the U.S. Post Office. Cultural and social initiatives such as John Collingwood’s Bardavon Opera House and Vassar Brother Hospital are still icons in the City of Poughkeepsie.

Cities like Poughkeepsie are an essential component of our nation’s past, present, and future, and deserve to be honored and recognized for their numerous contributions to our states and country. Mr. Speaker, it gives me great pleasure to recognize the City of Poughkeepsie, New York as it celebrates the 150th Anniversary of its incorporation.

RECOGNIZING THE SELECTION OF STEPHEN WARNER TO THE UNITED STATES OLYMPIC TEAM

HON. MIKE ROGERS
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to recognize the accomplishment of Stephen Warner, a constituent of Michigan’s eighth congressional district and a member of the United States Olympic Team. Stephen competed in the Men’s Lightweight Four division for the United States rowing team in Athens. Prior to his first Olympics in Athens, Stephen won gold at the 2000 World Championships and a silver medal at the 2004 World Cup in Munich.

It gives me great pleasure to be able to stand here today and recognize the accomplishments of Stephen and all of our Olympic athletes. The Olympic games stand for more than athletic competition, they also showcase the world that the similarities that unite us are far greater than the differences that divide us. Through sportsmanship and competition, the athletes of the XXVIII Olympiad are able to build bridges where politics and policy have faltered.

Mr. Speaker, I am honored to recognize Stephen Warner as an athlete and competitor but also as a good will ambassador to our great nation. I would like to ask my colleagues to join me in saluting their achievements in Athens and wish them all the best in future competition.

HONORING MICHELE MACAUDA FOR HER SERVICE TO THE COMMUNITY

HON. ROSA L. DELAURO
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Ms. DELAURO. Mr. Speaker, each year, the Connecticut Anti-Defamation League presents the Leni and Joseph Torch Award to a leader in the community, in recognition of their commitment and dedication to strengthening diversity. It is with great pleasure that I stand today and join the Connecticut Anti-Defamation League as they honor Michele Macauda with the 2004 Greater New Haven Torch of Liberty Award.

Appointed as the President and CEO of SBC Connecticut, Ms. Macauda is the first woman to serve as the company’s top executive. As a business leader in New Haven, she has worked diligently to ensure that the company continues in its commitment to the cities and towns which it serves. That commitment is more than simply delivering a service—it is about contributing to the health, vitality, and progress of the Greater New Haven area. A member of the Governor’s Council on Economic Competitiveness and Technology in Connecticut, the executive committee of the Connecticut Science Center for Science and Exploration, as well as the Regional Leadership Council in New Haven; Ms. Macauda is actively involved in promoting the revitalization of both the region and the state.

Just this past year, I was honored to serve with Michele as co-chair of a very special event sponsored by Y-ME of Connecticut—the first annual “Woman of Today” Award. Y- ME is a non-profit organization dedicated to supporting women with breast cancer. Through the support of local leaders like Michele, Y-ME has become an invaluable resource to our community. In addition to her work with Y-ME, she is also actively involved in fundraising efforts for victims of domestic violence and volunteers her time with the Connecticut Special Olympics.

Through her professional and volunteer activities, Ms. Macauda has demonstrated her dedication to enriching our communities and the lives of Connecticut residents. I am honored to rise today to join family, friends, colleagues, and the Connecticut Anti-Defamation League in extending my sincere congratulations to Michele Macauda as she receives the 2004 Torch of Liberty Award.
TRIBUTE TO THE CENTER FOR YOUTH CITIZENSHIP FOR SERVING THE SACRAMENTO REGION

HON. ROBERT T. MATSUI
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. MATSUI. Mr. Speaker, I rise in tribute to an organization with a great record of service to the Sacramento Region. For the past two decades, the Center for Youth Citizenship has worked tirelessly and successfully to enhance the significance of citizenship and the importance of our laws and institutions to the young people of the local region. I ask all my colleagues to join me in saluting the Center for Youth Citizenship (CYC), one of Sacramento's most important and respected community organizations.

Founded in 1984, the Center for Youth Citizenship has sought to have young people respect one another, our institutions, and laws; have a working understanding of citizenship, its requirements and responsibilities; appreciate the foundation and privileges of democracy; and have the skills and character to be engaged and informed participants in everyday community matters. To achieve these goals, CYC has worked with a diverse group of school and community partners on award-winning and recognized school and community programs such as the Gordon D. Schaber Mock trial & Moot Court Competition, Lifes for Youth and Families, and California Conflict Resolution and Youth Meditation Project.

Through its partnerships with a broad-based group of government, business and education leaders, CYC has recently initiated the program to connect the generations and groups in the local communities and recommit to the collective pursuit of equity, justice, and character.

In recognition of the 50th Anniversary of the Brown v. Board of Education decision, CYC, on April 22, 2004, in partnership with the California and Sacramento County Bar Association, the National Coalition of 100 Black Women, Inc., 100 Black Men of Sacramento and the Sacramento County Office of Education, along with various school districts and organizations, came together to commemorate the historic anniversary of the landmark Supreme Court decision by bringing students together with corporate, community, and education leaders to view the highlights of the Emmy Award winning film. Separate but Equal. This unique and important educational experience was made possible by CYC's program model, With Liberty & Justice for All and the hard work and dedication of the entire CYC staff.

CYC has worked diligently with Sacramento County of Education; San Juan Unified School District, California County Superintendents Educational Services Association, California Department of Education, California Teachers Association and various school districts and organizations to make local school board members, administrators and teachers aware of the Brown v. Board of Education 50th Anniversary. Through the great work of the CYC staff, many school board adopted resolutions and enacted policies to recognize the important Supreme Court decision.

Mr. Speaker, I am honored to pay tribute to the Center for Youth Citizenship. I would like to especially thank CYC's Executive Director, Dr. Joe Maloney, and his great staff for their commitment and hard work. I am confident that the Center for Youth Citizenship will continue to yield tremendous benefits for the people of Sacramento. I ask all my colleagues to join with me in wishing the Center for Youth Citizenship continued success in all its future endeavors.

TRIBUTE TO MILES CONRAD OWENS

HON. DALE E. KILDEE
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. KILDEE. Mr. Speaker, I rise before you today on behalf of the members of the United Auto Workers (UAW) International Union and UAW local 651 to pay tribute to Miles Conrad Owens who is retiring from the position of UAW International Union Staff Representative.

Miles Owens was born October 19, 1942 in Cairo, Illinois. He graduated with honors from Beecher High School in 1960. Upon graduation he enrolled at the General Motors Institute (GMI), located in Flint, Michigan. With his enrollment came Union GMI's Flint Assembly Plant. Miles studied at GMI until he transferred in 1962 to Mott Community College. He graduated from Mott College in 1967. While studying at Mott he acquired a position with A.C. Spark Plug as an experimental model-maker and assemblyman.

Miles' career within the UAW began in 1962 as a member of UAW Local 651. As a member of the union he held positions as an alternate, director, and shop committeeman from 1968–1981. In 1981 he was elected President, and in 1983 he attained the appointed staff representative position with the UAW International Union, from which he will retire on July 31, 2004. Miles is a strong positive role model for his fellow members and the community. Throughout his career he has made significant, long-term contributions to improving the lives and working conditions of the men and women who build America’s automobiles.

In addition to being a strong leader amongst the workforce, Miles is a member of several community boards and organizations. He serves with the Flushing Board of Education, United Way, American Heart Association, Boy Scouts of America, Insight, Greater Flint Health Coalition, and Hurley Hospital HHS Board to just name a few. Miles has achieved much in his lifetime. Some of those milestones include, but not limited to, Explorer Scout Representative of the Decade from 1960–1970 in the Decades of Education Ceremony for Beecher High School, recipient of the Walter Reuther Award, selected to hold the post of Worshipful Master of Flushing Masonic Lodge #225 in 1991, attained the title of 32nd Degree Mason, and is a member of the Shriner’s.

Miles is also a devoted husband to his loving wife Shirley Ann and supportive father to their wonderful son Miles.

Mr. Speaker, as a Member of Congress, I consider it my duty and my privilege to protect and defend human dignity and the quality of life for our citizens. I am extremely grateful to have a person like Miles Conrad Owens who shares these beliefs, and has made it his life's work to see this task achieved. I ask my colleagues in the 108th Congress to please join me in congratulating Miles, and wishing him the best in future endeavors.

HONORING THE 25TH ANNIVERSARY OF THE COMMUNITY RESOURCES FOR INDEPENDENT LIVING

HON. FORTNEY PETE STARK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. STARK. Mr. Speaker, I rise today to pay tribute to Community Resources for Independent Living (CRIL) headquartered in Hayward, California. CRIL has been providing exemplary services to individuals with disabilities for the past 25 years.

This outstanding organization was inspired by a group of individuals' awareness of the diverse unmet need for services in their communities to assist the disabled. Through the work of such individuals as longtime Executive Director Johnnie Lacy, CRIL was able to establish itself by occupying and purchasing its own office building in Hayward, California in 1979. Since then, CRIL has expanded its presence by opening its Tri-Cities office in Fremont and its Tri-Valley office in Livermore.

In the years since its founding, CRIL has helped to represent the disabled community by advocating tirelessly for both their rights and needs. As a result, they have helped to eliminate societal barriers to participation, empowerment, and independent living. CRIL has also taken a central role in co-sponsoring the creation of housing for people with disabilities. In particular, CRIL is responsible for the creation of the Olive Tree Plaza and EC Magnolia Court Apartments in Hayward and the Redwood Lodge in Fremont.

For over two decades, CRIL has become a resource for thousands with disabilities. It is my honor to recognize their tireless commitment and hard work to the disabled community and I am confident CRIL will continue to make a positive difference in the lives of the disabled population for years to come.

I want to thank the entire CRIL team for doing a remarkable job and sending best wishes for continued success.

HONORING STANLEY W. ROSENKRANZ

HON. JIM DAVIS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. DAVIS of Florida. Mr. Speaker, I rise in honor of Stanley W. Rosenkranz, a remarkably accomplished and generous citizen whose dedication to his profession, faith and family earned him the respect of the Tampa Bay community.

Stanley always strived for excellence. After becoming a CPA and serving in the Army, he went on to graduate Cum Laude from the University of Florida Law School and first in his class from the New York University’s Masters in Law, LLM program. Stanley was extremely supportive of the University of Florida, and its football team, through all his years.
Stanley practiced law in Tampa for over 40 years and earned the high respect of his colleagues in the Bar. He was Of Counsel with Akerman, Senterfitt and a partner at Shear, Newman, Hahn & Rosenkranz, PA for 15 years, 10 of which he was president of the firm. Stanley was named to Best Lawyers in America for the 20 years of the publication’s existence.

Teaching and mentoring were two other areas in which Stanley excelled. He formerly taught in the graduate LLM Tax program at the University of Florida. Stanley was currently an adjunct professor in Tax at the Stetson College of Law and also taught Business Law and accounting at the University of Tampa.

However, Stanley always made time to serve others. Stanley was active in Tampa’s Jewish community, serving as president of Congregation Shaarai Zedek, president of the Tampa Jewish Federation, president of the Southeast Region of the Union for Reform Judaism (URJ) and a member of the Executive Committee and Board of Directors of URJ. He also served on the boards of Florida Blood Services and the Children’s Home and contributed as a leader of many other civic and charitable causes.

Stanley’s family and friends will remember him for all of these things, his rare personal qualities and so much more. On behalf of the Tampa Bay community, I honor Stanley for his service and shining example to us all and send my deepest sympathies to his loved ones.

HONORING LAWRENCE DeNARDIS, PH. D. FOR HIS OUTSTANDING SERVICE TO THE COMMUNITY

HON. ROSA L. DeLAURO
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Ms. DeLAURO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to one of our community’s most outstanding leaders, and my good friend. Lawrence DeNardis, as he is honored by family, friends, and colleagues for his 13 years of service as President of the University of New Haven. Larry has dedicated a lifetime of service to the community and we are certainly fortunate to have been the beneficiary of his unparalleled compassion, generosity, and commitment.

For over a decade, Larry has been at the helm of the University of New Haven and under his leadership and direction the University has truly prospered. I have often spoken of our Nation’s need for talented, creative educators, willing to help our young people learn and grow—Larry is just that kind of teacher. Larry has spent most of his professional career in higher education. For 16 years he served as Associate Professor and Chairman of Political Science at Albertus Magnus College, Visiting Professor of Government at Connecticut College, Guest Scholar at the Woodrow Wilson International Center for Scholars of the Smithsonian Institution, and seminar instructor at Yale University. His good work and diligent efforts to provide a quality education to his students has touched the lives of thousands of young people—going a long way in providing them with a strong foundation on which to build their futures.

Larry’s outstanding record of contributions to education has been recognized both locally and nationally. Immediately prior to his appointment as President of the University of New Haven, Larry served as President and Chief Executive Officer of the Connecticut Policy and Economic Council and was appointed by Governor Groton to a four-year term as Chair of the Connecticut Board of Governors of Higher Education. Larry was also selected by former President George W. Bush for an appointment to the National Advisory Committee on Institutional Quality and Integrity, a group which oversees the accreditation of institutions and associations in higher education.

In addition to his distinguished career in education, Larry has also served in public life where he demonstrated a unique commitment to public service. He served five terms in the Connecticut State Senate as well as one term as the United States Representative for Connecticut’s Third Congressional District. After his term in the United States House of Representatives, Larry went on to serve as the Acting Assistant Secretary for Legislation at the United States Department of Health and Human Services. He was also appointed by former President George W. Bush as a member of the Board of Regents of the National Library of Medicine—a position which he held for four years.

It is not often that you find an individual who so willingly dedicates himself to the betterment of his community. In addition to his professional contributions, Larry has worked with numerous local business and service organizations aimed at providing a better quality of life for the residents of the Greater New Haven area. Our communities would not be the same without people like Larry, who give their time and energy to make a difference in the lives of others.

Through his contributions, Larry has left an indelible mark on our community. For all of his good work, I am proud to rise today to join his wife, Mary Lou; his four children Larry, Jr., Gregory, Mark, and Lesley; family, friends, and colleagues in extending my thanks and appreciation to my friend Lawrence DeNardis. My very best wishes for many more years of health and happiness.

TRIBUTE TO DOUGLAS ROBINSON GREER

HON. ROBERT T. MATSU
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. MATSU. Mr. Speaker, I rise in tribute to legendary civil rights attorney Douglas Robinson Greer. On July 15, 2004, California lost one of its most respected and accomplished advocates for civil rights when Douglas Greer passed away. As we remember and pay tribute to Douglas’ many wonderful contributions to his friends, family, and fellow citizens, I ask all my colleagues to join me in saluting this exceptional man and my good friend, Douglas Robinson Greer.

A native of Los Angeles, Douglas was born on January 27, 1916 to Lucy Amerson and Portia Henderson. He is preceded in death by his parents, Henry and Leonie Greer, and his sisters, Lucy Amerson and Portia Henderson. He is survived by a niece, Leonie Craddock, a nephew, Gilbert Craddock, three great nieces and a long list of professional associates, friends, and admirers.

Mr. Speaker, as Douglas Greer’s family and friends gather to pay tribute to his wonderful life, I am honored to express my respect and gratitude to one of Sacramento’s finest citizens and a truly wonderful human being. It is a pleasure for me to count Douglas Greer as a friend. I ask all my colleagues to join me in honoring Douglas Greer’s remarkable life.
TRIBUTE TO UAW LOCAL 599 REUTHER AWARD RECIPIENTS

HON. DALE E. KILDEE
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. KILDEE. Mr. Speaker, I rise before you today to pay special tribute to 17 members of the United Auto Workers (UAW) local 599, who on September 18, 2004 will be presented with the Walter Reuther Distinguished Service award. The recipients of this prestigious award are Jesse W. Perry, Dave Carr, Michael S. Polovina, Gordon Harman, Matthew Yard, Dewayne A. Butterworth, Dan Emerton, Mark Fillmore, Andrew T. Puro Jr., Robert G. Sing-er, Michael C. Wright, Willie Duncan, John W. Bishop, Bill Gawne, Dave Rinker, James R. Ottaway, Donald P. Sorensen, and Earl W. Stephens.

The Walter Reuther Distinguished Service award is bestowed on union members who have authenticated 20 years of notable service. Walter Reuther believed in helping people. He also believed in human dignity and social justice for all. The awardees have committed themselves to these very ideas and principles. Their leadership and unwavering commitment to securing and keeping automotive manufacturing jobs in the Flint area is without a doubt commendable. They have constantly fought for decent wages, education and training as well as human and civil rights. Their efforts have greatly improved the quality of life for the UAW's membership. It is an honor to recognize these special individuals, for they have faithfully, with devotion served their union and community.

Mr. Speaker, many people have greatly benefited from the leadership and service of these awardees. They are individuals of moral character committed to improving the welfare and dignity of those employed in the automobile manufacturing industry. I ask my colleagues in the 108th Congress to please join me in congratulating these fine people for 20 years of immeasurable service to their union and community.

TRIBUTE TO CHUCK MOSEY

HON. MIKE PENCE
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. PENCE. Mr. Speaker, when Chuck Mosey of Richmond died unexpectedly last week, Richmond lost a leader and, like countless others who had the privilege to know him, I lost a friend. So much attention has rightly been paid to his role as a business leader, a community and country, Chuck Mosey traveled the world and proved that Hoosier companies and workers can compete on the world stage. Chuck was a fighter and Chuck fought for the jobs of the hundreds of Wayne County families that depended on his courage and vision every day. Chuck Mosey was from Richmond and he was determined to make his enterprise prosper in his hometown, and he succeeded.

And at a time when so many let work crowd out the most important people in their lives, Chuck Mosey applied the same commitment at home. He instilled the values of his own one, wife and mother to Scott and Christopher, was evident to anyone who knew him for more than five minutes. Every time I spoke to Chuck in the last year it was all about Maxine and his profound gratitude to those whose prayers and thoughtfulness had helped carry her through some recent difficult days. And Chuck loved his brothers and sisters but Steve and George were more than brothers, they were Chuck's best friends. As one of four boys myself, I know how challenging sibling relationships can be, but Chuck made it look easy. He did so by taking every opportunity to boast of his brothers, their accomplishments and integrity. I learned a lot about being a brother from Chuck Mosey.

Lastly, Chuck Mosey was a patriotic American who believed in the highest ideals of our Nation. He personally caused me to refer to him as the "Will Rogers of Eastern Indiana," and so he was. During a recent heated debate in Congress, I called Chuck for some advice. I was determined to take a stand for fiscal responsibility and I figured he was the right guy to call to get a good perspective from home, and I'll never forget what he said. When I explained the latest bloated government proposal being brought before the Congress, Chuck Mosey said, "Don't those people know how much money we don't have?" We both burst out laughing but I was even more moved by the memory of the statement that I returned to the floor of the Congress and used his line in the debate.

A business leader, devoted husband, father, brother and, in my life, a friend was lost to us but gained to heaven last week. Goodbye, Chuck. We will miss you for a while. I can't wait to hear what you have to say about heaven. I'm sure it will be priceless.

USCG RESCUE IN ST. PETERSBURG

HON. MAC COLLINS
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. COLLINS. Mr. Speaker, on the 7th of August, a small Sea Pro fishing boat left Steinhatchee, Florida for a day of fishing. The four passengers, all from Monticello, Georgia were caught in a sudden squall which capsized the 23 foot craft. The next night, while they clung desperately to their overturned boat, the skipper's son, John Fish perished and drifted away from the group. For three days the survivors clung to their wreckage, hoping against hope that they would be rescued.

The overdue boat was reported to the members of the U.S. Coast Guard St. Petersburg Group who immediately began a search of the vessel's last reported area, while Coast Guard searchers from Yankee Station in the North, worked their way down the coast, supplemented by the full environmental response to which they are entitled by federal law.

This is a problem of national scope, as evidenced by the fact that the United States Conference of Mayors, one of the leading voices for sensible public policies in our country, recently passed a resolution at its 72nd Annual Meeting in Boston calling for "increasing appropriation levels for Superfund." The resolution notes the slowdown in remediation that is taking place because of the preference for tax cuts for the wealthy over important public needs, and urges us to increase the Superfund appropriation by $300 million a year for the next five years.

This is a very well informed and important statement from a group of thoughtful public officials who share with us the responsibility for
public policy in this country, and I ask that the Conference of Mayors’ cogent resolution be printed here.

JOSEPH L. NELLIS, FORMER CHIEF COUNSEL OF HOUSE COMMITTEE ON THE JUDICIARY

HON. JOHN CONYERS, JR.
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 2004

Mr. CONYERS. Mr. Speaker, I rise today to pay respect to Joseph L. Nellis, 87, former Chief Counsel of the House Judiciary Committee during the early 1980s, who passed away July 10 from congestive heart failure at his home in Northwest Washington, DC. He also served as Chief Counsel of the House Select Committee on Narcotics Abuse and Control, and Associate Counsel of the Kefauver Committee (the U.S. Senate Committee to Investigate Crime in Interstate Commerce). Joe was also a prominent local businessman, Democratic Party insider, and Washington area resident for more than 60 years. In addition to his public service on Capitol Hill, he argued a number of landmark cases before the Nation’s highest courts, developed downtown properties, and founded the G.E.M. (Government Employees at Market) Department Store.

Born in 1916 in Minsk in what is now Belarus, Joe grew up in Chicago and attended the University of Michigan, the University of Wisconsin, and Northwestern University’s School of Law. He moved to the Washington area to work at the Office of Price Administration and Control in 1944.

His service as a Captain in the Army Air Corps during World War II was marked by several decorations, including one for work with the cryptology team that broke the Japanese Navy’s secret code and led to the American victory at Midway.

Following a stint at the United Nations Relief and Rehabilitation Administration (UNRRA) guiding post-war relief efforts in Greece and Italy in the late 1940’s, he returned to Washington to enter private practice. In 1949, Senator Estes Kefauver (D-Tennessee) called him and asked, “Joe, I’m about to get the Senate to pass a resolution authorizing an investigation of organized crime. It’s never been done before. Why don’t you come up to the Hill and help me chase some gamblers?”

Nellis became associate counsel and the youngest member of the first Senate investigation into the activities of organized crime in interstate commerce. He achieved instant recognition and audiences nationwide when the committee’s New York hearings—featuring such legendary mob figures as Virginia Hill and mafia boss Frank Costello—became the first nationally televised congressional hearings. After conducting a 2:00 a.m. “secret” deposition of entertainer Frank Sinatra regarding his connection with then-exiled mob boss Lucky Luciano, Joe determined that calling Sinatra as a public witness would not further the mission of the committee and might only serve to damage Sinatra.

Joe was a prominent advisor to Presidential candidates, including former Illinois Governor Adlai Stevenson, and Senator Kefauver during both his 1952 and 1956 bids for the Democratic Party Presidential nomination. In 1968, he served as Deputy Director of Citizens for Humphrey-Muskie. For a number of years, Joe was also a friend and advisor to Eleanor Roosevelt and later served as general counsel for the Eleanor Roosevelt Memorial Foundation.

In private law practice, Nellis argued major civil and corporate cases. He challenged the constitutionality of the DC abortion statute in the first abortion rights case accepted for argument before the U.S. Supreme Court (United States v. Milan Vultich, 1971). In a newspaper interview, Joe commented, “The key questions here are: does a woman have an absolute right to control the reproductive processes of her own body, . . . and does her physician have the freedom to prescribe medical treatment as he sees fit, without vague threats of prosecution for a felony?” He then played a role in the successful argument of Roe v. Wade by assisting the attorneys to prepare for their appearance before the Court.

Joe was also the author of numerous articles in professional and popular journals and coauthor of The Private Lives of Public Enemies (McKay, 1974 and Dell, 1974). Surviving family includes his wife, Muriel, sons David M. Nellis and Adam Pressman, daughters Barbara Nellis and Amy Pressman, and nine grandchildren. Because the House Judiciary Committee is a family of sorts, I would like to recognize Joe’s extended family.

In conclusion, Mr. Speaker, we have lost a former Hill staffer who served the House and Senate for many years with distinction on critical issues to this country.

TRIBUTE TO CORPORAL MATTHEW BOISVERT OF TYNGSBORO, MASSACHUSETTS

HON. MARTIN T. MEEHAN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 2004

Mr. MEEHAN. Mr. Speaker, I rise today to pay tribute to a brave Marine from my District, Corporal Matthew Boisvert of Tyngsboro, Massachusetts, for his patriotic service to our country. Matthew has twice been deployed to Iraq, and in September of this year, he was critically wounded by a roadside bomb on a mission in Al-Qasim. I want to recognize our Marine for the extraordinary bravery he displayed.

On August 17, tragedy struck when a roadside bomb tore through the humvee Matthew was patrolling in, leaving him critically wounded. But despite his injuries, Matthew’s spirits have remained high and his faith strong. The first words out of his mouth to his mother were not those of anger or sadness, but rather concern for the well-being of his fellow Marines back in Iraq.

Matthew knew the risks of war when he enlisted in the Marine Corps the summer after high school. But he was willing to make the sacrifice necessary to defend his country and protect our democratic ideals. At the young age of 18, he left his friends and family behind to endure the harsh realities of a war-torn land. Our Nation, and the Commonwealth of Massachusetts, are humbled and grateful for his sacrifice.

Tonight, I plan to visit Matthew at Bethesda Naval Hospital to thank him for his honorable service. I am certain that all of our colleagues will join me in expressing our heartfelt gratitude for his courage and wishing him well as he begins to recover from his injuries. I will renew my commitment to him, and to all of our troops stationed overseas, to ensure that they have the equipment and the support they need to perform their duties. These brave Soldiers, Marines, and Airmen are on the front line defending our nation. We owe it to them to provide the protection they deserve. And when these heroes return home, we must afford them the support, the respect, and the honor they have earned.

VERMONT RESIDENT WINS THE ROBERT PENN WARREN AWARD FOR POETRY

HON. BERNARD SANDERS
OF VERMONT
IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 2004

Mr. SANDERS. Mr. Speaker, it is my pleasure today to commend a Vermont resident, Harriet McGraw, known to her friends as Hatsie, for winning the Robert Penn Warren Award for poetry. Her poem, “Neighbors in the North End,” was selected as the best of 853 submissions in a competition which drew entrants from 252 poets from 42 states and foreign nations. The competition was sponsored by the New England Writers Conference.

Hatsie McGraw lives in Windsor and works in nearby Springfield, where she is the librarian at the Park Street School. She represents part of what is best about our state: an ongoing creativity that is the hallmark of much in Vermont, a creativity which brings forth not just poetry but handmade furniture, innovative small businesses, and popular music. As just one instance of that creativity let me cite her husband Tom, a painter whose works in mixed media were recently exhibited in a show of his work, “Elements of Diversion,” at the New England Gallery.

We in Vermont are proud of Hatsie McGraw, and of the countless thousands like her who move ever onward in search of new things to do, new heights to scale, new skills to put to use.

HONORING PARKS CHAPEL AFRICAN METHODIST EPISCOPAL CHURCH

HON. BARBARA LEE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 2004

Ms. LEE. Mr. Speaker, I rise today to honor the Parks Chapel African Methodist Episcopal Church of Oakland, California for 85 years of ministry and invaluable service to the community.

Parks Chapel African Methodist Episcopal Church was organized in September 1919 as a mission in West Oakland by the late Reverend J.M. Brown. The church was named in honor of the late Bishop H.B. Parks of Oakland, and was granted a charter in May of 1920. The Congregation’s membership has grown steadily over the years, leading it to relocate to larger worship facilities before settling at its current location on Thirty-Fourth Street in Oakland under the spirited and inspired leadership of Reverend Donna E. Allen.
Since that time, the Parks Chapel African Methodist Episcopal Church has played an active role in initiating and expanding a wide range of charitable and community-building activities. In addition to ministering and counseling countless members of the ministry, the church regularly hosts a variety of community gospel events. Furthermore, Parks Chapel sponsors numerous outreach activities that serve to facilitate endeavors such as the education and development of local youth, and the social reintegration of former prison inmates.

On September 5, 2004, the Parks Chapel African Methodist Episcopal Church will be celebrating its eighty-five-year anniversary in Oakland, California. I would like to mark this occasion by commending the church for the exceptional service it has provided to the community not only in its capacity as an institution of faith and worship, but also as a leader in working to provide invaluable social and charitable services to the people of Oakland. By remaining committed to the areas of leadership and service throughout its eighty-five years of ministry, the Parks Chapel African Methodist Episcopal Church has contributed enormously not only to the Oakland community, but also to our shared goal of world peace.

TRIBUTE TO THE LIFE OF JOSEPH A. JABAILY

HON. MARYLIN N. MUSGRAVE
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mrs. MUSGRAVE. Mr. Speaker, it is with a sadness that I rise today to remember and honor the life of Joe Jabaily, a thoughtful and dedicated community servant who will be greatly missed by his community of Loveland, Colorado. As his family and friends grieve for the passing of Joe Jabaily, I want to take a few moments to remember his service and commitment to the town and citizens of Loveland.

He began his work by opening the first nephrology center in Loveland in 1983. However, the walls of Joe’s nephrology center could not contain his enthusiasm, love for people, and desire to make a difference for them and their community. In the 20 years that Joe lived in Loveland, he accomplished much.

Beginning in 1984 Joe served on the McKee Medical Center Continuing Education Committee, the McKee Medical Center Credentials Committee; he joined the Loveland Chamber of Commerce, and coached basketball for the Loveland Midget Athletic Association. Joe served as a Loveland Museum Commissioner as well as two terms on the Thompson School District Board of Education. He taught as a Clinical Assistant Professor of Neurology at the University of Colorado, and volunteered as a facilitator for People Offering People Support at Loveland High School. Joe served as Commissioner for the Loveland Open Space Commission. In 1997 the Jabailys were named the Volunteer Family of the Year. Joe’s service continued as he volunteered for the United Way Campaign. Joe ran for the Colorado State House District 51 in 2002, and was running again for the same seat when he was involved in a tragic accident during a charity triathlon.

Joe Jabaily was known to always be there to listen, laugh, and contribute in a positive way. He enjoyed meeting people and hearing their concerns. He was known to occasionally cancel a patient’s debt if they could not pay. Joe had courage, and did not hesitate to speak out for the citizens of the community. His premature death has affected the community of Loveland, Colorado, in a major way. He will be missed tremendously. I will always remember him as a man full of life, living it to the fullest.

Mr. Speaker, it is an honor to pay tribute to the life of this outstanding gentleman. I ask my fellow colleagues to join me in celebrating the life and legacy of Joe Jabaily. May God bless his family and many friends in this time of mourning.

REMEMBERING THE LIFE OF HELEN K. COPLEYS

HON. DARRELL E. ISA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. ISSA. Mr. Speaker, I rise this evening to remember the life of Helen Copley. Mrs. Copley passed away August 25, 2004. Mrs. Copley had an amazing committed to journalism and a distinguished record of service throughout her community and the Nation.

In 1953, Helen Copley answered an ad for a secretary position at the Union-Tribune Publishing Company. She was hired as a secretary to the chief executive officer, James Copley. Twelve years later, Helen and James married. After her husband’s death in 1973, many expected Helen to remain in the background, but she was determined to keep the business in family hands.

Mrs. Copley published The San Diego Union-Tribune, the third-largest newspaper in California, for nearly 30 years. The Copley Press also owns nine daily newspapers and other publications. During Mrs. Copley’s tenure as publisher, her newspapers won two Pulitzer Prizes.

Helen Copley was also a model of personal involvement. She was a member of numerous local organizations, including the board of the Scripps Clinic and Research Foundation and was one of eight trustees appointed in 1984 to oversee the Howard Hughes Medical Institute. Locally, Mrs. Copley was instrumental in securing a home for the San Diego Symphony and underwriting the library at the University of San Diego. She also helped launch the San Diego Council on Literacy in 1986.

Mr. Speaker, Helen Copley will be missed by the people of San Diego and her service to the community will not be forgotten. I also want to express my condolences to the Copley family and let them know that my thoughts and prayers are with them.

RECOGNIZING COLONEL JOEL C. BRADSHAW III, UNITED STATES AIR FORCE, FOR HIS SERVICE AND DEDICATION

HON. J. RANDY FORBES
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 2004

Mr. FORBES. Mr. Speaker, I rise today in recognition of Colonel Joel C. Bradshaw III, United States Air Force, for his loyal service to the United States and Virginia’s Fourth District.

Colonel Joel C. Bradshaw’s dedication and loyalty to the advancement of our district and the Nation as a whole, after 29 years of service in the Air Force, is to be commended.

PERSONAL EXPLANATION

HON. JAMES L. OBERSTAR
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 2004

Mr. OBERSTAR. Mr. Speaker, I participated in two important education meetings in my district yesterday, and missed two votes on legislation considered on the suspension calendar. As the new school year begins, I greatly appreciated the opportunity to visit with students, teachers and education administrators at the Nashwauk-Keewatin High School and the Crosby-Ironton High School concerning the implementation of the No Child Left Behind Act.

Had I been present, I would have voted “aye” on rollcall vote 422 to approve H.R. 4381, and I would have voted “aye” on rollcall vote 423 to approve H.R. 4556.

HONORING LIEUTENANT ROBERT DEL SOLDO

HON. JOSEPH M. HOEFFEL
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 2004

Mr. HOEFFEL. Mr. Speaker, I rise today to honor Lieutenant Robert P. Del Soldo who is celebrating his retirement from the Horsham Township Police Department after 32 years of faithful and devoted service.

Lt. Del Soldo has served in many different capacities during his tenure on the Horsham Township force, working as Patrolman, Detective, Patrol Sergeant, and Sergeant of Detectives. Since 1995, he has been serving the department at the rank of Lieutenant.

His dedication to the community has never faltered, even during his toughest assignments. Lt. Del Soldo has received commendations for saving an individual from a burning vehicle and for apprehending armed bank robbery suspects. In addition to his commendations, Lt. Del Soldo has undergone professional training in order to better serve his community. He has trained under the Department of Justice, Federal Bureau of Investigation, Pennsylvania Chief of Police, Northwestern University and Penn State University.

In addition to his service to the Horsham Township community as a member of the Police Department, Lt. Del Soldo served his country honorably in the United States Air Force in Vietnam from 1965 to 1968. He and his wife Peggy are the proud parents of a son and daughter, Robert and Theresa Lynn.

Our community has been privileged to have such a devoted servant and it is my pleasure to congratulate Lieutenant Del Soldo on his retirement. I wish him all the best in the future.

RECOGNIZING COLONEL JOEL C. BRADSHAW III, UNITED STATES AIR FORCE, FOR HIS SERVICE AND DEDICATION

HON. J. RANDY FORBES
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 2004

Mr. FORBES. Mr. Speaker, I rise today in recognition of Colonel Joel C. Bradshaw III, United States Air Force, for his loyal service to the United States and Virginia’s Fourth District.

Colonel Joel C. Bradshaw’s dedication and loyalty to the advancement of our district and the Nation as a whole, after 29 years of service in the Air Force, is to be commended.
Colonel Joel C. Bradshaw's devotion to duty has reflected the highest standards of the military profession through a number of command and staff positions. He has commanded a civil engineer squadron, and served in a range of civil engineering positions at base level, major command and the Air Staff. At the start of his career, he began as Project Officer and Test Director on the Air Force Weapons Laboratory in New Mexico. Later on in his career, he went on to become Deputy Director of Environment Programs at Headquarters Tactical Air Command, at Langley AFB, VA. He also served as Base Civil Engineer (Commander) at the Sembach Air Base in Germany. He returned to Langley to become Deputy Chief of Programs Division for the Civil Engineer Directorate, Headquarters Air Combat Command. In 1997, Colonel Bradshaw became Command Engineer of the Eleventh Air Force at Elmdorf AFB in Alaska. In 1999, he earned the position of Chief of Air Force Programs, Office of Deputy Under Secretary of Defense for Installations, The Pentagon. Deputy Chief of Staff for Logistics at Headquarters, United States Army Forces Command. He then went on to additionally take on the responsibility of Chief of Military Construction Programs, Office of Deputy Under Secretary of Defense (Installations and Environment), The Pentagon, Washington, D.C. Colonel Bradshaw also holds a Bachelor of Sciences degree from Virginia Tech in Civil Engineering, and a Masters degree of Science in Civil Engineering from Virginia Tech. Additionally, he has a Masters degree in Business Administration from New Mexico Highlands University.

Colonel Bradshaw’s awards and decorations include the Defense Superior Service Medal, the Meritorious Service Medal with six oak leaf clusters, and the Air Force Commendation Medal.

Colonel Bradshaw has shown tremendous commitment and devotion to his country. Today we recognize him for his unwavering patriotism and dedication to both his profession and the American people.

Mr. Speaker, please join me in honoring Colonel Joel C. Bradshaw III, USAF.

HONORING BLAINE WILSON

HON. PATRICK J. TIBERI
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. TIBERI. Mr. Speaker, I would like to congratulate Blaine Wilson, member of the silver medal winning U.S. men's Olympic gymnastics team. During the Athens Olympics, Blaine, the most experienced member of the team, provided a strong leadership role to the team and helped the United States to its first men's gymnastics medal in 20 years. Blaine received the highest score on the still rings, his favorite event, to push the team from bronze to silver after falling to third for a short time.

Blaine has been a U.S. all-around champion five times and Athens was the third Olympics in which he participated. Despite his familiarity with the Olympic pressure, Blaine had an added setback to overcome. In February of 2004 during the American Cup competition, Blaine tore his biceps muscle while competing on the still rings. His determination and skill are highlighted in the struggle he met to compete and medal in Athens.

Blaine was born and raised in Columbs, Ohio. He attended Columbus Gymnastics Academy, DeSales High School, and the Ohio State University, where he plans to complete his degree in Psychology after retiring from gymnastics.

Again, I congratulate Blaine for all of his dedication and hard work and the achievements he has met both personally and with his team while representing our country on the world stage in Athens.

HON. TOM LANTOS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. LANTOS. Mr. Speaker, it is with great honor and pride that I rise today to pay tribute to Mrs. Kraus, who is retiring after 22 years of dedicated service to the San Mateo Union High School District.

The students, teachers, parents, administrators, and members of the community who had the honor of working with her, first at Capuchino High School, then at the San Mateo Union High School District Office, offer their highest praise and appreciation for her years of service. She exemplifies the highest ideals of loyalty, professionalism, and devotion to duty.

During 8 years at Capuchino High School, as Administrative Assistant to two Principals, Mrs. Kraus was able to involve parents in their children's education like no one had before. She designed and wrote a newspaper for parents, and created a weekly column that praised the accomplishments of students and informed the community of initiatives at the school. She developed activities for the annual Capuchino Open House that celebrated both the high school and the community and resulted in the largest parent participation ever at that event. In addition, she was the recipient of the Martin Luther King Award for Outstanding Leadership, presented by the Capuchino Black Student Union, as well as the Woman of the Year Award from the student government of the high school.

At the District Office, Mrs. Kraus served as Executive Assistant to two Superintendents where her immense skills and deep commitment to education earned her the highest esteem and trust by all whose lives she touched. Mr. Speaker, Nancy Kraus was the consummate problem solver tackling issues both large and small with persistence. In recent years, she gave primary and critical leadership during four major bond campaigns that provided $137.8 million in necessary resources so that the San Mateo Union High School District could renovate and reconstruct its six comprehensive high schools to meet the demands of a 21st century education.

Mr. Speaker, Nancy's involvement went far beyond the duties of her position. She worked. She was a founding member of the San Bruno Community Theater and conducted all of its public relations for several years. She encouraged students to participate in the annual Millbrae Lions Club essay contest. She was a co-advisor to student government. She shared her love of opera by offering students voluntary education in opera appreciation which she taught during the lunch hour and then took full busloads on special field trips to performances of the San Francisco Opera.

Mr. Speaker, at the start of this coming school year, Nancy Kraus will be immensely missed. However, her brilliant leadership, the thoughtful, caring and constructive guidance she provided, the complex and difficult problems she helped to solve, and the skills she brought to her work as the San Mateo Union High School District the excellent educational institution that I am proud to represent. I know she deserves every extra moment that she will get to spend with her husband, daughter and two grandchildren. I urge all of my colleagues to join me in paying tribute to Nancy Kraus, whose contributions to students, staff, and community will not be forgotten.

JUNK FAX PREVENTION ACT OF 2004

SPEECH OF
HON. ARTUR DAVIS
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 20, 2004

Mr. DAVIS of Alabama. Mr. Speaker, I rise in support of H.R. 4600, the Junk Fax Prevention Act of 2004. This Bill codifies the reinstatement of an established business relationship exception permitting businesses, associations and charities to send commercial faxes without the opt-out provision.
September 8, 2004

that gives the recipient the opportunity to avoid further faxes.

In 1991, Congress passed the Telecommunications Consumer Protection Act (TCPA), which protected consumers from unsolicited commercial faxes and permitted legitimate businesses and organizations to fax fundraising requests, advertisements, dues renewal notices, and other pertinent information to individuals with an established business relationship. For the past ten years the Commission has continued to follow its 1991 interpretation deeming such publications invited or permitted by any discernable measure of complaints from the general public.

In 2003, the FCC revisited the issue of unsolicited commercial faxes and determined that an “express invitation or permission” must be in writing and include the recipient’s signature. Compliance with the FCC’s 2003 decision requires every business, association, and charity to obtain written permission from anyone receiving commercial faxes.

Starting on January 1, 2005 the FCC’s ruling goes into effect. A majority of the businesses and organizations would be forced to shoulder considerable financial and logistical burdens. Consequently, the Commission’s 2003 decision would require everyday customers, requesting specific information such as vacation packages from travel agents or other pertinent information, to submit a written, signed statement consenting to the receipt of such publications. Obviously, many small businesses, charities, and associations are concerned with the FCC’s recent interpretation and its impact on their lives.

In practice the FCC’s 2003 decision would be devastating to a myriad of small businesses that rely heavily on fax publications and advertisements. It has been estimated that two-thirds of small business owners will be required to obtain consent forms from greater than 100 separate fax numbers in the first year alone. Research indicates that if enacted, the “FCC’s new rules would cost small business owners at least $5,000 in the first year and $3,000 per year in compliance. In addition, the FCC’s decision would require greater than 27 staff hours in order to obtain customers’ initial consent and 20 hours each year thereafter.

Mr. Speaker, H.R. 4600 seeks to reverse the FCC’s overly burdensome, expensive and unnecessary interpretation. The current measure is necessary to strike a proper balance between an individual’s right to protection and privacy from unsolicited and invasive faxes with a business’s need for communication and right to free enterprise. I encourage all my colleagues to support this bill.

TRIBUTE TO MR. STEVEN R. HEAPE

HON. EDWARD R. ROYCE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. ROYCE. Mr. Speaker, I rise to pay tribute to Mr. Steven R. Heape, a proud member of the Cherokee Nation. He was born in Long Beach, California on March 25, 1951. His family eventually moved to Fullerton, where Steven graduated from Fullerton Union High School. Steven also attended Fullerton Junior College as a Business Administration Major, while working as a Major Account Representative for Armor Food Company.

His interest in motion picture production eventually led him to produce the film titled, “Location to Recovery,” one of the first educational documentaries to be released from 16mm film to VHS video tape.

In 1994, Mr. Heape and business partner Chip Ritchie formed Rich-Heape Films, Inc., certified by the Cherokee Nation to focus on the history and preservation of the American Indian culture. Today, Rich-Heape Films is an internationally recognized firm with several award-winning films to its credit. The American Indian Chamber of Commerce awarded it the 2003 American Indian Business of the Year.

In August, Mr. Heape was one of five Native American filmmakers invited to participate in the strategic film and video content planning for the new Smithsonian’s National Museum of the American Indian in Washington, D.C. In March 2004, Mr. Heape began the most challenging project of his career, producing a two-hour PBS documentary on the Indian Removal Act of 1830—better known as the Cherokee Trail of Tears scheduled for release in 2005.

On September 12, Mr. Heape is being recognized by the Little Eagle Free Foundation for his contribution and philanthropy in preserving the languages, history and cultures of Native America.

It is only fitting that Mr. Heape is to be commended for his extraordinary efforts to document and preserve Native American culture and the part played in American History.

CONGRATULATING MAGNOLIA PARK UNITED METHODIST CHURCH

HON. ADAM B. SCHIFF
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. SCHIFF. Mr. Speaker, I rise today to congratulate Magnolia Park United Methodist Church for 75 years of ministry in the City of Burbank.

Magnolia Park United Methodist Church is located in the middle of Burbank’s film and television studios as well as its famed Media District. Since 1929, it has been serving the community on the corner of Magnolia and Calafia. It is a welcoming, diverse, and inclusive congregation. The church actively sponsors youth groups such as the Boy and Girl Scouts, Brownies, and Cub Scouts. It strongly supports the Burbank Temporary Aid Center with financial services and food items. The church is also a proud member of the Burbank Chamber of Commerce, and gives several essential community agencies like Kidren Headstart, and Kids of Rock Theater a home.

Magnolia Park United Methodist Church encourages mission service in the local community as well as the international community through world missions. The church is not only locally supportive of the Walter Hoving Home, it also partners in missionary work in Nigeria. The church reinforces the importance of unity, charity, dedication, and family.

I ask all Members of Congress to join me today in celebrating Magnolia Park United Methodist Church’s 75 years of exemplary service and ministry, and for its immense commitment to its parishioners in and beyond the City of Burbank.

RECOGNITION OF CPL. CHRISTOPHER BELCHIK

HON. JOHN SHIMKUS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. SHIMKUS. Mr. Speaker, I rise today to recognize the life of CPL Christopher Belchik, who was recently killed in the Iraq Province of Anbar.

Cpl. Belchik was a 30 year old native of the Godfrey-Alton area in southern Illinois. He was killed on August 22nd in what is believed to be an ambush that resulted in a mortar detonation killing him and two other soldiers.

Cpl. Belchik was a 1992 graduate of Alton High School, in Alton Illinois. Not enough can be said about the great sacrifice this man made for his country, he made the ultimate sacrifice. He is survived by his wife, Mary Belchik; his mother, Lynn Lenker of Godfrey; his father, Stephen Belchik of Staunton; his brother Brian Belchik of Alton and his sister, Julie Prats of Chicopee, Massachusetts. My thoughts and prayers go out to his families and loved ones.

Cpl. Belchik gave his life in an effort to improve the lives of others. This sacrifice should never be forgotten. CPL Belchik, along with so many other brave men and women, put their lives on the line day in and day out. My sincerest thanks go out to them all. God bless them, and may God continue to bless America.

PERSONAL EXPLANATION

HON. KEVIN BRADY
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. BRADY of Texas. Mr. Speaker, I regret that I missed roll call votes 422 and 423 on September 7, 2004 and roll call vote 424 on September 8, 2004. Had I been present, I would have voted “yes” on all three votes—roll call vote 422, H.R. 4381, the Harvey and Bernice Jones Post Office Building Designation Act; roll call vote 423, H.R. 4556, the General William Carey Lee Post Office Building Designation Act; and roll call 424, on ordering the previous question for H. Res. 754, providing for consideration of the bill (H.R. 5006) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005, and for other purposes.

Additionally, I would like to voice my support for H.R. 5005, making emergency supplemental appropriations for the fiscal year ending September 30, 2004, for additional disaster assistance. The House of Representatives passed this important legislation last night. Without this action, FEMA would have run out of money and not been able to help those in need.

Mr. Speaker, all of our thoughts and prayers go out to the families in Florida and elsewhere along the East Coast as they recover from
Hurricanes Charley, Frances and Gaston and Tropical Storm Bonnie. H.R. 5005 will provide FEMA with an additional $2 billion to ensure that they can continue providing without interruption the much needed support and assistance to the victims of these storms.

IN RECOGNITION OF THE 150TH ANNIVERSARY OF FIRST BAPTIST CHURCH IN LOWELL, MICHIGAN

HON. VERNON J. EHLERS
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. EHLERS. Mr. Speaker, I rise today to honor the congregation of the First Baptist Church in Lowell, Michigan, which celebrates the 150th anniversary of its formation on Sunday, Sept. 18, 1854. The First Baptist Church was started on Sept. 18, 1854, meeting for worship originally in the Lowell Schoolhouse under the leadership of their first pastor, the Rev. A.C. Powell. In 1860, the congregation moved into its own building, which was erected by the congregation members themselves. By 1866, the congregation boasted 74 active members.

In 1898, the nearly 40-year-old building was moved approximately 20 feet and expanded to hold about 400 people. The congregation flourished in the community and sent many young men out for church mission work throughout the country. However, by the late 1930s, the church saw major declines in its membership and it temporarily closed its doors. In the early 1940s, the church reopened as a struggling mission church under the Rev. Mel Stadt.

In 1949, the Rev. M.K. McIver took the pulpit, and the church saw such resurgent growth that the old building soon was deemed outdated and inadequate. By 1967, a new church building was dedicated and continues to serve as the church’s home today. In 1983, a new auditorium was added and, through the years, staff continued to change and new positions were added.

In the past decade, the church has undergone a three-phase renovation that has added square footage and staff, while hosting five new missionaries since 1999. Today, the church continues to thrive under the leadership of Pastor of Ministries Rev. W. Lee Taylor and Youth Pastor Wayne Haines.

Mr. Speaker, I’m sure that you and all of my colleagues will join me in congratulating Rev. Taylor, Pastor Haines and the members of First Baptist Church for their 150 years of service and worship in Lowell, Michigan. They have been blessed in their ministry, and their community has been blessed by their presence.

150TH ANNIVERSARY OF COLCHESTER (CT) VOLUNTEER FIRE DEPARTMENT

HON. ROB SIMMONS
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. SIMMONS. Mr. Speaker, our Nation’s firefighters stand ready to protect lives and property 24 hours a day, 7 days a week. Firefighters have no holiday because the types of disasters they face can happen anytime.

In Connecticut’s Second District, which I am proud to represent, the Board of Selectmen for the Town of Colchester has issued a proclamation recognizing the Colchester Hayward Volunteer Fire Company’s 150 years of service. I come to the floor of the House of Representatives to add my voice to thanking all the members, past and present, of this wonderful Fire Company.

The Colchester Hayward Volunteer Fire Department was established in February 1854, by Nathaniel Hayward. Mr. Hayward donated 200 feet of hose to the fire department, providing the Borough of Colchester agreed to buy the first fire engine. In October of that year the first hand pumper was purchased.

The company grew over the years. In 1913, the first gasoline water pump was purchased. In 1934 the fire station expanded to two engine bays, and by the 1960s the station had four bays. In 1974 the first paid firefighter was hired, and in 1989 the dedication of a new fire station, on Old Hartford Road, took place. In 1993 the fire department began handling emergency medical services. In 2004 the town of Colchester appointed the first fire chief, Walter Cox, who leads more than 125 volunteers.

But despite these changes, one thing has remained constant today, as in the past, those who wear the uniform of the Colchester Hayward Volunteer Fire Department have only one goal—protect the people of their community.

I once saw a bumper sticker that said: “On the eighth day God created firefighters.” That’s not much of an exaggeration. How many of us would go into a burning building to save a total stranger? How many of us would run towards danger while others are running the other way?

It takes a special person to be a firefighter. For 150 years the dedicated professionals of the Colchester Hayward Volunteer Fire Department have provided quality service. Through their selfless efforts they make their community a better place in which to live, work and raise a family. I urge this Congress to join me in honor of 150 years of the Colchester Hayward Volunteer Fire Department.

CONGRATULATING THE COLLEGE OF NEW JERSEY ON ITS SESQUICENTENNIAL

HON. RUSH D. HOLT
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. HOLT. Mr. Speaker, today I rise to congratulate The College of New Jersey on its Sesquicentennial. The College of New Jersey’s academic tradition reaches back to 1853 when it was established by the state legislature as the New Jersey State Normal School. It was the first teacher training school in the state and the ninth in the nation. Governor Rodman P. Price, sometimes called the founder of the New Jersey Normal School, promoted the idea of a training institute for New Jersey’s teachers and mobilized support among influential state leaders.

Originally located on Clinton Avenue in Trenton, the Normal School flourished in the latter 1800s, expanding both its academic offerings and physical facilities. In 1925, the first four-year baccalaureate degree program was established. This change marked the beginning of The College of New Jersey’s transition from a normal school to a teachers’ college and was accompanied by a change in physical surroundings. In 1928, a beautiful 210-acre tract of land in Ewing Township was purchased as a new site for the College.

Today, education—and higher education in particular—is more important than ever to solving the most pressing problems of our communities and the country. Access to an affordable, quality education is inseparable from our economic prosperity, national security, and civil participation.

I believe that The College of New Jersey is part of the solution to our pressing problems. In a world where other nations are investing far more of their resources in education and research, and are producing graduates who rival our own in many areas of manufacturing and development, a high quality education is essential to our future success.

But higher education is more than just the means to achieve higher earning potential or to raise revenue; it is also a life-enriching experience. A key component of the university mission is to foster the academic and personal development of students civic engagement and community service, where students learn how to be active participants in democracy, as well as team athletics and student government, where students gain valuable leadership experience.

The policies that we craft to enhance and advance education must close the achievement gap between the rich and the poor, and minority and non-minority students. They must help to recruit and retain top college graduates into teaching, nursing, and other high priority fields to meet the country’s needs. Our policies must also make a quality college education accessible and affordable for all Americans, and harness the power of higher education to move this country forward.

The College of New Jersey is leading the way in accessibility and affordability. The College of New Jersey emphasizes the undergraduate experience. Academic programs are designed to provide students with an undergraduate education of exceptional quality. More than fifty liberal arts and professional programs are now offered through The College’s seven schools: Art, Music and Media; Business; Culture and Society; Education; Engineering; Nursing; and Science.

Today, The College provides academically prepared student with a challenging undergraduate education and a rewarding residential experience, small classes, and a prestigious faculty. Once again, I congratulate The College of New Jersey on its Sesquicentennial and I look forward to another one hundred and fifty years.
Mr. KINGSTON. Madam Speaker, I rise today in support of this resolution that will re-store the Librarian’s authority to hire Library of Congress police employees. And I would like to thank my distinguished colleague for bringing this important resolution to the floor.

Madam Speaker, for the past ten months, the Library has been without the authority to hire police officers. The result of which has been a significant deficit in the Library’s ability to meet its security mission to protect the Librar-y’s vast collection and ensure the safety of Members, staff, and visitors in the Library. His authority was repealed in a provision inserted in the last year’s conference report by the other body, which also mandated our own United States Capitol Police to detail their officers to the Library, even though the Capitol Police currently lack the jurisdictional authority to police the Library’s buildings. This was done in an effort to circumvent the jurisdiction of the appropriate oversight committees who have been engaged in evaluating the merits of the appropriate oversight committees who have been engaged in evaluating the merits of merging the two agencies and force the begin-nings of a merger of the Library’s police force and the U.S. Capitol Police.

The Chairman’s committee has been performing his appropriate oversight by reviewing several draft memorandums between the Cap-titol Police and the Library outlining the details of officers to the Library. During this process, a multitude of questions have risen to the surface regarding not only how to merge the agencies, but really whether the security of the Capitol complex would be improved if they did merge. I do not believe that there will be any measurable improvement in the overall secu-rity. I believe that it is merely a way for the Capitol Police to expand their jurisdiction. I do not support Capitol Police officers being de-tailed to the Library in what can only be inter-preted as a pilot program for a merger. And I certainly do not support the current effort of the other body to merge the Library of Congress police with the Capitol Police.

Additionally, the time and attention being paid to fix the current situation that the Library and the Capitol Police have been put in is put-ting unnecessary strain on the agencies and distracting them from their primary missions during a crucial time.

Madam Speaker I agree with the Chairman Ney’s comments that this growing need for offi-cers at the Library is the Congress’ own cre-ation and we need to fix it. Madam Speaker it is vitally important to the security of the Cap-titol complex that we restore the Librarian’s au-thority to hire police officers. And I will work to ensure that they have the necessary funds to train and pay the officers that will be hired to fill the current manpower gap. I urge my col-leagues to join me in supporting this resolution.

Mr. EVANS. Mr. Speaker, I rise today to pay tribute to the service and sacrifice of Donald R. England. “Don,” as his friends called him, had a distinguished career with the U.S. De-partment of Veterans Affairs, serving our na-tion’s disabled veterans and their families. Don died from cancer on Monday, September 6, 2004, in Chicago, Illinois, at the age of 57. He was buried July 6 in East Moline, Illinois.

Don was born August 18, 1946, in Moline, the son of Robert and Margaret “Jane” (Simp-son) England. He was a graduate of United Township High School, Class of 1964, and Northern Illinois University, Class of 1968, where he earned his Degree in Music. He served in the U.S. Army from 1968–1971, where he was stationed in Washington D.C., and played in the U.S. Army Band.

In 1974, while living in Bogota, Colombia, Don played in the Bogota Symphony. In 1976, Don began his career with the Department of Veterans Affairs in the Chicago Regional Of-fice. He held several positions of increasing authority in the Chicago office before coming to VA Central Office as a consultant for Com-pensation and Pension Service in 1988.

In 1990, Don was promoted to Chief of the Regulations Staff of the Compensation and Pension Service, a position he held until he retired earlier this year due to illness. In that position, he supervised the writing and mainte-nance of all the VA rules providing compensa-tion and pension benefits for disabled veterans and their families. Don was considered one of the most knowledgeable people in VA regarding those benefit programs. In addition, he was loved and respected by his colleagues for his hard work and compassion to others. I urge my colleagues to support the well-deserved relief that this bill will provide for the victims of these hurricanes. It is the right thing to do. In doing so however, I also request that, if you hear about those suffering quietly from the effects of a drought, you are aware of how devastating this can be and will support relief for this type of weather disaster as well.

HON. LUIS V. GUTIERREZ
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. GUTIERREZ. Mr. Speaker, on September 7, 2004, I was unavoidably absent from this chamber. I would like the record to show that, had I been present, I would have voted “yea” on rollcall votes 422 and 423.

HON. MICHAEL C. BURGESS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. BURGESS. Mr. Speaker, it is my great honor to rise today to recognize the Town of Pilot Point, Texas as a Preserve America Community. Pilot Point, located in my North Texas District, was one of 26 Texas cities to receive this prestigious designation.

The Preserve America Community program recognizes communities for their dedication to protecting and celebrating America’s cultural heritage; for using their historic assets for in-creased economic growth and community revi-talization; and for promoting history education and historical tourism.

The Preserve America Community program is part of the White House’s Preserve America
Initiative. This initiative is dedicated to preserving our country’s heritage, increasing awareness of what as well as who we are as a nation, and keeping our legacy enhanced, and intact, for future generations. Since the formation of the program, First Lady Laura Bush has recognized more than 100 communities with the Preserve America honor.

Other components of the program include a History Teacher of the Year Award, educational outreach, and grants to assist communities in preserving their cultural and natural resources.

I would like to commend Mayor Jerry Alford and the City Council, as well as all those who participated in the Main Street project, for this distinction.

JAMES J. STUKEK

HON. TIMOTHY V. JOHNSON
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 2004

Mr. JOHNSON of Illinois. Mr. Speaker, on February 1, 2005, James J. Stukel, will be retiring after 10 years of service as President of the University of Illinois. From his days as a teaching assistant in 1961 to his appointment as President in 1995, in his 43 years of service James Stukel has strived to make the University better. Without question, he has succeeded.

As University President, James Stukel has remained steadfast in his commitment to enrich undergraduate education. Under his guidance, the University expanded access to thousands of students through the creation of the University of Illinois Online. In addition, the creation of the University of Illinois at Springfield has provided access for an additional 4,500 students.

President Stukel was also tremendously successful in securing increased funding for academic purposes for the University. Under his leadership, the University of Illinois has established itself as one of the world’s leading research institutions, meriting a national ranking as high as 5th and no lower than 7th in terms of federal research and development dollars received by any institution. On his watch, federal support for the University of Illinois has doubled.

President Stukel has strengthened the bonds between the University and the citizens of Illinois by logging over 200,000 miles and conducting 50 daylong community visits throughout the State. This unprecedented effort exemplifies why President Stukel is known as “the people’s president”.

Thus, it is truly impossible to quantify the number of people who have benefited under President James J. Stukel’s guidance of the University of Illinois. However, as one of those positively affected and as an alumnus of the University, I would like to send a heartfelt thank you to President James J. Stukel. He will be truly missed.

CONGRATULATIONS TO REVEREND P. H. LEWIS, SR., ON THE OCCASION OF THE 50TH ANNIVERSARY OF HIS MINISTRY

HON. JO BONNER
OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 2004

Mr. BONNER. Mr. Speaker, it is with great pride and pleasure that I rise to pay tribute to Reverend P. H. Lewis, Sr., on the celebration of his 50th anniversary in active ministry.

A native of Wilcox County, Alabama, Reverend Lewis served the past 50 years as pastor of Bethel African Methodist Episcopalian (A.M.E.) Church in Mobile. Reverend Lewis graduated from Camden Academy in Camden, Alabama, and later from the Daniel Payne College and Payne Theological Seminary of Birmingham, Alabama. Following his graduation, he shared his gifts and skill as a pastor with several churches and congregations throughout Alabama: Miles Memorial A.M.E. Church in Birmingham, Gaines Chapel in Birmingham, Black Buff Circuit in Wilcox County, St. Mark A.M.E. Church in Tuscaloosa, and Brown Chapel A.M.E. Church in Selma.

Reverend Lewis is also recognized as one of the leaders of the Civil Rights Movement of the 1960s. As the pastor of Brown Chapel A.M.E. Church, he was the only minister in the city of Selma to act against a proscription on gatherings focused on the discussion of race issues and open his church for such meetings. Many of the early civil rights rallies of the 1960s were held at his church, and he and members of his congregation hosted the now-famous march from Selma to Montgomery that was led by Dr. Martin Luther King, Jr. Reverend Lewis marched side-by-side with Dr. King on this difficult march and endured the same arrests, harassment, and abuse that so many of the hundreds of men, women, and children did on that day in March 1965.

He has through his life been a strong supporter of public education in Alabama and was the first African-American to serve on the Selma Public School Board. Reverend Lewis has also been extremely active in the life of the Mobile community. He is a member of the City of Mobile’s Board of Adjustment, the Interdenominational Alliance of Mobile, the A.M.E. Ministerial Alliance of Mobile, Phi Beta Sigma Fraternity, the Mobile Chapter of the Southern Christian Leadership Conference, and the Board of Directors of Drug Free Mobile. During his life he has received numerous awards and citations for his religious, civic, and community involvement. In addition, he has during his career authored three well-respected books: Illustrations, Life is a Symbol of a Baseball Game, and Selma: The Other Side of 1965.

Mr. Speaker, I ask my colleagues to join me today in recognizing Reverend P. H. Lewis, Sr., for his many significant contributions to his friends, his congregation, his community, and to the citizens of Alabama. He has indeed been a genuine asset and friend to everyone with whom he has come into contact and shared his faith and his family—his wife, Alice Grady Lewis, his three sons, and his four grandchildren—much happiness and success in the time ahead.

HONORING AND RECOGNIZING THE YOUTHNETWORK CRISIS SHELTER

HON. SUE WILKINS MYRICK
OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 2004

Mrs. MYRICK. Mr. Speaker, I would like to honor and recognize the YouthNetwork Crisis Shelter. On October 21st, 2004 the YouthNetwork Crisis Shelter will be celebrating their thirtieth birthday. I have known Dave Hoppe, Executive Director of YouthNetwork, and Kyle Boyles, Senior Development Officer and the staff for many years. They have been and will continue to be an integral part of the Charlotte, NC community.

The YouthNetwork Crisis Shelter was founded in 1974 by members of Dilworth United Methodist Church in Charlotte. Originally known as The Relatives, the shelter was established due to the rising concern about the growing number of homeless youths in the center city. Since its founding, it has served thousands of teens and their families over the past 30 years. The shelter continues to be one of Charlotte’s most successful charitable causes.

Located on East Boulevard in Charlotte, the Crisis Shelter serves the community as a coed, 9-bed emergency shelter for runaway, homeless and other youth in crisis. The Shelter is one of the Alexander Youth Network’s numerous programs for positive growth and improvement of youth. Staff provides 24-hour supervision, individual and family conferences, recreational activities, and community referrals.

I greatly appreciate all their efforts and dedication to the Charlotte community.

RECOGNIZING ARLINGTON COUNTY FIRE CHIEF EDWARD PLAUGHER

HON. JAMES P. MORAN
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 2004

Mr. MORAN of Virginia. Mr. Speaker, I rise today to congratulate Chief Edward Plaugher who has recently been named Career Fire Chief of the Year for 2004 by Fire Chief magazine. Chief Plaugher retired as Chief of the Arlington County Fire Department in June and was instrumental in the response at the Pentagon on September 11th.

In recognition of his service in Virginia Fire Departments over the last three decades, the Virginia State Fire Chiefs Association nominated Chief Plaugher for this prestigious award. For 24 years he served with the Fairfax County Fire Department, and in 1993 was named Chief of the Arlington County Fire Department. Throughout his tenure he has been known as a leader throughout the firefighting community. Because of his leadership his fire department was aware and prepared for the threat that terrorism could pose to Arlington County, Virginia, and the United States.

This awareness first began in 1995 after the sarin gas attacks in the Tokyo subway system. Chief Plaugher recognized that something similar could happen in Arlington County and the metropolitan area and began preparing his department and the region for this possibility. One of his top accomplishments was the creation of the first locally staffed terrorism response team in the United States.
It was through this foresight that the Arlington County Fire Department was able to so effectively deal with the terrorist attack on the Pentagon. Chief Plaugher and his firefighters were commended for their quick and organized response to the tragedy. Without the leadership of Chief Plaugher and the dedication of the men and women of the Arlington County Fire Department and other Northern Virginia fire departments more lives would have been lost on that tragic day.

I would like to thank Chief Plaugher for his distinguished service to Arlington and Fairfax Counties. His leadership and vision helped create some of the premier fire departments in the nation. He is highly deserving of this honor. I wish Chief Plaugher and his family the best as he begins his much deserved retirement.

PAYING TRIBUTE TO MRS. ALMA MURR

HON. SCOTT McINNIS
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. McINNIS. Mr. Speaker, it is with a heavy heart that I rise today to mourn the life of a remarkable lady from New Castle, Colorado. Alma Murr passed away at the age of ninety-seven this past May. She left a strong impression on all those whom she met, and her life is an example of the constant change and growth that our great country made in the past century. I am honored to stand here with my colleagues before this body and this nation to recognize her life.

Alma was born in 1906 in Madison County, Nebraska, and at a young age began to deal with big changes and responsibilities when the family moved to Lander, Wyoming. When Alma was ten years old, her father died of pneumonia, which put her in charge of raising her younger brothers and sisters while her mother worked as a cook at the Shoshone and Bannock Indian reservations. In 1917, the family moved in a covered wagon to Meeker, Colorado, where Alma attended and graduated from high school. At twenty-one, Alma married Orel Murr and the couple farmed on Beaver Creek, and Rifle before finding their true home near New Castle on Colorado’s Western Slope.

Alma and Orel had a working fruit orchard with apples, plums, nectarines, apricots, peaches and all sorts of berries. They sold their produce at their family-run Peach Valley Market, or at a second family-run market in the Fort Collins area, and to wholesale markets in nearby states. When they had to close the fruit market, the couple turned to raising hay. With their hard, painstaking work, Alma and Orel raised three children on the eighteen-acre Peach Valley Homestead where Alma has lived for ninety years.

Alma was a caring person who leaves behind a large family that loved her for her spirit, and kindness—she was the type of person with whom it was easy to become friends. She is survived by her sons Robert and Richard, her daughter Phyllis, her sister Evelyn, fourteen grandchildren, and thirteen great grandchildren, and one great great grandchild.

Mr. Speaker, Alma Murr was a kind and generous soul who touched the lives of many of the people who met her. She was a strong woman that led by example and helped to nourish the members of her Colorado community with great devotion and satisfaction in her work. I am honored to recognize her life before this body of Congress and this nation. My thoughts and prayers go out to Alma’s family and friends at this difficult time of bereavement.

IN HONOR OF DAVID MEYERS

HON. SAM FARR
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. FARR. Mr. Speaker, I rise today to honor David Meyers, a dedicated member of the Monterey community. David will be retiring from his current position of General Manager of the Monterey Waste Management District, where he has worked diligently for twenty-five years overseeing the buring and recycling of the peninsula’s waste.

During his years of service, David has gone above and beyond his normal duties by playing a leading role in turning the Marina Dump into an innovative recycling and waste management center. While Meyers was working there, the center was one of the first to siphon off methane and carbon dioxide gases for electrical uses in 1983. Then, in 1989, when the state passed legislation requiring cities and counties to divert 50 percent of their solid waste from landfills by 2000, David spurred the waste management center into action. Under his leadership the district grew from 10 employees who buried trash to 130 employees whose duties range in a wide variety of recycling tasks.

David’s innovation did not stop there. He created a thrift store on the site called the Last Shop Mercantile that sells items that would otherwise have been thrown away. It brings in $400,000 annually and pays for itself. Under his stewardship, the Monterey County Waste Management District has been honored with the first ever “Best Solid Waste System in North America” award by the Solid Waste Association of North America. Meyers himself has been given two awards by the Solid Waste Association of North America: the Planning and Management Technical Division’s Distinguished Achievement Award and the Robert L. Lawrence Distinguished Service Award.

Mr. Speaker, I wish to congratulate David on his much deserved retirement and thank him for his contribution to our community. David has continually gone above and beyond the roles bestowed asked of him and his innovation has lead to a cleaner, healthier community. I wish him all the best in his retirement.

PAYING TRIBUTE TO PALISADE, COLORADO

HON. SCOTT McINNIS
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. McINNIS. Mr. Speaker, it is with a heavy heart that I rise today to honor Mr. Cliff McDuffie of Zephyrhills, Florida for this important day.

Mr. McDuffie is an amazing gentleman who through his years of dedication to public service has continually helped make the city of Zephyrhills a better place. I had the pleasure of honoring him at his retirement on August 27, 2004, in Zephyrhills, FL. Cliff’s term as a public servant began at the Greater Tampa Chamber of Commerce. There, he ran the small-business and personnel divisions and was operations manager. Cliff took over in Zephyrhills as the Executive Director of the city’s Chamber of Commerce in 1997 after more than 20 years with the Tampa Chamber of Commerce. At his retirement, McDuffie will remain active and visible in the Zephyrhills community as the city’s mayor.

Cliff McDuffie is a shining example of what a public servant should aspire to become. I would like to thank all my colleagues today for their congratulations and their support for Mr. McDuffie. I am proud to call him my constituent.

PAYING TRIBUTE TO PALISADE, COLORADO

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IN THE HOUSE OF REPRESENTATIVES
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anniversary and wish the community the best in the future.

IN HONOR OF DAVID PENNISI

HON. SAM FARR
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. FARR. Mr. Speaker, I rise today to honor David “Rowdy” Pennisi, who disappeared at sea on June 22, 2004. Commercial fishing was not only his profession, but also his passion in life. He will be lovingly remembered by family and friends for his generous and kindhearted nature.

David Pennisi was raised on a ranch near Hollister, and was an active member with Future Farmers of America. He moved to Monterey when he was fourteen and quickly adapted to his new life on the wharf. Fisherman's Wharf has long been the center of a vibrant fishing and canning industry, made famous in Steinbeck's Cannery Row. David eagerly continued this tradition when he became a commercial fisherman himself.

While David was respected around Monterey for his abilities as a fisherman, he was better known for the kindness and love he showed to all who knew him. In a profession dominated by stereotypes of loud, brash men, David, like his father, was regarded as a gentleman. A good friend of the family, Pat Flanagan, spoke about David at his memorial service, "He died in a dying industry, with dignity and respect."

Mr. Speaker, David Pennisi was dedicated to a profession that is neither easy nor safe, but he loved it nonetheless. Not many people choose to become fishermen in this day and age, but David will continue to provide a shining example for generations to come. He has made a lasting impact on our community and the people with whom he worked. I join the communities of the Monterey Bay, his friends and his family in honoring this truly commendable man and all of his lifelong achievements.

TRIBUTE TO THE DADE CITY SENIOR LITTLE LEAGUE ALL-STAR TEAM

HON. GINNY BROWN-WAITE
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to honor the Dade City Senior Little League All-Star Team.

The Dade City All-Stars gave a stunning performance in the World Series Games this year. After capturing the Southeastern Regional U.S. championship, the team ended the season with a batting average of .370 and only 3 strikes. The dedication the players have shown to their team members has made them one of the most successful teams in years.

I commend Manager Dale Maggard, who has worked with some of these young men for almost a decade. I also congratulate our Dade City Senior Little League All-Star Team, for representing our community in Bangor, Maine with an unparalleled level of professionalism and maturity.

The outstanding young men who comprise the first and only All-Stars team from Pasco County to compete in the Senior League World Series and its coaches are as follows: Dominic Brown, Rashau Capehart, Jamie Cruz, Julian Juarez, Gerald Mathis, Lance Roberts, Hunter Hedman, Zachary Maggard, Will Pullin, Steven Roe, Ron Shelton, Matt Wells, Coach Raul Cruz, Coach Dale Maggard, Coach Tony Karpee, and Coach John Shields.

PAYING TRIBUTE TO ANN GORSCHURFORD

HON. SCOTT McINNIS
OF COLORADO

IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. McINNIS. Mr. Speaker, it is with a heavy heart that I rise to mourn the death of Ann Gorsuch Buford, who recently passed away at the age of sixty-three after a long bout with cancer. She possessed a strong intellect that she utilized to become an eloquent and passionate environmental advocate. President Ronald Reagan appointed her as the Administrator of the Environmental Protection Agency where she brought economic and fiscal discipline to the agency. I am honored to stand before this body of Congress and this Nation to recognize her many accomplishments.

Ann was born in Casper, Wyoming, but spent most of her life growing up in Denver, Colorado. She earned both her masters and law degrees from the University of Colorado by the time she was twenty-one, and went on to study in India for a year on a Fulbright Scholarship. After completing her studies, Ann served as an assistant district attorney in Denver and Jefferson counties before being elected to the Colorado state House of Representatives in 1976. She spent 4 years leading the Institute of Government and was named outstanding freshman legislator. In 1980, when Reagan was elected president, Ann was selected to be the Administrator of the Environmental Protection Agency (EPA), making her the second highest-ranking woman in the Reagan Administration.

At the EPA, Ann was able to efficiently cut down on government waste inside the executive agency while enforcing environmental regulations. When she left Washington, Ann returned to a Denver law practice working primarily on children's advocacy. She is survived by her mother, Dorothy O'Grady McGill, her children, Neil, Stephanie, and J.J. Gorsuch, five grandchildren, her brother, Joe McGill, and her sisters, Mary Edwards, Theresa Peace, Dorothy McGill, Veronica Urban, and Rosie Binge.

Mr. Speaker, Ann Gorsuch Buford was a diligent public servant of this Nation, who worked to improve the quality of our air and water. Senator Colorado and the Nation. I am honored to recognize her before this body of Congress today. My thoughts and prayers go out to her friends and family at this difficult time of bereavement.

IN HONOR OF DR. RAY CLIFFORD

HON. SAM FARR
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. FARR. Mr. Speaker, I rise today to honor Dr. Ray Clifton, a long-time Salinas resident and Chancellor of the Defense Language Institute. Dr. Clifton is retiring from the Defense Language Institute after 24 years of dedicated service, leadership and mentorship to students and communities.

During his years of service, Dr. Clifton honorably fulfilled the Institute’s mission to educate, sustain, evaluate and support foreign language specialists, ensuring that our military forces are prepared to meet ever-changing global foreign language requirements. As the academic leader of the world’s largest language school, he has represented the Institute in national, international and professional forums including regular briefings to members of Congress and senior leaders in the Department of Defense.

Under his leadership, the Defense Language Institute has been continually regarded as one of the finest schools for foreign language instruction in the world. Specifically, Dr. Clifton has improved the language performance results four-fold in over 80 percent of major programs, created and implemented the first standardized language proficiency testing program for the Department of Defense and spearheaded the Institute’s response to terrorism with the addition of new instructional and testing programs for military personnel.

In addition to his commitment to the Defense Language Institute, Dr. Clifton served in the United States Army, worked for the Bureau of Land Management and the Central Intelligence Agency. His dedication to national service is embodied in his overall belief in community service and education. He has published many papers and articles on teacher development, language proficiency assessment, curriculum design and educational program administration.

Mr. Speaker, I wish to congratulate Dr. Clifton on his retirement and thank him for his contributions to our community and country. Dr. Clifton has dedicated his life to public service and his contributions to the Defense Language Institute have been instrumental in the Institute’s recognition as a world renowned language instruction institute. I wish him the best in his retirement.

EXTENDING THE BAN ON MILITARY STYLE ASSAULT WEAPONS

HON. BETTY MCCOLLUM
OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Ms. MCCOLLUM. Mr. Speaker, Congress has three legislative days to vote before the ban on military assault weapons expires and weapons of terror, like the AK-47, will be legal in America. The Republican leadership won’t even allow the 136 bipartisan supporters of the ban to vote on the country. Just last night, Congress could have voted to extend the ban, but instead Republican leaders decided it was more important to
name four post offices. While I support the post office bills, I oppose the Republican’s misdirected priorities. As a result, I chose to vote present on these post office bills.

On September 14th, either the ban will be extended and our communities will remain safe or the weapons used by terrorists around the world will be legal on America’s streets.

President Bush and Republican leaders have a choice: allow Congress to vote an opportunity to extend the ban or do nothing and allow assault weapons to be used to terrorize police officers and our families.

PAYING TRIBUTE TO GUS’ GANG

HON. SCOTT M. CINNIS
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. M. CINNIS. Mr. Speaker, it is with great pride that I rise today to pay tribute to an impressive group of community leaders from Pueblo, Colorado. These men, driven by a desire to serve their community and promote economic development in the city of Pueblo, began meeting every week for lunch to discuss problems, and solutions, for issues facing their community. As a result, Gus’ Gang has been meeting now for over thirty-five years and although the membership has changed over the years. Their service and loyalty to the community remains a constant.

Gus’ Gang is a group of local businessmen, lawyers, bankers, realtors, and public officials that meet every Friday afternoon to encourage companies to consider Pueblo when establishing, expanding, or relocating their business. The group invites corporate executives to lunch and encourages them to locate their companies in Pueblo by welcoming and introducing them to leaders in the community. Many new businesses have been born out of Gus’ Gang meetings such as the creation of the Pueblo Economic Development Corporation, and the idea and approval to locate the Colorado Lottery Office in Pueblo.

The unusual but highly effective meeting venue, Gus’; has been recognized in several publications and media outlets such as The Rocky Mountain News, The Denver Post, The National Geographic and Ripley’s Believe it or Not, for its western atmosphere and good hometown spirits. Some of the founding members of Gus’ Gang include: Tommy Thompson, Director of the Southeastern Water Conservancy District; Bob Ellis, the Vice President of First National Bank; Jade McGuire, the President of the Pueblo Chamber of Commerce; and Walt Bassett, President and CEO of Bassett Construction.

Mr. Speaker, Gus’ Gang is the staple of the Pueblo community, and their persistent efforts to attract businesses and corporations to Pueblo has helped strengthen their community and the Colorado economy. Gus’ Gang is a terrific group of dedicated, innovative individuals. It is my privilege and honor to recognize their accomplishments and service before Congress and this Nation. I thank the members of Gus’ Gang for all their hard work and commitment, and wish them all the best in their future endeavors.

PAYING TRIBUTE TO GUS OJEDA

HON. SAM FARR
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. FARR. Mr. Speaker, I rise today to honor Jess Ojeda, an extremely gifted police officer who dedicated much of his life to the Watsonville Community and the California Bureau of Narcotics Enforcement. Mr. Ojeda, who was born in Chihuahua, Mexico in 1912 and moved to Watsonville, California in 1922, passed away of natural causes on August 9th, 2004. He was 91. Mr. Ojeda’s wife, Lillian Martha Ojeda, passed away in 1999. He is survived by three children, Kelley, Martha, and Shane, seven grandchildren and six great-grandchildren.

The son of Jesus Antonio and Rosa Luisa Ojeda, Mr. Ojeda worked hard upon his arrival to America. Before becoming a police officer, his jobs included working in a butcher shop, starting up a courier business, deputy civil engineer, and towing. After assisting in the construction of Fort Ord, one of the largest training bases in the U.S., Mr. Ojeda became a police officer with the Watsonville Police Department in 1949. He was known for his true concern for the people of Watsonville and the compassion with which he performed his job.

Mr. Ojeda faced great danger in order to successfully arrest the criminals whose extensive drug operations he was determined to bring down. During his long career, he made over 5,000 arrests and had a 95 percent conviction rate.

Mr. Ojeda never lost sight of his true goal, which was to protect the people of his community who suffered at the hands of drug kingpins and dealers. His main objective was to reduce the number of addicts, not through punitive means, but through legislation focused on treatment, counseling, and support programs.

Mr. Speaker, I wish to express my condolences to the Ojeda family during these difficult times. His legacy as a devoted police officer and community leader will have a lasting effect in both the Pajaro Valley and all of California. I join the Watsonville community, friends and family in honoring this truly admirable man for all his lifelong achievements.

PAYING TRIBUTE TO PALMER FRANKLIN SMITH

HON. SCOTT M. CINNIS
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. M. CINNIS. Mr. Speaker, it is with a heavy heart that I rise today to mourn the passing of Palmer Smith of Alamosa, Colorado. Palmer recently died unexpectedly of a suspected pulmonary embolism. He was a lifelong learner and dedicated activist in his community who shared his knowledge with countless students. I am honored to stand before this body of Congress and this nation to recognize his life and accomplishments.

Palmer was born in Alamosa, California. He attended the California Institute of Technology where he studied chemistry under five Nobel Prize winners before enlisting in the Air Force. At Lowry Air Force Base in Denver, he taught the top secret 1000th Special Weapons Project. In 1956, Palmer continued his education at the University of Colorado at Boulder in a mathematics masters degree program, despite his lack of a bachelor’s degree. Palmer also taught in the applied mathematics program at CU for fourteen years as he worked on a doctorate before he went on to teach at Nichols State College.

In 1962, Palmer returned to Colorado to teach and chair the mathematics department at Adams State College where he received emeritus status after retiring in 1987. After teaching, Palmer became involved in buying and selling real estate, and ran for Alamosa County treasurer. He continued to take courses in law, taxes, and bonds and investments from the local college. Palmer was a renaissance man with a wide variety of interests that ranged from archaeology and history to stamp collecting. He was a concert pianist, an avid reader, and a writer.

Palmer is survived by his wife, Erin Macgillivray Smith, his daughter, Laura Suzanne Smith, his son, Brian Smith, his granddaughter Sara Powell and two great-grandchildren, Zachary and Allison Powell.
Mr. Speaker, Palmer Franklin Smith was a dedicated student and educator that made learning a passion in his life. He was a committed patron of the arts and active member of his Alamosa community. I am honored to recognize the life of such a devoted community servant before this body of Congress and this nation. My thoughts and prayers go out to Palmer’s family and friends during this time of bereavement.

IN HONOR OF THE NATIONAL ATTENTION DEFICIT DISORDER AWARENESS DAY

HON. SAM FARR
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. FARR. Mr. Speaker, I rise today in commemoration of the first ever “National Attention Deficit Disorder Awareness Day.” This day, made official by Senate Resolution 370, will serve as an important tool in furthering the national education campaign about Attention Deficit Hyperactivity Disorder, also known as AD/HD.

Although AD/HD can affect people across racial, ethnic, and socioeconomic lines, poor and minority communities have been especially underserved by the available resources. The disorder can interfere with school and workplace activities, lead to antisocial behavior, and even substance abuse and problems with the justice system. It is only recently that AD/HD has received national attention, so there are still many children and adults who remain undiagnosed and suffering from the stigma associated with this disorder.

Children and Adults with Attention-Deficit/Hyperactivity Disorder (CHADD), a national non-profit organization, was founded in 1987 to increase awareness and offer resources and encouragement to those suffering from the disorder and their family members. Recently CHADD has expanded into Santa Cruz County with the creation of Chapter #605, and I would like to take this opportunity to welcome them to our community. Only through education and understanding can we, as a nation, begin to address the effects of this disorder and seek ways to treat it.

It is important to realize the effect AD/HD can have on individuals and communities, and I would like to commend the efforts of CHADD Chapter #605 in their goal of expanding understanding of this disorder. Through combining grassroots campaigns with the new “National Attention Deficit Disorder Awareness Day” we can begin to address this problem on both a local and national level.

DUDLEY DEZONIA—40TH ANNIVERSARY OF PRESIDENT OF ROYAL TRUCK BODY

HON. LINDA T. SÁNCHEZ
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, let us celebrate the entrepreneurial spirit in America by recognizing a deserving and generous member of the community—Mr. Dudley DeZonia, who has successfully been at the helm for 30 years as President of Royal Truck Body. Businesses like Royal Truck Body are the backbone of this country and they are an enduring symbol of the American Dream. The approximately 23 million businesses of the size and scale of ROYAL in the United States employ more than half of the country’s private work force, create three of every four new jobs, and generate most of America’s innovations.

For example, 30 years ago in my district, Mr. DeZonia had a dream to lead a truck body business in the City of Paramount, California. His long-term vision for Royal Truck Body was and still is to deliver top-quality products at competitive prices, which has enabled the “ROYAL” trademark to become the recognized leader and largest service body company in the Western United States.

Royal Truck Body has a 5,000-square-foot design studio and 145,000 square feet of manufacturing and warehousing space. ROYAL pushes this space even further with an additional 40,000 sq. ft. at its satellite locations in Phoenix, Arizona; Dallas, Texas; and Sacramento, California.

Royal Truck Body has had a continuing pattern of growth since its inception, and its growth recently has been at an ever-accelerating pace. In 1995, ROYAL became a battalion pool company for Chevrolet; in 1997, it became a converter pool company for both Ford and GMC; and in 2000, it added Dodge. ROYAL has also been a member of the National Truck Equipment Association since 1978.

Royal Truck Body has grown from producing four truck bodies per day to more than 35 bodies per day. ROYAL earned its ISO 9001 certification in 1999, which made it the first body manufacturer in the United States to achieve this goal. From 2001 to 2003, ROYAL was awarded General Motors Specialty Vehicle Sales Leader Award in the United States. Also, in 2002, Ford presented ROYAL with the Top Volume Pool Account Award and the Ford’s Directors Award for top volume of F-Series chassis cabs.

Mr. DeZonia is a business success story, and he continues to make many contributions to the local community. He consistently donates to the local Paramount Education Partnership and to seniors at Paramount High School for college scholarships. ROYAL prides itself in its employees’ successes because its employees are its family.

Today, let us honor Mr. Dudley DeZonia. By celebrating Mr. Dudley DeZonia’s successes, we celebrate American enterprise. Mr. DeZonia is keeping the American Dream alive and well for future generations.
hold a law degree). State law now requires all new judges to hold law degrees. To hold the position of judge without a law degree, while not unheard of is admirable and further demonstrates Matthews understanding and knowledge of the law.

It has been estimated that Judge Matthews along with his counterpart have overseen as many as 20,000 cases a year. His court has the responsibility of clearing these cases in a timely and efficient manner. Not an easy task, but Judge Matthew seemed to do it time and again.

Maury County and the American judicial system will never fail to notice the work of Judge Matthews. May God Bless Judge Matthews on his new journey.

PAYING TRIBUTE TO DOUG ADEN
HON. SCOTT McINNIS
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. McINNIS. Mr. Speaker, I rise today to pay tribute to Doug Aden, a dedicated banker from my hometown of Grand Junction, Colorado. After thirty-four years of service to the Grand Junction community as a regional vice president for the western slope division of U.S. Bank, Doug will be retiring from a longtime career of aiding customers. I am honored to stand before this body of Congress and this nation today to recognize his accomplishments.

In 1970, just one week after his college graduation, Doug began his banking career in Billings, Montana. He spent his entire life working with various companies that are part of U.S. Bancorp, a parent company to U.S. Bank. Doug worked for the Grand Junction branch since 1990. Throughout the course of his service, Doug saw rebirth and growth of the economy across the Western Slope. In addition to his many years at the bank, Doug has served on the Colorado Transportation Commission and the Mesa County Public Library District Board of Directors, and he actively works with his church’s capital campaign.

Mr. Speaker, Doug Aden is a tremendous member of the Grand Junction business community who has made customer service in his banking industry a priority. I am honored to rise before this body and recognize his many contributions to the State of Colorado. Good luck with your retirement, Doug, and I wish you all the best in your future endeavors.

IN RECOGNITION OF SERVICE
HON. MARK STEVEN KIRK
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 8, 2004

Mr. KIRK. Mr. Speaker, on September 11, 2001, fifty police officers lost their lives in the line of duty, serving our nation with honor, courage, and a selfless commitment. Today, as we approach the third anniversary of the September 11 attacks, we still see the same noble qualities from law enforcement officers on a daily basis. Officers Jeremy Gaughan, Michael Mann, and Kevin Schreiner of the Gurnee, Illinois Police Department are three examples of such courage.

On January 27, 2003, three neighborhoods in my district fell victim to a string of crimes all carried out by the same assailant. After murdering a night school student, fleeing from a hit and run scene, and attempting to carjack a young woman’s vehicle, the assailant was cornered by Gurnee Police Officer Kevin Schreiner. Officer Schreiner responded to the shots fired call, located the suspect’s vehicle and attempted to pull it over.

The suspect attempted to flee behind a private residence, where he began to fire upon Officer Schreiner. Officer Schreiner could not cover before being shot in the left arm, with the bullet exiting his left shoulder. Despite being seriously wounded, Officer Schreiner radioed for assistance and remained on the scene until Officers Michael Mann and Jeremy Gaughan could arrive. As Officers Schreiner and Mann continued to draw repeated fire from the suspect, Officer Gaughan was able to move into position, fired once, and killed the suspect.

If not for the heroic and decisive actions of these three officers, there is little doubt that this assailant would have attacked more people in my Congressional district. Their selfless commitment and courage under fire are the same qualities found in the law enforcement officers who gave their lives on September 11. I am grateful for the actions of these three men, and am pleased to announce that they will be honored at the 11th annual TOP COPS Awards ceremony here in Washington, DC on September 11.

Mr. Speaker, I urge my colleagues to join me in recognizing the bravery of these men and every law enforcement officer for their noble service.
SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 9, 2004 may be found in the Daily Digest of today’s RECORD.

MEETINGS SCHEDULED

SEPTEMBER 10

9:30 a.m.
Foreign Relations
To hold hearings to examine the nominations of Christopher J. LaFleur, of New York, to be Ambassador to Malaysia, and B. Lynn Pascoe, of Virginia, to be Ambassador to Indonesia. SD-419

SEPTEMBER 13

9:30 a.m.
Governmental Affairs
To hold hearings to examine ensuring the U.S. intelligence community supports homeland defense and military operations. SH-216

Judiciary
Terrorism, Technology and Homeland Security Subcommittee
To hold hearings to examine the Tools to Fight Terrorism Act. SD-226

SEPTEMBER 14

9:30 a.m.
Foreign Relations
To hold hearings to examine the foreign policy recommendations of the 9/11 Commission and intelligence requirements for American diplomacy. SD-342

9:30 a.m.
Commerce, Science, and Transportation
Oceans, Fisheries and Coast Guard Subcommittee
To hold hearings to examine Magnuson/Stevens Act. SR-253

Governmental Affairs
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee
To hold hearings to examine and discuss legislative and administrative options to address the personnel recommendations of the National Commission on Terrorist Attacks Upon the United States, focusing on improving the presidential appointments process for national security positions, establishing a single agency that conducts security clearance background investigations for U.S. personnel, and providing some additional personnel flexibilities to the Federal Bureau of Investigation to reflect its increased counterterrorism and intelligence responsibilities. SD-326

2 p.m.
Aging
To hold hearings to examine mandatory retirement. SD-628

Judiciary
Antitrust, Competition Policy and Consumer Rights Subcommittee
To hold hearings to examine maintaining innovation and cost savings relating to hospital group purchasing. SD-226

2:30 p.m.
Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold hearings to examine S. 2532, to establish wilderness areas, promote conservation, improve public land, and provide for the high quality development in Lincoln County, Nevada, S. 2723, to designate certain land in the State of Oregon as wilderness, and S. 2709, to provide for the reforestation of appropriate forest cover on forest land derived from the public domain. SD-366

SEPTEMBER 15

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings to examine impacts of climate change. SR-253

Energy and Natural Resources
Business meeting to consider pending calendar business. SD-366

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine the 9/11 Commission and efforts to identify and combat terrorist financing. SD-538

Indian Affairs
Business meeting to consider pending calendar business. SR-485

SEPTEMBER 21

10 a.m.
Veterans’ Affairs
To hold joint hearings with the House Committee on Veterans’ Affairs to examine the legislative presentation of the American Legion. 345 CHOB

SEPTEMBER 22

9:30 a.m.
Indian Affairs
Business meeting to consider pending calendar business; to be followed by an oversight hearing on the contributions of Native American code talkers in American military history. SR-485

SEPTEMBER 23

10 a.m.
Energy and Natural Resources
To hold hearings to examine the current status of the Hard Rock Mining Industry in America, focusing on a status and trend analysis, a review of domestic mineral reserves, a summary on exploration investments and current production as well as permitting and reclamation issues. SD-366

SEPTEMBER 29

9:30 a.m.
Indian Affairs
Business meeting to consider pending calendar business; to be followed by an oversight hearing on lobbying practices involving Indian tribes. SH-216
**Daily Digest**

**Senate**

**Chamber Action**

**Routine Proceedings, pages S8925–S8975**

**Measures Introduced:** Three bills were introduced, as follows: S. 2778–2780.

**Measures Reported:**


**Homeland Security Appropriations:** Pursuant to the order of Tuesday, September 7, 2004, Senate began consideration of H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, striking all after the enacting clause and inserting in lieu thereof, the text of S. 2537, Senate companion measure, for the purpose of further amendment, and taking action on the following amendments proposed thereto:

- Adopted: By 49 yeas to 47 nays (Vote No. 167), Thomas Amendment No. 3582 (to Amendment No. 3581), to require the Secretary of Homeland Security to submit to Congress, at least 60 days prior to award, a report on the results of an Office of Management and Budget Circular A–76 competition, to include estimated savings, performance improvements, and the impact on jobs and Federal Government employees.

- By 49 yeas to 47 nays (Vote No. 168) Leahy Amendment No. 3584 (to Amendment No. 3581), to prohibit funds from being used to process or approve a competition under Office of Management and Budget Circular A–76 for services provided as of June 1, 2004, by certain employees of the Bureau of Citizenship and Immigration Services of the Department of Homeland Security.

**Nominations Received:** Senate received the following nominations:

- Thomas V. Skinner, of Illinois, to be an Assistant Administrator of the Environmental Protection Agency.
Howard J. Krongard, of New Jersey, to be Inspector General, Department of State.

Douglas Menarchik, of Texas, to be an Assistant Administrator of the United States Agency for International Development.

Catherine Todd Bailey, of Kentucky, to be Ambassador to the Republic of Latvia.

Routine lists in the Air Force, Army, Marine Corps, Navy.

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the status of NASA’s space shuttle program and the safe return of the Space Shuttle to flight, focusing on completion of the International Space Station, focus on supporting exploration goals, and fulfill the commitment to international partners, after receiving testimony from Sean O’Keefe, Administrator, National Aeronautics and Space Administration; Lieutenant General Thomas P. Stafford, USAF (Ret.), Return to Flight Task Group, Houston, Texas; and Joe Cuzzupoli, Kistler Aerospace Corporation, Kirkland, Washington.

9/11 COMMISSION RECOMMENDATIONS
Committee on Commerce, Science, and Transportation: Committee held a hearing to examine the implementation of the 9/11 Commission recommendations to provide spectrum for public safety users, focusing on private sector readiness, public safety communications, and completing the transition to digital television, receiving testimony from Representative Curt Weldon; Michael K. Powell, Chairman, Federal Communications Commission; Robert LeGrande, Deputy Chief Technology Officer, Government of the District of Columbia; Stephen T. Devine, Missouri State Highway Patrol, Jefferson City; Gary Grube, Motorola, Schaumburg, Illinois; David L. Donovan, Association for Maximum Service Telecommunication, Washington, D.C.; and Lowell W. Paxson, Paxson Communications Corporation, West Palm Beach, Florida.

INTELLIGENCE COMMUNITY REFORMS
Committee on Governmental Affairs: Committee held a hearing to examine proposals to build an agile intelligence community to fight terrorism and emerging threats, focusing on reforms recommended by the 9/11 Commission, providing Federal Bureau of Investigation and Central Intelligence Agency analysts with transparency into intelligence sources, the operational chain of command, protecting civil liberties, and the USA Patriot Act, receiving testimony from Robert S. Mueller III, Director, Federal Bureau of Investigation, Department of Justice; and John E. McLaughlin, Acting Director, Central Intelligence Agency.

NOMINATIONS
Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Susan Bieke Neilon, of Michigan, to be United States Circuit Judge for the Sixth Circuit, who was introduced by Representative McOtter, Micaela Alvarez, to be United States Circuit Judge for the Sixth Circuit, who was introduced by Senators Hutchison and Cornyn, Keith Starrett, to be United States District Judge for the Southern District of Texas, who was introduced by Senators Cochran and Lott, and Raymond L. Finch, to be Judge for the District Court of the Virgin Islands, who was introduced by Virgin Islands Delegate Christensen,
after each nominee testified and answered questions in their own behalf.

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**House of Representatives**

**Chamber Action**

**Measures Introduced:** 12 public bills, H.R. 5024–5035; 2 private bills, H.R. 5036–5037; and 5 resolutions, H. Res. 756–760, were introduced.

**Additional Cosponsors:** Pages H6899–H6900

**Reports Filed:** Reports were filed as follows:

- H.R. 4768, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into certain major medical facility leases, to authorize that Secretary to transfer real property subject to certain limitations, amended (H. Rept. 108–663);
- H.R. 2960, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Brownsville Public Utility Board water recycling and desalinization project (H. Rept. 108–664);
- H.R. 4027, to authorize the Secretary of Commerce to make available to the University of Miami property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration on Virginia Key, Florida, for use by the University for a Marine Life Science Center, amended (H. Rept. 108–665);
- H.R. 4617, to amend the Small Tracts Act to facilitate the exchange of small tracts of land, amended (H. Rept. 108–666, Pt. 1);
- S. 1003, to clarify the intent of Congress with respect to the continued use of established commercial outfitter hunting camps on the Salmon River (H. Rept. 108–667);
- H.R. 4606, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, amended (H. Rept. 108–668);
- H.R. 4508, to amend the National Parks and Recreation Act of 1978 to require the Secretary to permit continued use and occupancy of certain privately owned cabins in the Mineral King Valley in the Sequoia National Park (H. Rept. 108–669);
- H.R. 4586, to provide that making limited portions of audio or video content of motion pictures imperceptible by or for the owner or other lawful possessor of an authorized copy of that motion picture for private home viewing, and the use of technology therefor, is not an infringement of copyright or of any right under the Trademark Act of 1946, amended (H. Rept. 108–670);
- H.R. 5025, making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005 (H. Rept. 108–671); and
- H.R. 4341, to reform the postal laws of the United States referred sequentially to the House Committee on the Judiciary for a period ending not later than Sept. 28, 2004 for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(k), rule X. (H. Rept. 108–672, Pt. 1).

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Terry to act as Speaker pro tempore for today.

**Committee Election:** The House agreed to H. Res. 756, electing Representative Stenholm to the Committee on Armed Services.

**Department of Labor, HHS, and Education Appropriations Act for FY 2005:** The House began consideration of H.R. 5006, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2005. Further consideration will resume tomorrow, September 9.

Agreed to:

- Hooley amendment that increases funding for the Veterans Employment and Training Program;
- LoBiondo amendment that amends section 221 of Title II regarding hospital inpatient rehabilitation;
- Maloney amendment that provides funding for the Women’s Educational Equity Act of 2001;
- Sanders amendment that increases funding for the Low-Income Home Energy Assistance program (by a recorded vote of 305 ayes to 114 noes, Roll No. 427);
Shadegg amendment that increases funding for School Improvement Programs (an amendment offered by Representative Obey to the original amendment that would have removed the provision reducing funding for Education for the Disadvantaged and made changes to existing tax laws was stricken by a point of order); and

Pages H6849–50

George Miller of California amendment that prohibits the use of funds from being used by the Pension Benefit Guaranty Corporation to enforce the Employee Retirement Income Security Act of 1974 (by a recorded vote of 268 ayes to 148 noes, Roll No. 429).

Pages H6852–55, H6857–58

Rejected:

Jackson-Lee of Texas amendment (no. 4 printed in the Congressional Record of September 8) that sought to increase funding for the National Center for Health Statistics surveys and the National Center on Minority Health and Health Disparities (by a recorded vote of 112 ayes to 305 noes, Roll No. 425);

Pages H6823–25, H6845

Jackson-Lee amendment that sought to increase funding for Disease Control, Research and Training (by a recorded vote of 156 ayes to 261 noes with one voting “present”, Roll No. 426); and

Pages H6826–28, H6845

Hefley amendment that sought to reduce overall funding in the bill by one percent (by a recorded vote of 79 ayes to 333 noes, Roll No. 428).

Pages H6856–57

Withdrawn:

Johnson of Connecticut amendment that was offered and subsequently withdrawn that sought to increase funding to advance health information technology;

Page H6820

Green of Texas amendment that was offered and subsequently withdrawn that sought to appropriate funds to carry out provisions of the Public Health Service Act relating to healthy communities access program;

Pages H6822–23

Stupak amendment that was offered and subsequently withdrawn that sought to increase funding for Aging Services Programs and to carry out the Nutrition Services Incentive Program;

Pages H6833–34

Allen amendment that was offered and subsequently withdrawn that sought to appropriate funding for research on outcomes of health care items and services authorized under the Medicare Prescription Drug, Improvement, and Modernization Act of 2003;

Pages H6838–39

Udall of New Mexico amendment that was offered and subsequently withdrawn that sought to increase funding for Disease Control, Research, and Training;

Page H6839

Tom Davis of Virginia amendment that was offered and subsequently withdrawn that sought to amend the Elementary and Secondary Education Act of 1965; and

Pages H6851–52

Stearns amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to carry out modifications of coverage announced by the Secretary until the Secretary submits a report to Congress containing the estimate of the increased costs of such modifications to the Medicare program.

Pages H6855–56

Point of Order sustained against:

Section 219(b) pertaining to Medicare Claims Processing Fee;

Page H6836

Bordallo amendment that sought to increase funding for Grants to States for Medicaid to be used for Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands; and

Page H6840

Section 506 concerning the purchase of American made products.

Agreed to the Regular motion that the Committee rise by a recorded vote of 216 ayes to 195 noes, Roll No. 430.

Pages H6858–59

H. Res. 754, the rule providing for consideration of the bill was agreed to by a voice vote, after agreeing to order the previous question by a yea-and-nay vote of 209 yeas to 190 nays, Roll No. 424.

Pages H6763–72

Anniversary of the terrorist attacks of September 11, 2001: Agreed that it be in order at any time to consider H. Res. 757, expressing the sense of the House of Representatives on the anniversary of the terrorist attacks launched against the United States on September 11, 2001; that the resolution shall be considered as read for amendment; and that the previous question shall be considered as ordered on the resolution and preamble to final adoption without intervening motion or demand for division of the question except: one hour of general debate on the resolution equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations, and one motion to recommit which may not contain instructions.

Pages H6859

Tax Relief, Simplification, and Equity Act of 2003—Motion To Instruct Conferees: The House began consideration of the Hill motion to instruct conferees on H.R. 1308, to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit. Further consideration will resume tomorrow, September 9.

Pages H6859–65

Garrett Lee Smith Memorial Act: S. 2634, to amend the Public Health Service Act to support the planning, implementation, and evaluation of organized activities involving statewide youth suicide early intervention and prevention strategies, to provide funds for campus mental and behavioral health service centers.

Committee Resignation: Read a letter from Representative Jo Ann Davis of Virginia wherein she resigned from the Committee on Government Reform, effective August 10, 2004 to accept a seat on the Permanent Select Committee on Intelligence.

Committee Resignation: Read a letter from Representative Bereuter wherein he announced his resignation from the Permanent Select Committee on Intelligence, effective immediately.

Committee Appointment: The Chair announced that on August 10, 2004 in consonance with the letter of resignation from Representative Bereuter, the Speaker appointed Representative Jo Ann Davis of Virginia to the Permanent Select Committee on Intelligence.

Committee Chairman Resignation: Read a letter from Representative Goss wherein he resigned from the Chairmanship of the Permanent Select Committee on Intelligence on a temporary basis, effective immediately, until the Senate makes a final determination on the President’s nomination of Representative Goss for the position of Director of Central Intelligence.

Committee Chairman Appointment: The Chair announced that in consonance with the letter of resignation of Representative Goss, the Speaker designated Representative Hoekstra as Chairman of the Permanent Select Committee on Intelligence.

Amendments: Amendments ordered printed pursuant to the rule appear on pages H6900–01.

Quorum Calls Votes: One yea-and-nay vote and six recorded votes developed during the proceedings of today and appear on pages H6771–72, H6844–45, H6845, H6845–46, H6857, H6857–58, and H6858–59. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:47 p.m.

Committee Meetings

PERFORMANCE OF U.S. MILITARY SERVICEMEMBERS IN IRAQ AND AFGHANISTAN

Committee on Armed Services: Held a hearing on the performance of U.S. military servicemembers in Iraq and Afghanistan. Testimony was heard from the following officials of the Department of Defense: COL Michael Linnington, USA, Former Brigade Commander, and CPT Patrick Costello, USA, Former ADA, both with the 101st Airborne Division; LTC Bryan P. McCoy, USMC, Former Commander, and CPT Morgan Savage, USMC, Former Company Commander, both with the 3rd Battalion, 4th Marine Regiment; and LTC Jeffrey A. Springman, USA, Former Commander, 3–29 Field Artillery Battalion, 4th Infantry Division.

ECONOMIC OUTLOOK AND CURRENT FISCAL ISSUES

Committee on the Budget: Held a hearing on The Economic Outlook and Current Fiscal Issues. Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System.

UPDATE OF THE BUDGET AND ECONOMIC OUTLOOK

Committee on the Budget: Held a hearing on Update of the Budget and Economic Outlook. Testimony was heard from Douglas J. Holtz-Eakin, Director, CBO.

"LAW ENFORCEMENT ACCESS TO COMMUNICATION SYSTEMS IN A DIGITAL AGE"

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled “Law Enforcement Access to Communications Systems in a Digital Age.” Testimony was heard from the following officials of the Department of Justice: Laura Parsky, Deputy Assistant Attorney General, Criminal Division; and Marcus Thomas, Deputy Assistant Director, Investigative Technologies Division, FBI; Julius P. Knapp, Deputy Chief, Office of Engineering and Technology, FCC; and public witnesses.

"PROTECTING OUR FINANCIAL INFRASTRUCTURE: PREPARATION AND VIGILANCE"

Committee on Financial Services: Held a hearing entitled “Protecting our Financial Infrastructure: Preparation and Vigilance.” Testimony was heard from Mark W. Olson, member, Board of Governors, Federal Reserve System; Wayne Abernathy, Assistant Secretary, Financial Institutions, Department of the
Treasury; Robert Liscouski, Assistant Secretary, Infrastructure Protection, Department of Homeland Security; and public witnesses.

“TRUTH REVEALED: NEW SCIENTIFIC DISCOVERIES REGARDING MERCURY IN MEDICINE AND AUTISM”

Committee on Government Reform: Subcommittee on Human Rights and Wellness held a hearing entitled “Truth Revealed: New Scientific Discoveries Regarding Mercury in Medicine and Autism.” Testimony was heard from the following officials of the Department of Health and Human Services: William Egan, Acting Director, Office of Biologics Research and Review, Center for Biologics Evaluation and Research, FDA; and Melinda Wharton, M.D., Acting Deputy Director, National Immunization Program, Centers for Disease Control and Prevention; and public witnesses.

“ASSESSING SEPTEMBER 11TH HEALTH CARE EFFECTS”

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled “Assessing September 11th Health Care Effects.” Testimony was heard from John Howard, M.D., Director, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention, Department of Health and Human Services; the following officials of the GAO: Janet Heinrich, Director, Health Care-Public Health Issues; and Robert Robertson, Director, Education, Workforce and Income Security; and public witnesses.

PROJECT SAFECOM

Committee on Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census held a hearing entitled “Project SAFECOM: More Time. More Money. More Communication? What Progress Have We Made in Achieving Interoperable Communication Between Local, State, and Federal First Responders?” Testimony was heard from William O. Jenkins, Jr., Director, Homeland Security and Justice Issues, GAO; the following officials of the Department of Homeland Security: David Boyd, SAFECOM Program Manager, Wireless Public Safety Interoperable Communications Program, Science and Technology Directorate; and Timothy L. Beres, Associate Director, State and Local Program Management Division, Office of State and Local Government Coordination and Preparedness; John Muleta, Chief, Wireless Bureau, FCC; Tom Worden, Chief, Telecommunications Branch, Office of Emergency Services, State of California; and public witnesses.

MISCELLANEOUS MEASURES


BRIEFING—FAY REPORT

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on the Fay Report. The Committee was briefed by departmental witnesses.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D849)


COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 9, 2004

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Transportation, Treasury and General Government, business meeting to mark up proposed legislation, making appropriations for the Departments of Transportation and Treasury, the Executive Office of the President, and certain independent agencies for the fiscal year ending September 30, 2005, 10 a.m., SD–116.

Committee on Armed Services: to hold hearings to examine the investigation of the 205th Military Intelligence Brigade at Abu Ghraib Prison, Iraq, 9:30 a.m., SH–216.

Full Committee, to hold hearings to examine the report of the Independent Panel to Review Department of Defense Detention Operations, 2:30 p.m., SH–216.

Committee on Banking, Housing, and Urban Affairs: business meeting to consider S. 1368, to authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the Nation on behalf of the civil rights movement; to be followed by a hearing to examine the
impact of the Sarbanes-Oxley Act and developments concerning international convergence, 2 p.m., SD–538.

Committee on Foreign Relations: to hold hearings to examine the current situation in Sudan and prospects for peace, 9:30 a.m., SD–G50.

Committee on the Judiciary: business meeting to consider S. 1635, to amend the Immigration and Nationality Act to ensure the integrity of the L–1 visa for intracompany transferees, S. 1700, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, S. 2396, to make improvements in the operations and administration of the Federal courts, H.R. 1417, to amend title 17, United States Code, to replace copyright arbitration royalty panels with Copyright Royalty Judges, S. 2204, to provide criminal penalties for false information and hoaxes relating to terrorism, S. 1860, to reauthorize the Office of National Drug Control Policy, S. 2195, to amend the Controlled Substances Act to clarify the definition of anabolic steroids and to provide for research and education activities relating to steroids and steroid precursors, S.J. Res. 23, proposing an amendment to the Constitution of the United States providing for the event that one-fourth of the members of either the House of Representatives or the Senate are killed or incapacitated, proposed legislation authorizing funds for the Department of Justice, and the nominations of Claude A. Allen, of Virginia, to be United States Circuit Judge for the Fourth Circuit, David E. Nahmias, to be United States Attorney for the Northern District of Georgia, and William Sanchez, of Florida, to be Special Counsel for Immigration-Related Unfair Employment Practices, both of the Department of Justice, Ricardo H. Hinojosa, of Texas, to be Chair of the United States Sentencing Commission, and Michael O'Neill, of Maryland, and Ruben Castillo, of Illinois, each to be a Member of the United States Sentencing Commission, 10 a.m., SD–226.

House

Committee on Armed Services, hearing on the Final Report of the Independent Panel to Review Department of Defense Detention Operations, 9:30 a.m., and a hearing on the investigation of military intelligence activities at Abu Ghraib prison facility, 2 p.m., 2118 Rayburn.


Subcommittee on Oversight and Investigations, hearing entitled “Publication and Disclosure Issues in Anti-Depressant Pediatric Clinical Trials,” 11 a.m., 2123 Rayburn.


Committee on the Judiciary, to mark up S. 878, Bankruptcy Judgeship Act of 2003, 10 a.m., 2141 Rayburn.


Subcommittee on Water and Power, hearing on the following measures: H.R. 3834, Desalination Energy Assistance Act of 2004; H.R. 4775, To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the El Paso, Texas, water reclamation, reuse, and desalinization project; H.R. 4893, To authorize additional appropriations for the Reclamation Safety of Dams Act of 1978; and the Bureau of Reclamation Contract Renewal, 10 a.m., 1324 Longworth.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, oversight hearing on Delay Reduction Efforts at Chicago’s O’Hare Airport, 10 a.m., 2167 Rayburn.

Permanent Select Committee on Intelligence, executive, Briefing on Terrorism Update, 10:30 a.m., H–405 Capitol.
Extensions of Remarks, as inserted in this issue

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Congressional Record

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