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Upton
Waters
Weller

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OSE) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1111

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4818, CONSOLIDATED APPROPRIATIONS ACT, 2005, AND PROVIDING FOR CONSIDERATION OF H.J. RES. 114, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2005

Mr. PUTNAM, from the Committee on Rules, submitted a privileged report (Rept. No. 108–794) on the resolution (H. Res. 866) waiving points of order against the conference report to accompany the bill (H.R. 4818) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and for other purposes, and providing for consideration of the joint resolution (H.J. Res. 114) making further continuing appropriations for the fiscal year 2005, and for other purposes, which was referred to the House Calendar and ordered to be printed.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4818, CONSOLIDATED APPROPRIATIONS ACT, 2005 AND PROVIDING FOR CONSIDERATION OF H.J. RES. 114, MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2005, AND FOR OTHER PURPOSES

Mr. PUTNAM. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 866 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 866

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4818) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

SEC. 2. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 114) making further continuing appropriations for the fiscal year 2005, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate on the joint resolution equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Florida (Mr. PUTNAM) is recognized for 1 hour.

Mr. PUTNAM. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), 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. PUTNAM asked and was given permission to revise and extend his remarks.)

□ 1115

Mr. PUTNAM. Mr. Speaker, it is a beautiful Saturday morning all across America and people are waking up and taking their morning coffee, reading the paper, getting the kids off to soccer practice, and slipping into the woods to do a little hunting.

As I say, on this glorious Saturday morning, people are going about their lives and doing the things that they do, enjoying time with their family and their business, and they are undoubtedly thinking to themselves, as they find out that Congress is in session on a Saturday, that it is about time those guys did some work.

It is an important issue indeed that finds us here doing the people's business this weekend as we wrap up a very productive 108th Congress. The omnibus package that is here before us today, this rule, H. Res. 866, provides for consideration of H.R. 4818, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005.

Mr. Speaker, this rule waives all points of order against the conference report and against its consideration. Section 2 of the resolution provides for consideration of H.J. Res. 114 under a closed rule and provides for one hour of debate in the House, equally divided and controlled by the chairman and

ranking minority member of the Committee on Appropriations. All points of order against consideration of the joint resolution are waived. Finally, the rule provides for one motion to recommit H.J. Res. 114.

Mr. Speaker, this legislation represents a tremendous amount of work on the part of our appropriators, working in conjunction with the authorizing committees on a bipartisan, bicameral basis. It is important to note, Mr. Speaker, that this omnibus represents the work of nine different subcommittees on appropriations. There are nine different bills combined in there, but it is not because of the work of the House that that is the case. The House has passed all but one of those bills, and, unfortunately we find ourselves here at the end of the 108th Congress passing them en blanc as a result of issues not related to the House, as the chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG), and the ranking member of that committee, the gentleman from Wisconsin (Mr. OBEY), have done a tremendous job of making sure that the House appropriation train runs on time.

This legislation includes funding for the majority of our agencies and departments, along with very important infrastructure appropriations and needs. It is vital that we pass this to ensure the smooth and continued operation of the Federal Government. The final spending package fully complies with the spending targets agreed to by the Congress and the administration, totaling $821.9 billion in fiscal year 2005 discretionary spending.

Mr. Speaker, it is important to note and to reinforce the fact that this fully complies with the spending targets laid out by this Congress and represents a freeze, or zero percent growth, in nondefense discretionary spending. Total discretionary spending in this bill is $388.4 billion. All additional spending is paid for by an across-the-board cut of 0.83 percent in all nondefense and nonhomeland security spending, a $300 million recession in nonwar, nonemergency defense funds, and $283 million from limitations on expenditures from the Crime Victims Fund.

Mr. Speaker, discretionary funding in the fiscal year 2001 budget, the last budget of the last administration, was 15 percent. Fifteen percent. Mr. Speaker, for the past 4 years, we have been able to hold the line on discretionary spending. This year's freeze demonstrates this Congress' commitment to fiscal responsibility during a time when our men and women in uniform are in harm's way.

In our restraint, however, we continue to make provisions for those who rely on America's promises. The bill provides a record level of resources for veterans health, including a total of over $30 billion for the Veterans Health Administration; $19.5 billion for medical services; $4.7 billion for medical administration; $3.7 billion for medical facilities; and $385 million for medical research. In addition, the bill does not contain additional fees or surcharges for America's veterans.

The bill also provides a significant boost in the manpower and resources of the Federal Bureau of Investigation. The bill includes over $5 billion for the FBI, an increase of over $625 million above last year, and $100 million above the President's request. This funding provides enhanced training, information technology, and staff to the tune of over 1,100 new positions for the FBI to improve intelligence and counterterrorism capabilities, while continuing to fight white collar and violent crime.

The package we consider today prioritizes our Nation's needs in a fiscally responsible manner, and I urge my colleagues to support both the rule and the underlying bill.

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

Mr. FROST. Mr. Speaker, I thank the gentleman from Florida for yielding me this time, and I yield myself such time as I may consume.

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

Mr. FROST. Mr. Speaker, for months now, Republicans have held hostage some of the foremost priorities of the American people. Key national level needs like education, veterans health care, and highway construction have all been put on the back burner. The hard legislative choices and spending decisions that had to be made were delayed so that Republicans could ensure their success at the polls.

Well, now that the election is over, we have returned to Washington to finally finish our budget for fiscal year 2005, and I am certain that my Republican friends will come down to the floor, pat each other on the back, and proclaim this giant $388.4 billion spending bill a great success that finishes their work for the year.

But, Mr. Speaker, this bill does not even come close to accomplishing what our constituents expect from this Congress. Republicans in this House just returned from the campaign trail where they promised to create more jobs and more economic opportunity. They promised they would do all they could to keep our homeland safe. They promised they would work hard to provide Americans with affordable health care and lower prescription drug prices, and they promised they would balance the budget.

However, their record tells a very different story.

This Congress has failed to act on job creation. There is a 1.6 million private sector job deficit in this country, yet Republicans have failed to pass a long-term highway bill that would create more than a million new jobs, and they have failed to end tax breaks for companies that ship jobs overseas.

This Congress has failed to provide adequate resources for our national security. This Congress has failed to provide resources for our national security. Not only have Republicans failed to give our police and firefighters the resources they need, they have failed to secure our borders and ports and failed to complete action on the critical recommendations of the bipartisan 9/11 Commission.

This Congress has failed to provide quality, affordable health care for Americans. Republicans have failed to hold down the price of prescription drugs, failed to reduce the number of uninsured, and failed to give Americans the right to import lower-priced prescription drugs from abroad.

This Congress has failed to keep America fiscally sound. Republicans repeatedly refuse to enact sensible measures to pay for any new spending or tax cuts enacted. Their policies and mismanagements have sent the budget deficit skyrocketing from $159 billion in fiscal year 2002 to a record $422 billion today, and just this week forced Congress to raise the debt limit by $800 billion, saddling our children with a massive debt that they cannot afford.

Our work is nowhere near done, Mr. Speaker. It is shameful Republicans are rushing to finish our final spending bills and leave town without taking these very serious and very important matters under consideration. Perhaps while Republicans are enjoying their Thanksgiving vacation they will take a moment to give thanks that they do not have to face the electorate for 2 more years. I do not think the American people would approve of this do-nothing Congress.

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

Mr. PUTNAM. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I thank my distinguished colleague from Florida for yielding me this time.

I stand in strong support of the rule that brings forth this Omnibus Appropriations Act for fiscal year 2005. It is really an historic piece of legislation when one thinks about the fact or realizes that it achieves a freeze, or a zero percent growth, in nondefense discretionary spending. That is an historic accomplishment, an extraordinary accomplishment, while these nine appropriation bills included in this great omnibus package fund the needs and the many great actions that day in and day out the men and women that work for the Federal Government carry out. So I strongly support the rule and the underlying legislation.

I think it is just and appropriate also, Mr. Speaker, that we take just an instant to commend and thank a great American patriot, a Floridian, who has served as chairman of the Committee on Appropriations of this House for the last 6 years, my friend, the gentleman from Florida (Mr. YOUNG).

When I arrived here as a freshman Member 12 years ago, he immediately began to teach me many extraordinary

things with that friendship that he shares with all of us here in the House. I am in awe of someone who has reached such great heights in this Congress and yet never ceased to be that friend to his colleagues, to all of his colleagues, and to his constituents. And so the great State of Florida has had a great representative for these years not only in this House but especially in these 6 years in the Committee on Appropriations.

It is with a sense of gratitude as well as admiration that I say to Chairman YOUNG, thank you for what you have done, not only in this piece of legislation, this historic piece of legislation, but in all of your years of service in this House, sir. Thank you.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise to express my great regrets about the inclusion of the Weldon-authored provision that undermines the rights of a State to enforce its own laws.

If this bill passes, and I am sure it will, that means that from now on State and local governments failing to comply with the Weldon provision put at risk all of their State Medicaid funding, all their SCHIP funding, all their Head Start money, all their child care development block grant money, and all their social services block grant money. In short, anything that comes to the State or local government from the Labor-HHS bill. How is that for coming down with a pretty heavy hand?

□ 1130

Simply put, it restricts the States' autonomy and right to self-governance and undermines States' ability to enforce their own constitutional protections.

If a State chooses to enforce its own laws and require an HMO to provide abortion counseling or services, it will pay a very heavy price. None of us, I believe, are going to want to explain to the senior citizens that the nutrition programs are over, that Medicare is gone, that the Social Security check will not be there, denying the Federal funds for State and local governments that attempts to ensure that a woman has full access to reproductive health services and information. Information. Once again, the land of the free and the home of the brave is going to control the information going to its citizens.

In fact, the way the proposal is worded, even Federal programs could be stripped of their funds if they were to comply with this law. Moreover, it interferes with State and local governments' responsibility to set the parameters of their Medicaid programs, something that they are very concerned about. And I know that New York, which I represent, is very concerned about the cost of Medicaid.

Right now, if a woman is raped and receives her health care from Medicaid, States can force all HMOs that participate in Medicaid to either pay for her abortion or tell her that she is eligible to get that coverage and where she can get it. If this provision passes, the States will not be able to enforce this requirement and Medicaid HMOs can simply refuse to cover the woman's abortion and not give her any information that she can get coverage elsewhere. I am sure that is what the intent is.

It even interferes with, and possibly overrides, current Federal laws, such as the Emergency Medical Treatment and Active Labor Act, which ensures that women in life-threatening circumstances receive the medical care they need.

Suppose a woman comes into the emergency room of a hospital with an incomplete miscarriage which can threaten her life. Under present law, the hospital must stabilize her. If stabilizing requires completing the abortion, they have to do it no matter what their religious belief. But when Weldon passes, the hospital can say it is discrimination to force them to do this and so the woman can just die.

I call on my colleagues to understand what is happening here. I know when the women in America find out what is happening here, there is going to be great outrage.

Mr. PUTNAM. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Speaker, I would like to tell Members a little bit about the gentleman from Florida (Mr. BILL YOUNG). BILL has been a friend of mine for over 20 years. When my wife was ill with cancer and she was in Germany and was going through treatment, he assisted me in making sure that I was able to get to her and spend time with her before she passed away, so I have undying gratitude to Bill for his kindness toward me over the years.

The last few days I talked to him about a problem in the Marianas, in Guam, Saipan, American Samoa and elsewhere in the South Pacific about people who are dying from diabetes because they do not have enough dialysis machines over there. The gentleman from Florida told me he would do everything that he could to help get dialysis machines to those people. He tried to get the money into the appropriations bill; but, unfortunately, at the last minute it could not be done. So I approached him today on the floor and I said these people are dying, they are American citizens, and he said I am going to do everything I can to make sure that they get the equipment necessary to preserve and protect their lives. He was even going to go to the Pentagon to help find a way to get the equipment over there.

I would like to say to the gentleman from Florida (Mr. YOUNG) on behalf of my family and on behalf of people of Guam, Saipan, American Samoa and elsewhere who are not in this bill, I believe they will get the help they need because he said he is going to go that extra mile to get it done.

Mr. Speaker, I know that the gentleman from Florida is leaving the chairmanship of the Committee on Appropriations, so I would like to say that I appreciate the work he has done for not only me but for people all around the world.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I know it is late in the process, but I regret that this omnibus appropriations bill is wholly short on funding for the Low-Income Home Energy Assistance program, otherwise known as LIHEAP. I am compelled to speak on this issue because of the very real national crisis facing residents of the Northeast and the Midwest in the weeks and months ahead.

Mr. Speaker, this omnibus bill provides a total funding for LIHEAP of $2.2 billion. That is approximately $800 million of the level needed to ensure that this program has the same purchasing power as when it was created in 1982.

According to the Center For Budget and Policy Priorities, across this country Americans will see a 24 percent increase in the price of home heating. Heating oil is going up 32 percent, propane 22.3 percent, and natural gas 12.1 percent. Our most vulnerable Americans depend on this program to protect them in the harsh winter months.

Regrettably, the LIHEAP level of funding in this omnibus appropriations bill does not give them that protection. Millions of them will be left out in the cold.

Mr. Speaker, I tried, without success, to amend the conference report in the Rules Committee to increase LIHEAP funding by approximately $800 million. I hope Members of this body, as they return home for the holidays, will remember that they had a chance to address this issue and they were denied that opportunity.

Mr. Speaker, there probably are some good things in this omnibus. Time will tell. This appropriations bill was brought before the Committee on Rules at 9 a.m. this morning. It is a huge bill, as Members see. It probably weighs more than I do, and it will take some time for all of us to sift through the paper. But it frustrates me that those without a powerful lobby or special interest PAC oftentimes are forgotten. This place is about priorities and choices, and this omnibus bill fails to make LIHEAP the priority it needs to be.

Mr. Speaker, the sun is shining on American corporations that choose to take advantage of a special tax loophole by incorporating in the Caribbean Islands. But here at home, in particular my home State of Massachusetts, it is going to be a cold, dark winter for many seniors and low-income families. People in America should

never have to choose between paying for their prescription drugs and heating their homes, and people in America should never have to choose between heating their homes and putting food on the table. Yet because of our lack of action, those are the choices that too many Americans will have to make this winter. We could have and we should have done better.

Mr. Speaker, I commend the gentleman from Texas (Mr. FROST) for his many years of service in this Congress. We are all very proud to have served with him. I wish the gentleman well.

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

Mr. Speaker, I certainly share the gentleman's concern about the situation that people up north find themselves in. It is a situation, to be honest, that is somewhat unfamiliar to me, having been raised in Florida and never having seen snow until I was 30. But I understand the plight. I am proud of the work that the appropriators have done, undoubtedly from the Northeast and around the country, who share the gentleman's concern at funding LIHEAP at $2.2 billion, an increase of $84 million over last year. They are certainly doing everything they can to make sure that the winters in Boston are a little bit less cold and a little bit less dark.

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

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, first I rise to say good-bye to the gentleman from Texas (Mr. FROST). Good-bye for now, and to thank him for all of his contributions to the people of this Nation and to all of us in this body. He has been the ultimate Energizer Bunny. I have never seen such steady, good energy in anybody in my life. I thank the gentleman, and I want him to know he will be missed.

Next, I rise in opposition to the anti-choice, anti-woman provisions in H.R. 4818. This is a misguided measure which is very dangerous for our health care system as a whole. Let me be clear, this provision is nothing more than a payoff to the religious right. The majority party has made it quite clear that winning an election is worth sacrificing the health of American women.

This bill robs women of their right to access comprehensive health care. No matter how Members look at it, this provision goes one step further by making it impossible for women to exercise their reproductive choices and once again subjects them to the wrath of the anti-choice movement.

The current state of our health care system is weakening by the day. Many of our constituents are experiencing increased premiums with others being dropped by their health plans altogether. This provision would effectively strip States of their right to enforce laws that were designed to protect women's health. Instead of putting patient access to care in further jeopardy, we should be figuring out how to improve access to quality health care. Not only is this a direct assault on women's health and the authority of health care providers; it is a slap in the face to State and local governments that have implemented policies that put a woman's health ahead of bad politics.

We cannot fall for this outrageous antic of the anti-choice community. We cannot let them twist another health care issue into a political one. That is why I implore my colleagues on both sides of the aisle to vote against this extremely harmful measure.

Mr. PUTNAM. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. WELDON), a distinguished physician.

Mr. WELDON of Florida. Mr. Speaker, I commend the gentleman for bringing this important rule to the floor. I would also like to join in the chorus of others commending the gentleman from Florida (Mr. YOUNG). He has been an outstanding chairman of the Committee on Appropriations. I guess this is the gentleman's last bill as full committee chairman. I thank the gentleman for being a friend and a mentor to me, and I am certainly glad we are going to continue to have the gentleman on the committee.

Several Members have risen to criticize the included Weldon language in this bill, and I want to clarify that this is the Weldon-Hyde language. This is a continuation of the Hyde policy of conscience protection.

The reason I sought to include this provision in the bill is my experience as a physician, and I still see patients, is that the majority of nurses, technicians and doctors who claim to be pro-choice who claim to support Roe v. Wade always say to me that they would never want to participate in an abortion, perform an abortion, or be affiliated with doing an abortion. This provision is meant to protect health care entities from discrimination because they choose not to provide abortion services.

The measure was adopted during the full committee consideration, and those who opposed it had an opportunity to call for a vote in committee and on the floor, and they did not. This provision is intended to protect the decisions of physicians, nurses, clinics, hospitals, medical centers, and even health insurance providers from being forced by the government to provide, refer, or pay for abortions. This is a reasonable Federal policy, one that was overwhelmingly approved by this very body by a vote of 229–189. The policy simply states that health care entities should not be forced to provide elective abortions, a practice to which a majority of health care providers object, and I can tell Members from personal experience, and which they will not perform as a matter of conscience.

Forty-five States and the Federal Government protect the right of health care providers to decline participation in abortions, and abortion advocates are working to abolish these legal protections in the courts and through the regulatory process. Abortion advocates have launched a campaign to force hospitals and health care entities to provide, refer, and pay for abortions. Abortion advocates argue that the term ''health care entity'' only covers individuals and not institutions. Abortion advocates argue that because an entity receives Federal funds they are required to provide abortions.

By twisting the law, they have successfully used the court and State and local governments to violate the objections to abortions of health care entities and providers. Let me give some examples of what I am talking about. In July 2002, an Alaskan court forced a community hospital to provide elective late-term abortions contrary to its policy and the sentiment of the community.

□ 1145

In New Jersey, abortion advocacy groups urged the State of New Jersey to require a Catholic health system to build an abortion clinic on its premises to serve what they stated was a right of access to abortion.

This year the State of New Mexico refused to approve a hospital lease because the community-owned hospital declined to perform elective abortions.

This provision makes two simple changes in the existing law to prevent discrimination. It explicitly clarifies existing law to state that a health care entity includes a hospital, a health professional, a provider-sponsored organization, a health maintenance organization, a health insurance plan or any other kind of health care facility. It goes on further to state that existing law protects health care entities from discrimination based on three kinds of participation in abortion: performing, training and referring. This amendment strengthens existing law, and it is appropriate language for us to have in the bill.

This provision only applies to health care entities that refuse to provide abortion services. Furthermore, the provision only affects instances when a government requires that a health care entity provide abortion services. Therefore, contrary to what has been said, this provision will not affect access to abortion, the provision of abortion-related information or services by willing providers or the ability of States to fulfill Federal Medicaid legislation.

The right of conscience is fundamental to our American freedoms. We should guarantee this freedom by protecting all health care providers from being forced to perform, refer or pay for elective abortions. This is a good provision. I encourage all of my colleagues to vote ''yes'' on the rule and ''yes'' on the underlying bill.

Mr. FROST. Mr. Speaker, I yield for the purpose of making a unanimous

consent request to the gentlewoman from California (Ms. LOFGREN).

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

Ms. LOFGREN. Mr. Speaker, I rise in opposition to the Weldon amendment language that will reduce health care for women.

Mr. Speaker, once again the Republican majority is trying to pass major legislation detrimental to women written in the still of the night. They know they can't get this legislation passed in the light of day when the American public is watching and listening, so they stealthily add it to a huge omnibus bill at midnight. And now we're debating this on a Saturday morning as most of America is just getting up on a weekend before Thanksgiving. We're about to vote on this major bill without a proper national debate.

Mr. Speaker, this is no simple piece of legislation that merely extends current law as its author claims. This is sweeping new legislation that would allow any individual physician, health care professional, hospital, HMO, health insurance plan or any other kind of health care facility, organization, or plan from providing, paying for, or even referring a patient for abortion services. There isn't even an exception for the health and safety of women, even in cases of life-threatening emergencies, rape or incest.

Worse yet is the draconian enforcement provision. If a state chooses to enforce its own law protecting women's health, that state will lose all of its federal funds for health and human services—funds for Medicaid, SCHIP, Head Start, child care services, and the list goes on.

Whatever happened to a Republican party and its support for states' rights and, more importantly, their compassion for all Americans?

This provision is outrageous—both procedurally and substantively and by itself provides sufficient reason to vote no on the entire bill.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I am deeply grateful to the gentleman for yielding me this time, for his tireless service to our country, for his friendship, and I wish him and his wife Kathy all the best in the future.

Mr. Speaker, I rise in opposition to the Weldon-Hyde provisions. On this Saturday morning, millions of American women are going about their business, hopefully enjoying leisure time with their families and friends, preparing for Thanksgiving, completely unaware that their Congress, their leaders are stripping them of access to a constitutional right to reproductive health care. Physicians and hospitals, let us be clear, already have the right under the conscience clause to refuse to perform abortions. The Weldon-Hyde provision would allow HMOs or other health insurance companies—HMOs and health insurance companies—to decide for any reason whatsoever it will no longer pay for, provide information or make referrals for abortion services, even if the woman's life is in danger and she is a victim of rape or incest or even if the physician as a matter of his conscience wants to perform this medical service.

Under this bill, it would be impossible for a State to ensure that poor women who are victims of rape or incest can access Medicaid-covered abortions in these narrow circumstances. This bill allows any health care entity to ignore all Federal, State and local laws pertaining to abortion services, information and referrals. While, again, there are no Federal laws that require any individual or hospital to provide abortions, there are Federal laws that women should be informed of their legal options, and this bill could overturn those options.

This bill is a gag clause denying women even necessary information to make informed decisions. Will Rogers used to say, ''No man's house is safe. The legislature is in session.'' Women of child-bearing age, your body is not safe as long as this Republican-dominated Congress is in session.

Mr. PUTNAM. Mr. Speaker, I am delighted to yield 4 minutes to the gentleman from Ohio (Mr. REGULA), the distinguished chairman of the subcommittee who has played a key role in putting this bill together.

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

Mr. REGULA. Mr. Speaker, I rise in support of H.R. 4818. We have put a lot of thoughtful deliberation into these bills, and we are pleased to get this job done. By taking into consideration the priorities of the President and the Members of this House, we have produced a bill that meets the needs of all Americans, 280 million. Let me share with you the funding we have provided in a few of the programs in the Labor, Health and Human Services and Education appropriations bill. I might say there are 500 programs in that bill, but I think there are some worth highlighting.

First is education. It is essential to the preservation of democracy, and an investment in education is an investment in people. Mr. Speaker, Federal education spending has more than doubled since fiscal year 1996, from $23 billion to nearly $57 billion today. The bill supports teachers and students by increasing funding for title I by $500 million. Title I provides additional resources to low-income schools to help principals, teachers and students close education achievement gaps.

Yesterday, we voted to reauthorize IDEA. Many of my colleagues speak with me about the financial demands of special education and the needs of the children in their local school districts. We hear from parents about the need to support adequate special education funding to ensure their special needs children receive a quality education. In this bill, funding for special education totals over $11 billion, a $607 million increase over fiscal year 2004, a 380 percent increase since 1996.

Secondly, health care is a critical part of our Nation's economic development. To assist in protecting the health of all Americans and provide essential human services, the bill provides the Department of Health and Human Services over $64 billion for fiscal year 2005. Mr. Speaker, similar to the Department of Education, we have more than doubled funding for health and human services since fiscal year 1996.

Funding for NIH, that is the place where they do the research on health needs, is increased by $800 million, bringing its total budget to $28.6 billion. As a result of our commitment to the National Institutes of Health, our citizens are living longer and better lives.

Health centers operating at the community level provide regular access to high-quality, family-oriented comprehensive primary and preventive health care, regardless of ability to pay, and improve the health status of underserved populations living in inner city and rural areas. By the end of fiscal year 2004, it is estimated that these facilities around the country will have served more than 13 million patients. Funding is increased in this bill.

Children's hospitals are the training grounds for pediatricians and pediatric specialists. Again, $303 million to educate these people to serve the children of this Nation.

Mr. Speaker, our society is judged not only by the care we provide to our young but also 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.

The bill also includes $21 million for a Homeless Veterans Reintegration Program to operate employment programs that reach out to our homeless veterans.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, first let me say I rise in strong opposition to this outrageous Weldon provision that is neatly tucked away in this very expansive spending bill.

But, first, I just want to thank the gentleman from Texas for his leadership, for his service and for his friendship. I want to wish him well as he enters this new chapter of his life. Thank you again so much for your leadership.

Mr. Speaker, this refusal clause will allow health insurance companies, hospitals and other corporations to impose policies barring any physician or other health care provider from performing abortions or even from offering referrals. Once again, here is another effort to turn the clock back on women's rights. It will gut the longstanding title X regulatory requirement that pregnant women who request information about all of their medical options, including abortion, be given that information and be given a referral upon request.

Mr. Speaker, this refusal clause is dangerous, it is ill-conceived, and it

will deny untold numbers of women their constitutional right to choose. This is a dangerous time for women around this country. The neo-con agenda is on the march. Women's lives are at stake. Is this the beginning of the end of constitutionally protected health care for women? It is really a dark day for women throughout the land, and we must fight back.

Mr. PUTNAM. Mr. Speaker, it is an honor to yield 1 minute to the distinguished gentleman from San Diego, California (Mr. CUNNINGHAM), a decorated war hero and outspoken supporter of all men and women in uniform.

Mr. CUNNINGHAM. Mr. Speaker, I thank the gentleman, but I want to talk about the education section in the bill.

I had doubts when John Porter left this committee if we had someone that could do as good a caring job, and that job turned out to be the gentleman from Ohio (Mr. REGULA) and his chairmanship of this committee. I was talking to the Deputy Director of Intelligence yesterday and had just got here as the gavel went down on the special education vote. I would have voted for that.

But I also want to thank the committee. If you take a look at the special education needs in this country, they are growing all the time. The increases in this bill for special education itself are at their highest level, $57 billion, $11.5 billion above last year.

I would also like to thank the gentleman from Wisconsin (Mr. OBEY) in that particular committee. The gentleman from Wisconsin is an arm-wrestling opponent, but he does a good job, and I want to thank him for the education portion of this bill.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me first of all acknowledge the distinguished gentleman from Texas (Mr. FROST) and thank him for his work and his service to this body, which will always be remembered.

Mr. Speaker, I want to take an opportunity very briefly again, I think I have done it before, to thank the appropriators and to thank in particular the chairman and the ranking member of the full committee and their respective chairs and ranking members on what I believe is the general intent to try to work to ensure that America's people receive the benefit of their investment in this Nation. It is not an easy task. Unfortunately, what happens is that the philosophies outside of the appropriators comes into the play of trying to be fair.

Let me make it also very clear that, unlike some of the editorials and commentary as we debate this morning, there are many in our rural and urban centers that are looking for these Federal dollars as their only lifeline of survival. I do not like the denigration of this process because I know that there are constituents where I live that cannot survive if they do not have the opportunities of these dollars for HIV fights, for educational fights, for housing fights.

□ 1200

So the problem with what we see here today is, in addition to the fact that this bill was not given to members to be able to protect the interests of Americans, we have the problem of amendments that are cutting away at the choice of hospitals to do good health care as it relates to individuals who need abortions and who are looking for the health services to be adequate and complete.

In this bill, I saw funding for a vaccine fund, but I do not know if we answered the question why we had a poisoned vaccine or a vaccine that we could not use for millions of Americans who needed the flu shot.

In this bill, we know that we have not met the needs of homeless Americans. As thousands march in Washington, DC, for the homeless, we do not have those dollars that we need.

I am grateful for the dollars that are helping me fight HIV/AIDS in my community and educational opportunities. But the question is, do we have the moneys to do comprehensive immigration reform? We have H–1Bs, but do we have dollars to protect American jobs? Do we have dollars for a comprehensive immigration reform? Do we have dollars to assist the African Union with peacekeeping troops in Africa so that the Sudanese, those in Darfur and around the area, are not being brutalized every single day? Do we have the policies that would provide for the health care for veterans and provide the dollars that I need and many of us need in our districts in our veterans' hospitals? Do we have the dollars for the returning veterans from Iraq and Afghanistan, to provide them with better quality of life and do we have the dollars for their families?

I would only say, as I conclude, Mr. Speaker, that this bill needed more attention, more time, and more cohesion. I would ask my colleagues to reconsider the time that was given for adequate study of the omnibus. Because of the Weldon amendment and other legislative poison pills, I vote ''no'' on the rule.

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

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

(Mr. MORAN of Virginia asked and was given permission to revise and extend his remarks.)

Mr. MORAN of Virginia. Mr. Speaker, I appreciate all of my good friends and female colleagues for speaking out on the Weldon-Hyde provision that is in this bill. But I think it is important also to show that this issue is not just related. It is not just a woman's issue. It is about our mothers, wives, daughters, sisters, and it is a bad provision. It is a discriminatory provision, and it undermines the U.S. Constitution that guarantees reproductive rights for all women. And that is the purpose of it. We are supposed to be the people's body, and yet this undermines what the vast majority of the American people believe in.

Seventy-six percent of the public opposes exempting hospitals from providing medical services to which they object on religious grounds, and yet this is the purpose of this provision which we are about to make law. Eighty-nine percent of the public opposes allowing insurance companies to refuse to pay for medical services on religious grounds. This Federal refusal clause is a sweeping new exemption from current laws and regulations pertaining to abortion services and information.

It undermines Roe V. Wade. It is very important. Not just foot in the door. It is getting the whole body of very radical opinion in the door, undermining what the vast majority of the American people believe in. It would change existing law to say that a Federal, State, or local government may not require any constitutional or individual health care provider to provide, pay for, or refer for abortions. It is so ambiguous that virtually any kind of action taken by a Federal, State, or local government could be banned. It is wrong. It should not be in this omnibus appropriations bill, and the public needs to know that there are many people who object to it very strongly.

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

I am delighted to see that the work of the appropriators has been so well received as it relates to transportation needs and defense needs and continuing our support for international issues and the fight against AIDS and malaria and tuberculosis, the investments that they have made in basic medical research. I am glad to see that their work is so highly regarded that the focus of the opposition is limited to a single issue.

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

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, I would like to begin by thanking the distinguished gentleman from Texas and his entire staff for their tireless and diligent efforts on behalf of this body and this Nation. They have done an outstanding job.

Mr. Speaker, here is the bill. I hesitate to lift it. I think it is an OSHA violation. This is it. It became available to us at 12:15 last night. It is less than 12 hours later, and we are going to be voting on this in a very short time. Something is wrong with our democracy.

In 1993, the Republican House minority made these statements: A bill that

cannot survive a 3-day scrutiny of its provisions is a bill that should not be enacted. Proper consideration must be given to important legislation even in the closing days of a session. The world's most powerful legislature cannot in good conscience deprive its memberships of a brief study of a committee report prior to final action.

You have done that. You said it must not be done, and you do it repeatedly.

I have about 30 seconds left. Let me yield that time to any Member on this floor who can in good conscience honestly answer two questions: Have they read this document well enough to have confidence they know what is in it, and can they tell the American people why we must act today instead of waiting 3 days?

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

The gentleman has presented two rhetorical questions, and I will respond to one. It is a pleasure to be here with the distinguished gentleman from Washington, a man who represents a very technologically savvy constituency and a very environmentally concerned constituency. And that tremendous pile of paper was available on the Web last night at 12:15 that would have taken advantage of the skills that are out there as well as saving a few trees.

This is an important work. And I might also ask how long it took for the gentleman to read cover to cover all of the nine bills that had already passed this House in due time?

Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, one of the major issues that are of importance to the majority of my constituents is how well we treat the veterans. And it is very important to point out that in this bill there is $19.5 billion for medical services, $4.7 billion for medical administration, $3.7 billion for medical facilities, and $385 million for medical research. What does this mean? What it means is that we are taking good care of our veterans.

It is important, too, to remember that there are no increased fees as was originally proposed. What this means is something that is very important to veterans in not just my district but every single district.

There are other programs in here which are very well funded, such as the National Institutes of Health. They received a bump-up, and certainly we all know that they are working on very many diseases.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. Mr. Speaker, I first rise to thank the gentleman from Texas (Mr. FROST) for his many years of service to this body. He worked selflessly for the people of Texas. He led the Democrats as the head of the Democratic Congressional Campaign Committee and as the ranking member on the Committee on Rules with great distinction. He was outstanding, a mentor to many of us, and we will miss him deeply. But wherever the gentleman from Texas (Mr. FROST) and Kathy go, I know they will continue to work for the people of Texas and for the United States of America.

I also thank the appropriators, especially the gentleman from Wisconsin (Mr. OBEY), ranking member, and the chairman. And I would like to really thank the gentleman from Florida (Mr. YOUNG), who I understand this is the end of his term, for his steadfast help to New York after 9/11. He has been there through our darkest hours. I even remember on 9/12 calling him and saying that the police and fire needed phones, and he shipped them down to New York that day. He has done a great deal of support for New York in a bipartisan way, and my constituents and city are deeply grateful to him and the gentleman from Wisconsin (Mr. OBEY). We thank them and we will miss him.

Mr. Speaker, I also rise in very strong opposition to the anti-woman, the refusal law, the Weldon gag rule which will undermine and roll back a woman's constitutional right to choose. I would like my colleagues to put this in perspective. This is the 209th action striking at and chipping away at a woman's constitutional right to choose since the Republicans took control of this body; and I find it outrageous the way that they are disregarding the State, local, and Federal law.

I will end by saying that women will suffer, our health care system will suffer, and the Constitution will suffer. I urge my colleagues to vote against expanding this provision to hospitals and clinics.

Mr. PUTNAM. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. WAMP), who also serves on the Committee on Appropriations and has worked very hard toward this final product.

Mr. WAMP. Mr. Speaker, I thank the gentleman for yielding me this time. It is good to see the gentleman from Florida (Mr. PUTNAM) on the Committee on Rules, managing the bill.

I also recognize the distinguished gentleman from Florida (Mr. YOUNG) for 6 awesome, fair, reasonable, very effective years as the chairman of the Committee on Appropriations. I cannot think of a better gentleman in the House than the gentleman from Florida (Mr. YOUNG), and he has goodwill from every corner from this place and all across the country for so many of the right reasons, and I am grateful for his leadership. I am also grateful that he is going to continue working on the Committee on Appropriations in the days ahead.

We are here today before Thanksgiving finishing all of the years' appropriations work because the staff on the majority and minority side did a lot of work while we were gone being reelected, and I am grateful. My 8 years on the Committee on Appropriations have seen these things slide beyond Thanksgiving, even into the next Congress, which this year we should be proud we are not allowing to happen.

And it is complicated. We have honored the President's request to hold the line on spending. It was a big issue, and we have spent too much in previous years. This year we actually can take pride knowing we are meeting the responsibilities and not spending too much and holding the line on excess riders.

I know there are some differences today over individual aspects of this bill, but, overall, it is a fairly clean product, considering the history of this body. Both sides, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Florida (Mr. YOUNG), and the professional staff can take a lot of pride in knowing that we have got a good work product here and we are meeting the responsibilities of the government.

We are doing it in a timely manner, compared to other years. While we are 6 weeks into it, the fact is this is early compared to previous years. I am very proud of that work.

I am grateful, most importantly, to the staff. There is a changeover when term limits set in, and some staff may leave. I am not going to mention names but just say this staff on the Committee on Appropriations, minority and majority side, deserve a lot of credit. It is a 24/7 job, and they do an outstanding job for the country, and I am grateful.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, let me begin by thanking the gentleman for yielding me this time and for his great service to this body, to the people of the United States. And let me express my regret that he will not be yielding time in the future.

Mr. Speaker, this bill comes before us is an omnibus bill because we did not take all the bills, vote on them on the floor, and the Senate did not do it either. This bill has some real inadequacies in its appropriation. In what promises to be a very cold winter, an inadequate LIHEAP appropriation; a $10 million cut in housing for people with AIDS, as if that scourge is going away from us; and a lot of other inadequacies in funding.

What I want to focus on is a major policy change that has been referred to by several other speakers, the so-called Weldon gag rule. This Federal refusal clause would allow not just hospitals but insurance companies, HMOs, to order their doctors not to perform abortions, not to refer people to abortions, not to tell people about abortion as an option. So whose conscience are we protecting? The board of directors

of the insurance company? The doctors? The patients?

This is an outrage, because it will mean that women who want to have abortions, that women who might want to have abortions, that doctors who think they ought to tell women about their options are told to shut up. By Federal law they cannot do this, because we care about limiting access to a constitutional right, because that is the real purpose of this.

□ 1215

The proposal would preclude State and local governments with oversight authority from enforcing basic health care certifications and licensing requirements in the area of abortion; and in deciding whether to approve a hospital merger, for instance, they could not say no if this would decrease the availability of abortion services or even referral services in an area. Under the bill, States would be precluded from requiring that health care companies provide even referrals for abortion services as a condition for participating in the Medicaid program.

Now, this invasion of States rights, this invasion of the conscience of the women, this invasion of the conscience of the doctors is very deliberate. It is because the people who wrote this clause do not want people to have the freedom to decide for themselves, do not want them to be able to avail themselves of their constitutional rights.

This is not a conscience protection clause. This is a gag rule, and it ought to be defeated.

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

Mr. FROST. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. SHERMAN).

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

Mr. SHERMAN. Mr. Speaker, first, on the choice issue, I want to commend those other speakers who have stood here and pointed out how this bill will lead to the death of women who are suffering from partial miscarriages and will lead to the partial death of our federalist system as we deny States the right to protect women in their own hospitals.

Three process issues. Frist, we never debated VA–HUD on this floor. Offering amendments to appropriations bills is about the most significant thing rank-and-file Members get to do on this floor, and it illustrates the total irrelevancy of the rank-and-file of both sides when we take that important function away and nobody seems to care. It is all about leadership. And as to VA–HUD, we were not even given the right to pass amendments that could be stripped out in conference.

Second, as the gentleman from Washington (Mr. BAIRD) pointed out, we were not given a chance to read this bill. Why are we not given 3 days to read it and then we can vote on it? Why? Because we want all of Thanksgiving week off; not just 2 days, the whole week. Hey, we are going to get 2 months off because we do not want to do our work. We do not want to read that boring bill. We are going to go home without reading it, but we want to rubber stamp it first.

Finally, and both parties deserve criticism over decades on this one, fiscal management. There is no corporation or major institution in this country that does not decide on its annual budget a month or two before the fiscal year begins. Do my colleagues think General Motors waits until February to figure out its budget? We should have done this bill in August.

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

I would just point out that this bill is within budget and that the House has done its work in hearing and passing the individual spending bills, and whatever inadequacies there may be in this process would not be a result of this half of the legislative branch.

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

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, I thank the gentleman from Texas for yielding me this time.

A lot of mischief can come from a bill that is a $388.4 billion bill, 14.75 inches thick, I measured it, which was filed sometime after midnight. I will guarantee my colleagues not one Member, including the gentleman from Florida, read this bill, even on the Internet.

One of the worst pieces of mischief that is included in this bill that we know of so far, there is probably a lot more, is the so-called Weldon gag rule. This rule, far from constituting a simple conscience clause as proponents claim, will amount to a broad noncompliance permit for companies that want to refuse to abide by the law. The bill could restrict States' autonomy and their right to self-governance, undermine States' abilities to enforce their own constitutional protections, block States' abilities to set the parameters of their own Medicaid programs, override Federal title X guidelines that ensure women receive full medical information, interfere with State and local governments' responsibility to oversee hospital mergers, set health care licensing and certification standards, interfere with, and even possibly override, current Federal laws like the Emergency Medical Treatment and Active Labor Act, which ensure that women in life-threatening circumstances receive the medical care they need and, just as importantly, deny low-income women key information about and referrals to abortion services.

This is wrong. It is the wrong way to do it. It is the wrong way to debate it; and as far as I know, given this massive spending bill that no one has read, as far as I am concerned, it is just the tip of the iceberg. Vote ''no'' on the rule, vote ''no'' on the bill.

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

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished minority leader.

Ms. PELOSI. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST) for yielding me this time and for his leadership. He has brought many rules to the floor over the course of many sessions of Congress. Our country, this Congress, and the American people have all been well served, especially the people of Texas who took great pride in his leadership, the dean of the Texas delegation, a diligent and, when it comes to the Committee on Rules, that is part of what one has to be, a diligent and very astute and wise leader for the House Democrats on that committee.

The gentleman's service here will be long remembered. We will all be positively impacted for a long time to come, and I want to thank the gentleman and congratulate him for his service to our country.

Mr. Speaker, I rise in opposition to the Weldon amendment, an extraordinary sneak attack on women's rights and a disgraceful display of ideology over health.

This amendment is a radical change in policy that the House has not passed this session and that the Senate has never considered, debated, or voted on. Republicans slipped it into the appropriations in the dark of night when they thought no one was looking. It is entirely outside the scope of this omnibus spending bill, yet it is part of a must-pass bill at the insistence of House Republican leaders.

This language makes a mockery of Roe v. Wade. Under this provision, a woman will not know where her right to choose will be honored or where it will be denied.

This was first advertised to me as an expansion of the conscience clause which we all respect, as a person who served under the leadership of the gentleman from Wisconsin (Mr. OBEY) on the Labor-HHS committee and with our distinguished chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG), I knew full well the importance of the conscience clause to Catholic doctors or other faith doctors, but particular mention was always made of Catholic doctors. It was said to me that this was merely an expansion of that from the doctors to the hospitals, Catholic hospitals. But, I say to my colleagues, it is so very much more than that. We all respect a conscience clause, but this goes well beyond that.

If a hospital, a health insurance company, or a doctor opposes Roe v. Wade, they could simply ignore it. They could simply ignore it. This is the law of the land; a constitutional right could simply be ignored. The Weldon amendment

is essentially a domestic gag rule, restricting access to abortion counseling, referral, and information. Health care companies should not be able to prevent doctors from giving medically necessary information.

This language, again, makes a mockery of existing State and local laws, including many State constitutions. Under the Weldon amendment, any law or regulation currently on the books to protect access to reproductive health services is at risk. The term ''discrimination'' in this amendment is so vague that it could be used against any Federal, State, or local government effort to provide reproductive health services.

This language makes a mockery of title X. The title X family planning program provides much-needed reproductive health services that reach millions of low-income, uninsured individuals; and it really is sad because we all want to reduce the number of abortions in our country. That is a goal that we all share, and reproductive family planning is one way to do that.

But under this amendment, clinics could participate in title X programs without providing a full range of reproductive health services. Federal dollars should not be used to deny the federally protected right to choose. Let me repeat that. Federal dollars should not be used to deny the federally protected right to choose.

Roe v. Wade is the law of the land, but Republicans are gutting it step by step.

The Weldon amendment will have a major and harmful impact on women's health. This sweeping new exemption from current laws and regulations should not be the law of the land, and it certainly should not be a part of the omnibus appropriations bill.

The Republican assault on women's rights must be stopped. I urge my colleagues to oppose the Weldon amendment.

Mr. PUTNAM. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH), the distinguished chairman of the Committee on Veterans' Affairs.

Mr. SMITH of New Jersey. Mr. Speaker, in 1973, Congress passed the Church Amendment to protect the conscience rights of hospitals and health care providers from being forced into involvement with abortion. The amendment provides that the receipt of Federal funds in various health programs will not require hospitals or individuals to participate in abortions if they object based on moral or religious convictions. It also forbade hospitals in these programs to make, willingness or unwillingness to perform abortions a condition of employment.

Since 1973, and I think many Members know this, various conscience protections, many of which deal specifically with abortion, have been enacted into law. Unfortunately, over the years, gaps in the protection of existing law have been exploited by proabortion organizations which have now undertaken a nationwide campaign to require all health care providers to participate in abortion. That campaign has met with some success, and there are a number of those which I will put into the RECORD, including trying to compel Catholic hospitals as a condition of a merger and acquisition to provide abortions. In one case in my own State, they compelled a $2 million settlement that had to go into a trust that paid for abortions. That's outrageous. To counteract this extreme campaign—to force health care providers to participate in abortion—Federal conscience law when signed by President Bush, will now be strengthened.

The principle of the Hyde amendment was that no one should be forced to participate in abortions in any way, and that needs to be affirmed. That is what this Weldon-Hyde amendment will do. The addition of conscience protection to the Hyde amendment remedies current gaps in Federal law and promotes the right of conscientious objection by forbidding federally funded government bodies to coerce the consciences of health care providers who respect fundamentally the right to life and basic human rights for the unborn.

THE CAMPAIGN TO FORCE HOSPITALS TO PROVIDE ABORTION

Forty-five States and the Federal Government protect the right of health care providers to decline involvement in abortion. Pro-abortion groups seek to abolish these legal protections:

ABORTION ACCESS PROJECT

Operating in 24 States, the project's goal is ''increasing access to abortion services by expanding . . . the number of hospitals offering abortion services.'' The project admits that its tactics include ''pressuring hospitals'' and it does so through both political and legal pressure.

The ''Hospital Access Collaborative'' division reports on the State projects' legal and regulatory interventions challenging mergers. See www.abortionaccess.org/AAP/campaigns/hospital/hospital.htm (accessed 09/07/03).

AMERICAN CIVIL LIBERTIES UNION—REPRODUCTIVE FREEDOM PROJECT: ''RELIGIOUS REFUSALS AND REPRODUCTIVE RIGHTS.''

The ACLU has published a report and advocacy kit aimed at requiring all hospitals, including Catholic hospitals, to provide abortions. The report argues: ''When . . . religiously affiliated organizations move into secular pursuits—such as providing medical care or social services to the public or running a business—they should no longer be insulated from secular laws. In the public world, they should play by public rules.'' ACLU, ''Religious Refusals and Reproductive Rights,'' January 2002, page 11, www.aclu.org/Reproductive Rights/ReproductiveRights.cfm?ID=10516&c=30 (accessed 09/10/03).

GEORGE GUND FOUNDATION, PRO-CHOICE RESOURCE CENTER AND ACLU REPRODUCTIVE FREEDOM PROJECT NATIONAL MEETING

''Much of the debate focused on strategy, with participants wonder whether it was better to work toward improving and narrowing conscience clauses or to fight to eliminate them altogether . . . Although reproductive rights activists should still work to improve conscientious exemptions, [ACLU executive director Ira Glaser] said, their ultimate goal should be getting rid of them.'' See ''Conscientious Exemptions and Reproductive Rights,'' Executive Summary, page 10, www.prochoiceresource.org/about/CERR_Body.pdf (accessed 09/07/03).

In one session at the national meeting, the group analyzed a same conscience protection which ''allowed hospitals, their staffs, or 'any other person' to opt out of providing abortions, sterilizations, and contraception if they objected to such services.'' The participants decided ''the measure couldn't be fixed and should be opposed at all costs.'' Id. at page 11.

MARYLAND NARAL HOSPITAL PROVIDER PROJECT

''The goal of the Hospital Provider Project is to increase access to abortion services by requiring Maryland hospitals to provide abortion . . .'' www.mdnaral.org/initiatives.htm (accessed 04/05/2002).

PLANNED PARENTHOOD FEDERATION OF AMERICA

''While everyone has the right to their [sic] opinions about reproductive health care, including . . . abortion, it is important to remember that the conscience that matters most belongs to the patient . . . Health care providers who object to providing certain services still have an obligation to respect the rights of their patients and to enable them to access the health care they need.'' www.plannedparenthood.org/articles/exemptions.html (accessed 09/12/03).

PRO-CHOICE RESOURCE CENTER

''Through its Spotlight Campaign, PCRC [Pro-Choice Resource Center] organizes regional meetings to build a network of opposition to 'conscience' or patient abandonment clauses that allow doctors, pharmacists and entire hospital systems to deny women access to services like abortion . . .'' See www.prochoiceresource.org/programs/rg_meet.html (accessed 09/05/03).

''Right now, so-called 'conscience' clause laws are in place in 45 or 50 States, allowing doctors, pharmacists, clinics, hospitals, managed care plans and even employers to refuse to provide, or to pay for, abortion . . . The MergerWatch program is taking action to expose and overturn these 'conscience' clauses.'' See. www.prochoice resource.org/programs/spot.html (accessed 09/05/03).

CURRENT THREATS

Unfortunately, gaps in the protections of existing laws have been exploited by proabortion organizations, which have undertaken a nationwide campaign to require all health care providers to participate in abortion. That campaign has met with some success. Novel legal and administrative strategies have resulted in:

Forcing a private community hospital to open its doors for late-term abortions,

Denying a certificate of need to an outpatient surgical center that declined involvement in abortion, after an abortion rights coalition intervened in the proceedings,

Forcing a private non-sectarian hospital to leave a cost-saving consortium, because the consortium abided by a pro-life policy in its member hospitals,

Dismantling a hospital merger, after abortion advocates approached a State attorney general to challenge the merger,

Pressuring a hospital to place $2 million in trust for abortions and sterilizations before allowing the hospital to consolidate,

Attempting to require a Catholic hospital to build an abortion clinic and pay for abortions,

Threatening a Catholic-operated HMO with loss of State contracts because it declines to provide abortions,

Prohibiting hospitals from ensuring that the property they sell is not used for abortions.

Mr. FROST. Mr. Speaker, I yield myself the remaining time.

Mr. Speaker, I have no further requests for time; but I would like to take a moment, if I may, to speak on a more personal note.

This will be my last speech before the House and the last rule that I will manage. First, let me say that serving on the Committee on Rules has been the highlight of my congressional career, and although I will not miss attending our midnight and 7 a.m. meetings, I will miss the committee, its members, and the good work we tried to do every week.

It has been my distinct honor to have served in this great body for 26 years. During my time here, I have had the privilege to work alongside some of the most talented and dedicated Members that this body has ever known. I want to thank them, my colleagues, for their constant efforts on behalf of this great Nation, and I want to thank them for their friendship. I also want to thank my constituents for their trust and support. I have always tried to serve my constituents as honestly and diligently as I could, and although my time here has come to an end, I do hope in some way that I may have been able to give a little something back to the people and to the country that has given me so much.

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

□ 1230

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

Mr. Speaker, I certainly tip my hat to the distinguished ranking member of the Committee on Rules. The gentleman has served on that committee for 26 years, and I certainly wish him and his family all the best.

Mr. Speaker, it is a pleasure to bring the debate on this rule over this critically important continuation of the Federal Government to a close. I want to thank our great Floridan, the gentleman from Florida (Mr. YOUNG), for what he and his staff, his great committee, have done in meeting the needs and prioritizing the needs of this Nation.

As a Nation and as a State, we are indebted to the gentleman from Florida (Mr. YOUNG) for the leadership and service he has provided. As a Congress, we are indebted to him for the patience and honor and dignity and demeanor that he has brought to these ever-so-difficult times. No one can understand the burdens that are placed on the chairman, and he has always handled them so well.

As we debate the issues contained within this omnibus and what it means for this Nation going into the Thanksgiving week, it is important that we keep in mind as we celebrate that uniquely American holiday that the safety and comfort that is provided for us by the men and women who are funded by this bill and the infrastructure that takes us to be with family and friends is provided by investments made in this bill. And as we give thanks to the Almighty for our family and our friends and for the blessings, it is important to take the opportunity to give thanks for the blessings of just being an American and the liberty and freedom that that means and the people who provide it for us who are in uniform, who are in law enforcement and who benefit greatly by the priorities in this bill.

AMENDMENT OFFERED BY MR. PUTNAM

Mr. PUTNAM. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PUTNAM:

At the end of the resolution add the following:

SEC. 3. Upon the adoption of this resolution, the House shall be considered to have adopted House Concurrent Resolution 528.

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

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Florida (Mr. PUTNAM).

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BAIRD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2655. An act to amend and extend the Irish Peace Process Cultural and Training Program Act of 1998.

The message also announced that the Senate has passed without amendment a bill and a concurrent resolution and joint resolutions of the House of the following titles:

H.R. 2912. An act to reaffirm the inherent sovereign rights of the Osage Tribe to determine its membership and form of government.

H. Con. Res. 524. Concurrent resolution directing the Clerk of the House of Representatives to make certain corrections to the enrollment of H.R. 1350.

H.J. Res. 110. Joint resolution recognizing the 60th anniversary of the Battle of the Bulge during World War II.

H.J. Res 111. Joint resolution appointing the day for the convening of the first session of the One Hundred Ninth Congress.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1047) ''An Act to amend the Harmonized Tariff Schedule of the United States to Modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes.''.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1350) ''An Act to reauthorize the Individuals with Disabilities Education Act, and for other purposes.''.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 480. An act to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes.

S. 519. An act to determine the feasibility of establishing an Indian Tribal Development Corporation.

S. 1438. An act to provide for equitable compensation to the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes.

S. 1530. An act to provide compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River.

S. 1996. An act to enhance and provide to the Oglala Sioux Tribe and Angostura Irrigation Project certain benefits of the Pick-Sloan Missouri River basin program.

S. 2154. An act to establish a National sex offender registration database, and for other purposes.

S. 2605. An act to direct the Secretary of the Interior and the heads of other Federal agencies to carry out an agreement resolving major issues relating to the adjudication of water rights in the Snake River Basin, Idaho, and for other purposes.

S. 2873. An act to extend the authority of the United States District Court for the Southern District of Iowa to hold court in Rock Island, Illinois.

S. 3014. An act to reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, and for other purposes.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 34 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1356

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. OSE) at 1 o'clock and 56 minutes p.m.