

an overextension of personal rights, but the Supreme Court has defined what is permissible. In no way does this bill give permission for school officials to perform mass or strip searches of students. No way.

Also, Mr. MILLER, let me assure you that while you can make castigations about this side of the aisle trying to balance the budget, nobody on this side of the aisle has suggested that funding for the implementation of this program is to be deleted. As a matter of fact, we openly support increased funding to implement this policy.

Mr. STARK. Mr. Speaker, I rise today in opposition to the Student and Teacher Safety Act of 2006, H.R. 5295. Although this bill seeks a noble end, protecting our children and their teachers, it gives me pause because it authorizes school systems to strip away student's constitutional rights.

All children should feel safe at school. All teachers should be secure while carrying out their mission of teaching our children. We all agree on this. However laudable these goals of safety and security may be, they should not be sought at the expense of the rights of our children.

School is not only a place where children learn math, reading, and writing. School is also a place where children learn how to be citizens in a free society. Being a citizen of this country means living free from the fear of unnecessary searches and government harassment. My fear is that when we expose our children to constant violations of their privacy through limitless drug tests and unreasonable searches during their school years, they will grow up to believe that violations of their constitutional rights are the norm in our country. The future generations that we will depend on to defend the Bill of the Rights may no longer know what those rights are. They may be all too willing to accept ever-increasing government intrusion into their private lives. In an age of warrant-less wiretaps and secret surveillance, this is not a risk I am willing to take.

In addition, this bill does not adequately protect the privacy interests of our students. In 1969, the Supreme Court said that children do not leave their constitutional rights at the schoolhouse door. Yet this bill is so vaguely and broadly worded that it potentially opens a "Pandora's Box" of 4th Amendment violations in our schools. This bill does not require that school officials actually suspect an individual of wrongdoing before searching them. Rather, it allows for searches if a school official thinks that his or her actions will help the school remain drug free.

I am worried that this bill will lead to instances similar to what happened in Goose Creek, South Carolina in November of 2003. School officials in Goose Creek suspected that a student was dealing drugs in the high school.

They then subjected 150 students to a police raid, and drug dogs going through student's backpacks. The searches occurred despite the fact that the suspected drug dealer was absent from school on that day. Not surprisingly, no drugs were found. Unfortunately, 150 students were humiliated by the school officials that are supposed to guide them on their journey to adulthood.

School safety is a vitally important issue. Children must be able to learn in an environ-

ment free from fear and violence. Providing students and teachers with safe schools does not require students to check their civil liberties at the door. The Bill of Rights envisions a balance between individual freedoms and law enforcement. That balance has served our country well for more than two centuries. There is no reason that such a balance cannot be struck in our school system. If we want safe schools we should invest in afterschool and mentoring programs. We should invest in programs that teach children how to resolve conflicts in non-violent ways. We should teach our children that they have privacy rights that follow them wherever they go, including to school. I urge my colleagues to vote against this bill.

Mr. KUHL of New York. Mr. Speaker, I urge my colleagues to support H.R. 5295, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KUHL) that the House suspend the rules and pass the bill, H.R. 5295, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1815

#### RECOGNIZING AND HONORING AMERICA'S SENIORS

Mr. KUHL of New York. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 874) recognizing and honoring America's seniors, as amended.

The Clerk read as follows:

H. RES. 874

*Whereas older Americans have made countless contributions to the strength of the United States;*

*Whereas older Americans include members of the "Greatest Generation" who fought in World War I, World War II, the Korean War, and other military conflicts, and have sacrificed at home and abroad to keep America free;*

*Whereas in the United States and much of the world, older individuals throughout history have been viewed with respect, honor, and dignity as sources of wisdom and experience;*

*Whereas this year the first of the "baby boom" generation turn age 60, adding to the 49 million Americans who are age 60 or older, including over 5 million who are older than age 85; and*

*Whereas the talent and experience of older Americans can be utilized to meet community needs in critical areas such as education, health, community-based and faith-based social services, and homeland security: Now, therefore, be it*

*Resolved, That the House of Representatives—*  
*(1) recognizes the importance of older Americans to the Nation's past and future;*

*(2) encourages multigenerational activities providing opportunities for children and students to listen and learn from older Americans; and*

*(3) urges all Americans to honor and respect older Americans, and to offer appreciation for their contributions to the strength of the United States.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

New York (Mr. KUHL) and the gentleman from Texas (Mr. HINOJOSA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KUHL of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Resolution 874.

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

There was no objection.

Mr. KUHL of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H. Resolution 874, a bipartisan resolution to honor older Americans.

Today, supporting the needs of older Americans is more important than ever. More than 49 million people in the United States are over the age of 60, making it the fastest-growing group in the country. By the year 2050, just a short time away, that number will reach nearly 90 million people and comprise almost a quarter of our population.

This resolution recognizes the countless contributions that older Americans have made to the strength of our Nation. They include members of the Greatest Generation, who fought in World War I and in World War II and the Korean War and other military conflicts. They have sacrificed at home and abroad to keep America free.

Mr. Speaker, with an increasing number of Americans as they retire, our Nation can continue to benefit from the rich talent and experience of these citizens. In communities across the United States, older Americans work and volunteer through community-based and faith-based organizations to support education, health services for the poor and other vital community needs. In June the Education and Workforce Committee approved bipartisan legislation to strengthen and reform the Older Americans Act. The Senior Independence Act, as it is called, transforms and modernizes the law to meet the needs of today's seniors and the needs of the Nation as the population ages. Final enactment will help older Americans to identify home- and community-based long-term care options, including consumer-directed care models as well as other supportive services that can help prevent or delay the need for expensive institutional care. These reforms will help millions of Americans stay healthy and remain in their homes and communities and could yield significant savings. I say that again: and could yield significant savings to taxpayers.

Mr. Speaker, I am pleased this body is taking this time today to honor older Americans for their many contributions to the strength of our great Nation, and I urge my colleagues to support this resolution.

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

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

I would like to express my strong support for House Resolution 874, a resolution recognizing and honoring older Americans. I would like to thank my friend and fellow Texan, Congressman CHARLIE GONZALEZ, for bringing this resolution forward.

As the resolution so eloquently states, older Americans have made countless contributions that have strengthened our Nation. We are gradually bidding farewell to our Greatest Generation that fought for our freedom and values during the Great Depression and two world wars. We must never forget their strength of character and willingness to sacrifice for the greater good of our Nation and our world.

We are now welcoming the baby boom generation into the ranks of older Americans. This presents great challenges and great opportunities for our Nation. The challenge is to keep our intergenerational compact of Social Security and Medicare, not by privatization schemes or giveaways to special interests, but by prudent management and fiscal responsibility. We can meet that challenge.

We have the opportunity to leverage the tremendous talent, the energy, and desire to make a difference that older Americans bring to our communities. This generation of older Americans is healthier and more educated than any generation before it. Its best years are yet to come. Our older Americans continue to make valuable contributions to our society every day. We must not waste this invaluable national resource.

As we celebrate the contributions of older Americans today with this resolution, let us recommit ourselves to honoring them by completing the reauthorization of the Older Americans Act and supporting our Federal programs that improve the quality of life of older Americans and enable them to continue to contribute to their communities and to our great Nation.

I urge all my colleagues to support this resolution.

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

Mr. KUHL of New York. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Mr. Speaker, I thank the gentleman from New York for yielding.

Mr. Speaker, I join my friend Congressman GONZALEZ of Texas and many of my colleagues to support H. Resolution 874, a resolution to recognize and honor older Americans for their role in helping make America great.

It is so important that policymakers in Congress recognize the contributions of our Nation's seniors by keeping their needs in mind as we develop legislation. We must take this responsibility seriously as we consider issues such as Medicare, Social Security, veterans benefits, housing, and health

care. We also owe it to our seniors and our seniors' grandchildren to do a better job of balancing the budget here in Washington, D.C. No matter what the issue, we must always work to ensure that the needs of our seniors do not get overlooked.

I am thankful to the TREA Senior Citizens League, the largest non-partisan seniors group in the Nation, and its national chairman, Ralph McCutchen, for supporting this resolution.

The sacrifice of our seniors and the Greatest Generation should not go unrecognized. And, again, I thank my friend from Texas for introducing this resolutions. And I am pleased to support this resolution and encourage my colleagues on both sides of the aisle to support the resolution.

Mr. HINOJOSA. Mr. Speaker, I yield 4 minutes to my good friend and colleague CHARLIE GONZALEZ from San Antonio, who serves on the Energy and Commerce Committee.

Mr. GONZALEZ. Mr. Speaker, I thank my dear friend Mr. HINOJOSA, my colleague from Texas, for yielding.

Mr. Speaker, I sincerely thank my colleagues on the Education and Workforce Committee, especially Chairman MCKEON and Ranking Member GEORGE MILLER, who was here earlier, for bringing this bill to the floor. I also thank my friend Congressman WALTER JONES for supporting this legislation from the very beginning and serving as its Republican lead. His efforts, in addition to those of his staff, have been very important throughout this process. I would also like to recognize, as Congressman JONES acknowledged, the Senior Citizens League and the important role they have played in promoting and supporting this resolution. Their chairman, Ralph McCutchen, wanted, above all, to see a bill that honors and pays tribute to the many sacrifices made by America's seniors, including those who have served in the military. I certainly appreciate the support demonstrated by this very important organization.

This resolution recognizes the importance of honoring senior citizens. This can be done in countless numbers of ways, from simple gestures of kindness towards a stranger to the actions made by this Congress that will impact seniors as a whole.

We are the policymakers. We should not make policy that makes it more difficult for seniors to vote. We should not have policy that makes it more difficult for seniors to obtain medical care. We should not enact policy that makes it more difficult for seniors to obtain prescription drugs or to afford housing.

This resolution encourages children and students to take time to learn from senior citizens. It is imperative that we as a society facilitate the sharing of information among the different generations.

I don't want anyone to get the idea that this resolution is about seniors

and what they have accomplished in the past. In part it is, but they are not relegated to the past. And let me quickly explain.

Today's seniors are active in our present-day workforce, contributing every day their ideas and their labor. They are part and parcel of this wonderful economy and capitalist system of our country. With their skill, their training, and their education in how they prepare those other generations, they are part of our future.

I would like to end it with an observation. I was trying to figure out what constitutes a senior. Is it someone 60, 70, 80, 90? Well, age is important and it isn't important. It is important in this respect, and I am going to quote Sir Oliver Lodge: "Never throw away hastily any old faith, tradition or convention . . . They are the result of the experience of many generations."

So age is important as far as experience and having the life experiences. I still remember my father, when I used to ask, that was a brilliant man, Dad, where did he go to school? And he said, it was the school of hard knocks. So many times it is just life experiences that will instill that wonderful knowledge that is imparted to succeeding generations.

But age does not constitute and define seniors. And I will end it here with a quote from Satchel Paige: "Age is a case of mind over matter. If you don't mind, it don't matter."

I ask my colleagues to support this resolution.

Mr. KUHL of New York. Mr. Speaker, I reserve the balance of my time.

Mr. HINOJOSA. Mr. Speaker, I yield 2 minutes to my colleague DANNY DAVIS from the great State of Illinois, who serves on the Education Committee and the Government Reform Committee.

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman from Texas for yielding.

Mr. Speaker, I rise today in honor of our Nation's senior citizens.

Senior citizens are a vital part of society to whom we have a responsibility of ensuring both economic and physical well-being. Seniors provide vital links to our past as well as serve as the caregivers to over 6.1 million of the Nation's children.

I recognize the importance of caring for our elderly and providing them with the services they need to live independently. I have a Seniors and Eldercare Task Force, composed of an outstanding group of experts who advise me on key issues of importance to the seniors in my district. They advised me on key issues for the reauthorization of the Older Americans Act.

Within the bipartisan process surrounding this bill, I am pleased that I was successful in including important changes to the act. My local experts said that seniors raising their grandchildren needed great access to financial support and information about

programs for which they are eligible. They said that seniors needed more services in their communities to avoid spending down their assets to qualify for Medicaid. They said that we needed a greater focus on mental health and elder justice. The reauthorization of the Older Americans Act addresses these needs, and I hope that this important legislation will pass this Congress.

However, we must do more to assist grandparent caregivers. These grandparents make up 5.7 million households living with over 6.1 million children, evidence that many of these grandparents are oftentimes caring for more than one child. In my congressional district, there are over 10,000 grandparents who are responsible for their grandchildren's needs. Indeed, the Seventh District of Illinois, my congressional district, has the highest percentage of children living with grandparents in the Nation.

Mr. Speaker, I believe that you can measure the greatness of a society by how well it treats its young, how well it treats its old, and how well it treats those who have difficulty caring for themselves. In this case when we provide grandparents, senior citizens, with the opportunity to help raise their grandchildren, then we are doing the Nation a great service.

I thank all of those who rose to support this legislation.

□ 1830

Mr. KUHLMAN of New York. Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I have no other speakers, but I would like to make some closing remarks. I want to say that I had the pleasure of serving, together with Chairman PATRICK TIBERI from Ohio, and together we led our committee through the effort of the reauthorization of the Older Americans Act.

It was of great satisfaction to me, because we were able to pass amendments and requests for an increase in authorization for this very important act.

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

Mr. KUHLMAN of New York. Mr. Speaker, I agree with my colleagues on the other side of the aisle. I urge my colleagues to support this resolution.

Mr. PAUL. Mr. Speaker, I am pleased to support and cosponsor H. Res. 874, a resolution honoring America's senior citizens for their contributions to American life. I am particularly pleased by the language encouraging young people to seek out and talk to our Nation's seniors about these seniors' life experiences. Talking to beloved grandparents, aunts, uncles, or friends about their past is a great way to learn history and gain an understanding of the past that simply cannot be obtained from a textbook.

I hope that, in the limited time left in this congressional session, we would further demonstrate our commitment to America's seniors by voting on my Senior Citizens' Improved

Quality of Life Act, H.R. 5211. H.R. 5211 contains a number of items of great importance to America's seniors. H.R. 5211 helps seniors by:

Repealing all taxes on Social Security benefits. Since Social Security benefits are financed with tax dollars, taxing these benefits is an example of double taxation. The benefits tax also reduces Social Security benefits by subterfuge.

Ensuring that Social Security trust fund money is used only for Social Security. H.R. 5211 requires that all money raised for the Social Security trust fund will be spent in payments to beneficiaries, with excess receipts invested in interest-bearing certificates of deposit. This will keep Social Security trust fund money from being diverted to other programs, as well as allow the fund to grow by providing for investment in interest-bearing instruments. Ending the raid of the Social Security trust fund is a vital first step in any serious Social Security reform plan. Protecting the trust fund also demonstrates our commitment to putting the priorities of the American people ahead of special interest pork barrel spending.

Repealing provisions of Federal law that restrict the ability of senior citizens to form private contracts for health care services. This restriction violates the rights of seniors who may wish to use their own resources to obtain procedures or treatments not covered by Medicare, or to simply avoid the bureaucracy and uncertainty that come when seniors must wait for the judgment of a Centers for Medicare and Medicaid Services, CMS, bureaucrat before finding out if a desired treatment is covered. H.R. 5211 also stops the Social Security Administration from denying Social Security benefits to seniors who refuse to enroll in Medicare Part A. Forcing seniors to enroll in Medicare Part A as a condition for receiving Social Security violates the promise represented by Social Security. Americans pay taxes into the Social Security trust fund their whole working lives and are promised that Social Security will be there for them when they retire. Yet, today, seniors are told that they cannot receive these benefits unless they agree to join another government program.

Allowing seniors who neither want nor need to participate in the Medicare program to refrain from doing so and ensuring seniors have the freedom to use their own resources to obtain quality health care will strengthen the Medicare program for those seniors who do wish to receive Medicare benefits. Of course, H.R. 5211 does not take away Medicare benefits from any senior. It simply allows each senior to choose voluntarily whether or not to accept Medicare benefits.

Ensuring that Social Security benefits only go to American citizens. Proposals, such as those contained in the Reid-Kennedy immigration bill, to allow noncitizens, including those who entered the country illegally, to receive Social Security benefits are a slap in the face to America's workers and seniors. H.R. 5211 ensures that only American citizens who have paid into the Social Security trust fund can receive Social Security benefits.

Providing seniors with a tax credit to help cover their prescription drug expenses not covered by Medicare and repealing Federal barriers that prohibit seniors from obtaining quality prescription drugs from overseas. Even though Congress added a prescription drug benefit to Medicare, many seniors still have

difficulty affording their prescription drugs. One reason is because the new program creates a "doughnut hole," where seniors must pay for their prescriptions above a certain amount out of their own pockets until their expenses reach a level where Medicare coverage resumes. H.R. 5211 helps seniors cope with these costs by providing them with a tax credit equal to 80 percent of their out-of-pocket pharmaceutical costs.

H.R. 5211 also lowers the price of pharmaceuticals by making two changes in the law to create a free market in pharmaceuticals. First, H.R. 5211 allows anyone wishing to import a drug to submit an application to the Food and Drug Administration, FDA, which then must approve the drug unless the FDA finds the drug is either not approved for use in the U.S. or is adulterated or misbranded. Second, H.R. 5211 ensures that lawful internet pharmacies can continue to offer affordable prescription drugs free of Federal harassment.

In conclusion, Mr. Speaker, I reiterate my support for H. Res. 874 and my hope that Congress will continue to show its appreciation for America's seniors by voting on my Senior Citizens' Improved Quality of Life Act before adjourning for the year.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KUHLMAN) that the House suspend the rules and agree to the resolution, H. Res. 874, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

The title of the resolution was amended so as to read: "A Resolution recognizing and honoring older Americans."

A motion to reconsider was laid on the table.

#### RECOGNIZING AND SUPPORTING EFFORTS OF STATE OF NEW YORK TO DEVELOP NATIONAL PURPLE HEART HALL OF HONOR

Mr. KLINE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 419) recognizing and supporting the efforts of the State of New York to develop the National Purple Heart Hall of Honor in New Windsor, New York, and for other purposes, as amended.

The Clerk read as follows:

H. CON. RES. 419

Whereas George Washington, at his headquarters in Newburgh, New York, on August 7, 1782, devised a Badge of Military Merit to be given to enlisted men and noncommissioned officers for meritorious action;

Whereas the Badge of Military Merit became popularly known as the "Purple Heart" because it consisted of the figure of a heart in purple cloth or silk edged with narrow lace or binding and was affixed to the uniform coat over the left breast;

Whereas Badges of Military Merit were awarded during the Revolutionary War by General George Washington at his headquarters, in Newburgh, New York, on May 3 and June 8, 1783;