

shifts and forgo days off causes nurses to frequently provide care in a state of fatigue, contributing to medical errors and other consequences that compromise patient safety. In addition to endangering patients, studies also point to overtime issues as a prime contributing factor to our nation's nursing shortage. For example, a 2001 report by the General Accounting Office, *Nursing Workforce: Emerging Nurse Shortages Due to Multiple Factors*, concluded:

[T]he current high levels of job dissatisfaction among nurses may also play a crucial role in determining the extent of current and future nurse shortages. Efforts undertaken to improve the workplace environment may both reduce the likelihood of nurses leaving the field and encourage more young people to enter the nursing profession . . .

We have the voices of nurses and the research evidence to prove that the practice of requiring nurses to work beyond the point they believe is safe is jeopardizing the quality of care patients receive. It is also contributing to the growing nurse shortage. Current projections are that the nurse workforce in 2020 will have fallen 20 percent below the level necessary to meet demand.

We have existing federal government standards that limit the hours that pilots, flight attendants, truck drivers, railroad engineers and other professions can safely work before consumer safety is endangered. However, no similar limitation currently exists for our nation's nurses who are caring for us at often the most vulnerable times in our lives.

The Safe Nursing and Patient Care Act would change that. It would set strict, new federal limits on the ability of health facilities to require mandatory overtime from nurses. Nurses would be allowed to continue to volunteer for overtime if and when they feel they can continue to provide safe, quality care. But, forced mandatory overtime would only be allowed when an official state of emergency was declared by federal, state or local government. These limits would be part of Medicare's provider agreements. They would not apply to nursing homes since alternative staffing and quality measures are already moving forward for those facilities.

To assure compliance, the bill provides HHS with the authority to investigate complaints from nurses about violations. It also grants HHS the power to issue civil monetary penalties of up to \$10,000 for violations of the act and to increase those fines for patterns of violations.

Providers would be required to post notices explaining these new rights and to post nurse schedules in prominent workplace locations. Nurses would also obtain anti-discrimination protections against employers who continued to force work hours for nurses beyond what a nurse believes is safe for quality care. Providers found to have violated the law would be posted on Medicare's website.

Often the states are ahead of the federal government when it comes to pinpointing problems that need to be addressed. It is worth noting that many states are considering such laws to strictly limit the use of mandatory nurse overtime. Several states—including California, Connecticut, Maine, Maryland, Minnesota, New Jersey, Oregon, Washington and West Virginia—have already passed laws or regulations limiting the practice.

This bill is an important first step, but it isn't the complete solution. I believe that standards

must be developed to define timeframes for safe nursing care within the wide variety of health settings (whether such overtime is mandatory or voluntary). That is why the legislation also requires the Agency on Healthcare Research and Quality to report back to Congress with recommendations for developing overall standards to protect patient safety in nursing care. Once we have better data in that regard, I will support broader limitations on all types of overtime. But, we must not wait to act until that data can be developed. The data collection will take years and the crisis of mandatory overtime is upon us now.

I know that our nations hospital trade associations will claim that my solution misses the mark because it is precisely the lack of nurses in the profession today that is necessitating their need to require mandatory overtime. Let me respond directly. Mandatory overtime is dangerous for patients plain and simple. It is also a driving force for nurses leaving the profession. These twin realities make mandatory overtime a dangerous short-term gamble at best. We should join together to end the practice.

Mandatory overtime is a very real problem facing the nursing profession and that is why our bill is endorsed by the American Nurses Association, the AFL-CIO, AFSCME, AFT, SEIU, AFGE, UAW, UAN, and UFCW—organizations that speak for America's nearly 3 million nurses.

Again, our bill is not the sole solution. I supported the Nurse Reinvestment Act, which was passed by Congress and signed into law in August 2002. That legislation authorizes new federal investment and initiatives to increase the number of people pursuing a nursing education. Such efforts will help in the future, but it will be years before that law's impact is felt in our medical system. And, it will take even longer if the President and Republicans in Congress continue to withhold the funding necessary for the act to be fully implemented.

We need to help now. We must take steps to improve the nursing profession immediately so that today's nurses will remain in the field to care for those of us who need such care before new nurses can be trained. We also need today's nurses to be there as mentors for the nurses of tomorrow.

Mandatory nurse overtime is a very real quality of care issue for our health system and I look forward to working with my colleagues enact the Safe Nursing and Patient Care Act. It will start us down the right path toward protecting patients and encouraging people to remain in—and enter—the nursing profession.

HONORING THE LIFE AND ACCOMPLISHMENTS OF THE LATE OSSIE DAVIS

SPEECH OF

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 2005

Mr. BACA. Mr. Speaker, I rise today to pay my respects to a great civil rights pioneer; a man who provided vital social and political commentary on our nation at a time when it was unwelcome to do so. Above all Ossie Davis was an activist for social equality. He

believed vigorously in the tenets on which our nation was founded: freedom, justice, and that all men are indeed created equal.

Ossie Davis passed away last year at the age of 87. With his passing our nation lost not only a leader of the civil rights movement but also one of the preeminent playwrights, authors and actors of the African American community.

Over his 50 years in the entertainment business, Ossie Davis wrote various plays, television shoves and movies, shedding necessary light on the challenges facing the African American community and race relations in the United States.

He was a champion for the disenfranchised, providing a voice for those who could not speak out and inspiration for those seeking a better life. Ossie's theatrical achievements and unabashed commentary on the civil rights movement led to him receiving the Silver Circle Award from the Academy of the Television Arts and Sciences in 1994, the National Medal of Arts in 1995, and the Lifetime Achievement Award from the Screen Actor's Guild in 2000. He was also honored by the Kennedy Center in 2004.

Through his proactive participation in the entertainment industry, Ossie Davis exhibited a deep resolve to highlighting the struggle for equality in the African American community and, in so doing, changed the direction of our nation.

I commend Congressman CONYERS on awarding Ossie Davis this well-deserved medal. His contributions to the African American community and our entire nation should not go overlooked.

HONORING THE RETIREMENT OF SUFFOLK COUNTY COMMISSIONER OF FIRE, RESCUE AND EMERGENCY SERVICES ON JANUARY 8, 2005

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2005

Mr. ISRAEL. Mr. Speaker, I rise today to honor Suffolk County Commissioner of Fire, Rescue and Emergency Services David H. Fischler. Suffolk County has been the beneficiary of Commissioner Fischler's remarkable skill, his dedication to public service and his tremendous leadership all displayed over a distinguished 28-year career devoted to the people of Suffolk County. On January 8, 2005, Commissioner Fischler retired completing a final ten-year tenure as Commissioner. His service will not soon be forgotten; his shoes will not soon be filled; but his legacy of excellence and service will forever last within the Suffolk Fire, Rescue and Emergency Services community.

Commissioner Fischler began his fire service career as a volunteer firefighter with the St. James (NY) Fire Department, where he later served as an Assistant Chief and Chief-of-Department for 8 years. While still serving the St. James Fire Department in a volunteer capacity, Commissioner Fischler began his leadership in the Suffolk County, a county with 1.4 million residents and approximately 12,500 providers in 136 fire and EMS agencies. Commissioner Fischler first served as the county's

Emergency Manager before he began his tenure as Commissioner.

Commissioner Fischler has commanded major incidents, including hurricanes and coastal storms that destroyed 104 homes in 48 hours, the 1995 Wildfires, the 1996 TWA incident, and the county's response in 2001 to the World Trade Center in support of our neighbors in New York City. His skill as a leader, manager and emergency services expert invariably saved lives, property and hardship for the people of our community in each of these instances. Most importantly, he ensured professional, timely, organized response in the event of each challenging disaster.

Commissioner Fischler is also a vice-president of the NYS Emergency Management Association, a member of the International Association of Fire Chiefs Terrorism/Homeland Security Committee and has spoken extensively throughout the country. Furthermore, the Commissioner is an attorney and is heavily involved in community activities.

During Commissioner Fischler's distinguished tenure, Suffolk County became the first county in New York State to develop and implement a Hurricane/Coastal Storm Plan and Special Needs Sheltering Program. Additionally, it is believed that Suffolk County became the first municipality in the nation to develop a Mental Health Special Needs Sheltering Program. Finally, Commissioner Fischler's leadership prompted Suffolk County to be the first county in New York State and the greater northeast to be designated "Storm Ready" by the National Weather Service.

Commissioner Fischler has served Suffolk County with the highest degree of professionalism and excellence. I wish to extend a sincere thank you to Commissioner Fischler for his many years of remarkable public service to the people of Suffolk County, for the legacy of excellence he leaves behind for our fire, rescue and emergency services and for his highly capable, selfless and steady leadership during our most trying and dangerous times over the past ten years.

TRIBUTE TO NORMAN B. CHAMP,
JR. OF ST. LOUIS, MO

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2005

Mr. CARNAHAN. Mr. Speaker, my remarks today are to pay tribute to the life of Mr. Norman B. Champ, Jr., of St. Louis, MO, husband of Judith Smith Champ.

Mr. Champ's remarkable life took him through ventures in politics, business, farming, and the arts. He spent twenty years as the democratic committeeman for Clayton Township and was a member of the St. Louis County Board of Jail Visitors. His business acumen led him through careers in dairy farming and a trucking equipment company.

He had an undeniable impact on the arts community. He was on the Committee for the Preservation of the White House, was a member of the Missouri Arts Council, and was one of the longest serving members of the National Council of the Arts.

Mr. Speaker, the outpouring of support by family, friends, and the community made it evident to all what an extraordinary person Mr.

Champ was. His wife, children, and grandchildren are a great testament to who he was as a person. My prayers are with his family, friends, and community today, as we honor his life.

HONORING THE 2004 AFRICAN AMERICAN ETHNIC SPORTS HALL OF FAME INDUCTEES

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2005

Ms. LEE. Mr. Speaker, I rise today to honor the inductions of twelve former black Olympians into the African American Ethnic Sports Hall of Fame on July 8, 2004 in Sacramento, California. The honorees were notable not only for their tremendous athletic achievements, but also for the profound social significance these achievements carried.

The Athens Games in 2004 marked the 100th anniversary of the first African American participation in the Olympics, when George Poage earned bronze medals in the 200- and 400-meter hurdles, and Joseph Stadler won a silver medal in the standing high jump in St. Louis in 1904. In the past 100 years, African Americans have produced numerous outstanding Olympic performances, and the July inductees to the African American Ethnic Sports Hall of Fame are responsible for some of the finest.

Of the Hall of Fame's twelve honorees, eleven were track and field athletes, and one was a coach. Alice Coachman-Davis, who was not allowed to participate in organized athletic activities while growing up in the South, became the first African American woman to win a gold medal when she placed first in the high jump at the London Games in 1948. Harrison Dillard won an astounding 82 consecutive 110-meter hurdles races, a record which still stands. Wilbur Ross coached two of the most successful Olympic athletes of all time, Carl Lewis and Michael Johnson. And Tommie Smith and John Carlos, who finished first and third, respectively, in the 200 meters at the 1968 Games in Mexico City, took a courageous stand for social justice in one of the most powerful moments in the history of the Olympics. Other Hall of Fame inductees included Milt Campbell, Herb Douglas, Lee Evans, Edith McGuire-Duvall, Dr. Reginald Pearman, Wyomia Tyus and John Woodruff, all of whom were outstanding track and field athletes.

These inductees' achievements are clearly remarkable in the pure athletic sense, but when placed in their social context, they are even more meaningful. Athletics has played an important role in the broader Civil Rights movement, and the Olympic Arena has provided not only an opportunity for African Americans to prove that they could compete with the rest of the world, but has also served as a forum for making important social and political statements. Today, it is of vital importance that we continue to recognize and pay tribute to these achievements, and that we continue to draw inspiration from them in furthering our own work for equality, justice and peace. On behalf of the Ninth Congressional District, I salute both the African American Ethnic Sports Hall of Fame and its July 2004 inductees for

their invaluable contributions to athletics, the United States, and the entire world.

INTRODUCTION OF THE SANITY OF LIFE ACT AND THE TAXPAYER FREEDOM OF CONSCIENCE ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2005

Mr. PAUL. Mr. Speaker, I rise today to introduce two bills relating to abortion. These bills stop the federal government from promoting abortion. My bills accomplish this goal by prohibiting federal funds from being used for population control or "family planning" through exercising Congress's constitutional power to restrict federal court's jurisdiction by restoring each state's authority to protect unborn life.

Abortion on demand is no doubt the most serious sociopolitical problem of our age. The lack of respect for life that permits abortion significantly contributes to our violent culture and our careless attitude toward liberty. Whether a civilized society treats human life with dignity or contempt determines the outcome of that civilization. Reaffirming the importance of the sanctity of life is crucial for the continuation of a civilized society. There is already strong evidence that we are on the slippery slope toward euthanasia and non-consensual human experimentation. Although the real problem lies within people's hearts and minds, the legal problems of protecting life stem from the ill-advised Roe v. Wade ruling, where the court usurped the state's authority over abortion.

One of the bills I am introducing today, the Sanctity of Life Act of 2005, reverses some of the damage done by Roe v. Wade. The Sanctity of Life Act provides that the federal courts of the United States, up to and including the Supreme Court, do not have jurisdiction to hear abortion-related cases. Congress must use the authority granted to it in Article 3, Section 1 of the Constitution to rein in rogue federal judges from interfering with a state's ability to protect unborn life.

In addition to restricting federal court jurisdiction over abortion, Congress must stop the unconstitutional practice of forcing Americans to subsidize abortion providers. It is not enough to say that "family planning" groups may not use federal funds to perform or promote abortion. After all, since money is fungible, federal funding of any activities of these organizations forces taxpayers to underwrite the organizations' abortion activities. This is why I am also introducing the Taxpayer Freedom of Conscience Act. The Taxpayer Freedom of Conscience Act prohibits any federal official from expending any federal funds for any population control or population planning program or any family planning activity. To paraphrase Thomas Jefferson, it is "sinful and tyrannical" to force the American taxpayers to subsidize abortion and practices they find morally abhorrent.

Mr. Speaker, it is my hope that my colleagues will join me in support of these two bills. By following the Constitution and using the power granted to the Congress by the Constitution, we can restore respect for freedom of conscience and the sanctity of human life.