MEDICARE INFORMED CHOICE ACT

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

Mrs. CAPPs. Mr. Speaker, 1 month ago, elderly Americans were finally able to start choosing among plans to provide them prescription drug coverage. In less than a month, these benefits will go into effect. But now these seniors are expressing their outrage. The choices they have to make are so complex it was imperative that CMS get them accurate information. But instead, CMS sent out inaccurate information. In addition, they told seniors that they basically had to get their information off the Web or by calling a hotline, but delays on the hotline are enormous, and most seniors are not comfortable using the Internet.

So now they are having to make critical, complex choices that are going to affect their health care with far too little assistance. We need to act to help them. Let us not turn our backs on America’s seniors. Let us give them all of 2006 to make this important choice without penalty, and let us make sure that they can make a switch if they make the wrong choice.

Let us pass the Medicare Informed Choice Act.

WAIVING POINTS OF ORDER AGAINST FURTHER CONFERENCE REPORT ON H.R. 3010, DEPARTMENT OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

H. RES. 596

Resolved, That upon adoption of this resolution it shall be in order to consider the further conference report to accompany the bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, 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.

The SPEAKER pro tempore (Mr. FOLEY). The gentlewoman from West Virginia (Mrs. CAPITO) is recognized for 1 hour.

Mrs. CAPITO. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my friend and colleague from California (Ms. MURR), 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.

Mrs. CAPITO. Mr. Speaker, H. Res. 596 is a rule waiving all points of order against the conference report accompanying H.R. 3010 and against its consideration. This rule provides that the conference report shall be considered as read.

HURRICANE KATRINA

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

Ms. WATSON. Mr. Speaker, over the last 3½ months, this Republican Congress has failed to act to meet the critical needs of Hurricane Katrina survivors. The few proposals the Republican leadership has put forward fail to go far enough in meeting the challenges of restoring the gulf coast region.

The Congress has yet to enact a clear housing plan for the survivors still living in tents and waiting for promised trailers that have not appeared. Many families unable to recover from the catastrophic annual disaster have not been severely hampered by Congress’s delay in approving more money.

This Congress must not adjourn for the year until we enact measures to address this critical need.

Mr. Speaker, over the last 5 years, total education spending has increased by nearly 50 percent. Our children will benefit from an improved educational system that will enhance their ability to succeed and better prepare the next generation of workers.

The fundamental root of all education is reading. As we enter the holiday season, many families will join together in reading holiday classics, providing wonderful memoirs for years to come. Unfortunately, some children are not able to read at the appropriate grade level. Included in this legislation is $1 billion for reading programs that will enable States to eliminate the reading deficit through science- and research-based reading programs.

I am also very pleased that the TRIO and GEAR UP programs are included in this all-important funding package. These programs assist low-income, first-generation college students in their transition from high school to college. This is a difficult transition for any student, but especially those who are the first in their family to attend college. We must continue to support programs like TRIO and GEAR UP so that these students will continue to flourish.

Mr. Speaker, another important responsibility we have is to ensure that our citizens have access to health care facilities and treatments. Included in this legislation is a $66 million increase in funding for community health centers that are so vitally important across this Nation, but especially in rural areas, such as the State of West Virginia. In the last 5 years, Congress has increased funding for these critical components of our health care delivery system by 48 percent.

I am especially pleased with the increased rural health funding included in this conference report. Millions of Americans across the country, including a majority of my West Virginia constituents, are faced with drastically different health care challenges because they reside in rural areas. This conference report includes a $90 million increase in funding for rural health programs. Included in this package are funds for the Office of Rural Health and
Thanksgiving, the House considered a bill, the State formula grants for the elderly, and the Medicare Modernization Act. These programs are important to our Nation and the health of its citizens.

Mr. Speaker, I will spare the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield time.

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

Ms. MATSUI. Mr. Speaker, I yield time.

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

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Ms. MATSUI. Mr. Speaker, I yield time.
the week is over, we will wind up cutting education by over $600 million below last year.

Now, the Republicans say, ‘Oh, that is okay because we added so much money over the last 10 years.’ With all due respect, that is rewriting history. The Republican majority in this House had to be dragged kicking and screaming into supporting education at all. They came to power with the demand to abolish the Department of Education. Their very first action rescinded dollars including education funding. They tried three out of the next 4 years to make deep cuts in education. Each time they were blocked by the Democratic minority and by some assistance that we got from the Republican majority in the Senate and from the White House then occupied by Bill Clinton.

Today the fact is that over the past 10 years we have had $18 billion more in education than would have been there if we had followed the Republican education and labor appropriation bill. So for the Republicans to claim that they have added money to education is a joke.

It reminds me of the orphan who kills his parents and then throws himself on the mercy of the court because he is an orphan. The fact is, if the Republican majority in this House had their way, education would have been funded $18 billion less than it has been funded over the previous decade.

With respect to some of the other claims that have been made this morning, with respect to title I, we are going to have an actual reduction in title I by the time the across-the-board cut actually passes. No Child Left Behind programs have been cut by $779 million.

The gentleman mentioned NIH. The fact is that with the across-the-board cut that is going to be attached to this bill, NIH funding will decline by $129 million, there will be fewer research grants provided there than we had 2 years ago.

She mentioned community health centers. The fact is that this bill contains $238 million less than the amount requested by the Bush administration, and this bill totally terminates the entire community-access program to provide health care to people who do not have insurance.

So I would say is, if you vote for this bill, if you vote for the across-the-board cut, and if you voted for the Republican reconciliation action last week, you will have cut support for people who are helped by this bill by $46 billion over the next 5 years, and you will have spent 50 percent of that money to put in the pockets of the richest 1 percent of the people by way of tax cuts. It is an outrageous piece of legislation.

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

Mr. Speaker, I would like to respond. I have been in Congress for 5 years, and I have great respect for my colleague who has many more years and much experience, much more experience than I do. But my understanding of a conference report, which we are addressing now, it cannot be amended, it cannot be attached to and it cannot have any spending cut attached to it. He is leading me to believe that when we step up to vote for this, we will be voting for an across-the-board 1 percent cut. I find that incredulous because I know there will be no such vote placed on this bill. I want the general public to realize to we are voting on a tough bill.

The appropriation is for labor and education and health services, but we are not voting on an across-the-board cut when we vote for this bill. We have made several choices here. We have put more money into reading which I think is vital. Over the past 5 years, incredible amounts of money have been put into pulling the reading skills up in elementary school and improving that vital part of our educational system.

We have worked on increasing special ed funding. I think we can all agree that the needs there are tremendously important across the country. We have improved that as well.

So I think we need to be clear about the understanding to be that this bill is going to be coupled with an across-the-board cut that means this is less than what it is, I find that to be disingenuous; and, quite frankly, I do not think that is quite actually what is going to occur.

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

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY) to respond.

Mr. OBEY. Mr. Speaker, let me simply say in response to the gentlewoman’s comments, the Republican leadership and the Republican Caucus has already made clear that they intend to attach a further 1 percent across-the-board cut in all discretionary spending before we leave here for the Christmas holidays. The fact is that the bill before us today is just for openers. And when you put this bill together with the 1 percent cut that they intend to make across the board, and then when you add that to the humongous cuts that they made over the next 5 years in the reconciliation bill last week, they are already on the hook for that. That means, over the next 5 years, there will be a cumulative cut in programs to help the people targeted by this bill of $8 billion.

Mrs. CAPITO. Mr. Speaker, I continue to reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I thank the gentlewoman, and I want to thank the gentleman from Wisconsin for pointing out to this House that the across-the-board cut which he speaks about is going to only exacerbate the underfunding, which already exists in this particular bill. And I thank the gentleman for that point.

I also want to state that this House, at the request of the administration, over the last few years has passed massive cuts that have had to accelerate the wealth of this country upward, while when it comes to social programs, we are looking at cuts.

I want to speak to education. The education cuts brought before us today in this new conference report are not better for students than those that were voted down by the House on November 17. Like that conference agreement, the bill before us today demonstrates that education is not a priority for this House’s majority. This conference agreement provides a mere $11 million increase for Head Start.

I will bet, Mr. Speaker, that there are some of our wealthiest citizens who are achieving tax breaks in the millions, who together, pooling their tax returns would exceed the amount of money being given to Head Start that they call an increase. The fact of the matter is that Head Start is a pivotal program for preschoolage children in low-income families across this country. And at current rates, it, unfortunately, serves about only half of the children eligible for its services. Now, this is not adequate, and it is not right. This program, which has been repeatedly found to have dramatically increased the academic achievement of students, deserves more than a piddling $11 million when you compare it to where the money is going in this budget and in the fiscal policies of this administration.

This conference agreement cuts school improvement funding by 6 percent and flat funds teacher quality grants. These grants, which are used to recruit qualified teachers and support teacher development, are critically important to efforts to improve student achievement.

Rather than strengthening the Pell Grant program and increasing access to higher education for low-income students, the conference agreement maintains the current maximum Pell Grant at $4,050. At this level, the maximum Pell Grant only covers 39 percent of the tuition of the average 4-year public college, making a mockery of its status as the foundation of student aid for the poorest students.

What are our priorities? The votes Members cast today on this conference agreement will show our priorities. Our priorities ought to be education, and they ought to be doing something about adult training grants which, unfortunately, have been cut in this conference report, and youth training grants, which, unfortunately, have been cut in this conference report.

What are our priorities? To continue the acceleration of wealth upwards in this country, or to make sure that all Americans get a chance to be recognized in this budget? It is time to say no to this policy.
Ms. MATSUI. Mr. Speaker, I would just urge my colleagues once again to reject this conference report, and I yield back the balance of my time.

Mrs. CAPITTO. Mr. Speaker, I urge all of my colleagues to support this fair rule and the underlying legislation, whereby critical dollars will fund our Nation’s education system, health care delivery system and numerous other benefits. With this funding, low-income Americans will be better prepared for a long cold winter with the $2 billion funding in LIHEAP. Our seniors will greatly benefit from the money provided allowing CMS to conduct outreach to our Medicare beneficiaries to sign up for the new prescription drug benefit. The $90 million included for Rural Health Delivery is vitally important to rural America. These are all important programs that will improve the way of life for countless Americans.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 3199, USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005

Mr. GINGREY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 595 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 595

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3199) to extend and modify authorities needed to combat terrorism, and for other purposes. All points of order against the conference report and against its consideration are waived.

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Georgia (Mr. GINGREY), Mr. Speaker, for the purpose of debate only, I yield 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time used is for the purpose of debate only.

Mr. Speaker, House Resolution 595 waives all points of order against the conference report and against its consideration.

I rise today in support of House Resolution 595 and the underlying conference report for H.R. 3199, the USA PATRIOT and Terrorism Prevention Reauthorization Act of 2005.

Mr. Speaker, I would first like to take this opportunity to thank Chairmen Sensenbrenner and King for all of their work in shepherding H.R. 3199 initially in the committee and then on the floor and now through the conference. This conference report demonstrates this Congress’s commitment to find common ground in order to move solid and important legislation for the good and safety of the American people. This conference report is the culmination of 4 years of thorough deliberation and represents a collaborative effort to strengthen and fine tune our law enforcement needs and civil security needs as originally provided by the 2001 USA PATRIOT Act.

Like all Americans, I fully cherish and celebrate our constitutionally protected civil liberties, while also recognizing the need for strengthened national security with thorough and proper oversight. And this Congress has demonstrated and will continue to demonstrate a clear commitment to oversight in order to better achieve the essential and proper balance between necessary protective measures and our sacred civil liberties granted to us by the United States Constitution.

As I mentioned, when the House first considered this legislation back in July, Mr. Speaker, H.R. 3199, like most legislation considered before this House, is not perfect. In an ideal world, it would not be necessary, but today’s world is sadly far from ideal. Today, America faces a grave threat from enemies who cowardly operate in the darkness of shadows, waiting with the intent to kill innocent people in the name of their hateful ideology. Therefore, we must never again be caught with our guard down.

This Congress must act and must act decisively and deliberately to provide our law enforcement with the tools they need to protect and to save American lives, both here and abroad.

With respect to the provisions of this legislation, Mr. Speaker, this conference report will make permanent many vital law enforcement tools available for use against suspected terrorists by the USA PATRIOT Act while establishing 4-year sunsets on a few provisions such as section 206, FISA, Foreign Intelligence Surveillance Act, multi-point wire taps, section 215, FISA business record provisions and finally, the Lone Wolf provision.

With respect to section 206, it is important to recognize that the ability to track terrorists through the use of multi point or roving wire taps is essential because law enforcement needs to follow a terrorist, rather than a telephone.

Mr. Speaker, terrorists are not reliant on two Dixie cups and a piece of string to coordinate and plot terrorist attacks. They have access to a universal and a vast array of communication technologies, and our laws must take this fact into account.

Additionally, this conference report, through section 215, ensures that law enforcement have this ability, under thorough and extensive oversight, let me repeat, under thorough and extensive oversight, to seek out information on terrorists without tipping them off and thereby potentially compromising security and costing lives.

Again, Mr. Speaker, it should be emphasized to all Americans that the USA PATRIOT Act did not establish any new law enforcement capabilities or new enforcement techniques long available for use against organized crime or drug trafficking to be used against suspected terrorists as well. If these are acceptable tools against some dope-pushing thugs, then they should be available tools against who seek to destroy American lives and rip apart the very fabric of this great Nation.

Without question, this Congress must, and I trust, will continue to remain vigilant with thorough oversight to protect our Constitution, to protect our civil liberties and to protect our national security.

Mr. Speaker, I encourage all of my colleagues to support the rule and the underlying conference report, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Georgia (Mr. GINGREY) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Resolved as asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I rise today in strong opposition to H.R. 3199. While this conference report makes some improvement to the current PATRIOT Act, it fails to address some major deficiencies, and in many ways, it makes the current situation worse.

The original intent of the PATRIOT Act was to provide our law enforcement officials with the necessary tools to make our country more secure. While maintaining national security is absolutely a necessary responsibility of Congress, it can and must be achieved without compromising our civil liberties.

Unlike the proponents of H.R. 3199, the American people do not believe that security and liberty are mutually exclusive goals. A delicate balance between enhancing security and protecting liberty needs to be present. But unfortunately, this bill before us today falls far short to achieving this appropriate balance.

Mr. Speaker, back in 2001, when the PATRIOT Act was enacted, 16 provisions were sunsetted or authorized for a certain period of time because of their controversial nature and also due to the hurried manner in which they were drafted; 14 of these 16 provisions are made permanent by this conference report, and while three of the most contentious provisions have been sunsetted for 4 years, even that is too long.

Section 215, commonly referred to as the Library Record Provision, grossly expands the Federal government’s ability to seize records and investigate citizens’ reading habits without any notification.

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