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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. BALLENGER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 12, 2002.

I hereby appoint the Honorable CASS BALLENGER to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

BORN-ALIVE INFANTS PROTECTION ACT

Mr. STEARNS. Mr. Speaker, the question I am addressing today concerns Federal policy on when life becomes worthy of recognition and protection. We will have a bill on the floor today, H.R. 2175, the Born-Alive Infants Protection Act; and I am here to advocate its passage, which specifically addresses this policy.

Lately, we can find stories in the news that point up some inconsistencies occurring when individuals, in-

stitutions, and policymakers define not just when life begins, but when it becomes worthy of protection. For example, last month the administration announced that a developing fetus should be eligible for the S-CHIP program of government-funded health insurance for low-income children. Then last week, surgeons performed delicate cardiac surgery on the grape-sized heart of a 23-week-old fetus. Finally, in other news, many pregnant widows of fallen husbands in the September 11 terrorist attack are receiving compensation for their yet unborn child. It seems the States of Virginia and New York recognize a fetus as a surviving dependent, while today in Congress, we debate the status of a baby who has already been delivered outside of his or her mother's womb. In all of these examples, in fact, the fetus is recognized as worthy of protection, while here we debate over protecting an already born baby. Obviously, this bill is necessary. These are living babies who must be protected.

In the midst of all of this, there are some who advocate a policy we find questionable here in Congress. For example, consider Peter Singer, professor of bioethics at the University Center for Human Values at Princeton University. According to the Washington Times, in his 2000 book, "Writings on an Ethical Life," he discusses how some societies consider it virtuous to kill handicapped newborns. Professor Singer writes, "If we can put aside these emotionally moving but strictly irrelevant aspects of killing the baby, we can see that the grounds for not killing persons do not apply to newborn infants." This is disturbing language. More illustratively, in a Committee on the Judiciary July 20, 2000, hearing, we learned from registered nurses Jill Stanek and Allison Baker that the hospital at which these women worked, Advocate Christ Hospital in Oak Lawn, Illinois, has a written policy outlining procedures to per-

form when a child is unwanted. Christ Hospital calls it "induced labor abortions."

Now, according to the July 20, 2000, testimony of Nurse Stanek, physicians willfully, prematurely induce labor with the intention of delivering a not yet viable child; but if the baby is born alive, he or she is simply left to die. A nurse might take it to what they call a "comfort room" where it does die.

According to Princeton University President Harold Shapiro's statement in the Princeton Weekly Bulletin on December 7, 1998, Professor Singer, in a letter of his own to the Wall Street Journal, notes that significant advances in medical technology require us to think in new ways about how we should make critical medical decisions about life and death. Professor Singer wrote that "our increased medical powers mean that we can no longer run away from the question by pretending that we are 'allowing nature to take its course.' In a modern intensive care unit, it is doctors, not nature, who make the decisions." However, I fail to see how this hospital can shrug it off, innocently claiming nature is taking its course by letting prematurely delivered infants die when it was a medical intervention of physicians that induced his or her birth.

Mr. Speaker, H.R. 2175, the Born-Alive Infant Protection Act, firmly establishes that an infant who is completely expelled or extracted from his or her mother and who is alive is considered a person for purposes of Federal law. For those who exclaim this is an "assault" on Roe v. Wade, this bill does not touch Roe v. Wade, which clearly pertains to a fetus in the uterus, not a baby already expelled outside his or her mother. For those who say this legislation is not needed because many States already have these laws on the books, I point to Christ Advocate Hospital where this still is occurring, and to other hospitals and other people like

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Professor Singer who may continue to uphold this concept.

As an original cosponsor of this bill, I ask that this Chamber swiftly pass this piece of legislation. I am dismayed that we need it; but protecting the legal status of a baby who is already born is the logical, humane course for America to take.

THE BUDGET REVERSAL

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from Missouri (Mr. GEPHARDT) is recognized during morning hour debates for 5 minutes.

Mr. GEPHARDT. Mr. Speaker, I rise to urge a debate about the budget and Social Security. Tomorrow Republicans mark up their budget in committee. Next week they put it on the floor for consideration. Their budget will reveal the following facts: Republicans spent \$4 trillion in surplus funds. They created deficits as far as the eye can see. They drained \$2 trillion from Social Security, breaking promises made repeatedly to safeguard these funds. Their policies reversed 8 years of progress. Their budgets brought a historic reversal that impacts people's lives.

Fifteen months ago, unemployment was under 4 percent. We were having serious discussions about what we were going to do with this huge and mounting surplus. How much should we save for Social Security? How much should we put into Medicare? How much should we invest in a prescription drug program? Should we put more money in education? Should we pay down more debt? And there were many who said that we could do all of it because the surplus was so enormous.

So where are we today, March 12, 2002? We are not discussing what to do with the surplus. The surplus is just about gone. Today we are having that tired, troubled discussion we had for much of the last 20 years: What are we going to do about the deficit? How are we going to save Social Security? What are we going to do to save Medicare? And how are we going to take care of health insurance for the unemployed?

This is a Republican budget that breaks promises made over and over in the last 3 years to protect Social Security. It fails to keep our intergenerational contract and commitment. It threatens the retirement security of millions of baby boomers. In the aftermath of Enron, it is the height of irresponsibility.

Five times, Republicans put bills on this floor to create Social Security lock boxes. They voted five times to make the trust fund for Social Security inviolate. They voted five times to save Social Security first. Yet, they put forward a budget that jeopardizes Social Security just as the baby boomers are about to retire. Their budget spends the Medicare surplus in each of the next 10 years. It makes a

meaningful Medicare prescription drug program impossible. It reduces our commitment to public education, and it cuts programs promoting clean air and water that makes a difference in children's lives.

This is not a debate in the end about the budget. It is a debate about integrity, and it is a debate about responsibility. It is a debate about the values we want guiding our budget decisions.

What are our values? In this budget, our values call for keeping our commitments by saving Social Security first. Our values call for adding a real prescription benefit to Medicare, where it belongs. Our values call for making every public school a great and successful public school. Our values call for paying the Federal debt down. Our values call for cutting taxes in order to promote long-term economic growth and opportunity.

I will never forget 1993. We balanced the budget. We made tough choices because we believed in opportunity, responsibility, and community. We put that plan together using the right values.

So I urge Republicans, let us pass a budget that invests in national security, homeland defense, education, prescription drugs and our environment, and keeps Social Security sound and puts the Nation back on the path to fiscal health. Let us have an economic growth summit to reach the goals we all share. Let us get about keeping our commitments. Let us get about saving Social Security first and doing it beginning today.

SAVING SOCIAL SECURITY

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from New Mexico (Mr. UDALL) is recognized during morning hour debates for 5 minutes.

Mr. UDALL of New Mexico. Mr. Speaker, clearly, this administration and the Congress have done a good job at tackling the issue of terrorism, but there are many other important issues which need our attention, and one of these is Social Security.

Last May, this administration was giving us a different message on Social Security. We were told we could have a tax cut, save the Social Security surpluses, pay down the debt, and fund other urgent national priorities. Today, we are in a far different situation. We are not saving any of the surpluses; in fact, we are spending them. Mr. Speaker, \$1.5 trillion over 10 years of Social Security surpluses are going to be spent under the current budget plans. We are not paying down the debt. We are, in fact, increasing the debt, unlike the predictions that were made. Plans are under way to increase the national debt ceiling, so we are headed into more debt, rather than as it was promised earlier we were going to be out of debt in 10 years.

Why is the erasing the debt important? It is important because by paying

down debt, we are freeing up resources to help save Social Security.

At points in our history in dealing with this debt, 25 cents of every tax dollar that comes in has been spent on just servicing the debt. So if we lower that debt amount, that 25 cents, then we are freeing up resources, current resources that are coming in to protect Social Security. That means we are going to have Social Security there for the long term.

Last year, all of us repeatedly promised to protect the Social Security and Medicare trust fund surpluses and promoted a series of lock box proposals as evidence of their commitment. Now, however, this administration's budget diverts \$1.5 trillion of the Social Security Trust Fund surpluses for day-to-day government operations for the next 10 years and beyond.

□ 1245

Even taking the administration's optimistic numbers at face value, according to the CBO this administration's budget spends hundreds of billions of dollars from the Social Security trust fund.

Moreover, the Social Security surpluses that the budget depletes are needed to finance the benefits promised under existing law. Strengthening these programs to prepare for the baby boom's retirement or adding even the administration's inadequate prescription drug benefit requires resources outside of these surpluses. Since the budget does not provide such resources, these programs will require benefit cuts or even more borrowing to remain sound for the long term, as noted in the recent report of the President's hand-picked Social Security Commission.

The administration proposes a budget with a \$1.5 trillion on-budget deficit over the next 10 years. Two weeks ago, the Congressional Budget Office confirmed that the enacted tax cut was the largest single factor in the \$4 trillion deterioration of the budget. Now, the administration proposes to undermine the fiscal outlook with about an additional \$600 billion in tax cuts. Every penny of these additional tax cuts comes out of Social Security and Medicare trust fund surpluses.

In addition to this assault on the Social Security surplus, the Social Security Commission marks further danger to this highly successful program. To nobody's surprise, the commission is a strong advocate to create individually controlled, voluntary personal retirement accounts.

I supported the establishment of USA accounts, which would exist as a separate retirement vehicle outside of Social Security and would include Federal matching funds to encourage Americans to save. However, this administration's plan, through this commission, would divert \$1 trillion out of the Social Security system and into private accounts. This will double Social Security's shortfall and deplete