

employ more people, and we become competitive with the world.

I would say that Republicans have a different philosophy than Democrats. We believe that we should do a few things and do them well, and that is what this Republican Congress has done this year. We have not just rushed out and tried to tackle every single issue. We have done the things that will make a huge difference for the American public.

I believe that that is what this election was about, and I believe that this President stood before the American people and talked about what his policies had been and will be. I think they are accomplishments that I am proud of, I think that this body is proud of them, and I darn sure know that the American people turned out in record numbers to say thank you so much for the service to this great Nation.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

I rise only to engage my colleague in a colloquy. The gentleman from Texas (Mr. SESSIONS) says the words "American people." Well, there are 55 million American people that probably have some differences with some of the things that the gentleman has discussed. Let me join my good friend in saying to him unequivocally that all of the things that he says that passed this body doubtless are good things from his point of view. But there are some that are not good things from other people's points of view.

Now, I would ask the gentleman a question: Did the President of the United States sign all 13 appropriations bills as is mandated in the United States Constitution to be done by this body by October 1 of each fiscal year? Did the President sign 13 appropriations measures? And answer the next question: How many did he sign?

□ 0930

Mr. SESSIONS. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS of Florida. I yield to the gentleman from Texas.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman from Florida engaging in this wonderful discussion. I have been here for 8 years. During those 8 years as a Member of Congress, I believe 5 of those years I have been here at Christmas time, the week of Christmas, doing the job that needed to be done.

I do understand that we do have these 13 spending bills that need to be done. I also recognize we have a process. The gentleman and I sit up late at night in the Committee on Rules attempting to work through those processes to make sure the President does get the needed legislation before him. But we have the underpinnings of the Constitution where we have two bodies, the Senate and the House. If we do our work, it does not mean they have to do

their work. Likewise, if they do their work, it does not mean we have to. So we have to come to an agreement and those agreements sometimes take a little longer, but what we have avoided is shutting down the government.

The government has done its business. We have been very successful to make sure that we address those issues. So I would say that, well, yes, the President is supposed to sign those bills, but at least we have not gone home before he will get a chance to do that.

Mr. HASTINGS of Florida. Mr. Speaker, reclaiming my time, I might comment that I thought perhaps my friend was on a talk show where one of the hosts asked him a question, and as is typical of us, we give nice long answers without specifically answering the question.

I just put out again for my friend that the President has signed two of the appropriation measures. We have been here, you and I, late into the year doing our work, and there have been other times when this has not been done pursuant to the Constitution. That does not make it right. Basically, what we have done, we have borrowed money from foreign investors in order that we might go about giving tax cuts, which ultimately will allow that we will pay greater interest on the deficit over a period of time, and your children and mine, and their children, are going to pay this debt.

Now, my colleague can name it anything he wants to, but we have a responsibility here in this body to pass those 13 appropriation measures. And the real reason we cannot pass them is because we have decided that we want to give tax cuts, and we cannot do the things that are necessary for highway transportation and child tax care; and I could go on and on.

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

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman for his observations about our not being able to do the things that need to be done because of tax cuts. Mr. Speaker, there is a difference between our parties. One of the differences is taxing and spending. We, as Republicans, believe that if we give the American people back more of their own money that they earned that we will create a circumstance, an environment, an economy in this country that grows to where people become employed, we become competitive with the world, and we do the things ultimately to give people, the American public, more of their own money so they can live their own dreams and make their own dreams happen.

I do recognize we have a difference in our opinions. I do recognize that one party wants to tax and spend. I do understand that one party wants to give tax cuts and grow the economy. But at some point we also have to get our work done, and that is what we are trying to do today by saying that this rule

is about allowing that necessary business when the minority leader, when the majority leader, and Speaker agree on legislation that can come to this floor.

We are waiting here for other business to be finished and done, but it does not mean we should shut off debate or for other very important legislation if there is complete bipartisan agreement about moving forward. So I am proud today once again to stand here before the American public and to say we are ready to do business here in the House of Representatives, and in a few minutes we will have more work that needs to be done.

We will handle legislation dealing with what is called IDEA, the Individuals With Disabilities Act, that deals with important education changes that have also been worked on and have bipartisan agreement that the gentleman and I heard about last night in the Committee on Rules.

So for us to say we are not doing our work, that we are a failure is simply not, I do not believe, a correct enunciation of what this House of Representatives has stood for these last few years or stands for today. We are ready, capable, and able to work and reach out across the aisle to bring legislation that is important to the American people and for it to be sound legislation, for it to make a difference to the American people, but more importantly that it be done in a proper, cautious fashion that creates health and opportunity for the American economy and for the American family.

That is what this United States Congress should be all about, producing a product that are accomplishments that we can be proud of.

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

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the resolution.

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment concurrent resolution of the House of the following title:

H. Con. Res. 464. Concurrent resolution honoring the 10 communities selected to receive the 2004 All-America City Award.

The message also announced that Mr. COCHRAN be added as a conferee in Lieu of Mr. SPECTER, on the part of the Senate, on the bill (H.R. 4818) "An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and for other purposes."

The message also announced that the Senate has passed a bill and concurrent resolutions of the following titles in

which the concurrence of the House is requested:

S. 1217. An act to direct the Secretary of Health and Human Services to intensify programs with respect to research and related activities concerning falls among older adults.

S. Con. Res. 123. Concurrent resolution recognizing and honoring the life and legacy of Alexander Hamilton on the bicentennial of his death because of his standing as one of the most influential Founding Fathers of the United States.

S. Con. Res. 149. Concurrent resolution commending the National Oceanic and Atmospheric Administration and its employees for its dedication and hard work during Hurricanes Charley, Frances, Ivan, and Jeanne.

The message also announced that the Secretary of the Senate be directed to request the House to return to the Senate the papers with respect to (S. 2283) "An Act to extend Federal funding for operation of State high risk health insurance pools."

#### CONFERENCE REPORT ON H.R. 1350, INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT OF 2004

Mr. SESSIONS. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 858 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 858

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 1350) to reauthorize the Individuals with Disabilities Education Act, 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. The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for purposes of debate only, I yield the customary 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 yielded is for the purpose of debate only.

This rule waives all points of order against the conference report for H.R. 1350 and against its consideration, and provides that the conference report shall be considered as read.

Mr. Speaker, shortly after my second son, Alex, was born in 1994, my father gave me some healthy words of advice when he said that Alex Sessions would be the greatest thing that would ever happen to our family. He knew and understood that in fact Alex was a very special baby. He was born with Downs Syndrome. The past 10 years have reaffirmed my father's words to me, and Alex has become one of the greatest parts of our family's life.

Ten years later, Alex is a very happy third grader at Lakewood Elementary in Dallas, Texas; and Alex has the support of numerous teachers, students, and parents who provide him with re-

markable educational lessons and invaluable friendships. For each of the last 2 years, Alex has been rewarded with the school's highest citizenship honor, to be a Lakewood Super Stal-lion.

In the last 3 weeks, Alex has successfully written for the first time his first and last name. While these are great personal achievements for Alex and our entire family, stories like these are being told all across the country because of the extra efforts of those dedicated educators who are working diligently with these wonderful children under landmark Federal legislation known as IDEA, or Individuals with Disabilities Education Act.

Several decades ago, Congress passed this legislation to guarantee children with disabilities full access to a fulfilling and appropriate public education. And while I have talked today about the many successes and achievements of this important program, there are also areas within the law that could and can use improvement and adjustment. I am proud to support the bipartisan legislation that is before us today to reauthorize and improve this most important education program to ensure that the true promise and intent of this act is carried out to the fullest extent of our abilities as Congressmen.

Mr. Speaker, H.R. 1350 creates an educational atmosphere focusing on the future of our most vulnerable children. It builds on the existing strengths of IDEA, while modernizing and improving the program to guarantee that children with disabilities have the most appropriate tools to fully utilize their gifts. The changes that we are making in IDEA will give children measurable goals to ensure they reach their postsecondary living and employment goals.

H.R. 1350 directly addresses perhaps the greatest problem facing IDEA, the effective monitoring and enforcement of the act. Effective July 1, 2005, it will give the Secretary of Education clear authority to enforce standards to monitor and enforce whether or not schools are in compliance with IDEA, authority that has been lacking since the inception of this education initiative. States will be empowered to create an acceptable set of standards; and if they are not met, the Secretary of Education will now have the tools necessary to take appropriate and reasonable action to work with State and local educators to remedy the situation.

This conference report provides Congress with a 6-year glidepath to fully fund IDEA by 2011. Under President Bush's leadership, funding for all education programs, in particular IDEA, have been a high priority. In his first term, President Bush increased IDEA funding to States by \$4.8 billion, or what we would know as a 76 percent increase. This Republican-controlled Congress, which I am proud to be a part of, has increased the Federal share

of IDEA funding to 19 percent in 10 years, whereas our predecessors in the Democrat-controlled Congresses only allowed the Federal share of IDEA costs to reach 7 percent.

H.R. 1350 also restores trust and constructive dialogue to the relationship between parents and school personnel promoting an earlier resolution to problems before they end up in court. This legislation creates the opportunity for a resolution session within 30 days of a complaint being filed to quickly resolve the problem. The constant threat of litigation creates an atmosphere of distrust between parents and schools, an environment that harms everyone involved.

Today's legislation also solves another problem that has plagued IDEA for too long. Today, many children with reading problems are misidentified as learning disabled and wrongly placed in special education classes, a costly mistake which siphons away valuable funding from students who truly need IDEA services. To address this issue, H.R. 1350 requires districts with significant over-identifying of students to operate early intervention programs to reduce over-identification, eliminating the outdated IQ discrepancy, a model that relies on a wait-to-fail approach, and introduces a response to intervention model that identifies specific learning disabilities before the students are at a failing grade level.

I am proud of this new IDEA legislation. Because of the important resources that H.R. 1350 provides to our schools, it may one day help my son Alex to further meet his goals of learning to read.

I am pleased to note that the House version of this legislation successfully passed through the Committee on Education and the Workforce, and then through the House in April of 2003. Today's conference report enjoys the overwhelming bipartisan support of its conferees, and I am confident that this report will enjoy wide bipartisan margins in both Houses before it is signed by President Bush.

I would ask that all my colleagues on both sides of the aisle demonstrate their commitment to the special education needs of our country's disabled children by supporting this conference report. I would like to thank the House sponsor of this legislation, the gentleman from Delaware (Mr. CASTLE), and the chairman of the Committee on Education and the Workforce, the gentleman from Ohio (Mr. BOEHNER), for their dedicated hard work in producing the conference report.

I would also like to take a minute to commend the conferees from both bodies that have labored to produce this fine product, including the gentleman from California (Mr. GEORGE MILLER), Senator EDWARD KENNEDY, and Senator JUDD GREGG.

Mr. Speaker, I urge my colleagues to join me in supporting this rule and the underlying legislation.