

the Federal Government prohibits States from raising \$4 billion to solve their own problems and fund their own education processes with the way we control public lands.

Now, since that is going to have a difficult time, there is a second bill. This bill is number 3463, which says that this map was never intended to be the way it was supposed to be forever. When the western States, those from Montana down to New Mexico that have all the blue space in there, the Federal land, when they were originally admitted as States, everyone except one had in their enabling act the idea that the land should go to the Federal Government until such time as the Federal Government shall, not might or if or may, but shall dispose of the land, and 5 percent of all of the proceeds were to go back to the States for a permanent education fund to fund their education. To be honest, actually three States did not have that. They said their 5 percent was supposed to go for infrastructure and roads. But everyone was supposed to get something back from the Federal Government.

In the mid-1970s, this Congress changed the rules of the game without consulting these States and passed legislation that said our official policy will now be to keep the land and not pay the 5 percent. What bill 3463 intends to do is say, okay, fine, let them keep the land, except have the States choose 5 percent of the land that is available, and we will take some things off the table, like national parks, monuments, reservations, military installations, things that are not valuable to the States anyway. But of the remaining land that is there, let them choose 5 percent of that land for their own to put it in for the purpose of building education funds in each of those western States.

If these western States could take the 5 percent of their land that is available and couple it with the school trust lands already open to them, they could create amazing economic zones, especially in rural parts of their States, which would not only build the economy, but which would also pay for the education of their kids. Since we are in an energy crisis, much of this land would be dealing with the growth and energy and potential for that growth.

One of the things we have is a cavalier and sometimes a flippant attitude about these lands in the West. I had an administrative official say, Why are you worried about all this land? It is a bunch of useless land where nobody lives anyway, or it is all our land, so we recreate on it. What we have to realize is that this policy has actually hurt kids. The educational ability of kids growing up in the West is depressed because of this land policy.

What we need now to do is to realize that and take constructive efforts to try and change that. Allow the States in the West to have the vehicle and the ability to raise the money to fund their education system in the way they wish

to do it, and House bill 3463 would actually do that.

U.S. DEBT CONTINUES TO RISE UNDER BUSH ADMINISTRATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, well, congratulations are yet again in order to the Bush administration. They hit another milestone just last week. They ran up the 8 trillionth, trillionth dollar of debt in the name of the American people.

The U.S. debt is up 60 percent under the Bush-Cheney watch with the Republicans in charge of Congress, a 60 percent increase in the Federal debt in 5 years. That took some doing. That means every American, from the tiniest baby to the oldest senior citizen, today owes about \$27,000. That is a heck of a burden to carry.

And then this year, they are touting the fact that they only have the third largest deficit in history at \$312 billion. They are saying, big progress. Of course, they forget to tell you that that does not include borrowing every penny of this year's Social Security surplus of \$180 billion, which is only paid for by working people, not the rich who are favored by the tax cuts. Only people who earn less than \$94,000 pay Social Security taxes. They are paying \$180 billion more than is necessary for the program, with the idea it is being saved.

It is not being saved. This administration is taking that money and spending it, part of it to finance tax cuts for rich people who do not pay Social Security taxes. A great noose on the taxpayers' money.

But now they are born again, right here on the floor in front of us this week, as fiscal conservatives. They say they want to pay for the Katrina disaster, but there is only one way to do it. Cut the tax cuts for the rich people? Oh, no, no, no. Wasteful spending? No. How about, let us go to the programs that are important to average Americans. Health care for seniors: they want to cut Medicare and Medicaid for seniors. Education: kids are already struggling to go to school, but cut education. They would hit at food stamps so they will be more hungry, and maybe cut back on energy assistance in a time of huge price gouging by their friends in the oil, coal, and gas industries.

Now, this is born again fiscal prudence on that side of the aisle. But what they are not telling people is not a penny of those cuts would go to pay for the Katrina disaster. No. In fact, they would, by implementing those cuts, still increase the deficit next year by a quarter of a billion dollars. Now, how can that be? I thought that money was going to pay for Katrina. No. They are going to borrow all the money to pay for Katrina. They are using those

cuts to finance, guess what, more tax cuts for the richest among us. They want to make permanent the cuts in capital gains, dividends taxes, and a permanent exemption of all estates from all estate tax. That costs a lot of money.

Now, why should we do this? Well, because they believe in trickle-down economics. The way to stimulate our economy, the way to rebuild our economy is more trickle-down economics. They even, one conservative over there had the gall to say poor people do not put people to work. No, that is right. Poor people and working people do the work. But they are saying we need to shower more money on the richest among us.

During the last 2 years, 99 percent, this is from the Internal Revenue Service controlled by George Bush, their statistics, 99 percent of Americans saw real income reductions after inflation. One percent, those over \$311,000, saw an increase; and one-tenth of 1 percent, those over \$1.3 million, saw a huge increase in their income, mostly due to tax cuts paid for by working people and borrowing against our future. And now they have the gall to come to the floor of the House and say, if only the Republicans were in charge, this fiscal irresponsibility would stop. Excuse me. You control the White House, the House, the Senate, and the judiciary. You control everything. It is within your power. You want to pay for Katrina? Let us cut wasteful spending.

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The President wants to borrow \$1 trillion to go to Mars. They are already beginning to borrow \$100 billion to go back to the Moon. Hey, JFK took us to the Moon for a fraction of the cost. Why do we need to borrow \$100 billion to go back? That would pay for half of the Katrina disaster. Then we can talk about, guess what? Tax cuts for the wealthy.

If we just did not make those tax cuts permanent, we could pay for Katrina a number of times over. But oh, that would mean that rich people would pay income taxes at the same rate as working people, and that does not fit into their trickle-down theories.

There is a few other things that we could cut, agriculture subsidies. Let us say any farmer who earns over \$100,000 a year will not get a taxpayer-financed subsidy where the money was borrowed, sometimes from Social Security, to subsidize that farm. That is pretty simple.

But no, they cannot go there. Or maybe we can get rid of the silly star wars fiasco. The general in charge of Star Wars has spent \$100 billion on it so far, borrowed, taxpayer money, says it has a better than zero percent chance of working.

Now is that not heartening? Let us have real fiscal responsibility, not more phony bologna.

ORDER OF BUSINESS

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent to speak out of order for 5 minutes.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

LITIGATION REFORM FOR
RESPIRATOR MANUFACTURERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SHUSTER) is recognized for 5 minutes.

Mr. SHUSTER. Mr. Speaker, I want to talk about a special aspect of a subject that has been in our news a great deal lately, emergency preparedness.

As a member of the Select Katrina Committee and as chairman of the subcommittee overseeing FEMA, I know that it is absolutely critical to prepare our Nation for natural disasters, terrorist attacks, or any other catastrophe and the spread of disease that could come with it.

When disasters strike, the most effective method of prevention depends, in part, on effective respiratory protection for millions who may be exposed. This protection is available through careful use of respirators, the masks, mostly disposable, that we see in pictures of first responders, emergency personnel and health care workers who are treating the sick.

The World Health Organization, for example, specifies certain respirators for use in avian flu treatments. The United States has a number of companies that manufacture respirators that are in a number of States around this country. One, Mine Safety Appliances, is headquartered in Pennsylvania and manufactures respirators in the State.

These are high quality products, recognized by industry, health care authorities and other experts as efficient, cost effective. More importantly, these products are 100 percent regulated by an agency of the U.S. Government, the National Institute for Occupational Safety and health, or NIOSH, which is part of the Centers for Disease Control in the Department of Health and Human Services.

NIOSH prescribes design standards for respirators, tests respirators in its own labs by its own professionals and monitors respirator manufacturers to ensure their products consistently meet the standards for which they are approved.

It also approves the warning labels that go on respirators to indicate what uses are and are not appropriate to emphasize the need for users to be sure that these respirators fit well.

It regulates the respirator manufacturers, but the Occupational Safety and Health Administration, or OSHA, regulates employers and prescribes what level of approved respirators should be used to protect against a particular workplace hazard.

Respirator manufacturers do not interact with respirator users. They make their products according to government standards for their uses approved by NIOSH and described on the label, but employers make the decision about whether to provide a respirator and which one to provide based on OSHA rules.

Unfortunately, in our litigation-obsessed society that separation of responsibility has not protected our respirator manufacturers from being sued in literally thousands of cases. Workers allege that a respirator was defectively designed or contained an inadequate warning label, and they got sick, and that somehow it is partly the fault of the manufacturer.

As absurd as this may sound, it is the premise for up to 30,000 individual claims brought against each major respirator manufacturer in the United States. There has been much controversy over many of these claims, since they involve workers who claim to be sick with asbestosis or silicosis.

In one situation, a Federal judge in Texas, a former nurse, found that thousands of claims were essentially without any legal or medical merit. They were produced by collusion between plaintiffs lawyers, doctors paid by the claim, and the x-ray mills that produced the diagnosis that could not survive medical review.

This corrupts the legal system and hurts most those few who are truly ill. It also threatens otherwise strong American industries like respirator manufacturing.

Our American respirator manufacturers are faced with the cost of administering and processing tens of thousands of claims. Some of these will be thrown out and some will be settled for a few hundred dollars, but each one requires thousands of dollars of research and process.

None of these cases has resulted in a trial and a judgment against a respirator manufacturer. It is the administrative cost of millions of dollars each year that are now about to exceed the net income of many companies from making respirators.

In short, we are in danger of losing a vital American industry that we are going to need desperately if disaster strikes. Whether the spread of a virus or biological terrorist attack, we already need respirators for countless industrial applications and routine medical and other health-related needs. Respirators are already providing protection from the airborne hazards that are everywhere in the recovery efforts from Hurricanes Katrina and Rita.

They also served thousands in the aftermath of September 11th. We cannot afford to have this vital industry torn down by inadequate claims with dollar signs at their hubs. That is why I am pleased to be the author, along with my original cosponsors, the gentlewoman from Pennsylvania (Ms. HART) and the gentleman from Pennsylvania (Mr. DOYLE) as well as the

gentleman from Texas (Mr. SMITH), of H.R. 2357, the Respirator Access Assurance Act of 2005.

This is a very simple bill. It says that if a manufacturer has the NIOSH approval for the design and labeling of a respirator, a manufacturer cannot be sued on the basis of the defective design or failure to warn.

It would apply to any case that has not gone to trial as of the enactment and to future cases. We need this legislation, and I am working with my colleagues and the House leadership to find an appropriate opportunity to bring it to the House floor for a vote soon.

I hope my colleagues will share my concern over the need to ensure that this American industry continues to produce these vital products for emergency preparedness, and will approve this and make it the law of the land.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Ms. SOLIS. Mr. Speaker, I ask unanimous consent to speak out of order for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

MEDICAID CUTS AND THEIR
IMPACT ON WOMEN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. SOLIS) is recognized for 5 minutes.

Ms. SOLIS. Mr. Speaker, today I rise in strong opposition to the Republican plan to cut billions of dollars to critically needed Federal programs like the Medicaid program.

In proposing offsets for the \$70 billion cost of hurricane relief, Republicans claim that they are increasing spending cuts from \$35 billion to \$50 billion in order to pay for the expenses recently incurred by the devastation of recent hurricanes in the gulf coast.

However, Republicans have targeted Medicaid and other important programs that serve our Nation's most vulnerable populations like women and children. The reckless Republican budget imposes painful sacrifices on low and moderate income women and their families in the name of deficit reduction.

Republicans claim that offsetting the cost of hurricane relief is fiscally responsible. However, in my opinion it is inconsistent with the decision in recent years not to offset tax cuts that cost \$106 billion or supplemental funding for Iraq that has cost the U.S. nearly \$251 billion, four times the cost of Hurricane Katrina.