offered zero interest financing, which, as GM said, has kept America rolling.

I will never apologize for defending the domestic auto industry against the Democratic leadership.

THANK YOU AND WELCOME HOME, RED BULL DIVISION

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

Mrs. BACHMANN. Mr. Speaker, the Minnesota Red Bulls are not an energy drink, but let me tell you about what an amazing energy force they have been for our freedom in the United States.

They are now returning home from the longest continuous deployment of any U.S. military unit during Operation Iraqi Freedom.

The Red Bulls hail from the 1st Brigade, 34th Infantry Division of the Minnesota National Guard based in Bloomington, Minnesota.

Mr. Speaker, these men and women are true citizen soldiers. They have put service to their country ahead of their family, of their friends, and their career since September of 2005.

During their deployment, let me tell you what the Red Bulls have done for our country, Mr. Speaker. They completed 5,200 combat logistical patrols. They secured 2.4 million convoy miles, and they discovered 462 improvised explosive devices prior to detonation. In addition, they completed 137 reconstruction projects and helped start two Iraqi newspapers for the local population that covered stories on these re-construction projects.

On behalf of a grateful Nation and a free world, we welcome back the Minnesota Red Bulls and we thank you.

CHILDREN’S HOSPITAL GRADUATE MEDICAL EDUCATION PROGRAM

(Mr. REICHERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. REICHERT. Mr. Speaker, as the House continues its consideration of the Labor-HHS appropriations bill today, I urge all my colleagues to support funding for the Children’s Hospital Graduate Medical Education program.

Every dollar amount is lower than the amount suggested by some of us in the 109th Congress, the $307 million in this appropriation bill will go to training and educating graduate medical students who will help our children at our children’s hospitals across this Nation.

Especially close to my heart is my godson, Kyle, who at 18 months old was diagnosed with cancer and for the last 12 years has survived and has been helped and aided by these graduate medical students.

So I urge my colleagues, please support this bill. It is so critical to the health of our children.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore (Mr. WELCH of Vermont). Pursuant to House Resolution 547 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3043.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3043) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, with Mrs. TAUSCHER in the chair.

The Clerk read the title of the bill.

The amendment I introduce today, as GM said, has kept America rolling.

The amendment offered by Mr. GRAVES.

Mr. GRAVES. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GRAVES: Page 42, line 12, after the dollar amount, insert "(reduced by $125,000,000)." Page 42, line 13, after the dollar amount, insert "(reduced by $125,000,000)." Page 42, line 21, after the dollar amount, insert "(increased by $125,000,000)."

Mr. GRAVES. Madam Chairman, let me begin by thanking the chairman and ranking member of the Appropriations Committee for working together in a true bipartisan fashion to begin providing a long overdue down payment to special education funding. In particular, I want to thank Ranking Member WALSH for his amendment in committee to provide a $335 million increase in special education funding for fiscal year 2008.

When the Individuals with Disabilities Education Act was signed into law more than 30 years ago, the Federal Government committed to pay the States 40 percent of the costs of providing services to students covered under this act. However, for three decades the Federal Government has often provided less than half the money promised.

What has this shortfall meant? For one, it has meant higher taxes at the State and local levels and less funding for other education programs as States and local governments struggle to make up the shortfall in Federal resources.

This amendment I introduce today builds on the bipartisan cooperation of the House Appropriations Committee by providing a further $125 million increase in funding for IDEIA part B grants to the States. To pay for my amendment, I offset the cost by reducing a portion of the U.S. contribution to the Global Fund. My amendment helps us fulfill our commitment to funding special education while also providing a small increase in funding to the Global Fund as was provided last year. I don’t take this money from any domestic program. These funds are dedicated to an overseas program, and they still see a $1 million increase over last year.

My amendment sets the right priorities for our Nation’s children with special needs, and I urge support from all of my colleagues. Again, I would thank the chairman and ranking member for their hard work on this.

Madam Chairman, I yield back the balance of my time.

Mr. OBEY. Madam Chairman, frankly, I am looking for my ranking minority member. But until he gets here let me take a little time and say that I would simply suggest to the gentleman, if he thinks this is a good idea, that he take this idea up with the President of the United States.

What this committee has tried to do both on this subcommittee and on the Foreign Operations Subcommittee is to respect and work with the administration in their effort to provide global leadership to deal with the AIDS epidemic around the world. And the fact is that this item in this bill is a critical piece of the President’s program.

Given our disarray around the world because of Iraq, I think it is a wonderful exception when we can be seen to be providing constructive leadership in the world on something. And certainly, although I have many differences with the President, this is one area where I think he has exercised significant leadership.

And I think it would undercut our standing yet again in the world if we were to withdraw this funding.

I just think that we’ve struck a good balance with respect to this program. I think both subcommittees have tried to see to it that we meet our international responsibilities.

You and I are very lucky human beings. Our souls were, thanks to God, infused in a body that lives in the United States. If they had been infused in a body that was born in Africa or in Asia or in some of the other hot spots in the world in terms of these diseases, I think we would take a look at this issue in a quite different way.

This program provides the only real leadership in the world to attack this program. I think it would be a horrendous mistake if we were to adopt the gentleman’s amendment. I would urge defeating the amendment.

Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri (Mr. GRAVES).

The question was taken; and the Chairman announced that the noes appeared to have it.
Mr. GRAVES. Madam Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Missouri will be postponed.

The Clerk will read.

The Clerk reads as follows:

NATIONAL INSTITUTES OF HEALTH

For carrying out section 301 and title IV of the Public Health Service Act (42 U.S.C. 241, 281 et seq.) with respect to general medical sciences, $1,966,019,000.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act (42 U.S.C. 241, 281 et seq.) with respect to child health and human development, $1,273,863,000.

NATIONAL INSTITUTE OF AGING

For carrying out section 301 and title IV of the Public Health Service Act (42 U.S.C. 241, 281 et seq.) with respect to biomedical imaging and bioengineering research, $303,318,000.

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act (42 U.S.C. 241, 281 et seq.) with respect to research resources and general research support grants, $1,171,095,000.

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act (42 U.S.C. 241, 281 et seq.) with respect to complementary and alternative medicine, $123,380,000.

NATIONAL CENTER ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the Public Health Service Act (42 U.S.C. 241, 281 et seq.) with respect to minority health and health disparities research, $302,691,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities of the John E. Fogarty International Center (described in subpart 2 of part E of title IV of the Public Health Service Act (42 U.S.C. 287b)), $167,599,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act (42 U.S.C. 241, 281 et seq.) with respect to health information communications, $325,461,000, of which $209,000,000 shall be available for improvement of information systems: Provided, That in fiscal year 2008, the National Library of Medicine may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health: Provided further, That in the fiscal year ending September 30, $8,200,000 shall be available from amounts available under section 241 of the Public Health Service Act (42 U.S.C. 287a) to carry out the activities of the National Library of Medicine: Provided further, That in the fiscal year ending September 30, $21,413,000 to carry out subpart I of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x–26) and related health services; Office of the Director: For carrying out the responsibilities of the Office of the Director, National Institutes of Health, $1,114,522,000, of which up to $14,000,000 shall be available for carrying out section 214 of this Act, of which $110,000,000 shall be for continuation of the National Children’s Study, and of which $495,153,000 shall be available through the Foundation and established under section 402A(c)(1) of the Public Health Service Act (42 U.S.C. 282a): Provided, That no funds appropriated herein shall be available for amounts available under section 241 of the Public Health Service Act (42 U.S.C. 287a) to carry out the activities of the National Library of Medicine: Provided further, That amounts shall be available under section 241 of the Public Health Service Act (42 U.S.C. 287a) to carry out subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x–24) to carry out subpart I of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x–1) to fund section 193(b) of such Act (42 U.S.C. 300x–35) relating to technical assistance, national data, data collection, and evaluation activities, and further that the total available under this Act for activities under section 193(b) shall not exceed 5 percent of the amounts appropriated for subpart I of part B of title XIX of such Act (42 U.S.C. 300x–2); (2) $16,000,000 to carry out national surveys on drug abuse and the chairman and ranking minority member from Missouri will be post-
member of every subcommittee of Energy and Commerce, as well as other Members, sent a letter to Chairman Oney and Ranking Member Lewis requesting that they consider funding this program. And we had hoped that it would be funded in this Appropriation bill because NASPER was passed by the Congress, is located and placed at HHS.

Now, the Appropriations Committee on another bill has provided funding for an unauthorized drug monitoring program located at the Department of Justice. That program is primarily based and focused on law enforcement. And we do not object to that program in any way, but I might say that last year, for 2007 and 2006, money was made available for both the NASPER program at HHS and the Department of Justice program, which is more based on law enforcement. The NASPER program really addresses the prescription drug addiction problem and helps physicians awareness and makes physicians aware of prescriptions that those patients have. So last year we were quite pleased that both programs were funded. And we were disappointed that this year’s program, the authorized program, was not funded; the unauthorized program was funded.

And so we come today and ask the chairman of the Appropriations Committee and the ranking member, both of whom have worked diligently on a bipartisan basis on this program for several years, come this morning and ask them to consider funding this authorized program.

I might add that Secretary Leavitt endorsed it. Former Secretary Tommy Thompson endorsed it. And as I said, we’re not asking that they defund the unauthorized program because we know that it’s doing a good job, but we’re simply saying the Energy and Commerce Committee, after years of hearings, passed this legislation. It passed the Senate overwhelmingly. The President signed it. It was funded last year, and we strongly request that the chairman consider funding it again this year.

Madam Chairman, I yield back the balance of my time.

Mr. WALSH of New York. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. WALSH of New York. Madam Chairman, I rise in reluctant opposition to my friend’s amendment.

The gentleman’s amendment really is unnecessary, and it duplicates work that the Justice Department is engaged in under the Prescription Drug Monitoring Grant Program.

I understand that primarily, as a result of the efforts of Mr. Rogens of Kentucky, the Justice Department has been operating for several years, running a grant program to assist States in building and enhancing prescription drug monitoring systems, facilitating the exchange of information among States, and providing technical assistance and training for effective State programs.

The Office of Justice Programs runs this grant program, along with the assistance and technical expertise of the Drug Enforcement Administration and is currently funded at $7.5 million.

From all accounts, the Justice Department effort on this program is effective. For that reason, I ask Members to oppose this amendment, which would set up a competing and duplicative program.

Madam Chairman, I yield back the balance of my time.

Mr. STUPAK. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. STUPAK. Madam Chairman, I rise today in support of Mr. Whitfield’s amendment that would amend funding for the National All Schedules Prescription Electronic Reporting Act, or NASPER.

Two years ago, Congress passed NASPER and it was signed into law, making it the only statutory authorized program to assist States in combating prescription drug abuse of controlled substances through prescription drug monitoring programs. Congress realized that more needed to be done to aid States to set up or improve State systems that enable authorities to identify prescription drug abusers, as well as the problem doctors who betray their high ethical standards of their profession by over or incorrectly prescribing prescription drugs.

The new law, NASPER law, authorized $10 million in fiscal year 2008 and $10 million each year through fiscal year 2010. Although NASPER has been signed into law, Congress has yet to appropriate funds for this program for the past 3 years. Given the existence of this authorized program, it would seem to be inappropriate not to fund NASPER, while funding unauthorized prescription monitoring programs. By doing this, Congress sets a bad precedent in sanctioning the creation and continued operation of Federal programs through the appropriation process.

NASPER was passed with bipartisan support after many years of hard work by many Members on both sides of the aisle and those of us who are on the Energy and Commerce Committee. NASPER is the only solution which will assist physicians, establish minimum standards for State prescription drug monitoring programs, and substantially reduce prescription drug abuse.

I urge all my colleagues to support the Whitfield amendment.

Madam Chairman, I yield back the balance of my time.

Mr. FALLONE. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FALLONE. Madam Chairman, I rise in support of the Whitfield amendment to fund NASPER, the National All Schedules Prescription Electronic Reporting Act, which the gentleman from Kentucky and I sponsored in the last Congress.

As was mentioned already, this is the authorized program that would deal with this issue. And I don’t want to get into unnecessarily contrasting this with the other program that the gentleman from New York mentioned, but I do think it’s necessary to understand that this program is authorized and it’s not funded. I mean, obviously we should be funding programs that are authorized, not those that are not.

But beyond that, the bottom line is that the NASPER program mandates that States participate in the program. We only have about 22 States now that are participating, so I would certainly argue that the status quo with this alternative Justice Department program is not working. If we want more States to get involved, we need to fund the authorized program.

During the time since August of 2005 when this became law and has not been funded, during this time since then prescription drug abuse has reached an all-time high, with an estimated 9 million Americans using prescription drugs for nonmedical purposes. Most disturbing is the fact that there is an epidemic of prescription drug abuse among our nation’s young people.

I think it’s necessary to understand that this amendment is needed to fund NASPER, the National All Schedules Prescription Electronic Reporting Act.

NASPER will ensure that prescription drugs are only being used for medical purposes. With better monitoring and tracking systems, people will not be able to seek multiple prescriptions or cross State lines to get prescriptions filled without their prior knowing.

NASPER reaches across State lines, with timetables and benchmarks aimed at eliminating the problem of prescription drug abuse. It’s a public health program in the Department of Health and Human Services, where it belongs, not in the Justice Department. And most important, it is the only statutorily authorized program to assist States in combating prescription drug use.

Right now, a lot of the program is with doctors. The Justice Department program doesn’t really help doctors prevent this epidemic. Also, the Justice Department program is totally focused on enforcement, not on trying to get people more involved in the States at a preventative level. So if we want involvement with the doctors, we have enforcement as well, but it’s not the only thing.

I would simply say that we’ve made this pledge a couple of times. My understanding is that this amendment is going to be withdrawn. But I just need to ask the appropriators, please consider the fact that in the future we need to address this. This needs to be
affected. The other program that’s in effect now is not doing the job. We simply ask that you collectively take a look at this and figure out how to do it so we can get funding for the NASPER program, which is the one that the Congress authorized and which will address this epidemic effectively. We’re not having an effective response right now.

With that, Madam Chairman, I would yield back the balance of my time.

Mr. WHITFIELD. Madam Chairman, I ask unanimous consent to strike the last word.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. WHITFIELD. I would say to the chairman of the Appropriations Committee and the ranking member that we didn’t really want to force this issue right now. But it is a program. As has been said, we spent 2 years having hearings on this program. It mandates States to adopt these programs. We feel like it is a great program. It was funded last year, and we would respectfully request that at conference maybe the chairman and ranking member would work with us in trying to address the issue.

Mr. OBEY. Will the gentleman yield?

Mr. WHITFIELD. Yes, sir.

Mr. OBEY. Let me simply say that we sort of feel like we’re caught in the middle of this one because Mr. Lewis, the ranking member of the Appropriations Committee, gave us a lecture yesterday about how we should avoid duplicative programs.

Mr. OBEY. If the gentleman will yield, I would just as soon that you settle your differences with your colleague from your own State, and when you have, come and see me. I will try to work with whoever is the winner of the wrestling match.

Mr. WHITFIELD. Madam Chairman, I thank the gentleman. I am here as an advocate for the Energy and Commerce Committee.

Madam Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the Public Health Service Act (42 U.S.C. 241 et seq., 299 et seq.), and part A of title XI of the Social Security Act (42 U.S.C. 1391 et seq.), $329,564,000; and in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until expended: Provided, That the amount made available pursuant to section 957(c) of the Public Health Service Act shall not exceed $47,064,000.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act (42 U.S.C. 1396a et seq., 1396 et seq.), and part A of title XI of the Social Security Act, $141,630,056,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or amendment in effect during such quarter, if submitted in or prior to the following quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 1844 and 1860D–16 of the Social Security Act (42 U.S.C. 1395s–27(a), sections 110(c) and 111(d) of the Social Security Amendments of 1965 (42 U.S.C. 426a(c), 1395c–1), section 27(b) of the Tax Equity and Fiscal Responsibility Act of 1982 (42 U.S.C. 426 note), and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act (42 U.S.C. 201(g)), $519,629,000,000.

In addition, for making matching payments under section 1924 of the Social Security Act (42 U.S.C. 1396w), and benefit payments under section 1902(a)(19) of the Social Security Act (42 U.S.C. 1395w–116), not anticipated in budget estimates, such sums as may be necessary.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the Public Health Service Act, and the Clinical Laboratory Improvement Amendments of 1988, not to exceed $3,230,161,000, to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act (42 U.S.C. 401(g)); together with all funds collected in accordance with section 353 of the Public Health Service Act (263a) and section 1857(e)(2) of the Social Security Act (42 U.S.C. 1395w–27(e)(2)), funds retained by the Secretary pursuant to section 1903(h)(1)(C) of the Social Security Act (42 U.S.C. 1395dd(h)(1)(C)), and such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended: Provided, That all funds derived in accordance with section 9701 of title 31, United States Code, from organizations established under title XIII of the Public Health Service Act, as modified by section 382(d) and section 1857(e)(2) of the Social Security Act (42 U.S.C. 1395w–27(e)(2)), funds retained by the Secretary pursuant to section 1903(h)(1)(C) of the Social Security Act (42 U.S.C. 1395dd(h)(1)(C)), and such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended: Provided, That all funds derived in accordance with section 9701 of title 31, United States Code, from organizations established under title XIII of the Public Health Service Act, as modified by section 382(d) and section 1857(e)(2) of the Social Security Act (42 U.S.C. 1395w–27(e)(2))...

Payment under title XIX may be made for any quarter with respect to a State plan or amendment in effect during such quarter, if submitted in or prior to the following quarter and approved in that or any subsequent quarter.

For payments to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 1844 and 1860D–16 of the Social Security Act (42 U.S.C. 1395s–27(a), sections 110(c) and 111(d) of the Social Security Amendments of 1965 (42 U.S.C. 426a(c), 1395c–1), section 27(b) of the Tax Equity and Fiscal Responsibility Act of 1982 (42 U.S.C. 426 note), and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act (42 U.S.C. 401(g)), $519,629,000,000.

In addition, for making matching payments under section 1924 of the Social Security Act (42 U.S.C. 1396w), and benefit payments under section 1902(a)(19) of the Social Security Act (42 U.S.C. 1395w–116), not anticipated in budget estimates, such sums as may be necessary.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the Public Health Service Act, and the Clinical Laboratory Improvement Amendments of 1988, not to exceed $3,230,161,000, to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act (42 U.S.C. 401(g)); together with all funds collected in accordance with section 353 of the Public Health Service Act (263a) and section 1857(e)(2) of the Social Security Act (42 U.S.C. 1395w–27(e)(2)), funds retained by the Secretary pursuant to section 1903(h)(1)(C) of the Social Security Act (42 U.S.C. 1395dd(h)(1)(C)), and such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended: Provided, That all funds derived in accordance with section 9701 of title 31, United States Code, from organizations established under title XIII of the Public Health Service Act, as modified by section 382(d) and section 1857(e)(2) of the Social Security Act (42 U.S.C. 1395w–27(e)(2))...
HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

In addition to amounts otherwise available for program integrity and program management, $370,000,000 shall be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 281(g) of the Social Security Act (42 U.S.C. 1395ww), of which $288,480,000 is for the Medicare Integrity Program at the Centers for Medicare and Medicaid Services to conduct targeted activities authorized in titles I and II of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173) and activities, including those activities listed in section 1893(b)(5) of the Social Security Act (42 U.S.C. 1395f), of which $36,690,000 is for the Department of Health and Human Services Office of Inspector General; of which $211,140,000 is for the Medicaid program integrity activities; and of which $36,690,000 is for the Department of Justice: Provided, That the report required by section 1811(k)(5) of the Social Security Act (42 U.S.C. 1395l(k)(5)) for fiscal year 2008 shall include measures of the effectiveness and impact on fraud, waste and abuse in the Medicare and Medicaid programs for the funds provided by this appropriation.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For making payments to States or other non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9, $2,949,713,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2009, $1,000,000,000, to remain available until expended.

For making payments to each State for carrying out the program of Aid to Families with Dependent Children under title IV-A of the Social Security Act as in effect before the effective date of the program of Temporary Assistance for Needy Families (TANF) with respect to such State, such sums as may be necessary: Provided, That the sum of the amounts available to a State with respect to expenditures under such title IV-A in fiscal year 1997 under this appropriation and title IV-A of the State's fiscal year 1997 budget as determined by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not exceed the limitations under section 1508(b) of the Social Security Act.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act as in effect before the Act of July 5, 1960 (24 U.S.C. ch. 9), for the last three months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

LOW-INCOME HOME ENERGY ASSISTANCE

For making payments under section 269A(d) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8625(a)-(d)), $1,388,800,000.


For making payments under section 620(a) of the Volunteer Services Act of 1976 (42 U.S.C. 1972a(a)), $34,900,000.

For making payments for completion of evaluations (including longitudinal evaluations) of adolescent pregnancy prevention approaches: Provided, That not more than $3,000,000 shall be for work units conducted in the District of Columbia: Provided further, That not more than $1,500,000 shall be for the Community Services Block Grant Act: Provided further, That in addition to amounts provided herein, $50,000,000 shall be transferred from amounts available under section 611 of the Social Security Act to carry out the provisions of section 1110 of the Social Security Act: Provided further, That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under this Act, and have not been repaid to such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: Provided further, That the Secretary of Health and Human Services shall establish procedures regarding the disposition of intangible property which may result, in whole or in part, as a result of funds acquired with funds authorized under section 680 of the Community Services Block Grant Act, to become the sole property of such grantee not later than 12 years after the end of the grant for purposes and uses consistent with the original grant: Provided further, That funds appropriated for section 680(a)(2) of the Community Services Block Grant Act shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: Provided further, That $64,350,000 is for a compassion capital fund to provide loans to communities to emulate model social service programs and to encourage research on the best practices of social service organizations: Provided further, That $15,720,000 shall be for activities authorized by the Help America Vote Act of 2002, of which $10,890,000 shall be for payments to States to promote access for voters with disabilities, and of which $4,820,000 shall be for payments to States for protection and advocacy systems for voters with disabilities: Provided further, That $136,664,000 shall be for carrying out competitive grants for providing abstinence education (as defined by section 510(b)(2) of the Social Security Act) to adolescent populations which agree to report to an entity that an adolescent to whom the entities provide abstinence education under such grant, the entities will not provide to that adolescent any abortion education regarding abortion, except that, in the case of an entity expressly required by law to provide health information or services the adolescent shall be provided with information or services from the entity in a different setting than the setting in which abstinence education was provided: Provided further, That within amounts provided herein for abstinence education for adolescents, up to $10,000,000 may be available for a national abstinence education campaign: Provided further, That in addition to amounts provided herein for abstinence education for adolescents, $4,500,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out the provisions of section 1110 of the Social Security Act: Provided further, That the Secretary of Health and Human Services, with respect to expenditures under such title I, provided for in this Act, shall suspend any requirements for matching funds.
Mr. HOLT. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 34 offered by Mr. HOLT:
Page 58, line 21, insert after the dollar amount the following: "(increased by $21,000,000)."
Page 60, line 12, insert after the dollar amount the following: "(increased by $21,000,000)."
Page 60, line 13, insert after the dollar amount the following: "(increased by $15,000,000)."
Page 60, line 15, insert after the dollar amount the following: "(increased by $6,000,000)."
Page 63, line 4, insert after the first dollar amount the following: "(reduced by $21,000,000)."

Mr. HOLT. Madam Chairman, as you may know, the funding authorized for the Help America Vote Act of 2002, known as HAVA, for disability access and protection and advocacy payments, was not properly appropriated. Section 261 of HAVA authorized $100 million in disability access funding to make polling places accessible to individuals with disabilities and to provide them with information about the accessibility of polling places.

I assure the Chair and my colleagues would agree, it is important for equality under the law that all voters have good access to voting.

In addition, section 291 authorized $10 million annually for fiscal years 2003 through 2006 and such sums as necessary thereafter to pay for the protection and advocacy systems of each State to ensure full participation in the electoral process for individuals with disabilities, including the process of registering to vote, casting a vote and gaining access to polling places. To date, only $55 million of that amount has been appropriated under HAVA to fund accessibility, and only $22 million has been appropriated to fund protection and advocacy systems.

Voting is indeed the cornerstone of our democracy, and unless all eligible voters are assured access to the polls, that fundamental right and the integrity of our electoral system generally are severely undermined. Therefore, I seek to amend the bill to provide $15 million in funding for accessibility under section 261 of HAVA, and an additional $6 million in funding for protection and advocacy systems under section 291 of HAVA, for a total increase of $21 million. This would result, as you can quickly calculate, in several hundred thousand dollars per State to assist in voting for voters with disabilities.

I urge my colleagues to support this increase.

Madam Chairman, I yield back the balance of my time.

Mr. OBEY. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Madam Chairman, I understand the motivation behind this amendment. The gentleman wants to provide additional funding for a very legitimate purpose, something we should have done a long time ago, and I understand that. But having said that, I am simply tired of having to defend administrative accounts from people on both sides of the aisle.

So I am not going to object to the amendment, but I do want to point out to the gentleman, as I will point out to many other Members who offer similar amendments today, that this committee is being whipsawed. We are being told by the White House that there is too much money in this bill, yet virtually every amendment that has been offered, save one, has been motivated principally by a desire to increase rather than decrease funds in this bill, rather than this amendment. While I recognize that it has an offset, it is a ‘let’s pretend’ offset, just like a number of the offsets were last night.

Anybody who understands how government works needs to understand that if an agency is a grant-making agency and if you gut its administrative budget, then there ain’t going to be nobody in the agency to issue the grants in the first place. Therefore, I want Members who offer these amendments to understand that even if they are accepted, when we go to conference we are going to have to make very large adjustments, and a lot of what is adopted on the House floor, if it is based on some of these ‘let’s pretend’ offsets, will in fact wind up on the cutting room floor by the time we get back from conference. That is just a practical fact of life.

Madam Chairman, as I say, I will not object to the gentleman’s amendment, but I don’t think anyone should be under any illusion that we can fund all of these additional wonderful things by simply going to the administrative budgets of the agencies, because occasionally you need somebody in that office to turn on the light.

Mr. HOLT. Madam Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from New Jersey.

Mr. HOLT. Madam Chairman, I thank the gentleman for his agreement, and simply ask that he continue, as he always has, to stand up for the American ideal of equality for all at the polling place.

Mr. OBEY. Madam Chairman, I yield back the balance of my time.

Mr. WALSH of New York. Madam Chairman, I move to strike the last word.

Mr. HOLT. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 41 offered by Mr. HENSARLING:
Page 58, line 21, after the dollar amount, insert "(reduced by $3,000,000)".

Mr. HENSARLING. Madam Chairman, if my ears did not deceive me, I think I heard the distinguished chairman of the Appropriations Committee either observe or lament that with one exception, every amendment offered on this bill, its purpose was to increase

Frankly, we have this year on July 26 the anniversary of the Americans With Disabilities Act, and we have taken many steps backward as a Nation in guaranteeing the civil rights of all Americans with disabilities. Clearly, in this process we need to do nothing special for people with disabilities, just the same rights. Guaranteeing equal access regardless of ability is what we need to do in this country.

This amendment seeks to do that; but I might add, so does the underlying bill. I hope that Members listening to this debate do not come away with the understanding that it is because of amendments like this that we are accomplishing it. The underlying bill, if one can look at it, does so much to offer independence and hope to people who previous to this bill were denied many opportunities because of previous budgetary priorities that shut people out in this country.

So I want to commend the chairman and the ranking member for producing a good bill that goes along the same lines as this amendment by opening up the doors of opportunity to all Americans.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The amendment was agreed to.

Mr. HENSARLING. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 41 offered by Mr. HENSARLING:
Page 58, line 21, after the dollar amount, insert "(reduced by $3,000,000)".

Mr. HENSARLING. Madam Chairman, if my ears did not deceive me, I think I heard the distinguished chairman of the Appropriations Committee either observe or lament that with one exception, every amendment offered on this bill, its purpose was to increase
spending. If that was a lamentation, I certainly share his angst. Not wanting to disappoint, I am coming to the floor with several amendments that are designed to do just the opposite, spend less of the people’s money to try to save hardworking American taxpayers more, yet keep them move of what they earned.

Now, Madam Chairman, this is a modest amendment, but it represents a very, very important principle. Today, right now, the Federal Government is spending $32,289 per family. This is the highest level spent in real inflation-adjusted terms since World War II.

Earlier this year, the Democrat budget resolution included the largest single tax increase in American history which when fully put in place would put $3,000, an average of $3,000, additional tax burden on the average American family. And now even if Congress were for some reason to just disband today and add no new government, just the government programs we have an automatic pilot threaten to double taxes on the next generation. So we need to find every opportunity that we can today to save the poor beleaguered taxpayer even more money.

Madam Chairman, I do not myself know exactly how many Federal programs exist. I have seen one estimate, I believe, from the Heritage Foundation that we have over 10,000 Federal programs spread across 600 different agencies. I believe that if any man, woman, or child were to tell me what each and every one of them does. Some of them I am sure do good things; but the question is given the fiscal challenges that we face, are they truly a priority.

Madam Chairman, some may have even completed their mission. And some, perhaps like the amendment that I am offering today, are actually duplicative. This is a modest amendment that would save the American taxpayer $8 million. In this particular program, ostensibly, funding is used for training and technical assistance in developing and managing water facilities. But the Office of Management and Budget has recommended that this particular program be eliminated, stating that “the program is duplicative of other Federal entities such as the Bureau of Reclamation’s rural water program which is responsible for water and wastewater treatment facilities.” That is from the Office of Management and Budget.

So we ought to make sure that we are not simply engaging in legislation by symbolism. I know every single program has a lofty-sounding name to help some constituency that is important to us. I tell any man, woman, or child to tell me what each and every one of them does. Some of them I am sure do good things; but the question is given the fiscal challenges that we face, are they truly a priority.

Mr. JACKSON of Illinois. I was going to yield a minute of my time to the gentleman from Texas to explain his amendment. I appreciate his speech, and I thought the gentleman’s speech was a thoughtful speech. He has come to this chamber today with any appropriation bill in an effort to save money, but I would like to yield to the gentleman just so he can tell us what his amendment does in this bill. If the gentleman would be kind enough to explain that to us, we would appreciate it over here on the majority.

Mr. HENSARLING. I thank the gentleman for yielding.

If I was not clear, this amendment would save the American taxpayer $8 million. It would remove a duplicative program, according to OMB, the Rural Community Facilities Program. I don’t need a minute to explain what the amendment does. That is it. I certainly apologize to my colleague if I was unclear as to the purpose of the amendment or how it operates.

Mr. JACKSON of Illinois. I appreciate the gentleman and his analysis.

At least as I read page 128, line 21, the gentleman seeks to reduce by $8 million section 501 of the Refugee Education Assistance Act of 1980 and section 505 of the Family Support Act of 1988. That reduction committee fundamentally opposes in part because of Refugee Education Assistance Act of 1980 and the Family Support Act of 1988 are reputable programs that have provided an enormous benefit to the American taxpayer. That is precisely why it is in the bill. And it is specifically in the section of the bill “Children and Families Services Programs” because of its enormous benefit to the American taxpayer.

I appreciate the gentleman’s effort at fiscal accountability and fiscal responsibility, and the gentleman has clearly led a crusade through every single one of those appropriations bills, but I would encourage Members to oppose the Hensarling amendment.

Mr. KENNEDY. Madam Chairman, will the gentleman yield?

Mr. JACKSON of Illinois. I yield to the gentleman from Rhode Island.

Mr. KENNEDY. Madam Chairman, I tell the gentleman, in my State, I will give you a perfect example of where this would make a difference.

In a rural part of my State we had a contamination of our well water, and it was a contamination because of the Mountain States Chemicals that goes into gasoline. I might add under the Republican majority, you all indemnified the oil and gas industry from lawsuits so that my community can’t get the justice it deserves so it can clean up its wastewater and make due reparation to my constituents. What they had to do is they had to go down to the local high school to take showers. They had to attach a pump through the fire department to the nearest community.

Now under this section of the bill, this is a public health hazard. You know why, because even at home when they turn on the water, they were getting lesions on their skin because the shower water was giving them lesions. Even when they turned on the steam, the children were breathing in the steam and were getting asthma attacks. Now if you are wondering what the nexus is, this is what the nexus is between your amendment and health and why infrastructure makes an enormous difference in providing clean, safe drinking water to rural communities.

Now I don’t come from a very rural State so you might think that it is kind of interesting that I would come up and speak on behalf of this. I would think that your State would probably benefit a lot more from this. Your constituents must be wondering about you offering an amendment against a section that would benefit your State more than it does mine. Frankly, this is an important program.

If anything, think of this country, we haven’t invested enough in infrastructure. Mr. JACKSON, I’m sure, has talked to his mayors and local community leaders, and they have told him that their infrastructure is falling apart. I would just commend the gentleman to say that if we have to do anything, we have to do more in the way of infrastructure, not less.

Mr. KENNEDY. Madam Chairman, I speak on behalf of the gentleman from Rhode Island’s thoughts on the subject, but I want to make sure that this amendment is going to the heart of Refugee Education Assistance Act of 1980 and Family Support Act of 1988.

Madam Chairman, I yield back the balance of my time.

Mr. PENCE. Madam Chairman, I move to strike the requisite number of words.
Mr. PENCE. Madam Chairman, I rise in strong support of the Hensarling amendment. I love a good debate. It is a great privilege for me to be able to come to the floor at a time when Mr. KENNEDY and Mr. JACKSON are here. I find them to be two of the most forceful and effective advocates of your view in the Congress in the majority, and so I welcome this opportunity to join in the debate. And I thank the gentleman from Texas who is consistently the strongest advocate for fiscal discipline and reform in the House of Representatives.

I will leave aside for the moment the whole question of which party forced this upon us. It seems to me that we are creating a burden for future generations of Americans that we ought not to create. So I support the Hensarling amendment. It is the least we can do to take that step.

I want to associate myself with the distinguished chairman of this committee who rose earlier to say, and I'm quoting now, that he was tired of defending administrative accounts with amendments by people who were coming to ask for more spending in other areas.

I do not want to argue about those two issues. What do they do? They come to the floor and squawk about an $8 million program to help the poorest rural communities in this country get basic services like sewer and water. I represent towns in my District with populations of less than a thousand people. At least half the households in many of those towns are headed either by senior citizens or a woman with a low income, and that means that when they get hit with the DNR order to clean up their water or clean up their sewer, they do not have the tax base to proceed, and they don't have technical expertise even to know how to begin going about it.

We've got a $385 billion backlog in this country of sewer and water needs, and yet we're hearing these complaints about this tiny little program and what terrible abuse it is for the taxpayer. I imagine a congressional committee trying to do something to help poor communities deal with their sewer and water problems. Isn't that awful? Isn't that wasteful? Good God, Almighty, we ought to be putting that $8 million into the pockets of millionaires in addition to tax cuts right? At least that's what their record shows they believe. Nonsense.

I'm getting up once on this amendment, but I don't intend to continually get up in what is a filibuster by amendment. So I wanted to get that off my chest once, and then I'm just going to sit back and let people drone on, drone on, O ship of State, and occasionally I might even listen.

Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING). The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. HENSARLING. Madam Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 42 OFFERED BY MR. HENSARLING

Mr. HENSARLING. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 42 offered by Mr. HENSARLING: Page 58, line 21, after the dollar amount, insert "(reduced by $5,000,000)"

Mr. HENSARLING. Madam Chairman, I listened intently to the distinguished chairman of the committee, as
I do whenever he is on the floor. Apparently he does not like amendments that increase spending in this bill, and apparently he doesn’t like amendments that decrease the spending in the bill. So apparently he doesn’t like amendments that are duplicitous, and perhaps he laid it out in the short term by continuing to raid the Social Security Trust Fund, which is what’s going to happen if this particular amendment fails. It will be funded by the single largest tax increase in American history which my friends on the other side of the aisle, the Democrat majority, has done in their budget, or perhaps it may even be funded by sending more debt to our children and grandchildren.

I think we should look for every opportunity. Given the challenges that we face, the Comptroller General of America has said we are on the verge of being the first generation in America’s history to leave the next generation with a lower standard of living. Never happened before in the history of America.

So, Madam Chairman, I make no apologies for, to use the distinguished chairman’s term, droning on about what fiscal perils lay in wait for future generations if we don’t start now. And then again, it’s a little bit like Goldilocks and the three bears. Either the porridge is too hot or the porridge is too cold. When is the porridge just right to try to save the family budget from the onslaught of the Federal budget?

So when we have the Office of Management and Budget single out a number of different programs, and I certainly think that their expertise in this area is great, to single out certain programs that, one, have outlived their usefulness; number two, are not meeting their objective; or number three, are duplicative, I think amendments are in order for the people’s House to save the people’s money.

We have to quit engaging again in the fact of legislation by symbolism. It has a lofty name or it has a lofty purpose, well, let’s look at what’s actually happening to the money.

So this is a modest amendment, and I admit it’s modest. I’ve tried to save big chunks of money and haven’t been terribly successful there, and so we’re going to attempt to save little chunks of money and perhaps set a precedent here.

So this amendment is designed to save the American taxpayer $5 million by hopefully zeroing out the account of a program which the Office of Management and Budget has said does not have performance standards. They do not have performance standards to assess their impact or are too narrowly focused to have a major benefit. They duplicate other Federal programs and award grants on a noncompetitive basis.

Now, ostensibly this program is a job opportunities program for low-income individuals, but I happen to know that practically every single one of my colleagues on the other side of the aisle voted against the tax relief that has created 8 million new jobs in our economy, which is an undeniable fact. That’s truly the best job opportunity program for low-income individuals.

And I know that this body recently voted against the maximum opportunity to create an artificial wage to deny some people their opportunity to get on the lowest rung of the economic ladder.

There’s a lot of ways that we can help low-income people with job opportunities, but one more duplicative program that awards grants on a non-competitive basis is not it. Let’s not raid the Social Security Trust Fund. Let’s not be a part of the largest single tax increase in American history. Let’s save the American people $5 million.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HENSARLING. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

The Clerk will read.

The Clerk read as follows:

PROMOTING SAFE AND STABLE FAMILIES

For carrying out section 436 of the Social Security Act (42 U.S.C. 626f), $345,000,000 and for section 437 of such Act (42 U.S.C. 626g), $89,100,000.

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For making payments to States or other non-Federal entities under title IV-E of the Social Security Act, $5,082,000,000.

For making payments to States or other non-Federal entities under title IV-E of the Social Security Act for the first quarter of fiscal year 2008, $1,776,000,000.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under title IV-E of the Social Security Act, for the last three months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

ADMINISTRATION ON AGING

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, section 206 of the Public Health Service Act (42 U.S.C. 280c-3), $1,417,189,000.

AMENDMENT NO. 44 OFFERED BY MR. HENSARLING

Mr. HENSARLING. Madam Chairman, I offer an amendment. The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 44 offered by Mr. HENSARLING:

Page 62, line 20, after the dollar amount, insert: "(reduced by $21,400,000)."

Mr. HENSARLING. Madam Chairman, again we have another modest amendment aiming at saving the American taxpayer, in this case $21.4 million. Again, we have a program that has a very lofty name, Preventive Health under the Administration of Aging. But I tell you, that program needs to be put in the larger context.

We are being asked now to provide in this particular appropriations bill $152 billion in discretionary funding, one of the largest bills that will go to the people’s House. It has, I believe, a 4.8 percent increase over last year, when I assure you, American families who are being asked to pay for this did not enjoy a 4.8 percent increase.

We, once again, have another portion of the Federal budget growing beyond the ability of the family budget to pay for this. So we all know that this is a part of a plan that will increase an additional $36 billion for domestic programs under the budget resolution of the Democrat majority, on top of the $6 billion that has been added to the current year omnibus, on top of the $17 billion in nonwar emergency spending they have added to the Iraq war supplemental.

Again, I recall the words of the distinguished chairman of the Appropriations Committee, referring to those of us who may drone on about attempting to save the Federal taxpayer money, but there are also those who seemingly use the same old argument that government knows how to spend money better than the American family.

Somehow, if we take money away from American families, that’s an investment. But if they somehow keep it, it’s just WASTING the dollars that are really going to bring down the government to its knees. I just don’t buy that argument. Somehow we are supposed to believe in the roughly 10,000 Federal programs spread across 600 different agencies, growing at roughly twice the rate of inflation, growing beyond the ability of the family budget to pay for it, that somehow, somehow, every single penny of Federal expenditures is sacrosanct.
Yet there is nothing sacrosanct about the money we take away from the American people to pay for that.

Now, the funds in this particular program are awarded to States and territories that supposedly educate older Americans about the importance of healthy lifestyles, a very noble purpose. But I would note with the exception of, I think, two, maybe three States, every single one of them is running a surplus.

We are granting money to 95, 98 percent of the States that are running the surplus, while the Federal Government continues to run a deficit. Although that deficit is coming down because we are awash in tax revenues, it certainly hasn't been from any spending disciplines. The bottom line is we are running a deficit. Although the surplus, while the Federal Government continues to run a deficit. Although

Mr. KENNEDY. Madam Chairman, I think this is a perfect, perfect example of a gentleman offering an amendment where he knows the cost of something but the value of nothing.

If he were to visit any congregate meal site in his district or were to visit any of the Meals-on-Wheels programs in this country and was able to see what a difference those programs make in people's lives, he would understand that it was these kinds of programs that saved the taxpayer money.

I guess, but he's saying what a waste it is for us to pay for someone's illness. Let's put off paying for their illness until they get really sick. Then they have got to get hospitalized. Then let's pay for it through Medicare.

Frankly, the former Speaker Newt Gingrich, every modern health care magazine, Republican Presidential contender Tommy Thompson, former HHS director, every leader and study in health care knows we ought to be going in the opposite direction. It's all about health. In case anybody has not been looking, our health care system is an acute care system. It's a sick care system. We need to be going preventive and it's already broken. Let's take care of people first and keep them out of the hospital.

Unfortunately, this amendment goes a great deal of distance in the wrong direction, not the right direction.

Mr. JACKSON of Illinois. I thank the Chair. I yield to the gentleman from Tennessee Colony, Texas, says, "Please do what you can to stop the wasteful spending. I am tired and disabled. I am raising my three grandchildren and now one great grandchild. I sometimes can't afford my medicine."

So here we have a choice. We can take money away from Joyce in Tennessee Colony, take money away from her health care program, to engage in this particular program which OMB says is duplicative.

I have heard from David in the city of Garland.

The CHAIRMAN. The gentleman's time has expired.

Mr. KENNEDY. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Rhode Island is recognized for 5 minutes.
AMENDMENT OFFERED BY MR. FERGUSON

Mr. FERGUSON. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FERGUSON: Page 63, line 4, after the first dollar amount increase insert "(increased by $10,000,000)".

Mr. FERGUSON. Madam Chairman, I rise in strong support of the Ferguson-Langevin amendment that will set aside $10 million for implementation and to fund the Lifespan Respite Care Act.

I know the gentleman from Rhode Island, Mr. LANGEVIN, will be speaking on this amendment as well. I really want to praise him and thank him for his great leadership on this issue over the years. He and I have worked together as friends and partners on this issue in particular. I have great respect and admiration for the work that he has done on this issue.

Together, we worked to pass the Lifespan Respite Care Act. It was unanimously approved by this Chamber and the Senate last Congress. It serves the funding necessary to launch this critically important program. The passage of the Lifespan Respite Care Act. It was unanimously approved by this Chamber and the Senate last Congress. It de-

funds would change that.

Funding the Lifespan Respite Care Act would improve coordination and access for respite care to recruit and train respite care providers, would aid family caregivers regardless of age or disability or their family situation, help them to find and pay for respite services. Through competitive grants, States would get funding to make quality respite care available and accessible regardless of age or disability or family situation.

Respite care improves the health and the well-being of caregivers and reduces the risk of abuse or neglect. Importantly, it also delays or even avoids more costly hospitalizations or placements in nursing homes or in foster care.

I want to thank all of the family caregivers in our Nation who provide tireless care for their loved ones, and I also want to thank all the numerous groups and organizations around this country in their exhaustive effort to establish this Lifespan Respite Care program. Providing relief to our Nation's family caregivers is long overdue.

I urge my colleagues to support this amendment. Once again, I am pleased and honored to have worked with the gentleman from Rhode Island (Mr. LANGEVIN) on this important legislation.

Madam Chairman, I yield back the balance of my time.

Mr. Langevin, I move to strike the last word.

The CHAIRMAN. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. LANGEVIN. Madam Chairman, I am pleased to rise in strong support of the Ferguson-Langevin amendment. Last year, I was so pleased to work closely with Mr. FERGUSON to ensure the passage of the Lifespan Respite Care Act, which will offer relief to so many family caregivers across the country.

I had the privilege of traveling with Mr. FERGUSON to Iraq going back a couple of years now, and I know his personal commitment to this issue. He shared the story with me about his personal experience with his in-laws and I know in my case as well as with Mr. FERGUSON, this is certainly a very personal issue that we have personal knowledge about and we care passionately about. So I am pleased to join him today and in the effort to direct funding now for this important program. As I mentioned, I know firsthand what a difference a dedicated caregiver can make in the life of a person with a disability or chronic condition.

Family caregiving is an essential yet often overlooked aspect of our Nation’s health care system. The ability to live at home and remain a part of one’s community can make a tremendous difference in a person achieving independence, recovery, or treatment. And together, they are caring for a child with a behavioral disorder or a parent with ALS or a spouse with multiple sclerosis, we all know someone who is a family caregiver. They live in all of our communities and they are often silent heroes, ensuring family stability and helping those who struggle with disease or disability to avoid more costly out-of-home placements.

We were so excited last year when this Congress really took a bold initiative in enacting the Lifespan Respite Care Act, and it gave hope to so many families across America. Today, this amendment that we are proposing directs $10 million toward the Lifespan Respite Care Act, which would authorize grants to make quality respite care available and accessible to family caregivers regardless of age or disability.

So it is exciting if we can actually put now the funding into the Lifespan Respite Care Act that we so desperately need to help America’s families who are providing this type of care in the home.

I urge all of my colleagues who are so supportive of the passage of this bill to vote in favor of the Ferguson-Langevin amendment.

I also want to commend my colleague Mr. FERGUSON, the gentleman from New Jersey, for his passion and dedication on this issue. It has truly been a team effort. And, again, I urge my colleagues to support it.

Madam Chairman, I yield back the balance of my time.

Mr. OBEY. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Madam Chairman, again, I feel required to make the same comments that I made on a previous amendment that was offered about one-half hour ago.

Mr. LANGEVIN. Madam Chairman, I want to commen...
This amendment seeks to do a very worthy thing: It seeks to increase support for respite care. God knows, having watched my mother-in-law for 7 years, having watched my father-in-law take care of her every day, God knows that anyone who has ever seen something like that understands that we need a lot more respite care.

But having said that, I want again to use this amendment to illustrate what is happening on this bill, because here is what the amendment says:

Page 64, after the first dollar amount insert, reduce by $20 million, increase by $20 million.

Now, what the amendment really does is simply to serve as a vehicle by which these two worthy Members can raise the issue that there is not enough money in this bill for respite care. And you know what? There isn’t. And there isn’t enough money in this bill for CDC; there isn’t enough money in this bill for NIH; there isn’t enough money in this situation; there isn’t enough money in this bill for Pell Grants; there is not enough money in this bill to sufficiently reduce the Social Security backlog; there is not enough money in this bill to keep all the Social Security offices open that are closing around the country. And, yet, the administration is sending out a letter telling Members of Congress that they ought to vote against this bill because there is too much money.

Now, the fact is that the two gentlemen at all for using this device in order to raise their concerns; it is about the only thing they can do. But the fact is, as chairman of this committee, I have an obligation to point out to the House and to the occasional other person who might be listening that Members are being forced to go through these kinds of machinations because instead of meeting our obligations to the most needy people, the most vulnerable people in this society, we are instead squirting away billions of dollars on an Iraq war and billions more dollars in tax cuts for persons who make over $1 million a year.

The day that we decide not to do that, the day that we decide that we are not going to spend $150 billion more in Iraq this year, the day that we decide that we are not going to spend $150 billion more in Iraq this year, the day that we decide that we are not going to put tax cuts for millionaires ahead of the needs of our disabled and ahead of the needs of our isolated seniors, then that is the day we write our checks like this will be real, because then there will be sufficient room in the budget to do what we ought to be doing on these programs.

Again, I will not stand in the way of this amendment because it is a worthy cause. But, understand, this is not a real offset; it doesn’t add any new money to this account; and when we go to conference, we are going to have to jettison much of what is adopted on the floor because, like this amendment, it is real. Because of budget constraints, it ain’t real.

Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. FERGUSON).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. FERGUSON. Madam Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to rule 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

The Clerk will read.

The Clerk read as follows:

OFFICE OF MEDICARE HEARINGS AND APPEALS

For expenses necessary for administrative law judges responsible for hearing cases under title XVIII of the Social Security Act (and related provisions of title XI of such Act), $65,000,000, to be transferred in appropriate part from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY

For expenses necessary for the Office of the National Coordinator for Health Information Technology, including contracts, and cooperative agreements for the development and advancement of an interoperable national health information technology infrastructure; $3,392,000: Provided, That in addition to amounts provided herein, $48,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out the Information technology network development.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, including the hire of passenger motor vehicles for investigations, in carrying out the provisions of the Inspector General Act of 1978, $44,687,000: Provided, That of such amount, necessary sums are available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under section 228 of title XIX, for services of the Inspector General of the Social Security Administration.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $33,748,000, together with not to exceed $3,314,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act, $139,000,000: Provided, That such amount is available for activities of the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement and medical benefits for Public Health Service Commissioned Officers as authorized by law, for payments under the Retiree Servicemen’s Family Protection Plan and Survivor Benefit Plan, for medical care of dependents and retired personnel under the Dependents’ Medical Care Act (10 U.S.C. chapter 56), such amounts as may be required during the current fiscal year.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to support activities related to the spread of bioterrorism, disease, nuclear, radiological and chemical threats to civilian populations, and for other public health emergencies, $757,291,000, of which not to exceed $22,368,000, to remain available until September 30, 2009, is to pay the costs described in section 319F–2(c)(7)(B) of the Public Health Service Act (42 U.S.C. 247d–6bc(c)(7)(B)).

For expenses necessary to prepare for and respond to an influenza pandemic, $8,000,000, of which not to exceed $50,000,000 shall be used for activities including the development and purchase of vaccine, antivirals, necessary medical supplies, bioterrorism countermeasure stocks, and other emergency preparedness tools: Provided, That such products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile: Provided further, That notwithstanding section 406(b) of the Public Health Service Act, funds may be used for the construction or renovation of buildings and purchase of necessary equipment for the production of pandemic vaccine and other biologicals, where the Secretary finds such a contract necessary to secure sufficient quantities of such vaccines or biologicals: Provided further, That funds appropriated herein may be transferred to other appropriation accounts of the Department of Health and Human Services as determined by the Secretary to be appropriate, to be used for the purposes specified in this sentence.

COUNTER COUNTERMEASURE PROCESS FUND

For carrying out section 319F–4 of the Public Health Service Act (42 U.S.C. 247d–6e) to compensate individuals for injuries caused by H5N1 vaccine, in accordance with the declaration of disaster or emergency issued by the Secretary of Health and Human Services on January 26, 2007, pursuant to section 319F–3(b) of such Act (42 U.S.C. 247d–6b), $5,000,000, to remain available until expended.

GENERAL PROVISIONS

Sec. 201. Funds appropriated in this title shall be available for not to exceed $50,000 for official reception and representation expenses when specifically approved by the Secretary of Health and Human Services.

Sec. 202. The Secretary of Health and Human Services shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the United States Agency for International Development, the United Nations International Children’s Emergency Fund, or the World Health Organization.

Sec. 203. None of the funds appropriated in this Act for the National Institutes of Health, the Agency for Research and Quality, and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level I.

Sec. 204. None of the funds appropriated in this title for Head Start shall be used to pay the compensation of an individual, other as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

Sec. 205. None of the funds appropriated in this Act may be expended pursuant to section 241 of the Public Health Service Act, except for funds specifically provided for in this Act, or for other grants and assessments made by any office located in the Department of Health and Human Services, prior to the preparation and submission of a report by the Secretary of Health and Human Services to the Committees on Appropriations of the House of Representatives and the Senate detailing the planned uses of such funds.

Sec. 206. Notwithstanding section 241(a) of the Public Health Service Act, such portion of the funds appropriated in this Act as the Secretary of Health and Human Services shall determine, but not more than 2.4 percent, of any amounts appropriated for
programs authorized under such Act shall be made available for the evaluation (directly, or by grants or contracts) of the implementation and effectiveness of such programs.

(INCLUDING TRANSFER OF FUNDS)

SFC 208. The Director of the National Institutes of Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes and centers from the total amounts identified by these two Funds. The transfer is for research concerning the human immunodeficiency virus: Provided, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

(INCLUDING TRANSFER OF FUNDS)

SFC 209. Of the amounts made available in this Act for the National Institutes of Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of the Office of AIDS Research, shall be made available to the “Office of AIDS Research” account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2523(d)(1) of the Public Health Service Act (42 U.S.C. 300cc-40(d)(3)).

SFC 210. None of the funds appropriated in this Act shall be available to carry out section 2523(d)(1) of the Public Health Service Act (42 U.S.C. 300cc-40(d)(3)) unless the applicant for the award certifies to the Secretary of Health and Human Services that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SFC 211. Notwithstanding any other provision of law, no provider of services under title X of the Public Health Service Act (42 U.S.C. 1001 et seq.) shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, or incest.

SFC 212. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare Program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or any Medicare Advantage organization described in this section shall be construed to change the Medicare Program (including its Part B and a Medicare Advantage program) and a Medicare Advantage organization described in this section shall be responsible for informing enrollees where to obtain information about the financial arrangement.

SFC 213. (a) Except as provided by subsection (e) none of the funds appropriated by this Act may be used to withhold substance abuse funding from a State pursuant to section 1926 of the Public Health Service Act (42 U.S.C. 300x-26) if such State certifies to the Secretary of Health and Human Services by May 1, 2008, that the State will commit additional State funds, in accordance with subsection (b), to ensure compliance with State laws prohibiting the sale of tobacco products to individuals under 18 years of age.

(b) The amount of funds to be committed by a State under subsection (a) shall be equal to 1 percent of such State’s substance abuse block grant allocation for each percentage point by which the State misses the retailer compliance rate goal established by the Secretary of Health and Human Services under section 1926 of such Act.

(c) The State is to maintain State expenditures in tobacco prevention and compliance programs and for compliance activities at a level that is not less than the level of such expenditures maintained by the State for fiscal year 2007 (fiscal year to which the additional funds for tobacco compliance activities referred under subsection (a)). The State is to submit a report to the Secretary on all fiscal year 2007 State expenditures and all fiscal year 2008 obligations for tobacco prevention and compliance activities by program activity by July 31, 2008.

(d) The Federal discretion in enforcing the timing of the State obligation of the additional funds required by the certification described in subsection (a) as late as July 31, 2008.

(e) None of the funds appropriated by this Act may be used to withhold substance abuse funding pursuant to section 1926 of the Public Health Service Act (42 U.S.C. 300x-26) from a territory that receives less than $1,000,000.

SFC 214. In order for the Centers for Disease Control and Prevention to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2008:

(1) The Secretary of Health and Human Services (in this section referred to as the “Secretary”) is authorized to enter into contracts, cooperative agreements, or grants, to be available only for individual full-time equivalent employees.

(2) The Secretary of Health and Human Services (in this section referred to as the “Secretary”) is authorized to enter into contracts, cooperative agreements, or grants, to be available only for individual full-time equivalent employees.

(3) The Secretary of Health and Human Services shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 1902(b)(6) of the Foreign Assistance Act of 1961 (22 U.S.C. 2352) and other applicable statutes administered by the Department of State.

(4) The Secretary of HHS is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of acquisition, lease, alteration, renovation, and management of facilities outside of the United States for the use of the Department of Health and Human Services. The Department of State shall consult with the Secretary of HHS to ensure that the Department of Health and Human Services has secure, safe, functional facilities that comply with all State and local security, location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary of HHS is authorized, in consultation with the Secretary of State, through grant or cooperative agreement, to make available to public or nonprofit entities in the Federal government, participating foreign countries, funds to acquire, lease, alter, or renovate facilities in those countries as necessary to conduct programs, including assistance for health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

(5) Notwithstanding any other provision of law, the Director of the National Institutes of Health (in this section referred to as the “NIH”) may use funds available under section 402(b)(7) or 402(b)(12) of the Public Health Service Act (42 U.S.C. 282(b)(7), 282(b)(12)) to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research identified pursuant to such section 402(b)(7) (pertaining to the Common Fund) or research and activities described in such section 402(b)(12).

(b) Peer Review.—In entering into transactions under subsection (a), the Director of the NIH may utilize the procedures (including consultation with appropriate scientific experts) as the Director determines would best achieve the purposes of the Act.

(c) This Act may be implemented only in accordance with the public access policy in a manner consistent with copyright law.

SFC 217. The Director of the National Institutes of Health shall report to the Committees on Appropriations of the House of Representatives and the Senate for the use of the Department of Health and Human Services, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes and centers in those countries as necessary to conduct programs, including assistance for health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

SFC 218. Not to exceed $35,000,000 of funds appropriated by this Act to the institutes and centers of the National Institutes of Health may be used for alteration, repair, or improvement of facilities, as necessary for the proper and efficient conduct of the activities authorized herein, at not to exceed $2,500,000 per project.

SFC 219. None of the funds appropriated in this Act may be used to administer any child under 3 years of age an influenza vaccine during the 2008–2009 influenza season for which thimerosal is listed on the labeling as an ingredient.

This title may be cited as the “Department of Health and Human Services Appropriations Act, 2008”.

TITLE III—DEPARTMENT OF EDUCATION

SFC 220. For carrying out title I of the Elementary and Secondary Education Act of 1965 (ESEA) (20 U.S.C. 6301 et seq.) and section

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shall be available for a comprehensive school agency-level census poverty data from the originating local educational agencies.

Provided further, That up to $4,000,000 of these funds shall be available to the Secretary of Education on October 1, 2007, to obtain annually updated local educational-agency-level census poverty data from the Bureau of the Census: Provided further, That $1,965,000 shall be for concentration grants under section 1124A of ESEA (20 U.S.C. 6334): Provided further, That $3,094,562,000 shall be for targeted grants under section 1124A of ESEA (20 U.S.C. 6334):

The CHAIRMAN. The amendment is in order.

Mr. FERGUSON. Madam Chairman, I ask unanimous consent that the request for a recorded vote on the Ferguson amendment be withdrawn.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. The amendment is adopted.

AMENDMENT NO. 36 OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 36 offered by Ms. Eddie Bernice Johnson of Texas:

Page 77, line 6, after the dollar amount, insert "(increased by $46,500,000)".

Page 77, line 7, after the dollar amount, insert "(reduced by $6,500,000)".

Page 83, line 11, after the dollar amount, insert "(increased by $6,500,000)".

Page 83, line 17, after the dollar amount, insert "(increased by $6,500,000)".

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Chairman, I rise today with an amendment to restore funding for the State grants portion of the Safe Drug and Preschool and Communities program for the year 2007.

These grants are an essential part of drug prevention and funds essential in effective services, including peer resistance and social skills training, parent education, student assistance, and education about emerging drug needs. This program serves 97 percent of our Nation’s schools, and it is the only program that provides funding for universal prevention of all of our Nation’s school-aged youth.

The success of this program has been documented by numerous States and local agencies. It is extremely effective and has contributed to a 23 percent decline in drug use among youth over the past 5 years. It is important to keep drug prevention as a priority. Historically, when funding for drug prevention is cut, drug use amongst youth surges.

This program also provides coordinated school and community-based efforts to target emerging drug trends among communities.

As a result, this program has made significant contributions to reducing methamphetamine and black tar heroin use among school-aged youth in many States throughout the country. Over the past 2 years in Texas, participating States, we have had 23 teens die from overdoses of a black tar heroin mixture that is called cheese with Tyleanol PM, and we work with DEA and local merchants and all around trying to get some handle on it. But through the Safe and Drug-Free Schools and Communities program, local antidrug coalitions have partnered with schools throughout to hold prevention conferences in order to combat this growing epidemic.

They have targeted both students and parents to raise awareness surrounding this. We have also held town hall meetings for teenagers. I have held one myself.

Without the infrastructure provided by this program, the antidrug coalitions would have little if any access to these students and parents, and the heroin problem would have undoubtedly increased.

This issue of emerging drug trends is not isolated. And while drug use among school-age children has declined, the risk to drug continues to rise.

We've recently seen new drugs aimed at our children, such as the candy-flavored meth and cocaine in many States, including Texas, California, Arkansas, Nevada, and Alabama. Without strong and effective prevention programs, these emerging epidemics will have a devastating impact on the educational performance of students nationwide.

As you're aware, drug prevention is critical to ensuring the overall academic success of our youth. Studies have found that lower reading and math scores are linked to peer substance abuse. Our Nation cannot afford to see alcohol and drug use or violence rise above their current levels.

I urge my colleagues to vote for this amendment to restore the funding for the Safe and Drug Free Schools and Communities Program to the 2007 level. $46.5 million was reduced, and, Madam Chairman, I do have an offset.

The offset for the Safe and Drug Free Schools and Communities Program will come from the Reading First program.

The Reading First program has been monitored by allegations of financial conflicts of interest andcronyism and is currently under investigation by the Department of Justice. The Office of Inspector General and the U.S. Department of Education have found numerous legal and ethical violations in how Reading First has steered funds toward favored programs. There has been also conflicts of interest in hiring and the promotion of commercial reading materials. This mismanagement has already resulted in the program being canceled more than 60 percent of fiscal year 2008.

Just a few examples of this mismanagement include the Office of Inspector General found that the program administrator had improperly promoted commercial reading programs potentially in violation of Federal law. The Office of Inspector General analyzed hundreds of e-mails and concluded that the Department's program officials failed to maintain a controlled environment that exemplified management integrity and accountability.

They found that the Madison School District in Wisconsin had substantial data.

The CHAIRMAN. The gentleman’s time has expired.

Ms. EDDIE BERNICE JOHNSON of Texas. I move the adoption of this amendment, Madam Chairman.

Mr. WALSH of New York. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. WALSH of New York. Madam Chairman, I rise in opposition to this amendment. I certainly can't support further cuts to the Reading First program. It's been cut by $629 million. Further cutting this bill adds insult to injury.

There have been problems with the program. There have been abuses. And if laws have been broken, the Inspector General will bring charges against those violators. But we shouldn't punish small children and their teachers for those abuses.

We don't have a need in this country to teach children how to read. I don't think anyone could deny that.

So Madam Chairman, for that reason, I will not support any further cuts to a program that teaches those kids to read. And, in fact, I suspect by the time we get to conference, when some of these issues are clarified, we'll be adding money back to this program.

For that reason, I oppose the amendment.

Mr. OBEY. Madam Chairman, I yield back the balance of my time.

Mr. OBEY. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Madam Chairman, let me simply say again, as I have several times today, I am sympathetic to the goal of the gentleman’s amendment, and I appreciate the fact that she did not craft her amendment in a way which would go after general departmental administrative costs. I appreciate that concession on the part of the gentleman.
Having said that, again, I will not personally object to the amendment because I understand what she is trying to do. But I definitely want to make clear what the gentleman from New York said, that there's only so far that you can cut any of these programs.

I happen to have insisted on a very deep cut in Reading First because of the abuse that occurred of the taxpayer funds in that account. But having said that, it's our hope that, frankly, and the House needs to know this, it's our hope that by the time we get to conference, we will have worked out enough of an understanding with the administration about the corrections that are needed so that we don't have to take the deep cuts that are in the bill now. But we are not yet at that point, so I think people who are bringing these amendments to the floor need to understand that many of them will not survive, simply for the same reason that I said earlier, that this bill is short of the funds necessary to fund serving programs such as that pointed out by the gentlewoman from Texas.

Madam Chairman, I yield back the balance of my time.

Mr. JACKSON of Illinois. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

Mr. JACKSON of Illinois. I yield to the gentlelady from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Let me say to the gentleman who objected, I truly understand his objection on the reading program. However, statistics have shown that if these young people are under the influence of drugs, that's where they fail. And if we could prevent this drug usage, it probably will let some of the ability come through.

I know that's difficult, but this is a very serious problem, and these cuts will hurt very severely in areas, primarily in school districts where we've had even young people having the ability to sell drugs to another young person. Obviously, it's coming from somewhere else.

But in Dallas, we have not found a single child that has experimented with this "cheese" that has survived. And we do have parents involved. We'll have to discuss that with you, Mr. OBEY. I want to make sure we don't have these funds. And I would just plead with you to help find these funds somewhere, if you have a severe objection to it coming from this area.

But I felt that if the area's funding was not being handled correctly, it could be placed in a program that's going very well, that has influenced the decrease of 23 percent drug usage among our youth in the last 5 years. And I have grave concern about allowing this to go on without the assistance that it needs.

As I said earlier, I have worked with the FBI. They're working with merchants to try to get some of the Tylenol PM and the other off the market in these areas. It is a serious undertaking in the area. And all of our law enforcement people are involved.

But our schools cannot continue this without the funding. And that's the reason why I read for understanding for this funding.

Mr. JACKSON of Illinois. I yield back the balance of my time.

Mr. KENNEDY. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. KENNEDY. Madam Chairman, I just want to commend the lady from Texas for her amendment, and say that I know how many years she spent before coming to Congress dedicated to this issue.

We had a hearing in her district around this issue of mental health and addiction and alcoholism, and we heard from the law enforcement community themselves in her district testify to the fact that over 70 percent of the children in the juvenile justice system were there because of drugs and alcohol. And, frankly, this is a scourge on our schools, and we can't just wish it away by saying, just say no. Just say no won't work. We need to employ resources, and that's what this bill, this amendment, seeks to do.

And, frankly, when you have 20 million people in this country addicted, and you have nearly 10 percent of those people, children, you have a serious problem in this country. We better get about trying to address it, and this amendment seeks to try to do that. And I commend the gentlelady for her amendment and support it.

Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WALSH OF NEW YORK

Mr. WALSH of New York. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALSH of New York.

On page 78, line 3, before the period insert "Provided further, That for the purpose of determining satisfactory progress for specific school or school district, the Secretary shall include English language proficiency scores for students deemed to be English language learners only after such students complete their third year of instruction in English as a second language."

Mr. WALSH of New York (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OBEY. Madam Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. A point of order is reserved.

The gentleman from New York is recognized for 5 minutes.

Mr. WALSH of New York. Madam Chairman, my amendment, which I intend to withdraw, is very simple. It would prohibit the Department of Education from counting test scores for English language learners against school districts until after the student completes 3 years of English language instruction.

In our subcommittee's hearing, with Secretary Spellings, I raised some concerns regarding English Language Arts Test that student learning to speak English as a second language were given this year.

In my home State, there are over 192,000 immigrant students learning English, the majority of whom are in kindergarten through third grade. In the city of Syracuse, my hometown, we have an elementary school in which 40 percent of the students are English language learners learning English as a second language.

I recognize that there are benefits to monitoring ELL student achievement on an annual basis. But school systems should not be penalized for student scores after only 1 year of instruction. I'd like to state emphatically that we need to make sure that all of our kids speak and read English proficiently. It is essential to their ability to compete in a very competitive society and a very competitive world. And it is essential to the long-term viability of the American culture that we can all speak to each other in the same tongue.

But I've learned other languages myself, some better than others, and it took me more than 1 year to be considered proficient.

Let's not punish our schools, declaring them failing, before they've spent enough time to teach English thoroughly to our kids. So although I intend to withdraw this amendment, it would be my hope that Chairman MILLER and Ranking Member McKEON are aware of this problem and will take steps to address it when we reauthorize No Child Left Behind.

Mr. OBEY. Would the gentleman yield?

Mr. WALSH of New York. I would be happy to yield to the chairman.

Mr. OBEY. I simply want to reiterate that I agree with my friend from New York and to emphasize that in parts of my own State, school districts face similar problems. In fact, I would bet this problem exists all over the country. Furthermore, I understand that school districts face a similar issue with respect to the test scores of students receiving special education services. So I'd like to suggest to the gentleman from New York that we sign a joint letter to the authorizing committee requesting that they address this serious issue in the No Child Left Behind reauthorization that they're expected to soon consider.
Mr. WALSH of New York. Reclaiming my time, I would be pleased to join with my chairman in signing that letter, and thank him for his support, knowing that as chairman of the full committee and of the subcommittee, his voice will be heard on the authorization committee.

Mr. SHADEGG. Will the gentleman yield?

Mr. WALSH of New York. I’d be happy to yield.

Mr. SHADEGG. I understand the gentleman intends to withdraw the amendment. However, I want to rise in strong support of the amendment. As the gentleman knows, we live on opposite sides of the country, you in New York and I in Arizona. But the essence of your amendment says we should not be judging these schools until they’ve had a chance to, in fact, educate these children in a second language. And judging them after only 12 months, as the gentleman clearly pointed out, is unrealistic. It’s just not possible for the school, which means to punish all the students at that school and all the parents of those students and all of the teachers and administration officials at that school by evaluating those children and holding them accountable after only 12 months is unrealistic.

I would be happy to join in your letter, and I commend the gentleman for offering the amendment.

Mr. WALSH of New York. Mr. Chair, I seek unanimous consent to withdraw my amendment.

Mr. PRICE of Georgia. Madam Chairman, I ask unanimous consent to withdraw my amendment. The Chairman. Without objection, the amendment is withdrawn.

There was no objection. The Clerk will read.

The Clerk reads as follows:

Impact Aid

For carrying out programmes of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.), $1,276,453,000, of which $1,140,517,000 shall be for basic support payments under section 8003(a)(1) of such Act (20 U.S.C. 7203(a)(1)), $49,466,000 shall be for payments for eligible students under section 8003(a)(1)(B) of such Act (20 U.S.C. 7203(a)(1)(B)), and $17,820,000 shall be for construction under section 8003(a)(2)(B) of such Act (20 U.S.C. 7203(a)(2)(B)). Provided, That for purposes of computing the amount of a payment for an eligible local educational agency under section 8003(a)(2) of such Act (20 U.S.C. 7203(a)(2)), for school year 2007–2008, children enrolled in a school of such agency that would otherwise be eligible for payment under section 8003(a)(2) of such Act (20 U.S.C. 7203(a)(2)) shall not be deemed to be children who are enrolled in a school that is not under the control of an educational agency.

Mr. PRICE of Georgia. Madam Chairman, I offer an amendment.

The Clerk reads as follows:

Amendment offered by Mr. PRICE of Georgia

Page 82, line 2, after the first dollar amount and after the second dollar amount, insert "(reduced by $21,000,000)".

Page 82, line 16, after the first dollar amount, insert "(increased by $21,000,000)".

Page 82, line 13, after the dollar amount, insert "(increased by $21,000,000)".

Page 82, line 15, after the dollar amount, insert "(increased by $21,000,000)".

Mr. PRICE of Georgia. Madam Chairman, this amendment is offered in an effort to try to reprioritize monies between the movement of $21 million from the Teacher Quality State Grants, which received last year $2.8 billion, the President’s request was for $2.7 billion and the bill before us includes a provision for $3.1 billion, $400 million more than the request by the Department.

Teacher quality, Madam Chairman, is certainly the most important school-related factor influencing student achievement. The No Child Left Behind Act reflects this and one of the central tenets is putting a highly qualified teacher in every classroom. Congress now has a greater opportunity to take teacher quality initiatives a step further by increasing funding for the Teacher Incentive Fund, a program that rewards highly effective teachers and rewards results.

The Teacher Incentive Fund allows States and school districts to apply for Federal grants in order to develop and implement performance-based compensation systems for both teachers and principals. With the Teacher Incentive Fund, educators who improve student achievement in the classroom are provided with performance bonuses and increasing salaries. In 2006, the Teacher Incentive Fund and Congress provided $100 million for the new program; however, in 2007 it received only $2 million, and this is for a program that has shown very successful and rewarding results.

There is certainly a need for the fund and to date 34 grantees have received money. But the Department of Education has received nearly 150 applications. More resources would mean more districts would be able to establish performance-based compensation systems.

Looking at the workforce, it is estimated that more than 2 million teachers need to be hired over the next decade. Research has shown that performance pay can be effective at recruiting and retaining highly qualified teachers. So the Teacher Incentive Fund will encourage a talented pool of individuals to go into the field of teaching.

Again, this is a re-prioritization, a movement of $21 million from the
Teacher Quality State Grants, which is slated to receive $3.1 billion to the Teacher Incentive Fund, which would then receive $120 million. By doing so, this money can be directly given to local districts to create compensation systems and therefore recruit and reward the best qualified teacher that you can actually make sure that that teacher is the best qualified teacher that you can actually get the job done, and transfers them to the classroom where it is absolutely necessary. And they sit down and work things out to try to get to the heart of it and the root of the cause of the problem.

And the gentleman from Georgia realizes this. And he realizes that in order to make a better classroom where more learning can occur, where we can have better schoolhouses and classrooms, where we can raise up the quality to raise up the quality of our teachers. The gentleman from Georgia’s amendment does just that by ending programs that are ineffective, ineffectual, and don’t get the job done, and transfers them to the classroom where it is absolutely necessary.

In this matter we should all be commending the gentleman and support his amendment.

Madam Chairman, I yield back the balance of my time.

Mr. OBECY. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBECY. Madam Chairman, I must confess a certain degree of confusion about this amendment. I always had the impression that good Republicans like block grants, and I also had the impression that thoughtful Republicans favor as much local control as possible. And yet this amendment would have us moving in the opposite direction.

What this amendment would do is it would take the dollars in question out of a program which provides aid to all States in the Union and instead reserve that money for use in just the few States who have bought into the approach that is supported by these two gentlemen.

One of my favorite quotations is from Eric Schlosser in News a few years ago, and he said, “It is important to maintain the courage of one’s doubts in an age of dangerous certainties.”

And I have to say that I have a lot of doubts about what is the most effective way to teach children. I don’t think I have all the answers. I don’t think this House has all the answers. So I don’t think we ought to be dictating to States what answers they seek in their teacher quality programs.

The other main difference is that the Teacher Incentive Fund rewards results. It rewards performance. It rewards teachers and schools who are actually gaining those high quality results that we desire for all students across our Nation.

So I would respectfully disagree with the Chair, that this is not prescriptive in its formula and the only rigidity that it has in it is that it requires results. So, hopefully, the House will see that the sense in looking at performance, looking at quality teachers, looking at what they are doing in the classroom and the results that they are getting, and rewarding that kind of performance makes the most sense and that is what most of us have said at home when we talk to our constituents and that this amendment aligns
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the actions of this House with what we have told our constituents we would be supporting here in the House of Representatives.

So I appreciate the time, and I encourage, again, my colleagues to support this amendment.

Mr. HENSARLING. Madam Chairman, reclaiming my time, I thank the gentleman for his leadership. I compliment him on the amendment. I urge its adoption.

Madam Chairman, I yield back the balance of my time.

Mr. REGULA. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The Chairman from Ohio is recognized for 5 minutes.

Mr. REGULA. First of all, Madam Chairman, I want to express my appreciation to the chairman of the committee for including funding for the teacher incentive fund. It is so vitally important to the inner cities to be able to attract the best teachers and this fund can be used by school districts to do just that.

Too often in the school systems, the best teachers tend to flee to the suburbs and they also flee to the good neighborhoods in the inner cities because our cities are really facing a crisis in the sense that their percentage of those who do not finish high school is growing and is a terrible waste of human capital. We can’t afford that.

And one of the important things is to get these students in the early years, first grade, kindergarten, second grade, third grade, to like school and to like to learn, and that takes a quality teacher. And this program, and thanks to the chairman we have the 99 million dollars and this proposal for some additional, allows schools to give some financial incentives to the really top notch teachers to take on that responsibility.

I have an instance in my district where a handicapped teacher has inspired a class in a low-income neighborhood and it has made a world of difference in the lives of these young people.

So I just want to express, again, my appreciation to the chairman and for the interest of the gentleman from Georgia in the Teacher Incentive program because I think it is one of the vital steps in addressing the dropout rate in the big cities to ensure that these students get a taste for education and they enjoy the experience and they stay with it. I am hopeful that the States will use these funds in that way, to give incentives to the very best teachers to go into the toughest areas and inspire young people.

I will add that the Teach for America program does a great job in that respect because they send their Teach for America candidates into very difficult situations.

I hope that we can address the dropout rate prospectively when we have a nation where 31 percent statistically do not finish high school and we know it is much larger in the cities. So there is the challenge, and this program, which the chairman was gracious enough to include in the original bill, is one of the keys to addressing that problem.

So I, again, commend the chairman and also the gentleman from Georgia for their concern to inspire and make it attractive for the quality teachers to teach in difficult situations.

The teacher is where it is. If you ask any group, as I do when I give a speech, how much do you think the teachers in two that made a difference in your life? And every hand will go up, and that says so eloquently that we want to have teachers in the toughest situations where their students will at some time in the future say, yes, I had a teacher that made a difference in my life.

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That’s why I’m here. That’s why I finished high school. That’s why I pressed on. I went into a charter school where there was a Teach for America Teachers and it was in one of the toughest parts of the city, and they said, as we walked through the door, these were fifth graders, “What do we do in 2010 or 2011?” Without missing a beat, every student said, “We go to college.” Now, if I had done that 5 years ago, or 10 years ago, they’d have said, “What? What do we do? I don’t know. Drop out, probably.”

So I want to again commend the chairman for many parts of this bill that are important to giving teachers inspiration and making schools better so that whichever is here 25 years from now will not be saying that 31 percent of the students in the United States drop out. We can ill afford that in the competitive world in which we live.

Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. Price).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. JACKSON of Illinois. Madam Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Garret of New Jersey:

Page 80, line 2, after each dollar amount, insert “(reduced by $33,907,000)”.

Mr. GARRETT of New Jersey. Madam Chairman, I rise today to offer an amendment to the President’s budget request to eliminate funding in the bill for the Alaskan Native Education Equity Program. By doing this, it will save our Nation’s taxpayers $33.9 million.

Now, as with many of the programs that you will be hearing us discussing both yesterday and today and in the future, this program does, in fact, support various other programs, most notably through the Department’s other education programs.

So, our funding priorities must be exactly that. When we come together as a conference and then as a body to support appropriation bills, we are called upon by the American taxpayers to set those things, priorities, just as the American family budget is created each day, each week, each month in American families across their country and they sit down at their kitchen table to decide what are their priorities when it comes to spending their hard-earned dollars.

They have educational interests in mind as well. They may have children that they have told they’re going to be sending them to college this year or next, to a high-priced college or a moderate-priced college, et cetera. They have to set priorities when it comes to how much money they will be able to set aside in their savings account for educational purposes. Or if their kids are in a K–12 system, whether it’s public school or private school, likewise, the American public has to set their own priorities, decide how much money they can set aside if they choose to send their kids to a private school. Or if their kids are going to a public school, how much money will they set aside so that they can spend on their children when it comes to educational purposes for extracurricular activities or supplements to the school program.

American families are called upon to do this every single day, every single week of the year with their budget. And all we are asking right now is that the U.S. Congress and the Senate do the exact same thing with their hard-earned tax dollars that they’ve entrusted to us. In this matter, what we are doing is saying we have several programs, the same laudable goals. We are eliminating one and shifting the dollars to the other so that the program gets done.

I would now like to bring my colleagues’ attention to a recent report by the Nonpartisan Tax Foundation. This report details how much money each State taxpayer contributes in Federal dollars and how much money each State taxpayer receives back. This is very interesting, especially if you come from the State of New Jersey, as I do. According to this report, Alaska, which is the subject of this amendment, ranks second in the Nation, getting $1.80 back for every $1 that the
taxpayers up there pay in Federal taxes. In contrast, my good State of New Jersey ranks dead last. We receive back a paltry 63 cents back for every dollar that a New Jersey taxpayer sends to Washington. What does that mean? That means that New Jersey taxpayers are, as are those dollars. New Jerseyans find out that they’re only getting back 63 cents on the dollar.

Conversely, we look up to Alaska, the subject of this amendment. How much does every taxpayer get back from the dollar that they contribute to the good of the country and the State? They get back $1.80. It’s a fairness issue, quite honestly, Madam Chairman. Where are our dollars going?

And with the new Democratic majority present, I’m sure that increases in American history recently in its budget, the burden on New Jersey taxpayers will only continue to rise. Yet at the same time, we are providing nearly $40 million for redundant services in a State that’s already nearly on a 2-1 ratio on every dollar that it sends to Washington.

Mr. JACKSON of Illinois. Will the gentleman yield?

Mr. GARRETT of New Jersey. Let me just finish this thought.

Mr. JACKSON of Illinois. I have a parliamentary inquiry, Madam Chairman. There is a problem with the amendment that is at the desk.

The CHAIRMAN. Will the gentleman from New Jersey yield for a parliamentary inquiry?

Mr. GARRETT of New Jersey. I am not yielding. I am finishing my thought.

The CHAIRMAN. The gentleman from New Jersey is recognized.

Mr. GARRETT of New Jersey. Madam Chairman, and I will be brief, we must remember that every dollar that we send to Washington comes out of that proverbial family budget that I referenced before. So when duplicative programs like this come before us, we should put ourselves in the shoes of the family in the same situation.

So, do you think that families would go out, families from the other side of the aisle, and spend just as hard as they have working on their hard-earned dollars on a month’s worth of groceries and then go out and eat every single night of the week? I don’t think so. That would be duplicative. They would be spending money on the exact same thing. American families don’t do that; neither should Congress. That doesn’t make much sense to me, Madam Chairman, and quite frankly, neither does the funding of multiple Federal programs do the same.

The CHAIRMAN. The gentleman’s time has expired.

Mr. OBEY. Madam Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. JACKSON of Illinois. Madam Chairman, I have a parliamentary inquiry before the gentleman begins.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. JACKSON of Illinois. Madam Chairman, at the desk, the amendment that the gentleman was speaking to concerned Native Hawaiians, but the gentleman spoke about Alaskans. And I asked the Clerk if he had the amendment that the gentleman was speaking about on Native Alaskans and he said he did not have that amendment. So I’m trying to figure out, are we responding to the Native Hawaiian language for $33,507,000, which is what is at the desk, or the gentleman’s argument about Alaskans, which is not at the desk? And that is my inquiry.

The CHAIRMAN. Without objection, the Clerk will re-report the amendment.

The Clerk read the amendment.

Mr. JACKSON of Illinois. Madam Chairman, that’s about Hawaiians.

The CHAIRMAN. Did the Clerk report the amendment?

Mr. GARRETT of New Jersey. Madam Chairman, there are two amendments at the desk. The amendment that I was speaking on is my amendment, which goes to the issue of Native Hawaiians. One other amendment may be referring to another subsequent amendment that will later on refer to Native Hawaiians. It’s the same page, same line, same dollar amount, so I can understand the confusion.

Mr. JACKSON of Illinois. I thank the Chair.

Mr. OBEY. Madam Chairman, may I inquire as to how much time I have remaining?

The CHAIRMAN. The gentleman from Wisconsin has 5 minutes remaining.

Mr. OBEY. Madam Chairman, let me simply say that I have only been to Alaska once in my life. I have certainly never been in an Alaskan school. But my grandfather taught me a long time ago, and I’m sure you have heard this many times in your own lives, but he said you ought not to be unlucky. So it seems to me that the wise course is to reject the gentleman’s amendment and allow the authorizing committee to determine whether or not this program ought to continue or not.

Madam Chairman, I yield back the balance of my time.

Mr. WESTMORELAND. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Georgia is recognized for 5 minutes.

Mr. WESTMORELAND. Madam Chairman, I would like to recognize my good friend from New Jersey.

Mr. GARRETT of New Jersey. I thank the gentleman.

And let me just begin to reference the chairman’s comments as far as whether we should be excluding one set of children from this. Well, that’s exactly the point; I believe that we should not be excluding any children. And the language in the bill that is before us right now excludes the children of 49 other States.

As the Representative of the Fifth District of New Jersey, I am concerned. I come to the floor because this underlying bill excludes the children from the State of New Jersey with this special extra funding. Let me assure the chairman there are children with special needs in the State of New Jersey and there are children with special needs in the State of Wisconsin as well.
They are excluded from the Alaska Native Education Program. I am trying to bring fairness to the overall program, which is also what the administration is trying to do.

Let me make that point by sharing with you this comment. The Alaska Native Education Program is authorized by the ESEA of 1965 and they are subject to the reauthorization. But the administration was not recommending reauthorization and, accordingly, funded it at zero. The administration, as do I, recognizes the importance of emphasizing that the Alaska Native students receive appropriate educational services. This request is consistent with the administration policy of increasing resources for high-priority programs by eliminating small categorical programs that have a limited effect, such as this.

In addition, the services provided to Alaska Native students through this program are redundant with many of the programs through the Department's Indian Education Program already being funded.

School districts that wish to implement programs and services tailored to the educational and cultural needs of the Alaska Native students are able to use funds already provided under other Federal programs in the 2008 budget. That includes $1 billion in direct support for the education of Indians and Alaska Natives in addition to the significant funds that are provided to those students who receive services through broader Federal programs; grant programs such as title I grants to local educational agencies and special grants.

Further, let me point out as well: Alaska Native students will also benefit in addition to $1 billion that I also already referenced. They will also benefit from the Department of Indian Education Programs, which provide more than $108 million, $118 million, for example, in formula grants to school districts and competitive grants for demonstration and professional development programs as well.

You see, these programs already serve as the Department's principal vehicle for addressing those unique educational and culture-related needs which the gentleman from Wisconsin is referring to. The bottom line is there are already programs established that address those concerns that the gentleman from Wisconsin raises. The administration recognized this and already requested appropriations of $1 billion overall, plus the $118 million in special formula grants.

So it is in that position, in line with the administration, that we do need to address those specific needs of those children who are in unique circumstances such as we find with Native American Indians in Alaska. But we do not need to do it in a redundant manner.

Finally, I would just conclude by saying the gentleman from Wisconsin is correct. We do not want to have children not being educated, regardless of what State they come from, whether it is from New Jersey, the good State of Georgia, the good State of Wisconsin or Alaska. But we are not doing the children any favor whatsoever if we do not appropriate those dollars in a manner that substantially does what is done. This amendment works to effectuate and ensure those kids get properly educated.

Mr. WESTMORELAND. I want to thank my friend from New Jersey for offering this amendment. I hope this House will see fit to pass it.

But let me say this: I think as we talk about children and education, that from my background, and I have a high school education, I attended college for a short period of time prior to being married, but let me say this: What I have found is that education is best from the local level, and I don't know that the Federal Government can really take some of these programs and put them in the hands of the district and say here is this money, use it for this purpose or you don't get the money.

To me, it would be much better if some of this money were set down in a block grant to the State and let the State identify the problems and especially the funding problems that they have and be able to administer the money.

Madam Chairman, I yield back the balance of my time.

Mr. ABERCROMBIE. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Hawaii is recognized for 5 minutes.

Mr. ABERCROMBIE. Madam Chairman, I am standing here today speaking for young people in Alaska. I am sure that when Mr. Young gets the opportunity, he will be down here to speak for them, too.

I was aware of the fact that the young children in Alaska needed the tender mercies of the gentleman from New Jersey to speak for them. I would think that the children in New Jersey have all they can do, considering the level of the rhetoric I have heard for the last few minutes, to get the best education possible there. The Congress is certainly not being well informed about it today.

I most certainly agree with the other gentleman. I think that education is best left to the local level. How about letting the gentleman from Alaska, or any other place where they understand what the educational needs of their children are, handle it at their level? That would be the way to take care of it.

Mr. GARRETT of New Jersey. Will the gentleman yield?

Mr. ABERCROMBIE. No, I will not yield. You have had enough time to make your case. Madam Chairman, I am going to make a case for those children and the children in Hawaii and the children in every other State and area in this country who deserve the support of this Congress. I have heard talk already down here today about taxes being paid. You don't think taxes are being paid in Alaska or in Hawaii or elsewhere?

Let me talk about local programs. I have the local programs that we have in Hawaii. I am sure Mr. Young has the local programs that we have in Alaska. I haven't examined them in New Jersey, but, as I say, I have heard the rhetoric for the last few minutes. I would have better go up there and give them a hand.

Now, I respect every Member of this floor, and I expect to receive the same in return. When the State of Hawaii came into the Union, one of the protocols of the Admissions Act is the requirement that we recognize and take care of our Hawaiian children. We have programs that are geared towards that. We have Historically Black Colleges in this country. We have established over the last few decades studies in various backgrounds, ethnically, culturally, racially. We have caucuses in this Congress that recognize the various backgrounds from which our people come.

Hawaii, I can tell you, just as Alaska is, because I have had the opportunity to have had an opportunity to speak with the teachers and schoolchildren in Alaska, we are a multi-cultural, multi-ethnic, multi-racial, multi-ethnic community. We are a multi-racial, multi-ethnic, multi-backdrop that Hawaiian children in Alaska and we recognize those backgrounds and we try to take care of it in our educational processes.

All we are asking for is the opportunity here to help fund local programs that have local assistance as well. That is done in program after program after program.

Now, if the gentleman does not care to have the Federal Government fund anything for education in the United States that is his problem. I do recognize that and respect that. I don't approve of it, and I hope the Congress won't approve of it. But to have any Member come into another State without any notice to anybody that they are going to do it, by the way, a courtesy that I would extend to anybody in here, I have to find out about it by osmosis that this is being done, it is shameful and it needs to be stopped and it needs to have an end put to it.

Now, if the gentleman has any objection to anything being done in Alaska, he should have taken it up with the gentleman from Alaska. That is minimum courtesy in this body. But to come on the floor and make the kind of accusations that are made today is an insult to the gentleman from Alaska and an insult to the Appropriations Committee and an insult to the House of Representatives.

If there are objections to anything in the next one that comes up, I hope that whoever offers that amendment with Hawaii would have had the courtesy to sit down with me and with Representative Hirono and specifically state what
their objections were, so that we might be able to accommodate them, had they legitimacy and foundation. That is the minimum we can expect from one another. This is a shameful process. I hadn’t realized until right now that we could solve the educational problems in this country if we could just keep those Alaskan kids from getting a dime for any program that has been put together by Representative Young and the leaders in Alaska.

The CHAIRMAN. The gentleman’s time has expired.

Mr. PRICE of Georgia. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. PRICE of Georgia. Madam Chairman, I thank the Chair, and I appreciate the gentleman’s passion. I would suggest, as the President of our budget request included $1 billion in direct support for the education of Indian and Alaskan Natives. That is more than one dime. Native Alaskans will also get $18 million in formula grants to school districts, competitive grants for demonstration and professional development programs. That is more than one dime.

Finally, to the gentleman from Hawaii’s first point, which he agreed with the previous comment that education is best done locally and that the folks of Alaska know best about how to educate their children and the folks from Hawaii know best how to educate their children. I presume he would agree the people from New Jersey also know how best to educate their children.

I would ask the gentleman from Hawaii, if he truly believes that, would he support our initiatives and my initiative in the LEARN Act to allow States to opt out of the cumbersome regulations of education from the Federal level and keep their dollars in Hawaii and keep their dollars in Alaska so they can make the best position to educate their children.

Mr. PRICE of Georgia. I thank my friend for offering the amendment, and I thank him for his explanation. There is no desire to remove all funding in this area. That would be a different debate and a different discussion. That is not the debate we are having right now.

Madam Chairman, I do want to point out the larger picture, the bigger picture we are talking about here, and that is the issue of fiscal responsibility and the issue of responsibly spending taxpayer money, hard-earned American taxpayer money.

I was pleased to hear the chairman of the Appropriations Committee say to the gentleman from New Jersey that if the committee determined that those funds ought not be authorized, that they would be pleased to remove those funds, or something like that.

I would point out to the gentleman and to my colleagues that on page 302, 303, 304, and 305 of the report of the Committee on Appropriations, there is a paragraph that is headed “Appropriations Not Authorized.” I would suggest that we revisit these items and require that they be authorized.

“Pursuant to clause 3(f)(1)(B) of rule XIII of the Rules of the House, the following table lists the appropriations in the accompanying bill.” this bill we are talking about right now, “which are not authorized by law for the period concerned.”

It may be helpful, Madam Chairman, for individuals to hear which ones are not authorized, not talking about the quality of the programs or the need for them, but the fact that this is a process that has come about where we are appropriating money for many programs which are in fact not authorized.

Department of Labor, for example, Training and Employment Services, not authorized since 2003. Appropriations in this bill, $3.5 billion.

Not authorized in this bill, the Veterans Workforce Improvement Program, not authorized since 2003. Appropriated in this bill, $1.649 billion.

Not authorized in this bill, the National Health Service Corps, not authorized since 2002. Again, not talking about the appropriateness of the appropriation itself, but whether or not the process is such that it ought not be authorized prior to carrying out the appropriation. In this bill, $313 million.

Not authorized in this bill, Healthy Start, not authorized since 2005. In this bill, $120 million.

Not authorized in this bill, Rural Health Outreach Grants, not authorized since 2006. Funding in this bill to a level of $52.9 million.

Not authorized in this bill, cancer registries, not authorized since 2003. In this bill, funded at the rate of $47.9 million.

Not authorized in this bill, oral health promotion, not authorized since 2005. Funding in this bill, $13.1 million.

Not authorized in this bill, substance abuse and mental health services programs, not authorized since 2003. Funding in this bill, $3.26 billion.

Madam Chairman, the list goes on and on, and I draw my colleagues’ attention to it, because I would agree with the chairman of the Appropriations Committee that we ought to be concerned about what is authorized by the Appropriations Committee when or not appropriations ought to be spent for items that are not authorized.

But the challenge for us is to spend responsibly, spend hard-earned taxpayer money responsibly.

Mr. OBEY. Madam Chairman, will the gentleman yield?

Mr. PRICE of Georgia. I yield to the gentleman from Wisconsin.

Mr. OBEY. I just want to thank the gentleman for bringing to the attention of the House again the fact that the authorizing committees have failed to do so much work in past years.

Mr. OBEY. I just want to thank the chairman and the ranking member of the Appropriations Committee for putting this in the bill. This is a sad day in this body. Apparently the students of New Jersey are trying to take money from Alaskan students, pitting State against State instead of talking about education.

I am a little bit chagrined with the gentleman from New Jersey. This is supposed to be a House of honor. You didn’t tell me you were going to offer this amendment. You didn’t talk to the gentleman from Hawaii on the amendment. You are attacking two States that are not even contiguous in the United States. This is a harmful thing to do. We are a new State. I have poverty that you don’t even think of, and yet you say you want my money, my money for my students that need to be educated to go to New Jersey.

That is a sad day for this House.

I want to thank the chairman and the ranking member of the Appropriations Committee for putting this in the bill. If we could continue this, we will be called biting one another, very much like the mink in my State that kill their own. There is always another day when those who bite will be killed, too, and I am very good at that.

I just think it is a disgrace to have one State, the education of one State, being pitted against another State. This is education. These are needy students, a minority that has been neglected, has not been helped to the degree they should have been over the centuries. I can truthfully say and proudly say we have been good in the last years, over the last 35 years. I have provided education and supported education. My people have risen and become leaders because this Congress saw the wisdom of us providing us money.

And now we have an individual from one State that doesn’t have the greatest reputation in the world trying to take money from one State to give to another State. If that is the case, then let those who have been given donnybrook right here. I’m ready. I’m really ready because what we are doing is dead wrong.
I told the gentleman here about 2 years ago, shame on you. Shame on you. Shame on each one of you. And the guys that are trying to not spend money and the guys that are trying to balance the budget, to take and attack education in States, Hawaii and Alaska, that they have the least representation as far as numbers go. And if there is guilt here, it is because I have been able to represent my State better than New Jersey. I would suggest New Jersey ought to elect some new Congressmen, respectfully, that can do the job. I believe that is really true. If they can’t do the job, elect somebody new. I have done it. I am going to continue to do it. I am going to fight for my State, and I am going to fight for my State every time.

Mr. GARRETT of New Jersey. Mr. Chairman, is it appropriate for the speaker to say that the people from New Jersey should be electing——

The Acting CHAIRMAN (Mr. CAPTAIN). The gentleman from Alaska yield for a parliamentary inquiry?

Mr. YOUNG of Alaska. I have not yielded, I will not yield.

Mr. GARRETT of New Jersey. I make a point of order.

The Acting CHAIRMAN. The gentleman will state his point of order.

Mr. GARRETT of New Jersey. Is it a violation of parliamentary decorum by the gentleman from Alaska to yield for a parliamentary inquiry?

Mr. YOUNG of Alaska. I have not yielded, I will not yield.

Mr. GARRETT of New Jersey. I make a point of order.

The Acting CHAIRMAN. The gentleman will state his point of order.

Mr. GARRETT of New Jersey. Is it a violation of parliamentary decorum by the gentleman from New Jersey to yield for a parliamentary inquiry?

Mr. YOUNG of Alaska. I don’t know what the gentleman is talking about. I just said they were not well represented. Respectfully, if I can say that, I don’t know anybody’s name. I don’t specifically mention any names. And that is not why.

For the rest of you that continue this constant harping on this floor about cutting monies from other areas under the guise of balancing the budget, I say shame on you, too. I say shame on you because we are not doing the legislative process any good.

Regardless of who is in power in this House, Democrat or Republican, we should be leading this Nation and we are at a standstill now. That is one reason our ratings are very low, totally, and that is a shame. Because we do have the work of this Nation that we should be doing and we should be addressed and we should take care of it.

I don’t agree with anything that side does. We should not always agree on everything, but we should have the ability to get together and solve problems and to legislate, and we have not done that. So it is a little frustrating. And like I say, those that bite me will be bitten back.

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

PARLIAMENTARY INQUIRY

Mr. GARRETT of New Jersey. Parliamentary inquiry.

The Acting CHAIRMAN. The gentleman may state his parliamentary inquiry.

Mr. GARRETT of New Jersey. Is it appropriate political decorum for a Member to say that he represents his State in a better manner than the entire delegation of another State represents their State?

The Acting CHAIRMAN. The Chair is unable to rule on such remarks after other debate has ensued.

Mr. GARRETT of New Jersey. Further parliamentary inquiry.

The Acting CHAIRMAN. The gentleman may state his parliamentary inquiry.

Mr. GARRETT of New Jersey. Is there a manner in which I can rephrase the question so that the Chair will be able to answer the question or comment on the previous speaker’s statement?

The Acting CHAIRMAN. The Chair can only rule on such words if a timely point of order is made.

Mr. GARRETT of New Jersey. I’m sorry, I didn’t hear the last part.

The Acting CHAIRMAN. The Chair is unable to rule on words between Members previously spoken in debate, absent a timely point of order or demand that such words be taken down.

Mr. HENSARLING. Mr. Chairman, I move to speak.

The Acting CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, I have noticed that the last several speakers on the House floor were rather strident in their comments, engaged in ad hominem attacks and perhaps at least one of them could have had their words taken down.

Having served in this body for several years, I have yet to discover any direct correlation between the stridency with which one delivers their message and the righteousness behind their cause.

Many have come here to say that somehow House decorum demands that one not speak to another Member before speaking to the Chair, offering an amendment that somehow may be injurious to their district’s interests. In all of the years I have served in this body, I have yet to have somebody come to me and explain to me ahead of time how their amendment, how it impacts the people in the Fifth Congressional District of Texas.

Yet every day we see something like that. We have legislation imposing death taxes on the hardworking people of the Fifth Congressional District of Texas. Nobody seeks my acquiescence or permission before bringing that legislation to the floor.

I also noticed that an earlier speaker referred to the funds in this amendment as “my money.” Well, isn’t that a fascinating concept, “my money.” I am interested why we seem to have one of all the other education funds we have, and it is not exactly like this is an area of Federal funding that has gone lacking, since 1995, the elementary and secondary education budget function has increased 147 percent. That is about the highest increase of any budget function in that period of time.

I wonder, Mr. Chairman, maybe we ought to go out and create a special education fund for New Jersey and for Texas and for Arkansas and Maine and New Hampshire. Why don’t we create one for all 50 States. Then what we can do is we can go ahead with the Democrats’ plan for the largest tax increase in history, and we can take all of this money away from monies. Then Washington can keep, say, a third of it in administration cost and waste and inefficiency, and then we can design these programs with our State names on them, take credit for it, and then hand it back to the taxpayers, whose money it is in the first place.

So I want to salute the gentleman from New Jersey for his courage, for his steadfast leadership on this issue, his dedication to education, his dedication to fiscal responsibility, and for coming and suffering these ad hominem attacks. That, Mr. Chairman, is what is truly shameful about this particular moment.

I would be happy to yield to the gentleman from New Jersey.

Mr. GARRETT of New Jersey. I thank the gentleman from Texas for yielding for just a moment.

Mr. GARRETT of New Jersey. Parliamentary inquiry.

The Acting CHAIRMAN. The gentleman from the Fifth District of the State of New Jersey, I remind the gentleman from Alaska that the State of New Jersey has 13 congressional Representatives from both sides of the aisle. And so when the gentleman from Alaska makes reference to our Representatives from the State of New Jersey not doing their job and not appropriately representing the people of the State, I remind him that it is an accusation not against simply this one gentleman who is standing at this microphone right now proposing this one amendment, but it is an entire body of 13 gentlemen from both sides of the aisle who I say, and I commend both Representatives from the Democratic and the Republican side of the aisle, for appropriately and admirably representing the good citizens from the State of New Jersey.

My colleagues from the other 12 districts are not new to the American democracy against these rash accusations by the gentleman from Alaska. But I do come to the floor now to appropriately defend them, nonetheless.
The Acting CHAIRMAN. The gentleman’s time has expired.

Ms. FOXX. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman from New Jersey, I thank the gentlelady for yielding.

I also take up the comment that the gentleman from Texas was just making reference to which the gentleman from Alaska stated in his statement what was “my money” or it is Alaska’s money. Well, maybe that is the problem we have had in this Congress for too long, even when Republicans were in the majority and now that the Democrats are the majority, too. Too many Members of Congress see the dollars that we appropriate here not as the taxpayers’ dollar, but see it as their very own personal checking account. And this is the fundamental problem that we have with why we spend more and more each year.

I remember when the Democrats were running for office this past election. They were railing against the Republican Party, and our party was the party out of control, spending more and more and more. If they were elected to office, they would come here and rein things in when it came to spending. And I served on the Budget Committee when the Democrats were in the minority, and how they rallied against us from the other side of the aisle. And at times I even agreed with them on some of the charges that they made, that we were spending too much money.

And now when the Democrats take control, what do they do? Give us the largest tax increase in U.S. history, and we see spending continue to go through the roof. Where do those dollars come from? They come from American taxpayers, from the family budgets, from men and women in Alaska and New Jersey and across this country, working hard just to get by, and yet they are being forced by the Democrats’ tax increases to send more dollars here to Washington.

When the gentleman from Alaska comes forth and says it is “my money,” maybe that is why in some respects when there are projects that are appropriated such as bridges to nowhere and the like, the American public says that is our dollars going to Alaska and New Jersey and across the country, working hard just to get by, and yet they are being forced by the Democrats’ tax increases to send more dollars here to Washington.

Mr. GARCETT of New Jersey. I thank the gentlelady for yielding.

I would ask the gentleman from Alaska to refrain from, therefore, referring to it as his money. It is the taxpayers from Texas and New York that are donor States to States like Alaska, that we are subsidizing their programs.

Ms. FOXX. I want to just say I am very concerned when there is an attitude here in the Congress that it is our money to spend. I want to make sure that nobody ever forgets that we are the stewards of money that we legally confiscating a great deal of their money and deciding how to spend it. And it’s up to us to make sure that we spend it very, very carefully and very, very fairly.

The Constitution provides for no role for the Federal Government in education. We’re already overstepping our bounds, and if we’re going to overstep our bounds, we better be extraordinarily careful in that respect.

Mr. Chairman, I yield back my time.

Mr.RYAN of Ohio. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. RYAN of Ohio. Mr. Chairman, I just want to make a point here because I think what just happened on this House floor 5 minutes ago was extraordinary.

For a member of the Republican Party to get up and defend what has happened here and the investments that we have just made and Mr. Ryan has just made, that speaks what’s been going on here for the last several months, is that we have a fringe group, Mr. Chairman, of Members of this Congress who consistently get up and try to pin Members against each other, try to find specific programs and somehow expose somebody as somehow being irresponsible. And I think it’s extraordinary what happened here that we have an extreme group in this Congress that tries to divide us when we’re trying to get the people’s work done.

This is the United States of America, and the gentleman from New Jersey benefits from the Federal court system and Wall Street. This is the rule of law in this country that is funded by the taxpayer, courts, judges, buildings, the rule of law, and that allows Wall Street to benefit. That allows citizens in New Jersey to earn a good living and to pay taxes.

And we have Members from Texas, Mr. Chairman, the great investment that this country has made into that great State, NASA, the universities, Texas has benefited from those investments.

Members from the West, where the West wouldn’t even exist, we have congressional districts that wouldn’t exist if it wasn’t for the investment of the Federal Government to build dams. The Grand River Dam Project there wouldn’t be congressional districts in the West if it wasn’t for the Federal investment.

We’re the United States of America, for God’s sake, and let’s stop trying to divide each other. We have to stop the lectures of fiscal responsibility. The mess we’re in is because of $3 trillion in debt that our friends have borrowed from China and Japan and OPEC countries over the past 6 years; borrowed more money, Mr. Chairman, from foreign interests than every President and Congress before them combined. Enough of the lectures on fiscal responsibility. We’re here now. Let’s make these investments. Let’s compete in a global economy by making these investments. We’re competing against 1.3 billion people in China, 1.2 billion people in India. We need to recognize these investments. We only have 300 million people in this country. They need to be educated. They need to be healthy, and they need to live in a clean environment. That’s what this bill does.

Mr. SHADEGG. Mr. Chairman, I yield back the balance of my time.

Mr. RYAN of Ohio. Mr. Chairman, I move to strike the last word.
Mr. SHADEGG. Mr. Chairman, I would like to point out that this is supposed to be a healthy debate, and quite frankly, Mr. Chairman, either side should criticize Members for coming to the floor and debating issues.

Mr. Chairman, I believe, a legitimate issue, and the issue of the equity of the people in different States who pay more to the Federal Government than they get back versus people in another State getting much more money back from the Federal Government than they pay in and questioning a particular program. That's the kind of debate that is supposed to occur here. It's the kind of debate that should occur here.

Indeed, I think everyone on this floor acknowledges we have a problem with having too much debt, but I think the people on this side of the aisle have tried to make the point that at some point we need to stop that spending or slow that spending, and I believe the people who have carried forward this discussion, at least from this side of the aisle, have readily acknowledged that a great deal of that overspending occurred on our watch. We're not trying to point blame, but we do have a duty to come here and debate our financial priorities and debate our jobs.

Mr. WESTMORELAND. Mr. Chairman, will the gentleman yield?

Mr. SHADEGG. I yield to the gentleman from Georgia.

Mr. WESTMORELAND. Mr. Chairman, I thank the gentleman for yielding. I thank my friend from New Jersey for offering this amendment because I did not know that this would open up the topic that it has, but I think it's great for this body.

Mr. Chairman, from Ohio, Mr. Ryan, who, Mr. Chairman, I stood up on that podium and listened to many nights with the 30-something group, that talked about the funding of the Republicans, I hope he will come back now and talk about the largest tax increase in the history of this country. He talked about dividing Members, and I stood there, Mr. Chairman, right where you're standing, and I listened to the rhetoric that was designed to divide Members.

And talking about a spending and what's a good investment, I don't know when we were in the majority party why the things we weren't doing wasn't a good investment. Now, all of the sudden spending $11 billion more than the President's recommendation is a good investment. So spending more money is a good investment, and he's talking about that we borrowed money from foreign countries. I don't agree with that, but I'd like to talk about what they probably won't borrow money from a foreign country. You know what they're going to do, Mr. Chairman? They're going to go up on your taxes. They have passed and are passing appropriations bills, other pieces of legislation that's going to cause this country to have the largest tax increase in history.

Mr. SHADEGG. Mr. Chairman, I'm happy to conclude this by simply noting that no Member of this body has taken an amendment to change appropriation bills is criticizing the ranking member or the chairman of that committee. Indeed, I think it's a long-standing tradition and an honorable one in this body that appropriation bills come to the floor under an open rule so that we can have these discussions, and the votes reflect the will of the Nation as they should.

So I want to make it clear that I don't believe that by the gentleman from New Jersey or myself or any other Member of this body, any Member on the majority side, offering an amendment, and there have been amendments offered, in doing so that they are in any way criticizing the good hard work. Indeed, I think we're honoring that the Appropriations Committee in that these are, in fact, brought to floor under an open rule, and we have full and open debate which I think is what the American people want.

And I compliment the Chairman of the committee and I compliment the ranking member of the committee for their hard work in doing their jobs.

Mr. Chairman, I yield back my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. GARRETT of New Jersey. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

Mr. LOEBSACK. Mr. Chairman, I move to strike the last word for the purpose of engaging in a colloquy with the gentleman from Wisconsin.

The Acting CHAIRMAN. The gentleman from Iowa is recognized for 5 minutes.

Mr. LOEBSACK. Mr. Chairman, for decades during the Cold War, hundred of thousands of Department of Energy employees, including thousands of workers at the Iowa Army Ammunition Plant in my district, worked diligently at our Nation's nuclear weapons facilities. These former DOE workers worked with radioactive and other hazardous materials, and some ultimately sacrificed their health for the security of our Nation.

Congress enacted the Energy Employees Occupational Illness Compensation Program Act to provide compensation and medical benefits to these former nuclear employees. The intent of this act was to honor and care for Cold War veterans who became ill while working at the Iowa Army Ammunition Plant and other DOE facilities.

However, due to mismanagement and delays, the compensation program has only paid 11,829, or 23 percent, of the 52,257 claims that were filed nationwide. My constituents, and thousands of former DOE employees like them, have been subjected to bureaucratic red tape and unfair burdens of proof, delaying their compensation and even in some cases, preventing them from filing claims.

Congress made clear in enacting the compensation program that our Nation's Cold War heroes should be justly compensated for the illnesses they contracted while serving country. Sadly, the Department of Labor has failed to ensure that the claims are properly processed and approved.

Mr. Chairman, I respectfully request your assistance in asking the Department of Labor to report to Congress on the administration of the Energy Employees Occupational Illness Compensation Program, and specifically, I believe it is vital that the Secretary provide Congress with information concerning first, the length of time it takes to process and evaluate a claim; second, the reasons behind the current backlog in processing these claims; third, the staffing of the relevant offices assigned to administer the program; fourth, the quality of communication with claimants; fifth, the process through which claims are approved or denied, as well as the oversight currently in place to assure that claims are handled properly; and sixth, the possibility of providing greater assistance through the Department of Labor to those wishing to file claims, many of whom are elderly and in poor health.

Our Nation's former nuclear workers are truly among the unheralded heroes of the Cold War. We owe our country and their families better than bureaucratic red tape, and I would greatly appreciate your assistance in assuring that the Department of Labor remains committed to providing these workers with the recognition, treatment and compensation they deserve.
Mr. LOEBSACK. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I thank the gentleman for raising this important issue. The purpose of the Energy Employee Occupational Illness Compensation Program is to fairly compensate our Nation’s former nuclear workers for illnesses they contracted while serving our country.

Former Department of Energy employees who are now elderly and ill have been subjected to bureaucratic run-arounds by the agencies responsible for adjudicating their claims. The Department of Labor is responsible for administering compensation for these former nuclear workers, and I concur with the gentleman from Iowa that a report from the Secretary detailing the administration of the compensation program would provide Congress with highly valuable insight into the agency’s implementation of the program.

Streamlining and expediting the method through which claims are processed is a compensation provision that is in the best interests of the families and claimants to whom our country owes its deepest gratitude and respect.

I’d be happy to work with the gentleman to request this information from the Department and to ensure that the true intent of the program is being carried out with due diligence by the administration.

Mr. UDALL of New Mexico. I rise to associate myself with the comments of Chairman OBEY and Mr. LOEBSACK of Iowa.

The American workers who fell ill during the course of their country must be justly compensated in a reasonable period of time. As you have said, these men and women are American heroes. They really made a difference for our country.

I have been an outspoken critic, both in the Appropriations Subcommittee and in my district, of EEOICPA’s lack of removing the bureaucratic hurdles faced by claimants. I thank my two colleagues and join them in requesting the Department of Labor to provide this information.

Mr. LOEBSACK. Reclaiming my time, I thank the chairman for his willingness to address this important issue and look forward to working with him.

Mr. Chairman, I yield to the gentleman from New Mexico.

Mr. UDALL of New Mexico. I rise to the point of order.

Mr. OBEY. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. The Acting CHAIRMAN. A point of order.

The Acting CHAIRMAN. The Acting CHAIRMAN. The Clerk read as follows:

Amendment offered by Ms. Foxx

Ms. FOXX. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. Foxx:

Page 82, line 5, after the first dollar amount, insert "(reduced by $10,000,000)"

Page 82, line 13, after the dollar amount, insert "(reduced by $10,000,000)"

Page 84, line 24, after the dollar amount, insert "(increased by $10,000,000)"

Page 84, line 25, after the dollar amount, insert "(increased by $10,000,000)"

Mr. OBEY. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. A point of order is reserved.

Ms. FOXX. Mr. Chairman, my amendment would reduce funding for the Fund for the Improvement of Education by $10 million, while increasing IDEA State grants by $10 million.

Transferring these funds will ensure that Congress does not create a new, unauthorized $10 million grant program for "full-service community schools" with the Fund for the Improvement of Education, a program which was specifically mentioned in the committee report. We should not be using appropriations bills to authorize programs.

It appears that language in the committee report for this program has been taken from legislation introduced by the House majority leader, as well as two separate bills introduced by Mr. MILLION. Their bill would create a $200 million full-service community school grant program.

What exactly is a full-service community school? According to the underlying funding bill, it’s a “public elementary or secondary school that coordinates with community-based organizations and public-private partnerships to provide students, their families, and the community access to comprehensive services.”

The language specifies that the grants must be used to provide not fewer than three services selected from a variety of selective services, including community services, learning opportunities, nutrition services, job training and career counseling, primary health and dental care, mental health counseling services adult language, including instruction in English as a Second Language.

I am concerned we are moving schools away from focusing on the basics, academics. Our schools still have room for much improvement in ensuring all students are proficient in the basics of math, reading, science and history. Why is the Federal Government sending money to turn schools into social, medical, educational job training hubs?

I am also concerned about the unsettling prospect of a small adult, non-family members of the community regularly visiting school grounds for job training and medical and mental health services when young children and teenagers are present. Combining schools with health care and other social services for community residents poses a danger to students that would need to be addressed in any future legislation.

Since 1965, Congress has increased the role of the Federal Government in public primary and secondary education, as well as in higher education. If history has taught us anything about education, it’s that the proliferation of Federal programs and regulations has not improved education. In a time where the Federal Government continues to spend more and more and expand its reach with very limited results, I question the need for us to meddle in affairs such as this.

With this in mind, my amendment would transfer $10 million from the Fund for the Improvement of Education to IDEA grants. These grants help States and localities pay for the rising cost of special education for 6.9 million children with disabilities.

I urge my colleagues to vote for this amendment to ensure that any full-service community school legislation goes forward through the proper authorizing process, not through the appropriations
process, and we put money where it’s desperately needed, as we all know from hearing from the schools in our districts.

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

Mr. OBEY. In reserving my point of order, I would like to ask a question of the gentleman. Does she have a score from the CBO?

Ms. FOXX. I do. We would actually save $10 million with this amendment.

Mr. OBEY. So the CBO indicates that the amendment is outlay neutral?

Ms. FOXX. Yes.

Mr. OBEY. If that is the case, then I yield to the chairman.

The Acting CHAIRMAN. The reservation of a point of order is withdrawn.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. There are two problems I have with this amendment. First of all, it seeks to cut $10 million from an item in the bill which is meant to establish full-service community schools. These are supposed to be schools which test the concept of making schools neighborhood centers which include early childhood, remedial education, academic enrichment activities, programs that promote parental involvement and family literacy, mentoring and other youth development programs. It’s meant to be a much more holistic educational experience than is possible in an individual school. We believe that that deserves an opportunity to be tested.

Secondly, I would simply say that, lest this amendment be portrayed as an amendment that does anything significant for special education, I want to point out that this is an especially marginal amendment. The damage it does to the neighborhood school concept that we are trying to explore in the bill is far larger than the negligible impact that it has on the special education program.

What I mean by that is this: Special education is an $11 billion program. This amendment adds $10 million to it. It is another one of those symbolic amendments which I think ought to be placed in context.

The committee has already increased this account by $500 million. It is $800 million above the President, and it seems to me that, by comparison, the amendment is demonstrably but a blip on the radar screen in comparison to the funds that we have already put in this bill.

Now, I know that many of these amendments were offered, and they can be converted into nice, sweetly packaged 30-second TV spots which tend to leave the impression that a Member has done something significant. Unfortunately, this amendment doesn’t fit into that category of being significant. It’s not going to make a very good television spot, but I doubt it’s going to be very meaningful in the scheme of things.

I would ask for a “no” vote.

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

Mr. WALSH of New York. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. WALSH. Mr. Chairman, I would like to speak in support of this amendment. I hadn’t intended to, but I think it’s a good amendment, partially because it provides additional funds to IDEA. In committee, we amended the bill to add $335,000,000 more to IDEA. This is a small one, but it’s helpful. More importantly, this concept of community schools is a wonderful concept. But that’s what we have committees for, committees of jurisdiction, to vet these ideas.

In my hometown of Syracuse, there’s a lot of talk about community schools. Remembering that primary and secondary education is the responsibility of the municipality, the county and the State and not of the Federal Government is an important thing to consider. A community school in Syracuse is very different than a community school in Maryland or California or Arizona. But more importantly than all of that is that our schools, especially our inner-city schools, are having a very difficult job graduating the kids now. In fact, many of our urban schools aren’t even getting a percent of the kids who start in ninth grade. That’s a fact. No one is comfortable with that fact, but it is a fact.

So why would you provide or require or suggest to a school that is already only attaining 50 percent of its responsibility with its primary task, why would you give them additional work? Why would you give them additional responsibilities? Maybe there’s a good reason for that, but there is certainly a committee structure. The education committee has plenty of experts and staff to try to determine the best way to approach this.

I admire the author of the concept’s ingenuity, but this really needs to go through committee to have proper authorization. Absent that, I think this is a good idea. Ten million dollars will go into a program that everyone knows needs more money, that we are putting additional burdens on those local communities by not providing this money. It would provide some relief to them to meet their primary task of educating our kids. So I think this is a very good amendment. I strongly support it.

Mr. Chairman, I yield at this time to the author of this amendment, such time as she may consume.

Ms. FOXX. I appreciate the ranking member for yielding time to me.

I want to say that I am very troubled by the fact that the terms that are being used here that we want to test, creating holistic educational experiences, that’s one of the problems, again, with the Federal Government being involved in the education process. It is not up to us to be doing that. The testing needs to be done at the local level.

There are programs. North Carolina has a tremendous number of programs and it’s working through community centers, sometimes at the local level, sometimes at the national level, on a different set of the time not, where they are trying to do these kinds of things. We don’t need to be funding this at the Federal level. If the States want to do it, they ought to be doing it.

I think that calling this a symbolic amendment is a denigration it doesn’t deserve. This is a serious amendment. We are violating our processes. We are violating what we say we are going to do here. Appropriations bills should not be authorizing bills. We separate that process.

I have not been here very long, and I know I don’t know all the rules and the way things are done, but I noticed that the chairman reserved a point of order, and he was able to the waive points of orders in order to authorize. So when the majority wants to break the rules, it easily breaks the rules to try to accomplish what it wants to accomplish when it can’t accomplish it the other way. So I am very concerned about it. I think this is a very valid amendment done very seriously.

I haven’t sat over here for a couple of hours and haven’t worked on this for many hours to think that it is frivolous or simply symbolic. It’s an important thing to accomplish when it can’t accomplish it the other way. So I am very concerned about it. I think this is a very valid amendment done very seriously.

I haven’t sat over here for a couple of hours and haven’t worked on this for many hours to think that it is frivolous or simply symbolic. It’s an important thing to accomplish when it can’t accomplish it the other way. So I am very concerned about it. I think this is a very valid amendment done very seriously.

The Acting CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. HOYER. Mr. Chairman, this concept of community schools Mr. W...
grades. But those services in many communities are discordant and not coordinated. So the concept of a full service or a community school is to bring together services, not in a forced way, but in a cooperative way.

Mr. FERGUSON. I yield to the gentlelady from North Carolina. Ms. FOXX. I thank my colleague for yielding to me. And I want to say again that I am sorry that my colleague from Maryland is not aware of this really excellent program. The case of cells project in North Carolina called Smart Start, which did this back in 1995, where we pulled together these different agencies to work together on this very good concept.

But it is being done in States without Federal dollars, and I would urge the people in Maryland to look at that concept and deal with it.

I want to say that I am very concerned again, not by your comments but by the comments of the chairman, about the denigration of the allocation of $10 million as negligible. That is the attitude of people from Washington that adding $10 million is negligible.

That is hard for people who are paying their taxes every day to understand that. I am sure that the teachers and parents of special needs students who are getting just a small percentage of money already authorized by this Federal Government to do what we are demanding that they do, they are not getting all their money.

Now, if you were to add $10 million to a $11 billion program for increasing the spending in this area, but it is the biggest complaint that I get when I talk to people about what is happening in education and the Federal role. So I think we need to put money into these already funded authorized programs already that are not spending what they should be spending.

And I would say, I find it hard to look in the eyes of the parent of a special needs child or the teacher of a special needs child and say: We had an opportunity to give you 10 million more dollars and it was turned down; because they are there, and they need it.

Mr. FERGUSON. Reclaiming my time, I would be happy to yield to the majority leader.

Mr. HOYER. I would simply say to the gentlelady, it so happens I have known two of your Governors pretty well, once as a young person, Terry Sanford, and as a contemporary of Jim Hunt, who was a good friend of mine for the last 45 years.

You mentioned the programs that you have in North Carolina. Bobby Etheridge, of course one of the former superintendents of your State's system, your State has been an innovative, progressive leader in education and Jim Hunt has been one of the educational leaders in our country. I have no doubt, because I have worked with him over the last 20 years that I have been in Congress on various programs while he was Governor and since then, that yes, you have moved ahead in North Carolina, but you have also done it in partnership with many Federal programs. I know that because I have worked with you and I simply wanted to make that point.

Again, this is a partnership. And I thank my friend for yielding.

Mr. FERGUSON. Mr. Chairman, I yield back the balance of my time.
centers of excellence. They are the safety net for low-income children in their communities and they are the centers of pediatric research as well.

So I want to thank the chairman for everything he has done to fully fund the program this year, and I would be happy to yield to him.

Mr. OBEY. Let me simply say I agree with the gentlelady from California. The Children’s GME is integral to ensuring a stable future for our children’s hospitals and is a sound investment in children’s health. I certainly will do everything I can to ensure that sufficient funding levels for Children’s Hospitals GME are retained in conference.

Ms. ESHOO. I thank the chairman. I also want to raise the issue about my strong support for increased funding for Health Information Technology, often referred to as Health IT.

The adoption, I believe, of electronic health record systems I think will have a profound effect on the health care delivery in our country. I recognize it will enhance patient safety, reduce medical errors, and improve the quality of care.

For several years, the administration and the Congress have not committed enough funds to make this promise a reality. Instead, it has been our hope to use the continued commitment to HIT that is in this year’s Labor-HHS bill, $61 million, and I think we need to make a greater investment to make this a reality because it not only needs to be launched, it needs to be accomplished, and without it we really won’t have a Health IT system.

So I want to thank the committee, most especially the chairman, for weaving through what is really a difficult bill to put together because we are constrained moneywise. But if there is any opportunity at conference, I want to urge optimizing that possibility.

Mr. OBEY. Mr. Chairman, I simply want to thank my colleague from California for bringing this important matter to the attention of the House. The gentlelady is a strong advocate for the establishment of a robust and interoperable health information technology network, and I want to work with her. I will be pleased to consider this funding need should additional funds become available in conference.

Ms. ESHOO. I thank the gentleman from Wisconsin.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. Foxx).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Ms. FOXX. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from North Carolina will be postponed.

The Acting CHAIRMAN. The gentleman have the amendment at the desk?

Mr. SHADEGG. Yes, I do.

The Acting CHAIRMAN. The gentleman was on his feet when the Clerk was reading.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. SHADEGG: Page 82, line 6 after the first dollar amount, insert: "(reduced by $10,695,000)"

Mr. OBEY. Mr. Chairman, I reserve a point of order on the amendment.

The Acting CHAIRMAN. The gentleman reserves a point of order.

Mr. OBEY. Mr. Chairman, I ask an unanimous consent that the amendment be read, not designated.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

Mr. SHADEGG. Mr. Chairman, I hope that this is a simple and straightforward amendment. It is premised on the notion, not that the program doesn’t work, but rather, that when the task is finished, the funding should stop.

This program, the Advanced Credentialing Program, was established by the Congress to develop teacher standards and to have those standards developed by the National Board for Professional Teaching Standards or other nationally certification or credentialing organizations. That task has, in fact, been accomplished.

The National Board for Professional Teaching Standards, a private body, has received more than $100 million from the Department of Education since 1991. These Federal funds supported the development and implementation of the certification standards and assessments in 21 different academic fields. That task has now been completed.

In addition, since the legislation called for such standards to be established by other nationally recognized certification or credentialing organizations, the Department awarded $32.8 million in a 5-year grant to the American Board for the Certification of Teacher Excellence. That board will receive the final year of its funding in Fiscal Year 2007.

By Fiscal Year 2008, the American Board for the Certification of Teacher Excellence will have successfully completed the development and implementation of its teacher credential system. As a result, State and local teaching organizations, educational agencies, will have not one but two different sets of standards to pick from, one developed by the National Board for Professional Teaching Standards and one developed by the American Board for the Certification of Teacher Excellence. I urge both of these boards to accurately complete, it is important that we stop the funding.

I want to make clear that the purpose of this amendment is not to eliminate funding for States to encourage teachers to receive professional degrees or to assist them in that endeavor.

My wife is a teacher. She has a master’s degree. She received advanced credentialing in order to improve her education and her ability to serve as a teacher, but the task has now been accomplished.

The Department, as well, supports giving States and districts more tools to help them identify and retain effective teachers. Indeed, the 2006 budget request provided $2.8 billion for improving teacher quality State grants program and an additional $199 million for the teacher incentive program. These programs combined provide flexible sources for State and local education agencies to use to improve their teacher recruitment and retention systems according to their own needs.

The goal of this amendment is to simply acknowledge that the creation of the standards has been accomplished by all the entities, the National Board for Professional Teaching Standards (NBPTS) and the American Board for the Certification of Teacher Excellence.

In addition, I would note for anyone concerned about this that the effects of the NBPTS credential system on student achievement have been somewhat mixed. There are studies that show it has been somewhat helpful. However, the studies have found the positive effect of the NBPTS credential system is neither large enough nor consistent enough to justify further Federal funding beyond that which is provided in the existing $2.8 billion for improving teacher quality State grants, and the $199 million that I already referred to in teacher incentive fund training.

I do wish, at this point, that I had reallocated the $10.7 million that would be saved by this amendment to Individuals with Disabilities Education Act (IDEA). Having listened to the discussion of the last bill, I note that the IDEA is underfunded. It has all been underfunded, and I wish that I had cast this amendment in that fashion. I did not do so but I, nonetheless, would encourage its adoption and would encourage those at conference to take that $10.7 million and add it to IDEA funding.

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

Mr. OBEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. Does the gentleman continue to reserve his point of order?
Mr. OBEY. I withdraw my point of order.

The Acting CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I can't believe my ears. I just thought I heard the gentleman say that IDEA was underfunded. I'm shocked. I've never heard the gentleman say that anything was underfunded before.

Mr. SHADEGG. Will the gentleman yield?

I certainly believe IDEA is underfunded. I know in my school districts in my schools there is a crying need.

Mr. OBEY. If I may take back my time because I only have 5 minutes. But I agree with the gentleman. Many programs are underfunded in this bill.

Mr. OBEY. Mr. Chairman, I reserve a point of order, and I would ask unanimous consent that the Clerk read the amendment.

The Acting CHAIRMAN. A point of order is reserved.

Without objection, the Clerk will report the amendment.

There was no objection.

Mr. OBEY. Mr. Chairman, I withdraw my point of order.

The Acting CHAIRMAN. The point of order is withdrawn.

Mr. WESTMORELAND. Mr. Chairman, this is a simple amendment. We've listened to the other side talk about, I guess, some of us maybe being disingenuous or doing different things with this amendment. And the gentleman from Ohio talked about a fringe group over here, and I'm happy to be part of that fringe group. The Republican Study Committee I guess is who he was talking about in that we're trying to look after the taxpayers' money.

For the past 12 years, I would have to admit, although I've only been here three of those years, that we spent too much money. We expanded government too much, and we didn't do what we should have been doing. But it's good, because I think a lot of people woke up after the last election and realized that we had lost our brand of being fiscal conservatives, being responsible with the taxpayers' money, because it's not our money, it's their money, they work hard for it every day, and that we need to be more responsible with it.

And I think that the President got that message. And in this budget, he cut the funding for the writing instruction. It was a very, very small percentage of the $1.52 billion budget that the majority party is offering for this appropriations bill, which is $1 billion more than the President offered. And, you know, it doesn't hurt to zero the program out if it's not working or not doing its job, or if the money can better be spent somewhere else in a different program, something that has more advantages for more people.

Under titles II, III and IV of the Elementary and Secondary Education Act, the Department of Education provides extensive support to States and operates numerous programs designed to enhance teacher recruiting and training. While many of these programs provide important services, States would be well served to receive this funding in the form of a block grant with increased flexibility to use these funds on the programs most needed in that State.

Mr. Chairman, I know from talking to my local school board superintendents and school board members that they certainly agree with that. No Child Left Behind, while working in a lot of situations, has cost them more money, really, to implement those programs than they receive in Federal dollars because a lot of that money is, has to be spent in a certain area.

This would be an opportunity that we could take this very, very small amount out. The President recommended a zero. It was funded at $21.7 million last year, so there's been a 10 percent increase this year, and just zero the program out.

And so it's a pretty simple amendment. It puts back the writing instruction program back to zero, where the President put it, and I hope that my colleagues will finally decide, let's vote for one thing that actually cuts something.

I know one appropriations bill, Mr. Chairman, we were talking about, and I believe the chairman of the committee said they had cut 250 programs. And I asked for a list of those programs. Haven't received it yet. So, hopefully this will encourage him to support this amendment, because it is zeroing out a program and also get the list of the other 250 programs that this Congress has cut so far this year.

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

Mr. OBEY. Mr. Chairman, I rise to oppose the amendment.

The Acting CHAIRMAN. The gentleman from Wisconsin is recognized for 4 minutes.

Mr. OBEY. Mr. Chairman, let me assure the gentleman that his party did not lose the last election because they did too much for education. Rather, they lost the last election, in my view, because the public understood that their party preferred to cut spending $57 billion in tax cuts for people who make over $1 million to providing decent funding for education.
I must say all of us have large turn-over of our staff here on Capitol Hill. The number one problem that I have in my office and the number one problem I have heard so many other Members comment on is that when young people come in and interview for jobs, they don’t have any writing skills.

When both of my sons went away to college, at least my oldest son asked me, “Dad, what do you think is the most important thing to learn?”

And I said, I think the most important skill is how to write because if you can write clearly, it means you are thinking clearly, and if you are thinking clearly, it means you can communicate. And I would say that I don’t think that this country is over blessed with a number of great writers. I also must say if you listen to some of the congressional speeches written by our staffs, you would certainly agree that we need more help in writing in this country.

So let me simply say that I understand we are engaged in a little filibuster by amendment. But nonetheless, I wanted to take this time to simply urge Members to vote against this amendment. If you believe in raising the quality of discourse in this country, you have to start with writing, and that is what this program tries to do.

I would urge a “no” vote on the amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. WESTMORELAND. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

The Clerk will read. The Clerk read as follows:

SAFE SCHOOLS AND CIVICZENSHIP EDUCATION

For carrying out activities authorized by subpart 3 of part C of title II (20 U.S.C. 7671 et seq.), part A of title IV (20 U.S.C. 7101 et seq.), subpart 2 of part D of title V (20 U.S.C. 7245), subpart 3 of part D of title V (20 U.S.C. 7247), and subpart 10 of part D of title V (20 U.S.C. 7251) of the Elementary and Secondary Education Act of 1965 (“ESEA”), $71,075,000, of which $300,000,000 shall become available on July 1, 2008, and remain available through September 30, 2009; Provided, That $300,000,000 shall be available for subpart 1 of part A of title IV of ESEA (20 U.S.C. 7111 et seq.) and $222,335,000 shall be available for subpart 2 of part A of title IV of ESEA (20 U.S.C. 7131 et seq.), of which $5,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence, to provide education-related services to local educational agencies, and institutions of higher education, in which the learning environment has been disrupted by or traumatic crisis: Provided further, That $156,422,000 shall be available to carry out part D of title V of ESEA (20 U.S.C. 7241 et seq.); Provided further, That of the funds available to carry out subpart 3 of part C of title II of ESEA (20 U.S.C. 7671 et seq.), up to $12,072,000 may be used to carry out 2345 (20 U.S.C. 7671a) and $3,025,000 shall be used by the Center for Civic Education to implement a comprehensive program to improve public knowledge, awareness, understanding, and support of the Congress and the State legislatures.

AMENDMENT NO. 52 OFFERED BY MR. BRADY OF TEXAS

Mr. BRADY of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 52 offered by Mr. Brady of Texas: Page 83, lines 14 and 15, after each dollar amount, insert “(reduced $72,674,000)”.

Mr. BRADY of Texas. Mr. Chairman, the Carol White Physical Education Program was named after a long-standing and dedicated public servant here on Capitol Hill, Carol White, a long-time Chief of Staff for Senator TED STEVENS, who aptly named this program because they have dedicated their lives to trying to make this country better inside our schools and out. This program is funding programs specifically to help schools initiate and expand their physical education programs, which is just a great goal, and many of the grants have been used for playground equipment on schools.

Physical education is important. I think we all know that. Our young people are becoming more and more static between video games and television shows and sometimes lack of outdoor recreation. We are seeing more obesity. It is important that PE be part of an integral curriculum of our schools. In fact, our States and local districts have targeted PE as an area that they want to reintroduce back to the curriculum for our children.

The only reason I raise this program up is to have some type of thoughtful debate about who should fund PE programs and, more importantly, what should our Federal priorities be.

I ask that because I know that today we are running a deficit. We have a major national debt. I know that every dollar that we spend above the deficit, we will run a deficit again with the deficit we are discussing today, but I know that every dollar that goes to our schools and our kids and, again, try to prioritize where we fund our programs, which is just a great goal, and try to get closer to a balanced budget and try to prioritize where we fund our schools and our kids and, again, try to make the greatest use of every tax dollar we have.

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

Ms. MCCOLLUM of Minnesota. Mr. Chairman, I move to strike the last word.

Ms. MCCOLLUM of Minnesota. Mr. Chairman, the gentleman’s amendment is not a healthy amendment.

As you pointed out, our children are more complacent than ever. Sometimes it is because of video games. In some parts of the country, it is because the streets aren’t safe. In other parts of the country, it is because children are latchkey and moms and dads want to know where they are working. So obesity is becoming a huge problem in this country. And in order for children to really be ready and prepared to learn, they have to be physically fit. They go together. I taught science. They go hand in hand.

The CDC has made childhood obesity and the obesity that is already occurring with adults a challenge for our country to get ahold of if we are going to be competitive, if we are going to have a healthy workforce, and if we are going to control our health care costs. What has happened with the No Child Left Behind Act, it was under funded by this Congress. It didn’t come up
with the dollars that the President promised. So school district after school district after school district, in order to balance their ledger with this unfunded mandate, have been cutting physical education and they have been cutting physical education.

Now, I am pleased to hear that in your district you are able to maintain a phys ed teacher and you are able to maintain the things that you need to keep your children fit. But district after district has been cutting phys ed in order to pay for the unfunded tests in No Child Left Behind. And childhood obesity is a problem.

This might be the first generation that does not live as long as their parents. Now, my children and the children in my neighborhood, I would like to see them not only outlive me but outlive me in a very, very healthy lifestyle. And physical education is part of learning, mind and body, in order to be productive and healthy. This is going to keep us healthy, but it is also going to keep our health care costs down, which we know we have to get under control.

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

The CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I would just like to bring to the House the following facts: We have been at this bill now for the better part of yesterday. We have been on this bill since 10:30 this morning, and we have been trying to negotiate a unanimous consent agreement so that Members might be able to leave here tomorrow night. I know there is a CODEL of Members going to Iraq but I want to put them on notice now. I doubt very much that you are going to make it unless you want to make it because the votes because the votes are developing. I am told that right now, because of the insistence that a number of amendments, which we have heard time and time again, will still be subjected to 40 minutes’ debate time even though there are five similar amendments, each of which will take about 40 minutes. When you calculate it all, it comes out to about 800 minutes of debate time. That means roughly 13 hours. By the time you account for slippage, the time it takes for Members to be recognized, the time it takes for them to find their amendments, you have to add about another 5 hours plus your voting time.

What that means is that if we continue until 1 o’clock this morning, it will still probably be required for Members to be here until about 8 o’clock or later tomorrow night, which means that we will finish just in time for you to all miss your planes.

I just want you to know that so that if you think that you would like to see another result, you talk to individuals who right now seem to think that 40 minutes’ time on a repetitive amendment is more important than ending a filibuster by amendment.

Two years ago when this bill was on the floor, it took about 12 hours. At this rate it will take about three times that amount of time. So I want Members who are up to asking me about whether the amendment is going to be able to make their planes or their Codels, I want them to understand that if they miss them, I want them to know who to blame because it is not going to be me.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. GARRETT of New Jersey. Mr. Chairman, I will not use the whole 5 minutes. I just want to make one point.

The gentlelady from Minnesota, I believe, who was just speaking, I want to concur with a portion of her remarks with, A, the remarks with regard to the physical problem with childhood obesity in the country, and that of a number of Members, the problem that she set out with regard to NCLB not funding to the level necessary so that school districts across the country are put in what you might call a catch-22 situation.

And with all due respect to all the educated, I'll say you've got to do that when, with all due respect to all the educated, I'll say that if you think that you would like to see another result, you talk to individuals who right now seem to think that 40 minutes’ time on a repetitive amendment is more important than ending a filibuster by amendment.

Two years ago when this bill was on the floor, it took about 12 hours. At this rate it will take about three times that amount of time. So I want Members who are up to asking me about whether the amendment is going to be able to make their planes or their CODELs, I want them to understand that if they miss them, I want them to know who to blame because it is not going to be me.

Mr. Chairman, I yield back the remainder of my time.

The Acting CHAIRMAN. The gentleman from North Carolina is recognized for 5 minutes.

Mr. SHULER. Mr. Chairman, I rise to enter into a collocation of the chairman of the committee, Mr. Oney.

Mr. OBEY. I'm happy to engage the gentleman.

Mr. SHULER. Mr. Chairman, Oconaluftee Job Corps Center is in western North Carolina, has served a vital role in providing opportunity and direction to the young people of western North Carolina. This center has operated under the control of the National Parks Service along with the Hot Springs Ferry Job Corps Center and the Great Onyx Jobs Corps Center in Mammoth Cave, Kentucky.

Mr. Chairman, all three of these centers face uncertain future. Earlier this year, the Department of Labor closed the Oconaluftee center without warning, citing safety concerns. The U.S. Forest Service has expressed interest in fixing these safety concerns and re-opening the Oconaluftee center. The U.S. Forest Service has also proposed transfer of the management of the other two centers. The National Park Service has stated it is willing to transition these three centers to the Forest Service.

The U.S. Forest Service has a long-standing tradition of quality and service in the Appalachian region.

Mr. Chairman, the Senate Interior Appropriations bill contains language directing the Park Service to transfer control of these classroom Job Corps centers to the U.S. Forest Service. The community surrounding the Oconaluftee Job Corps Center is in favor of this transition.
Mr. Chairman, would you be willing to work with me to ensure that this language is included in the final conference version of this bill?

Mr. OBEY. If the gentleman would yield, I would like to thank the gentleman for his cooperation, and I would like to turn to the importance that the U.S. Forest Service has done in running its 19 Job Corps centers.

I have reviewed the provision in the Senate Interior Appropriations bill. I support the language in conference that directs the Secretaries of the Interior and Agriculture to execute an agreement to transfer the three Job Corps centers currently administered by the National Park Service to the U.S. Forest Service.

I hope the Department of Labor will recognize the merits of this approach which I understand was successful in another case involving the Mingo Job Corps Center in Missouri several years ago.

I also understand that the Secretaries of Interior and Agriculture support this approach and expect to work cooperatively with the Secretary of Labor on this matter.

Mr. SHULER. Mr. Chairman, thank you for your continued cooperation and help.

Mr. OBEY. I thank the gentleman.

Mr. SHULER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ENGLISH LANGUAGE ACQUISITION

For carrying out part A of title III of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 681 et seq.), $12,310,631,000, of which $5,467,594,000 shall become available on July 1, 2008, and shall remain available through September 30, 2009, and of which $6,641,982,000 shall become available on October 1, 2008, and shall remain available through September 30, 2009, to carry out activities under section III(c)(1)(C) of such Act (20 U.S.C. 6821(c)(1)(C)).

Mr. FERGUSON. Mr. Chairman, I offer an amendment.

Mr. OBEY. Mr. Chairman, I reserve a point of order, and I would ask that the Clerk reserve the amendment. We don't have a copy.

The Acting CHAIRMAN. The gentleman reserves a point of order.

The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FERGUSON:

Page 84, line 24, after the aggregate dollar amount insert ''(increased by $50,000,000)''.

Mr. FERGUSON. Mr. Chairman, I rise today to offer this amendment to this important bill that would add an additional $50 million to help Address students who require special education.

First, I want to commend the chairman of the committee and the ranking member for their outstanding efforts to recognize that insufficient funds for special education that are so desperately needed in this country, I know that in committee they added an additional $335 million to IDEA, the Individuals with Disabilities Education Act. But having talked to and listened to the stories from teachers and educators in my district and elsewhere who work in special education in my home State of New Jersey, I believe we must try to do even more, and we can certainly do more to recognize the important needs of these particular students and these particular programs.

Mr. Chairman, Congress, in 1975, enacted the landmark IDEA, the Individuals with Disabilities Education Act, which mandated that every student, including those who have special needs or disabilities will receive a quality and appropriate public education. The law also committed the Federal Government to contribute 40 percent of special education costs, which are often several times higher than the cost of educating other students.

Washington, of course, has never met this long-standing, but unfulfilled, commitment to aid States in paying for special education. And as a former teacher, I know the value of education for every student and the importance of ensuring that every child, including those who have disabilities, experience the thrill of learning.

School administrators and teachers and parents all across my district tell me that more special education funding is needed to meet the growing demands in our schools. As teachers seek to improve academic standards and accountability, increased Federal special education funding is vitally important to help schools to meet these important obligations to special education students and their families.

Washington, as we know, has never met that 40 percent funding threshold. And while Federal education funding has increased by more than 258 percent between 1995 and 2006, this year it still only represents 17.2 percent of the cost of serving students with disabilities.

My home State of New Jersey is a national leader in special education. Particularly students with special needs and disabilities literally move into our State. They come to New Jersey, particularly parents who have children with autism, they literally move to New Jersey so their kids can enroll in our State's special education programs. This year alone, New Jersey education officials estimate that they're going to spend more than $4 billion in combined Federal, State and local funds to administer special ed programs to almost 250,000 students. Of course there's more than 7 million students nationwide who qualify for these programs.

Mr. Chairman, I have been in this House for 6½ years. And I know that certain years funding levels for special education have been increased and other years they have not been increased. It can be fairly characterized as kind of going in fits and starts. Some years we've made big and new investments, and other years, frankly, we haven't.

Six years ago, when I first came to this House and to this Chamber, the first bill I ever introduced in this body was a bill that would fully fund our special education classrooms. I did it with the gentleman from Rhode Island (Mr. Kennedy). He and I have worked together, and I know many others have worked together, to work to fully fund special education classrooms. Indeed, today I remain and I am the lead Republican sponsor of legislation right now that would fully fund our special education classrooms. But despite many of our best efforts, we have not reached that goal yet. And so that the chairman, the gentleman from Wisconsin, and the ranking member, Mr. Walsh from New York, they have made extraordinary efforts toward this goal as well.

The spirit of this amendment, my amendment, is to make for this year one additional effort to move us in the right direction. Like many of you, I've been in these classrooms. I've observed some of our special needs kids in action. I've seen the heroic efforts of their parents and their teachers and the administrators who work so hard to give them the chance at success in life that they really need and deserve.

We've done some to help them. And this bill today, frankly, does even more. But thanks to the efforts of Chairman Oney and Mr. Walsh and others, I really know we are working hard toward this goal. But I respectfully ask that we try to do just a little bit more this year, and by approving this amendment we will be able to do that.

I ask my colleagues respectfully to support this important amendment so that we can say we did everything we probably could to help these students who need that extra chance in life.

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

The Acting CHAIRMAN. Does the gentleman continue to reserve?

Mr. OBEY. I withdraw my reservation of the point of order and move to strike the last word.

The Acting CHAIRMAN. The reservation of the point of order is withdrawn.
The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, let me simply ask the House one question: Do we really know everything that we need to know about how children learn? Do we really know enough about how children learn to guarantee that every child will perform to their maximum ability and potential? I think the answer to that is obvious: we obviously don’t.

There is no great political constituency for educational research. But you know it’s a funny thing, in any field of endeavor, research is what separates the gentleman from New Jersey will be deferred a recorded vote. The Clerk will report the amendment.

The Clerk reads as follows: Amendment offered by Mr. Garrett of New Jersey.

Page 85, line 19, after the dollar amount, insert “(reduced by $2,279,000).” □ 1445

Mr. Garrett of New Jersey. Mr. Chairman, I rise now to offer what really is a modest amendment with the hopes of returning some degree of discipline to the annual appropriation process. When the President submitted his budget request, he proposed the elimination of a number of programs that were duplicative and unable to demonstrate effectiveness or otherwise not worthy of the priority of spending American taxpayers’ money.

Generally speaking, with the savings achieved from eliminating ineffective programs, we can use it to do things such as pay off the debt or support programs that have a proven track record of success. I guess that last line I would reiterate: To support programs that already have a track record of success.

As I also often do, I will refer this back and make the analogy back to the American families budget. This is really no different from what American families do every month at the proverbial dinner table. Think, for example, when it comes to TV. If a family is paying for both cable TV and DirecTV, or what I have in my house, Dish TV, chances are that they would probably decide which service suits them best as a family, take one of both of the other services out. You only need one service coming into the house; cable, Direc, Dish or what have you. That is what a family would do; prioritize them.

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

The Acting Chairman. The question is on the amendment offered by the gentleman from New Jersey (Mr. Ferguson).

The amendment was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. FERGUSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.
be providing funding for programs that do the exact same thing.

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

The Acting CHAIRMAN. Does the gentleman reserve his point of order?

Mr. OBEY. Mr. Chairman, I withdraw my point of order and would move to strike the last word.

The Acting CHAIRMAN. The gentleman withdraws his point of order.

The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I wonder if anybody remembers these words: “Whosoever you do for the least of your brethren, you do for Me.” I wonder if anybody remembers those words? This amendment is truly amazing to me. This amendment is offered by a Member of the House, who, like me, any time he has an ache or a pain or a toothache or is having a bad day, can trot down to the Attending Physician and doctors and the nurses check us over to make sure that we are in peachy keen shape. But what does this amendment say? This amendment says to some of the poorest people in the country, our migrant and our farm workers, sorry, you can’t have vocational rehabilitation services if you’ve got a physical problem.

I would like to ask every Member of this House, have you ever picked cucumbers during the summer? Have you ever picked beans? Well, I have. I can tell you if it doesn’t have farmers and the need to represent a county by the name of Waushara County—wall to wall irrigation and crops like cucumbers and beans. I used to watch those migrant workers come in and work their tails off to get a few buckels.

Are we really so stingy? Are we really so utilitarian that we are willing to say to workers like that, sorry, Members of Congress are important, so they can get taken care of whenever they have got a physical problem. But oh no, don’t you dare waste the taxpayers’ money when it comes to some poor devil in the migrant stream of when it comes to their family or kids.

You want to vote for this amendment? You go right ahead. Count me out.

Mr. PRICE of Georgia. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PRICE of Georgia. Mr. Chairman, I would like to adjust myself to the two gentlemen from New Jersey and Georgia with a question: Have you ever administered and run a school, a title I school, that has an ESEA program? No.

Mr. Chairman, it is really easy to criticize and throw darts at projects or even employment, if you will, when you have no idea of what you are talking about. I was a principal of two elementary schools. Both were title I schools. Both had ESEA funding. The Federal law at that time, it is probably already existing, said that Federal funding cannot supplant local funding.

So if you are saying that this is duplicative, it isn’t. It is supplementary. It is to enhance the programs that are already existing. And the Federal Government has the responsibility to help programs and help youngsters in this country.

It is common knowledge that the States have the primary responsibility of education in their States, but the Federal Government has responsibility also. And in their good judgment in the past when they established the ESEA programs, they saw the need to help States fulfill their responsibilities.
Mr. Chairman, it is probably easy to poke holes into something you don’t know anything about. It is probably even easier to criticize something when you have no experience and no one is going to challenge that.

Mr. Chairman, I am here to challenge their premise, and would ask my colleagues not to support this amendment.

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

Mr. CAMPBELL of California. Mr. Chairman, I move to strike the last word.

Mr. CAMPBELL of California. I yield to the gentleman from New Jersey.

Mr. GARRETT of New Jersey. Mr. Chairman, I appreciate the gentleman yielding. I didn’t want to interrupt your comments, so I waited to be yielded time here just to respond to your statements through the Chair.

No, I have not ever administered or run a school. For that matter, I imagine that out of the 435 Members of Congress there is not one who has run or administered a school. And I would hate that to be the barometer or the test that we would have to take before we could ever propose an amendment, vote on an amendment, or even consider legislation that comes before the House. If that were the case, programs like the VR program would never be established in the first place. If the test is whether a Member of Congress has experience in it to propose a new program or expand a program, there is not enough educators here or people who have run title I schools to get the backing of legislation in the first place. So I would question the gentleman’s premise.

Now, the gentleman on the other hand questions our basic premise for supporting this amendment. Our basic premise is that you don’t have to actually run the school to know that perhaps the best way to serve a particular segment of our country is to make sure that the dollars go to programs that are up and running and do serve that program.

The administration has looked at this and has seen that the program in place that we are talking about now has been since 1970 and the best way to proceed. ‘Demonstration,’ the word it connotes the fact that this is temporary in nature.

Since that time, we have the VR program, which I pointed out earlier, may be someone did not believe my testimony, the VR program handles these same services. In fact, it says: ‘The activities needed to successfully serve the migrant and seasonal farmwork population do not differ from those that benefit a much wider group of VR participants. For example, the outreach activities in churches and community centers may be effective for identifying farmworkers with disabilities, what this amendment deals with, but they also assist in identifying other persons with disabilities who visit these places. The hiring of bililingual counselors will assist all consumers who are monolingual in a non-English language, whether they are farmworkers or not. And the provisions of the transportation services for rural areas will benefit all rural residents, whether farmworkers or not.’

The bottom line is, our basic premise is, if you are going to serve a segment of the population such as individuals with disabilities and migrant farmworkers, let’s do so, but let’s do so with programs that are already up and running and have a track record. That is what this underlying bill does. It even does it with spending $36 million more. I think we can make sure that program runs and eliminate the duplicative program.

Mr. CAMPBELL of California. Mr. Chairman, I will just add one thing as I have been listening to the general debate here.

It seems that quite often on this floor, particularly on the other side of the aisle, that we measure how much we care about something by how much money we spend on it. If that was the measure of everything, Paris Hilton would be the most well-adjusted kid on the planet.

It doesn’t do any good for anybody to spend money that is duplicative or that isn’t effective or that wastes a lot of money along the way. That is not good for anybody. So whether it is this program, frankly, or any others, we should, in this House and on this floor, realize that we are stewards of the taxpayers’ money, not just spenders of the taxpayers’ money, and we should ensure that it is being well spent, not just totally spent.

Mr. Chairman, I yield back my time.

The Acting CHAIRMAN. The question was taken; and the Act was ordered to lie upon the table.

Mr. GARRETT of New Jersey. Mr. Chairman, we demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

The Clerk will read.

The Clerk read as follows:

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879 (20 U.S.C. 101 et seq.), $17,573,000.

NATIONAL INSTITUTION FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $60,757,000, of which $1,705,000 shall be for construction and shall remain available until expended: Provided, That from the total amount available, the Institute may at its discretion use funds for the development program as authorized under section 207 of such Act (20 U.S.C. 4357).

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Middlebury School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $100,952,000: Provided, That from the total amount available, the University may at its discretion use funds for the development program as authorized under section 207 of such Act (20 U.S.C. 4357).

CAREER, TECHNICAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), the Adult Education and Family Literacy Act (20 U.S.C. 2271 et seq.), and subpart 4 of part D of title V of the Elementary and Secondary Education Act of 1965 (‘ESEA’) (20 U.S.C. 2242), $2,046,220,000, of which $1,247,220,000 shall become available on July 1, 2008, and shall remain available through September 30, 2008, of which $791,000,000 shall become available on October 1, 2008, and shall remain available through September 30, 2009, of which $300,000,000, of which $75,000,000 shall be made available for the Carl D. Perkins Career and Technical Education Act of 2006, $8,000,000 is for the postsecondary career and technical institutions under section 117 of such Act (20 U.S.C. 2327): Provided further, That of the amounts provided for Adult Education State Grants, $71,622,000 shall be made available for integrated English literacy and civics education services to immigrants and other limited English proficient populations: Provided further, That of the amounts reserved for integrated English literacy and civics education, notwithstanding section 211 of the Adult Education and Family Literacy Act (20 U.S.C. 2211), 65 percent shall be allocated to States based on a State’s absolute need as determined by calculating each State’s share of a 10-year average of the United States Citizenship and Immigration Services data admitted for legal permanent residence for the 10 most recent years, and 35 percent allocated to States that experienced growth as measured by the average of the 3 most recent years for which United States Citizenship and Immigration Services data for immigrants admitted for legal permanent residence are available, the State shall be allocated an amount less than $60,000: Provided further, That of the amounts made available for the Adult Education and Family Literacy Act, $7,300,000 may be for national leadership activities under section 243 of such Act (20 U.S.C. 2253) and $6,638,000 shall be for the National Institute for Literacy: Provided further (20 U.S.C. 2452): Provided further, That $63,531,000 shall be available to support the activities authorized under subpart 4 of part D of title V of the ESEA (20 U.S.C. 2252), of which up to 5 percent shall become available October 1, 2007, and shall remain available through September 30, 2009, for evaluation, technical assistance, and school-wide demonstration projects, and of which not less than 95 percent shall become available on July 1, 2008, and remain available through September 30, 2009, for grants to local educational agencies: Provided further, That funds made available for local educational agencies under this subpart 4 shall be used only in relation to establishing smaller learning communities within large high schools or small
Mr. PRICE of Georgia. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 64 offered by Mr. Price of Georgia.

Page 87, line 1, strike the comma and insert "and".

Page 87, line 3, strike "and" and all that follows through the comma on line 5.

Page 87, line 5, after each dollar amount, insert "(reduced by $83,531,000)".

Page 88, line 13, strike the colon and all that follows through page 89, line 3, and insert a period.

Mr. OBEY. Mr. Chairman, I ask unanimous consent that the Clerk read the amendment because unless she does, we have no idea what the amendment is.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

Parliamentary inquiry.

Mr. PRICE of Georgia. Mr. Chairman, parliamentary inquiry.

The Acting CHAIRMAN. The gentleman may state his parliamentary inquiry.

Mr. PRICE of Georgia. The amendment that the Clerk is currently reading is not one that I am offering.

The Acting CHAIRMAN. Without objection, amendment No. 64 is withdrawn.

There was no objection.

The Acting CHAIRMAN. The Clerk will read:

The Clerk reads as follows:

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3, and 4 of part A, part C, and part E of title IV of the Higher Education Act of 1965, $17,461,883,000, which shall remain available through September 30, 2009: Provided, That, in addition, any amount made available for Academic Competitiveness Grants and National SMART Grants under this Act, and the LEAP and LEAP Plus programs authorized under the Higher Education Act of 1965, 70 U.S.C. 1070a–1 for fiscal year 2007 (in an appropriation for such fiscal year or a preceding fiscal year) that is unobligated at the end of fiscal year 2007 shall be available for Pell Grants for the 2008–2009 award year.

Amendment No. 65 offered by Mr. Price of Georgia.

Mr. PRICE of Georgia. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 65 offered by Mr. Price of Georgia.

Page 89, line 7, after the dollar amount, insert "(reduced by $51,987,000)".

Mr. PRICE of Georgia. Mr. Chairman, I apologize for the confusion. I apologize for rising early.

This amendment is a simple amendment. It addresses the Leveraging Educational Assistance Partnership program and would end the funding for this program, saving $65 million of hard-earned taxpayer money. The rationale is, as the administration has described and as has been recommended by the Secretary of Education’s Commission on the Future of Higher Education, virtually every State has its own program and it is a much lower degree than the Federal Government that address this very same issue.

As I mentioned just a moment ago when I rose to another amendment, we here in Washington enact all sorts of pilot programs, I encounter trial and error, and so very often, in fact probably more often than not, we don’t go back and look as a Federal Government to see whether or not the goal or the mission of those programs has been accomplished.

Rarely, if I would suggest, do we see if the goal has been accomplished. This is one in which there has been great success. The mission and the goal of the program has indeed been accomplished. It has accomplished its original objective of stimulating all States to establish need-based post-secondary student grant programs. However, beyond the establishment of these programs, the LEAP program and the LEAP Plus program that was part of the Leveraging Educational Assistance Partnership program itself, does little to encourage States to increase their investment in grant aid for their neediest of students or effectively targets this aid to students who could most benefit from it.

When we look, when the Department of Education and when the Office of Management and Budget performs its assessment and reviews this program, what it says is, at this point, because the mission has been accomplished, the results of any further funding for this program are clearly not demonstrated. So in an effort to achieve again some fiscal responsibility and in an effort to decrease some of the significant waste that does occur at the Federal level, I encourage my colleagues to accept and vote for the amendment.

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

Mr. OBEY. Mr. Chairman, I rise to oppose the amendment.

The Acting CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I have been trying to figure out what we ought to be calling these amendments that have been offered for 2 days. I have concluded that we ought to call them the congressional rubber-stamp amendments, because what is happening is whoever is making amendment after amendment offered that would simply return these funding levels to the exact level recommended by the President.

Now I see story after story indicating that a good many of my friends on the other side of the aisle are anxious to separate themselves from the President, these days, but we have evidently a few members of their caucus who are eager to embrace virtually every action and every thought that comes from the White House. I find that very interesting.

The President felt we ought to eliminate this program. What does this program do? This program provides $60 million in grants to offer needs-based student scholarships. There are 165,000 students who will benefit from this program, getting scholarships of $1,000. I would simply ask, does anybody really believe that we are providing enough help for working families to send their kids to college?

The Pell Grant program is the major program upon which we rely in order to help students from lower and middle-income families find enough money to go on to college. When that program was in its heyday in the seventies, it provided over 70 percent of the cost of attending a 4-year public university. It provided help in the form of a Pell Grant to meet that percentage of the cost. Today, it is down to a little over 30 percent of the cost. So we have shifted a huge percentage of the cost to working families.

The President’s answer in his budget this year was to move Pell Grants from the cost of the budget to the other side of the budget. This amendment does little to encourage States to increase their investment in grant aid for their neediest of students or effectively targets this aid to students who could most benefit from it.

I urge the amendment.

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

Mr. GARRETT of New Jersey. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. GARRETT of New Jersey. I thank the gentleman for obtaining the time.

Mr. GARRETT of New Jersey. Mr. Chairman, I move to strike the last word.

The President’s answer in his budget this year was to move Pell Grants from the cost of the budget to the other side of the budget. This amendment does little to encourage States to increase their investment in grant aid for their neediest of students or effectively targets this aid to students who could most benefit from it.

I urge the amendment.

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

Mr. PRICE of Georgia. Mr. Chairman, I thank the gentleman from Georgia.

Mr. PRICE of Georgia. Mr. Chairman, I thank the gentleman for obtaining the time, and I appreciate the chairman’s comments.

The purpose of this amendment is to address wasteful spending. It is a significant responsibility that we have here in the House to make certain that the money we spend, which is hard-earned taxpayer money, is spent wisely. I know there is huge animosity on the other side of the aisle against the President. I think sometimes that animosity actually blinds individuals to some quality work that is coming...
from the administration. There are high-quality people who work in the administration, this administration, just like every other administration. In fact, there are high-quality people in the Department of Education and there are high-quality people in the Office of Management and Budget who looked at this problem and said that the goals and the mission of this program have, indeed, been accomplished. It was a wonderful program, served a grand purpose, but the goals and the missions have been accomplished. Consequently, it is appropriate, if we are going to be responsible with hard-earned taxpayer money, to end a program that has accomplished its mission, accomplished its goals, and not continue wasteful Federal spending.

Mr. PRICE of Georgia, Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

Mr. OBEY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the committee rose; and the Speaker pro tempore (Mr. ARCURI) having assumed the chair, Mr. CAPUANO, Acting Chairman of the Committee of the Whole on the House of the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3043) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, had come to no resolution thereon.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 3043, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. OBEY. Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 3043 in the Committee of the Whole pursuant to House Resolution 547, notwithstanding clause 11 of rule XVIII, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

An amendment by Mr. PASCRELL regarding funding for Traumatic Brain Injury programs;

An amendment by Mr. NADLER regarding eligibility for 9/11 health programs;

An amendment by Mr. NADLER regarding funding for 9/11 health programs;

An amendment by Mr. BARTON of Texas regarding funding for the National Institutes of Health;

An amendment by Mr. GARRETT of New Jersey regarding funding for certain autism programs;

An amendment by Mr. HOLT regarding funding for math and science partnerships;

An amendment by Mr. COOPER regarding funding for Historically Black Colleges and Universities and Historically Black Graduate Institutions;

An amendment by Mr. FLAKE reducing funding for the Corporation for National and Community Service;

An amendment by Mr. CONAWAY limiting funds for the LIHEAP program until certain conditions are met;

An amendment by Mr. CONAWAY regarding use of reductions made through amendment for deficit reductions;

An amendment by Mr. DINGELL regarding the Deputy Commissioner of the Social Security Administration;

An amendment by Mr. GINGREY limiting funds for Social Security totalization agreements with Mexico;

An amendment by Mr. HARE regarding Critical Access Hospitals;

An amendment by Mr. JORDAN of Ohio reducing funds in the bill by 4.6 percent, which shall be debatable for 30 minutes;

An amendment by Ms. MOORE of Wisconsin, Mr. SCOTT of Virginia, Mr. COLE of Oklahoma or Ms. SHEA-PORTER regarding the Upward Bound program;

An amendment by Mrs. MUSGRAVE reducing funds in the bill by 0.25 percent, which shall be debatable for 30 minutes;

An amendment by Mr. PRICE of Georgia reducing funds in the bill by 1 percent, which shall be debatable for 30 minutes;

An amendment by Mr. CAMPBELL of California reducing funds in the bill by 0.25 percent, which shall be debatable for 30 minutes;

An amendment by Mr. OBEY regarding earmarks;

An amendment by Mr. SCOTT of Virginia regarding funding for student drug testing;

An amendment by Mr. LEWIS of Georgia, Mr. WELCH of Vermont, or Mr. WELLER of Illinois regarding certain Medicare regulations;

An amendment by Ms. JACKSON-LEE of Texas regarding the Office of Civil Rights at the Department of Education;

An amendment by Ms. JACKSON-LEE of Texas regarding Education for the Disadvantaged;

An amendment by Mr. UPTON or Ms. HARRIMAN regarding use of Energy Star certified light bulbs;

An amendment by Mr. PENCE limiting funds for Planned Parenthood;

An amendment by Mr. EHLERS regarding funding for math and science partnership programs;

An amendment by Mr. GINGREY or Mr. JORDAN of Ohio limiting funds regarding requirements for HPV vaccinations for school admittance;

An amendment by Mr. RYAN of Wisconsin limiting funds for certain Centers for Disease Control Activities;

An amendment by Mr. GARRETT of New Jersey limiting funds for certain international conferences;

An amendment by Mr. KING of Iowa limiting the use of funds to employ workers described in section 274A of the Immigration and Nationality Act;

An amendment by Mr. KING of Iowa limiting the use of funds to sponsor certain events at the Sundance Film Festival;

An amendment by Mr. DAVIS of Kentucky limiting performance bonuses