your bill for OSHA reform. As far as other bills, NLRB, forget it. You guys threw that out the window with the TEAM Act. There is no negotiating for unions.

So don't stand up here and talk about how you guys like to protect workers under this phony premise that you want to see more transparency and compliance. That's just a lot of hogwash.

In terms of international labor standards, if you don't understand the connection between slave labor abroad and workers here at home, I am sorry, you don't understand globalization.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair will remind Members to direct all comments to the Chair, please.

Mr. KENNEDY. If the gentleman doesn't understand, through the Chairman, doesn't understand the comparison between children working overseas, fighting, working to try to manufacture products that are going to compete against our unionized workers here at home or our manufacturer workers, whether they are unionized or not, if he doesn't understand that they are competing against one another, I can't explain it to them.

If he can't understand and grasp that it's in our interest to make sure that our competitors don't use children that are being paid pennies on the dollar while our moms and pops are having to compete against them with minimum wage standards, I can't explain it to him. If he doesn't understand that, it's hard for me to give him an economics lesson that they are competing in a global economy that has transparency of products thanks to these trade agreements.

□ 1745

Mr. RYAN of Ohio. I thank the gentleman from Rhode Island. And I also find it a bit peculiar that our friend from Florida, being from Ohio, we disagree on our favorite college basketball team, we disagree on our favorite college football team, so it is not a real surprise that we are going to disagree here. But I find it peculiar that he was saying that he was trying to support the workers. And I wish he would remember the vote on the minimum wage when he and the leadership of his party were consistently trying to prevent us from passing the minimum wage to help the American worker.

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

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

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

Mr. PRICE of Georgia. I thank my friend from Minnesota for bringing this issue forward. Madam Chairman, this is an extremely important issue, and I think it is important that we bring the debate back to the actual amendment.

The amendment addresses the issue of funding for the Office of Labor Management Statistics, and that agency is the only agency of the government that is devoted to protecting the interests of dues-paying union members, the only one.

The funding in last year, fiscal year 2007, was about $47 million. Funding proposed for this year is about $45 million. It is a cut of about $2 million. That is a cut. Not the cut that we have heard explained in other bills that were reductions in the increase; it is a cut. The President felt so strongly about this and felt so strongly about the success of this agency that he recommended an increase to $56 million. So this proposal by the majority party is a decrease of $11.1 million from the President's request.

Now, it is curious the arguments that we are hearing on the other side. They have increased spending virtually across the board for every single agency except for this one, and this is the one that provides the enforcement for the Department of Labor. I have supported many appropriate reductions, there is no doubt about it, as we have moved through these appropriations bills, but I believe strongly that there is a message that is being sent in this cut that is being proposed by the majority party, and that message is that it is imperative that the debt that they owe to union bosses be paid.

And why do I say that? This is an agency that has significant results. Since 2001, the indictments resulting from investigations by this agency have increased by 20 percent. Now, why would we want to decrease funding to an agency that is showing success in protecting dues-paying workers? Convictions have increased by 26 percent and the courts have ordered restitution of over $70 million in union members' dues that were stolen, stolen by union officials. That sounds like a project that would merit support by the majority party, but, as my good friend from Florida just said, it is clear that this is a trend that we are seeing by this new majority party, and that is that the protection of the rank-and-file worker is not what they have an interest in. And that was demonstrated clearly with the card check issue which, as he mentioned, took away the sacrosanct right of a secret ballot in union formation in this Nation. The majority party said, no, that wasn't important, that individuals ought to be exposed to the kind of intimidation that we see on both sides, both the employer and the union side.

So, Madam Chairman, I guess it ought not be surprising that we see this included in the current bill, but it is disappointing. There is no doubt that it is disappointing. Because, again, we have an agency of the Federal Government, the Office of Labor Management Statistics, which is getting results, which is fulfilling its mission, which is fulfilling its charge, which is fulfilling its responsibility to the American people and to this Federal Government, and this new majority proposes to significantly cut the amount of funding to the agency. I think it exposes a flaw in the thinking of the majority party and, hence, this general statement that we are the only individuals for working people. In fact, tax cuts are for working people. In fact, decreasing spending at the level of the Federal Government is for working people. In fact, not passing the largest tax increase in the history of our Nation is for working people.

So we stand proudly and honorably before the American people and say that the party that stands in favor of working people is the party that is most responsible with Federal spending. It is the party that holds to account Federal agencies. This Federal agency, this office is accomplishing its goal, it is accomplishing its mission, and so it ought not be one that we cut. There are certainly others that are available to be decreased. I urge support of the Kline amendment and ask all my colleagues to support it.

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

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

Mr. MARCHANT. I yield to the gentleman from Minnesota.

Mr. KLINE of Minnesota. I thank the gentleman for yielding.

There are a couple of points I would like to address. It has been an interesting debate, as these things often turn in to be. We have heard the gentleman from Rhode Island say that this base bill just keeps it going presumably at the current level. And, as we have already heard established, this is in fact a $2 million cut, $11 million below the President's request.

The gentleman from Rhode Island is right, though, when he talked about this being about people checking their own books and covering their tracks. That is exactly what this is about. He was talking about perhaps corporations, and we have already talked about increasing the money to provide oversight and law enforcement for corporations. But this is about unions. This is about American workers.

We have looked at the money percentage cut/percentage increase. We have already confirmed that this is a $2 million cut, as my colleague from Georgia says. And I just find it interesting, looking at the figures here, we have added $935 million to President Bush's fiscal year 2008 budget request for the Department of Labor, and within that budget increase are individual funding increases for every single enforcement office within the agency except this one, this one whose job it is to make sure that union leaders who are misbehaving are not able to just check their own books and cover their tracks. Somebody else has got to hold them accountable.

And this embezzlement is not restricted to one or two people in one or two States. We have examples over the last 3 or 4 years of misconduct by union leaders in 48, at least, of the 50

States. A couple of examples here might be relevant.

Looking at the neighboring State of Wisconsin, on September 21, 2006, in the United States District Court for the Eastern District of Wisconsin, Felix A. Robinson, former president of the Industrial Division of the Communication Workers of America, Local 84101, pled guilty to one count of embezzling union funds. The guilty plea followed investigation by the OLMS Milwaukee district office.

Sad to say it happens in my own State. On February 22 of this year, 2007, in the United States District Court for the District of Minnesota, Catherine Bronson, former business representative for Hotel and Restaurant Employees Local 21 in Rochester, Minnesota, was sentenced to 180 days of home confinement.

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

Mr. MARCHANT. I yield to the gentleman from Wisconsin.

Mr. OBEY. Could the gentleman tell me, have there been any more labor leaders indicted lately than Members of Congress?

Mr. MARCHANT. Reclaiming my time, Madam Chairman, I yield to the gentleman from Minnesota.

Mr. KLINE of Minnesota. We have pages and pages of examples. Let me just give another one so that my colleagues and the workers of America understand that we are talking about misbehavior, illegal behavior on the part of people who have the responsibility for taking care of their union dues.

November 7, 2006, in the United States District Court for the District of Minnesota, Timothy J. Pulvermacher, former financial secretary for USWA Local 9444 pled guilty to embezzling union funds.

January 8, 2007, Kathryn Stark, former office manager for IBEW Local 31 was sentenced to a 6-month confinement.

Why? Because they are abusing their union members. They are stealing from them. And this is the only office that has the responsibility and authority for holding them accountable.

So we can debate for all day, I suppose, who is for the worker and who is not for the worker and whether the tax cuts are good for the worker. We certainly believe they are on this side of the aisle. But that is not what my amendment is about. My amendment is about making sure that the office who has the responsibility for holding union leaders accountable for their workers' funds has the staff it needs to do the job.

The base bill, cutting $2 million would force that office to cut staff members, the very people who conduct the investigations and bring these people to justice.

Again, I encourage all of my colleagues to support this amendment which supports the union workers of America and holds those who misbehave accountable. And I thank the gentleman for yielding.

Mr. WILSON of South Carolina. Madam Chairman, I rise today in support of the amendment introduced by my friend Mr. KLINE of Minnesota, a dedicated U.S. Marine veteran, which restores much needed funding to the Office of Labor Management Standards (OLMS). I applaud Representative KLINE's continued efforts to draw attention and support to this very important issue, and I appreciate his dedicated leadership in this area.

This straightforward amendment would add $2 million to the current legislation and restore funding for OLMS to its fiscal year 2007 levels. This addition would also enable the agency to hire 13 full-time employees.

The Office of Labor Management Standards plays a vital role in administering and enforcing provisions of the Labor-Management Reporting and Disclosure Act of 1959, LMRDA. This bipartisan law was enacted by Congress to ensure standards of democracy and fiscal responsibility in labor organizations representing employees in private industry.

When enacting the LMRDA, Congress expressed that union members and the general public would benefit by having access to information about labor unions. As a result, each union subject to LMRDA is required to submit annual financial reports to OLMS. This public accountability is achieved through the filing of LM–2 forms. Millions of working Americans have a portion of their paychecks given to labor organizations, and they deserve to know where their hard-earned money is going.

According to a September 2006 Wall Street Journal article, up to 60 percent of labor organizations' budgets are going to PAC contributions and lobbying activities. In one instance, only 36 percent of the funds actually went to representing union members in labor negotiations.

There is a high level of demand for this information. In fact, between May 2006 and May 2007, there were 767,908 hits on OLMS's website. That's an average of about 64,000 per month and over 2,100 per day.

Again, I am pleased to recognize the important work of the Office of Labor Management Standards, and I urge members to support this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. KLINE).

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

Mr. KLINE of Minnesota. 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 Minnesota will be postponed.

The Clerk will read.

The Clerk read as follows:

Of the unobligated funds collected pursuant to section 286(v) of the Immigration and Nationality Act, $70,000,000 is rescinded.

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by chapter 81 of title 5, United States Code; continuation of benefits as provided for under the heading ''Civilian War Benefits'' in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, $203,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: *Provided*, That amounts appropriated may be used under section 8104 of title 5, United States Code, by the Secretary of Labor to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: *Provided further*, That balances of reimbursements unobligated on September 30, 2007, shall remain available until expended for the payment of compensation, benefits, and expenses: *Provided further*, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under section 8147(c) of title 5, United States Code, to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2008: *Provided further*, That of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees' Compensation Act, $52,280,000 shall be made available to the Secretary as follows:

(1) For enhancement and maintenance of automated data processing systems and telecommunications systems, $21,855,000.

(2) For automated workload processing operations, including document imaging, centralized mail intake and medical bill processing, $16,109,000.

(3) For periodic roll management and medical review, $14,316,000.

(4) The remaining funds shall be paid into the Treasury as miscellaneous receipts:

Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under chapter 81 of title 5, United States Code, or the Longshore and Harbor Workers' Compensation Act, provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, as amended by Public Law 107–275, $208,221,000, to remain available until expended.

For making after July 31 of the current fiscal year, benefit payments to individuals under title IV of such Act, for costs incurred in the current fiscal year, such amounts as may be necessary.

Ms. ROYBAL-ALLARD. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentlewoman from California is recognized for 5 minutes.

Ms. ROYBAL-ALLARD. Madam Chairman, during the full committee markup of this bill, an amendment was added that would prohibit the use of Federal funds for administering thimerosal-containing influenza vaccines to children under 3 years of age. While

I respect the good intentions of the author of this amendment and my colleagues who supported it, this provision creates significant public health concerns for the protection of our youngest children from both seasonal and pandemic influenza.

This past week, I have heard from numerous public health and scientific groups with expertise in immunizations. They all agree that there is no credible scientific or medical evidence that vaccination of young children with vaccines containing the preservative thimerosal causes autism or other neurodevelopmental disorders.

Madam Chairman, our national immunization policies must be based on science. I strongly believe that the United States Congress should not substitute its judgment about which vaccines are safe for our children for that of the major vaccine and public health experts.

Perhaps the most convincing statements against the amendment are in a communication from Dr. Julie Gerberding, the Director of the Centers For Disease Control and Prevention, dated July 16, 2007. Her opposition to the thimerosal amendment is as follows:

''There is no scientific basis to support a prohibition of use of thimerosal-containing vaccine. In particular, science does not support a causal association between thimerosal and autism. In fact, the Institute of Medicine concluded that, 'the evidence favors rejection of a causal relationship between thimerosal-containing vaccines and autism.'

□ 1800

''CDC respects this IOM conclusion.''

The Advisory Committee on Immunization Practices, a diverse group of expert advisers on vaccine use, has made its position explicitly clear. ''The benefits of influenza vaccination for all recommended groups including pregnant women and young children, outweigh the unproven risk from thimerosal exposure through vaccination.''

Instead, ACIP recommends that children and adults who need vaccination may receive any available vaccine preparation licensed for use in the person's age and risk factor group with or without thimerosal.

The supply of thimerosal-free vaccine is increasing, but we do not know precisely how many doses of vaccine licensed for use in children 6–35 months of age will be available in 2008–2009. Based on information from the manufacturers, the supply is not likely to be large enough to vaccinate all the children whose parents want this protection for them.

Even if the supply increases more than we expect, the realities of vaccine distribution make it impossible to precisely align supplies with vaccine demand in every practice or community.

Passage of the proposed amendment would mean that some children would not have access to influenza vaccine because the supply would be reduced. Tragically, some of these unvaccinated children would suffer the more severe consequences of influenza, even though vaccination would otherwise have helped protect them. For this reason, CDC strongly opposes the proposed amendment.

Madam Chairman, these are Dr. Gerberding's compelling arguments against this provision. I will not be offering an amendment today to strike it from the bill. However, considering the overwhelming outcry from the public health community against this amendment, I hope we will continue this discussion, and I look forward for a way to address these concerns in conference.

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For making benefit payments under title IV for the first quarter of fiscal year 2009, $62,000,000, to remain available until expended.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Act, $104,745,000, to remain available until expended: *Provided*, That the Secretary of Labor is authorized to transfer to any executive agency with authority under the Energy Employees Occupational Illness Compensation Act, including within the Department of Labor, such sums as may be necessary in fiscal year 2008 to carry out those authorities: *Provided further*, That the Secretary may require that any person filing a claim for benefits under such Act provide as part of such claim, such identifying information (including Social Security account number) as may be prescribed. *Provided further*, That not later than 30 days after enactment of this Act, in addition to other sums transferred by the Secretary to the National Institute for Occupational Safety and Health (NIOSH) for the administration of the Energy Employees Occupational Illness Compensation Program (EEOICPA), the Secretary shall transfer $4,500,000 to NIOSH from the funds appropriated to the Energy Employees Occupational Illness Compensation Fund (42 U.S.C. 7384e), for use by or in support of the Advisory Board on Radiation and Worker Health (the Board) to carry out its statutory responsibilities under EEOICPA (42 U.S.C. 7384n–q), including obtaining audits, technical assistance and other support from the Board's audit contractor with regard to radiation dose estimation and reconstruction efforts, site profiles, procedures, and review of Special Exposure Cohort petitions and evaluation reports.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

In fiscal year 2008 and thereafter, such sums as may be necessary from the Black Lung Disability Trust Fund, to remain available until expended, for payment of all benefits authorized by section 9501(d) (1), (2), (4), and (7) of the Internal Revenue Code of 1954 and interest on advances, as authorized by section 9501(c)(2) of such Act. In addition, the following amounts shall be available from the Fund for fiscal year 2008 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5) of such Act: $32,761,000 for transfer to the Employment Standards Administration ''Salaries and Expenses''; $24,785,000 for transfer to Departmental Management, ''Salaries and Expenses''; $335,000 for transfer to Departmental Management, ''Office of Inspector General''; and $356,000 for payments into miscellaneous receipts for the expenses of the Department of the Treasury.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $503,516,000, including not to exceed $91,093,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (''the Act''), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary of Labor under section 18 of the Act; and, in addition, notwithstanding section 3302 of title 31, United States Code, the Occupational Safety and Health Administration may retain up to $750,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education: *Provided*, That, notwithstanding section 3302 of title 31, United States Code, the Secretary is authorized, during the fiscal year ending September 30, 2008, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of section 2 of the Act of April 13, 1934 (29 U.S.C. 9a), to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred (DART) occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of the Act (29 U.S.C. 673), except—

(1) to provide, as authorized by the Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by the Act with respect to imminent dangers;

(4) to take any action authorized by the Act with respect to health hazards;

(5) to take any action authorized by the Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take

any action pursuant to such investigation authorized by the Act; and

(6) to take any action authorized by the Act with respect to complaints of discrimination against employees for exercising rights under the Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That $10,116,000 shall be available for Susan Harwood training grants, of which $3,200,000 shall be used for the Institutional Competency Building training grants which commenced in September 2000, for program activities for the period of October 1, 2007, to September 30, 2008, provided that a grantee has demonstrated satisfactory performance: *Provided further*, That such grants shall be awarded no less than 30 days after the date of enactment of this Act: *Provided further*, That the Secretary shall provide a report to the Committees on Appropriations of the House of Representatives and the Senate with timetables for the development and issuance of occupational safety and health standards on beryllium, silica, cranes and derricks, confined space entry in construction, and hazard communication global harmonization; such timetables shall include actual or estimated dates for: the publication of an advance notice of proposed rulemaking, the commencement and completion of a Small Business Regulatory Enforcement Fairness Act review (if required), the completion of any peer review (if required), the submission of the draft proposed rule to the Office of Management and Budget for review under Executive Order 12866 (if required), the publication of a proposed rule, the conduct of public hearings, the submission of a draft final rule to the Office and Management and Budget for review under Executive Order 12866 (if required), and the issuance of a final rule; and such report shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate within 90 days of the enactment of this Act, with updates provided every 90 days thereafter that shall include an explanation of the reasons for any delays in meeting the projected timetables for action.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $313,478,000 including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to $2,000,000 for mine rescue and recovery activities; in addition, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities, notwithstanding section 3302 of title 31, United States Code; and, in addition, the Mine Safety and Health Administration may retain up to $1,000,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities; the Secretary of Labor is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; the Secretary is authorized to recognize the Joseph A. Holmes Safety Association as a principal safety association and, notwithstanding any other provision of law, may provide funds and, with or without reimbursement, personnel, including service of Mine Safety and Health Administration officials as officers in local chapters or in the national organization; and any funds available to the Department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $497,854,000, together with not to exceed $78,264,000, which may be expended from the employment security administration account in the Unemployment Trust Fund, of which $5,000,000 may be used to fund the mass layoff statistics program under section 15 of the Wagner-Peyser Act (29 U.S.C. 491–2): *Provided*, That the Current Employment Survey shall maintain the content of the survey issued prior to June 2005 with respect to the collection of data for the women worker series.

AMENDMENT OFFERED BY MR. PLATTS

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

The Clerk read as follows:

Amendment offered by Mr. PLATTS:

Page 24, line 22, after the dollar amount, insert the following: ''(reduced by $27,995,000)''.

Page 25, line 22, after the first dollar amount, insert the following: ''(reduced by $10,163,000)''.

Page 63, line 4, after the first dollar amount, insert the following: ''(reduced by $10,942,000)''.

Page 77, line 6, after the dollar amount, insert the following: ''(increased by $50,000,000)''.

Page 77, line 7, after the dollar amount, insert the following: ''(increased by $50,000,000)''.

Page 92, line 17, after the dollar amount, insert the following: ''(reduced by $900,000)''.

Mr. PLATTS. Madam Chairman, before I address my amendment I certainly want to commend Chairman OBEY and the ranking member, Mr. WALSH, and their staffs for their dedicated work on this very important appropriations bill. I sincerely appreciate their efforts.

Madam Chairman, literacy skills are the cornerstone of our education system. I think that we can all agree that students who struggle with reading face challenges in all subject areas in school.

Unfortunately, children of parents who themselves have difficulty reading English are even more likely to perform at low literacy levels. For this reason, my predecessor, the Honorable Bill Goodling, former Republican chairman of the Education and Workforce Committee, established the Even Start Family Literacy Program.

Even Start is the only Federal education program that teaches literacy skills to both parents and their children. Through this program parents receive the necessary skills to become a teacher to their children and to improve their lives.

Even Start serves the most economically and educationally disadvantaged population in the country. According to a Department of Education report, 84 percent of Even Start's families are at or below the Federal poverty level. Nearly half of Even Start families have an annual household income of under $6,000, and 84 percent of Even Start adults do not have a high school diploma or GED.

Even Start is a program that provides disadvantaged families with an opportunity to provide a better life for their children. Parents enroll in Even Start to become better parents, to further their education, and to improve their children's chance of success in school.

At the Even Start centers in my hometown of York, Pennsylvania, I've witnessed firsthand the positive and significant impact that this program is having on parents and children alike.

The Even Start program has yielded successful results. A 2005 Texas A&M study has found that, on average, employment rates rise from 17 percent to 51 percent after program completion. In addition, wages increased by more than 25 percent.

Despite these positive results, and even with the Appropriations Committee's approximately $17 million proposed increase over the fiscal year 2007 funding level, the underlying bill's proposed funding level for the Even Start program is 60 percent less than the amount provided in 2002. Even Start centers struggled this past year to keep their doors open, and many had to close their doors permanently because of this drastic funding cut.

For these reasons, I've introduced this amendment to H.R. 3043. My amendment would increase the appropriations for the William F. Goodling Even Start Family Literacy Program by $50 million, bringing its total appropriation to $149 million. While this increase may seem significant, it's important to put the proposed level of $149 million into perspective. Even with the increased proposed in this amendment, the total level of funding for Even Start will still be 40 percent less than the funding levels provided in fiscal years 2001, 2002, 2003 and 2004 respectively. In fact, the underlying bill's funding level is less than what was provided even 13 fiscal years back, in 1995.

I certainly thank Chairman OBEY for his support and advocacy of the Even Start program throughout many years. The Even Start program helps our most disadvantaged parents better their lives for themselves and their children.

I hope all Members will join me in supporting the Even Start program. I urge a ''yes'' vote.

Madam Chairman, I yield back my time.

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

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. OBEY. Madam Chairman, I don't really enjoy opposing this amendment because I think this is a good program

that the gentleman seeks to expand. But let me put his amendment in context.

The President of the United States tried to eliminate this program in his budget. The committee has provided $99 million for it, and for that the administration is criticizing us.

I would also point out that in the last year, when the other party controlled the House of Representatives, the committee cut Even Start by $29 million. We've done none of that. We've restored the funding, and I have a great deal of confidence in the program. But I cannot support the idea of adding the additional money the gentleman proposes because he takes it from a very damaging place.

Now, I know that there is no political constituency for the Bureau of Labor Statistics. No one is going to get excited if they hear that we are cutting back funding for that agency. But, in fact, the Bureau of Labor Statistics, which produces the Consumer Price Index, puts together the numbers that determine the way hundreds of billions of dollars flow in this budget and flow in this economy.

We are operating on the basis of an ancient Consumer Price Index. The housing component of that index, which makes up almost 30 percent of it, is some 17 years out of date, and we know there's been a lot of change in housing stock over the last 17 years.

And it just seems to me that while the gentleman is citing a worthy program for adding funds, I would suggest that it would do tremendous long-term damage to this country in terms of equity if we do not update and modernize the data being produced by the Bureau of Labor Statistics. Republicans can have their set of facts, Democrats can have their set of facts, but in the end we need to disregard both sets and we need to have statistics which underlie all of the economic decisions that we make. And it makes no sense to be proceeding on the basis of 17-year old statistics.

So, much as I regret having to oppose the gentleman's amendment and much as I regret having to call Bill Goodling, who is the original sponsor of the program, to tell Bill that I couldn't support the increase in this instance, I do think that the responsible thing to do in this instance is to vote ''no.''

I forgot to mention, and far be it for me to defend the administration's Cabinet appointees. But the gentleman, as I understand it, would take a significant amount of this funding from the Department of Labor administration accounts.

I would point out the administration is also complaining about the cuts we've made in the Labor Secretary's budget. Their Information and Technology Account has already been cut by 39 percent. The Office of the Secretary has already been cut by 17 percent. And we did not provide the requested funds for a core accounting system, and the administration specifically brings attention to their concerns about this. And I honestly do not think it's advisable to cut the agency even more deeply.

And let me assure the gentleman that I would actually prefer that he withdraw the amendment and I'd be happy to try to work, as I'm sure the gentleman from New York would, to try to improve the Even Start position in conference.

But if he has to rely on these kinds of offsets, I regret it, but I simply cannot see my way clear to support it.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PLATTS).

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

Mr. PLATTS. 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 Pennsylvania will be postponed.

The Clerk will read.

The Clerk read as follows:

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, $27,712,000.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three sedans, and including the management or operation, through contracts, grants or other arrangements of Departmental activities conducted by or through the Bureau of International Labor Affairs, including bilateral and multilateral technical assistance and other international labor activities, $292,943,000, of which $72,516,000 is for the Bureau of International Labor Affairs (including $5,000,000 to implement model programs to address worker rights issues through technical assistance in countries with which the United States has trade preference programs), and of which $18,000,000 is for the acquisition of Departmental information technology, architecture, infrastructure, equipment, software and related needs, which will be allocated by the Department's Chief Information Officer in accordance with the Department's capital investment management process to assure a sound investment strategy; together with not to exceed $318,000, which may be expended from the employment security administration account in the Unemployment Trust Fund.

AMENDMENT OFFERED BY MR. REICHERT

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

The Clerk read as follows:

Amendment offered by Mr. REICHERT:

Page 25, line 22, after the first dollar amount, insert ''(reduced by $2,500,000)''.

Page 33, line 25, after the dollar amount, insert ''(increased by $2,500,000)''.

Mr. OBEY. Madam Chairman, I reserve a point of order on the amendment. We don't have a copy of it.

The CHAIRMAN. A point of order is reserved.

The gentleman from Washington is recognized for 5 minutes.

Mr. REICHERT. Madam Chairman, as the former sheriff of King County in Seattle, Washington, and the cochairman of the Congressional Children's Health Care Caucus, I am proud to offer this amendment supporting emergency medical services for children.

I am pleased to be joined in offering this amendment by Congressman MATHESON, and to have the support of Congressman KING from New York, both of whom have been outstanding leaders on this issue.

Our amendment will provide $2.5 million in additional resources for emergency medical services for children's programs offset from the Department of Labor's General Administrative Account. This vital program provides grants to States and medical institutions, to expand and improve emergency care for children who need treatment for life-threatening illnesses or injuries.

This modest funding increase will help a program that has been nearly level funded for the past 6 years. It will better serve those who provide emergency care for our children.

Children, as everyone knows, are not small adults. The illnesses and injuries that bring them into emergency rooms vary significantly, and they often need equipment that is smaller than what is used for adults, and medication in much more carefully calculated doses.

□ 1815

Although children account for 30 million annual visits to the emergency rooms, many hospitals and emergency management agencies are not well equipped to handle these patients. According to the Centers for Disease Control, only 6 percent of the United States emergency departments have all the supplies they need to handle pediatric emergencies.

Emergency Medical Services grants have been awarded to all 50 States, the District of Columbia and five territories. They have been used to train first responders to buy pediatric equipment for hospitals and to establish and improve standards for emergency care for children. Other grants have been used to create pediatric treatment guides for school nurses to test best practices and to incorporate pediatric care into State disaster plans.

Madam Chairman, this is a simple amendment with a significant impact on emergency care for our children. I urge all my colleagues to join in supporting this important measure.

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

The CHAIRMAN. Does the gentleman from Wisconsin continue to reserve his point of order?

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

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. OBEY. Madam Chairman, let me simply point out that the administration has sent us a statement of administration policy, or SAP as it is known in the trade, and they indicate that the President intends to veto this bill. And one of the reasons they intend to veto the bill is because they say this bill spends too much money. I would simply point out that virtually every Republican amendment that has been offered so far is an amendment to increase funding for a specific program.

On this program the President zeroed out this very worthy program. The committee fully restored the funding at the previous year's level of $19.8 million, and now this amendment seeks to add a small amount in addition by taking it out of departmental management.

As the Chair of the committee, I think it is my obligation to the administration to try to be somewhat objective about the funding level that they need in order to fund their agency activities. But if we are going to continue to get amendments from the administration's own side of the aisle that further reduce Cabinet Secretaries' operating budgets, who am I to object? So if the administration can't save itself from its friends, far be it from me to intercede, and so I would simply say that on this I will accept the amendment.

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 won't take the full 5 minutes. I would just like to say I am also prepared to accept the amendment. But I would make the note that this is not an increase in spending. There is an offset. We are moving money from one place to another. It does not increase overall spending. It is cost neutral.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. REICHERT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MARCHANT

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

The Clerk read as follows:

Amendment offered by Mr. MARCHANT:

Page 25, line 22, after each dollar amount, insert ''(reduced by $58,419,000)''.

Mr. MARCHANT. Madam Chairman, my amendment would reduce funding in the bill for the International Labor Affairs Bureau to the President's requested level of $14 million. This would save $58.4 million in this category.

The underlying bill provides $72.5 million for this account. This amendment would reduce funding for the International Labor Affairs Bureau by $58.4 million to match the President's request.

The bureau was originally responsible for the Department of Labor's overseas research projects and international labor workers' rights, primarily research and advocacy. However, in recent years the bureau has taken on grant-making activities. The bureau's grant assistance is already provided for by the Department of State, and this amendment would restructure the bureau's activities to advocacy and research only.

I urge my colleagues to support this amendment.

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

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

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. OBEY. Madam Chairman, this amendment is very simple. It seeks to reinstate the President's 81-percent cut in the International Labor Organization appropriation in the bill.

Madam Chairman, I cannot walk into a union hall in my District, I cannot walk into a restaurant, I cannot walk into a barber shop without having someone say to me, OBEY, what are you guys going to do to protect workers from unfair competition? What are you going to do to protect us from slave labor in China? What are you going to do to protect us from countries that pretend that they are free market countries when, in fact, they are centrally directed Marxist countries? When are you going to protect us from goods being produced by child labor around the world?

The purpose of this International Labor Organization is to serve as the one agency that serves as a red flag when our workers' wages are being undercut unfairly.

So I think the issue is very simple, and I don't intend to take the full 5 minutes. If you really are comfortable with the idea of just letting the wonders of the world market determine what wages are for American workers, if you are really comfortable with the idea of letting substandard wages and substandard working conditions undercut legitimate American workers' interests, then by all means vote for the gentleman's amendment. If you think that the American worker deserves a square deal in the midst of this globalization rampage, then I would suggest you vote against the amendment. And, I do think that workers and the organizations who represent them will be watching.

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

Mr. GARRETT of New Jersey. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. GARRETT of New Jersey. Madam Chairman, I come to the floor tonight to rise in support of the gentleman's amendment. I come to the floor also to indicate my support for what we can do on this floor for labor here in America. And I think that is the optimum word, ''here'' in America.

This amendment will do just that. It will protect laborers in this country, and that should be the first priority of this U.S. Congress. We do that first and foremost by protecting the fruits of their labor. Their wages, their income, what they work for, 9 to 5 and longer, Monday through Friday or longer during the course of the week. We do that by ensuring that the money that we spend, their hard-earned tax dollars, is appropriately spent and appropriately prioritized. And I commend the gentleman for doing just that with this amendment.

There are many things that we would like to spend our dollars on. But when we are elected to public office, we are to come here and make sure that first and foremost the American citizen, and in this case, the American worker, is protected.

As I come to the floor tonight, as I have said in the past, we have now marked about 6 months into Democrat control of this U.S. Congress. And what has it wrought during those 6 months? The largest tax increase in U.S. history. The attempts to change historic rules of this House and in operations. And, finally, attempts to create slush funds in which dollars can be misspent on other inappropriate items, dollars that are earned from the backs and sweat of American labor. And that is why I come strongly to support this amendment by the gentleman from Texas, to make sure that their hard-earned dollars are not misspent.

How often have we gone back to our districts and heard the complaint of jobs in this country going overseas? Well, it is one thing to say the jobs are going overseas; it is another thing to ask the laborers in this country to support those jobs overseas. It is one thing to see our jobs flee from this country to go to foreign shores; it is another thing to ask the workers of this country, through their tax dollars, to in essence support the organizations' structure of those jobs overseas.

We are elected to public office to protect the workers of this country. This gentleman's proposal does just that, by making sure that their tax dollars are focused first and foremost on workers and their quality of life and their standards here in this country. We will protect American workers. We will protect American jobs. And with this amendment, we will protect the budget of the workers of America as well.

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

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 am somewhat amused by the posture of the Appropriations Chair in the last two amendments, and I appreciate the difficult position he finds himself in. But on the one hand, the amendment before this one attempting to support the President's recommendation and then on this one lambasting the President's recommendation. So a case of whiplash, I understand, may be in order.

But it is important to talk about exactly what this amendment does. And I want to commend my good friend from Texas for proposing this amendment.

The Department of Labor proposes in the President's budget that $14 million go to the International Labor Affairs Bureau, which would move the agency closer to its core mission of research and policy analysis. Remember this is the Department of Labor, not the Department of State. In 2008 the International Labor Affairs Bureau will continue to focus on administering over $530 million, $530 million, in projects that were launched in previous years, including in the field of child labor, as the chairman mentioned.

The Department of Labor seeks to restore the International Labor Affairs Bureau to its original mission of research and advocacy by eliminating its grant-making activities. We have all sorts of duplication and redundancies in the Federal Government, and this certainly is one of them. As an example of that, between 1996 and 2001, the International Labor Affairs Bureau's funding rose by 1,500 percent over a 5-year period of time when the agency embarked on an expansive grant-making mission intended to combat international child labor, develop and disseminate AIDS prevention information in the international workplace, support core labor standards development, and provide bilateral technical assistance.

Madam Chairman, grant-making activities are appropriately funded through the Department of State and through the USAID, the U.S. Agency for International Development, and other agencies. For example, the 2008 budget includes $3 billion to continue international assistance activities in developing countries through the Millennium Challenge Account. The administration created the Millennium Challenge Account to provide targeted and accountable international development assistance to poor countries with a demonstrative commitment to ruling justly, investing in people, and encouraging economic growth. So there are more appropriate places to fund these kinds of grant activities.

I would suggest, Madam Chairman, that the gentleman from Texas has proposed an appropriate amendment to return the level of funding in this appropriations bill to a level that would allow the International Labor Affairs Bureau to return to its core mission, its core mission of research and policy analysis and I believe better serve this Congress and the American people.

□ 1830

So I commend the gentleman for his amendment, and I encourage my colleagues to support 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 Texas (Mr. MARCHANT).

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

Mr. MARCHANT. 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 OFFERED BY MR. MCCAUL OF TEXAS

Mr. MCCAUL of Texas. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MCCAUL of Texas:

Page 25, line 22, after the first dollar amount, insert ''(reduced by $2,000,000)''.

Page 84, line 24, after the dollar amount, insert ''(increased by $2,000,000)''.

Page 84, line 25, after the dollar amount, insert ''(increased by $2,000,000''.

Mr. MCCAUL of Texas. Madam Chairman, I rise today to offer an amendment in support of teacher training for deaf and blind children.

Madam Chair, the Department of Education has provided funding from within its special education national activities account aimed at children who are both deaf and blind, commonly referred to as "deafblindness." This money trains teachers who have such children in their classes on how to educate and include them in daily classroom activities. This modest $12 million program has not received an increase in nearly two decades.

Today over 110,000 people rely on this important program. Expanding this program will allow us to identify more children in need and increase the number of on-site technical assistance personnel.

This amendment simply increases the Special Education National Activities Account to provide the DeafBlindness program with a modest but necessary increase.

I urge my colleagues to support the amendment.

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

Mr. MCCAUL of Texas. I yield to the gentleman from Wisconsin.

Mr. OBEY. If the gentleman would be willing to constrain his remarks, we would be willing to accept the amendment.

Mr. MCCAUL of Texas. That's an offer I would be remiss to refuse, and I will accept the offer.

Mr. OBEY. I thank the gentleman.

Mr. MCCAUL of Texas. I thank the chairman.

Mr. WALSH of New York. Madam Chair, I rise in support of the amendment.

Mr. MCCAUL of Texas. 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. MCCAUL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SHAYS

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

The Clerk read as follows:

Amendment offered by Mr. SHAYS:

Page 25, line 22, after the first dollar amount, insert ''(reduced by $500,000)''.

Page 107, line 14, after the dollar amount, insert ''(increased by $500,000)''.

Mr. SHAYS. Madam Chairman, this amendment would increase the funding for the National Labor Relations Board by $500,000 and is offset by a decrease to the Department of Labor departmental management salaries and expenses. It is to allow the NLRB to start to reduce its cases. It's at 2 years now, and we're looking to reduce it. This is an amendment offered by MARK UDALL and myself and FRANK LOBIONDO.

The NLRB takes an extraordinary amount of time to review and render a decision on employment disputes.

According to the NLRB, the median mount of time it takes from the filing of a charge to the issuance of the NLRB'S decision is over 2 years.

The funding in the Shays-Udall-LoBiondo amendment will allow the NLRB to retain some of its full-time staff, which they otherwise would have to let go due to the pay increase for Government employees.

It will also be used to train supervisors and new employees to ensure they are handling the cases efficiently and effectively, without sacrificing quality.

Funding, however, is not the only answer to the NLRB's problems.

We need to create deadlines to ensure the NLRB renders decisions in an expedient manner.

MARK UDALL, FRANK LOBIONDO, and I have been working on legislation to require the NLRB to issue their decisions promptly.

The bill will require the NLRB to issue a decision not later than 9 months after the date on which the initial complaint was served.

Should the Board not reach a decision within 9 months, it must transmit a report to Congress provide the reason or reasons the deadline was not met and what steps it is taking to reach a decision.

One high-profile NLRB decision found the Smithfield Packing Company guilty of illegally assaulting, intimidating, and harassing its workers in Tar Heel, North Carolina, when they attempted to form a union in 1994 and 1997. However, the NLRB's decision that the employer used unfair labor practices did not come down until 2005.

Taking this amount of time is an absurdity.

Mr. OBEY. Will the gentleman yield?

Mr. SHAYS. Absolutely.

Mr. OBEY. Again, same deal; if the gentleman will constrain his remarks, we would be happy to accept the amendment.

Mr. SHAYS. I would be happy to. Could I just recognize MARK UDALL?

Mr. UDALL of Colorado. I thank the gentleman for his generous offer.

I rise in support of the amendment.

I'd like to thank Chairman OBEY and Ranking Member WALSH and the Appropriations Committee for their leadership on this vital legislation that will help to provide quality healthcare, enhance education opportunities, and increase worker safety.

This is a good bill, but I think this amendment would make it better.

The amendment will increase the funding for the National Labor Relations Board (NLRB) by $500,000, and is offset by a decrease to the Department of Labor Departmental Management Salaries and expenses.

As we all know the NLRB plays a vital role in labor-management relations.

It hears appeals of unfair labor practices and resolves questions about the composition of bargaining units.

We need to maintain its ability to do its job.

But without the additional funding this amendment will provide, there is a danger that they will have to lay off some of their staff in order to pay for their required overhead, including salaries.

The amendment would prevent that, and would also enable the NLRB's staff to handle cases efficiently and effectively, without sacrificing quality.

Funding is not the only problem that faces the National Labor Relations Board but congress should make it easier not harder for the National Labor Relations Board to administer decisions.

I urge the House to adopt the Shays-Udall amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. SHAYS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. JINDAL

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

The Clerk read as follows:

Amendment offered by Mr. JINDAL:

Page 25, line 22, after the first dollar amount insert ''(reduced by $50,000,000)''.

Page 38, line 18, after the aggregate dollar amount insert ''(increased by $50,000,000)''.

Mr. JINDAL. Madam Chairman, the Labor-HHS Subcommittee has funded the Center for Disease Control's Division of Tuberculosis Elimination at $150 million in this bill. Over the past 15 years, funding for this program has been level. There has been no increase in funding for this program since 1993.

Madam Chairman, every State and most major cities have TB control programs. Approximately 75 percent of the funds appropriated for this program are used in the States.

Funding for this program is critically important because just last year, in 2006, more than 20 of the 50 States had increases in TB cases. My home State of Louisiana, as well as most other States, have a large number of workers who travel the globe to share their expertise. Unlike tourists who stay in hotels in environments where TB exposure does not normally occur, Louisiana's oil and gas workers spend months working and living in environments among the local population where exposure can and does occur. TB exposure in these communities can result in many fatalities.

Another key issue for States and cities is the huge number of foreign-born students attending universities in the United States. More than half of the TB cases in the United States stem from foreign-born students who come here on student visas and often return home for summers and holidays, risking exposure in their home country. While risk of exposure is high for these students, their return to universities in the United States with the possibility of a latent TB infection creates the same problem seen in oil and gas workers.

If the disease is activated, the number of people exposed is tremendous. The last such case at a Louisiana university exposed 120 contacts in classes as well as in the dorms.

At present, there is no mandatory screening of this group, and no vaccine to prevent disease. The Georgia man whose case recently made headlines was exposed while volunteering overseas. As in his case, volunteers or overseas workers can return to the United States with a latent TB infection and activate the spread of this disease in the United States, later exposing family, friends and coworkers. No routine screening is performed, and no effective vaccine is available to prevent the spread of this disease.

My amendment is supported by the American Lung Association, American Thoracic Society, National Coalition for the Elimination of Tuberculosis, and the National TB Controllers Association.

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

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

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. OBEY. Madam Chairman, I don't like to have to oppose this amendment, but the fact is where some of the previous amendments were merely troublesome, this amendment is irresponsible.

Now, let us point out what's happened so far. What we have going on here is a ''let's pretend'' game. We have the administration telling us that this bill is runaway spending, and they threaten to veto the bill when in fact this bill in real terms is only a little over a 2 percent increase over last year. It is a large difference with the President's budget, but that's because he tried to cut $7.5 billion of it. In real terms, this bill goes up by less than $5 billion.

By now we have a number of people in this House who are trying to escape from the consequences of the President's budget. So we have pretended in one amendment that we can add money to AmeriCorps by taking money out of administrative management accounts for the Labor Department.

Then we are pretending that we can take out, yes, just a small amount, $500,000, out of that same account in order to deal with National Labor Relations Board. Then we are having another effort to escape the squeeze on behalf of another very worthy cause, deaf and blind children. And those have been accepted.

But now this amendment comes in, and it proposes to increase funding for a very worthy cause, Center for Disease Control TB Elimination Program. That is funded in the bill at $150.7 million, an increase of $13.7 million over fiscal 2007 and $13.9 million over the President's request. The funding included in this bill is a 10 percent increase over fiscal 2007.

Now, everybody knows that we would like to be providing more money for that program and a dozen others in this bill. But we are trying, evidently, to give some credence to the administration's complaints about dollar levels in spending.

So what does this amendment do? It savages the ability of the Secretary of Labor to run any programs at all, because what it does is to require a 25 percent cut in the ability of the Secretary of Labor to manage all of the programs within their jurisdiction. So that means that you have to chop the living guts out of the Secretary's own office; you have to chop the guts out of the Solicitor's office. And that is the office that deals with enforcement for mine safety, for OSHA, or even the OLMS union violations that were the subject of a previous amendment just a couple minutes ago.

And what this all is is a giant ''let's pretend'' operation. It's a game that pretends that we are doing something real by adding money for these accounts, when you know that if you're going to be responsible, when we go to conference we're going to have to restore most of these management accounts or else we will have a government agency, admittedly one run by a very conservative Republican, but still a government agency which will be crippled in its ability to provide its functions.

I have in my office two signs. And whenever anybody comes to me asking for money, I make them read those signs out loud. This is what one of them says: ''What do you want us to do for someone besides yourself that's more important than whatever it is you want us to do for you?'' And I think that's the basic question we always ought to be asking in a Judeo-Christian society.

My problem with this amendment is, while it seeks funds for a very worthy cause, in the process it takes away crucial funds for many other worthy causes. And sooner or later, even in the Congress of the United States, we need to think about the needs of the whole. We need to think about all of the needs that the government has to deal with, not just one concern of one Member or one concern of another.

So in the interest of responsibility, I would urge a, very regretfully, defeat of the gentleman's amendment.

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 couldn't agree more with my colleague, the chairman of the subcommittee. It's difficult to oppose an amendment that increases funding for treating and dealing with tuberculosis. It's a very serious disease all across the Third World. And there is the potential for it coming into our society and creating real problems.

Having said that, there is an increase in the budget, it's $14 million above

what the President requested, a pretty substantial increase, a 10 percent increase in the budget. And while I respect the gentleman's desire to strengthen our country against the disease, it's not proper to take that amount of the budget of the Department of Labor for this purpose. That would hamstring the Department of Labor. It would not cut the fat, it would cut the muscle, it would cut the arms out. It would cut the eyes out of the Department of Labor, and I don't think anybody wants that.

So, I strongly urge a ''no'' vote on this amendment.

Mr. JINDAL. Will the gentleman yield?

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

Mr. JINDAL. I won't take a lot of time. I just want to make one point.

I do thank the gentleman and the chairman for recognizing the good intent behind the amendment. I do want to point out that the offset still leaves in that account more money than what the President requested in his budget. The rationale for offsetting from that account is that, according to the administration there is a duplication of effort between the Bureau of International Labor Affairs, the State Department, USAID, and other agencies. So, even with the offset, we still leave more money in those accounts than the administration itself requested.

I thank the gentleman for yielding.

Mr. WALSH of New York. I thank the gentleman.

Reclaiming my time, there have been a number of amendments that have cut into this salaries and expenses administrative account. I suspect there will be more. We need to be very careful about further deep cuts.

And this is an especially large cut, $50 million. So I would, again, urge a ''no'' vote.

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

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 will be relatively brief on this.

I want to commend my friend from Louisiana for offering the amendment. As a physician in my former life, I appreciate the remarkable increase in the incidence of tuberculosis and the need for surveillance as well as detection and treatment. So I commend my friend from Louisiana for offering this amendment. We all watched with some curiosity and some significant concern within the last couple of months as we tracked the travels of one individual from my City of Atlanta around the world who was felt to have a case of tuberculosis that needed to be treated urgently. So I commend my good friend for the amendment.

I do want to say in the larger context, however, that I'm a little perplexed, for the Chair of the Appropriations Committee talks about ''pretending'' to support AmeriCorps in previous amendments dealing with this section of the bill, ''pretending'' to support NLRB, ''pretending'' to support deaf and blind children, and yet those are the amendments that he accepted.

□ 1845

So I am a little perplexed as to why this amendment isn't being given the same, at least the same pretending of, support from the Chair of the committee.

I would also point out that the appropriately decreased reductions in the proposal from the administration in this area of the budget aren't taken in isolation. They are part of the entire, larger budget, which gets to the issue of the entire, larger budget that this new majority has passed, and that, as you well know, Madam Chairman, includes the largest tax increase in the history of our Nation. So I understand that somehow you have to pay for all these things, but I believe strongly that it is not the American people who desire to have the largest tax increase in the history of our Nation.

So I rise to commend my good friend from Louisiana for proposing this sound amendment. I would encourage its adoption. I understand the concerns that others have regarding the underlying section in this area of the bill, but I encourage my colleagues to support 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 Louisiana (Mr. JINDAL).

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

Mr. JINDAL. 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 Louisiana will be postponed.

AMENDMENT OFFERED BY MR. SHAYS

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

The Clerk read as follows:

Amendment offered by Mr. SHAYS:

Page 25, line 22, after the first dollar amount, insert ''(reduced by $6,800,000)''.

Page 92, line 17, after the first dollar amount, insert ''(reduced by $1,500,000)''.

Page 97, line 16, after the first dollar amount, insert ''(increased by $8,300,000)''.

Page 97, line 17, after the dollar amount, insert ''(increased by $8,300,000)''.

Page 98, line 8, after the dollar amount, insert ''(increased by $1,500,000)''.

Mr. SHAYS. Madam Chairman, this amendment transfers $6.8 million from the Department of Labor Departmental Management Salaries and Expenses and $1.5 million from the Department of Education Departmental Management Account to fund a $6.8 million increase in the AmeriCorps State and National program. The additional $1.5 million is needed to fund corresponding increases to the National Service trust fund for reimbursement of student loans.

This amendment will provide adequate funding to ensure that AmeriCorps State and National program will maintain the 34,000 full-time volunteer positions. Based upon the funding level in the legislation, the corporation will have to reduce its full-time enrollment by 600 positions and replace them with reduced, part-time positions.

There is a great deal of support for increasing Pell Grants in this Congress, something with which I agree. It seems to me, however, that with Pell Grants, the government and our society get no direct return, whereas with AmeriCorps, recipients of this aid are required to perform service to their community and Nation. There is a stipend for education, but they have earned it through serving their country.

To me, national service is one of the smartest investments our government can make. Not only is it a smart financial investment, but national service energizes our youth, empowers our volunteers and helps citizens make a very real, tangible impact on our communities.

Madam Chairman, I concur that we are taking from an account that the chairman has some concern about. I would hope that where it is going would outweigh that.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. SHAYS).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF JOB CORPS

To carry out subtitle C of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2881 et seq.), including Federal administrative expenses, the purchase and hire of passenger motor vehicles, the construction, alteration and repairs of buildings and other facilities, and the purchase of real property for training centers as authorized by the Workforce Investment Act; $1,649,476,000, as follows:

(1) $1,507,684,000 for Job Corps operations, of which $916,684,000 is available for the period July 1, 2008, through June 30, 2009, and of which $591,000,000 is available for the period October 1, 2008, through June 30, 2009;

(2) $112,920,000 for construction, rehabilitation, and acquisition of Job Corps centers, of which $12,920,000 is available from July 1, 2008, through June 30, 2011; and $100,000,000 is available for the period October 1, 2008, through June 30, 2011; and

(3) $28,872,000 for necessary expenses of the Office of Job Corps, which shall be available for the period October 1, 2007, through September 30, 2008:

Provided, That the Office of Job Corps shall have contracting authority: *Provided further*, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers: *Provided further*, That none of the funds appropriated in this title for the Job Corps shall be used to pay the salary of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level I: *Provided further*, That a total student training slot level of not less than 44,791 shall be achieved by the end of program year 2008.

VETERANS EMPLOYMENT AND TRAINING

Not to exceed $197,143,000 may be derived from the employment security administration account in the Unemployment Trust Fund to carry out the provisions of sections 4100–4113, 4211–4215, and 4321–4327 of title 38, United States Code, and Public Law 103–353, and which shall be available for obligation by the States through December 31, 2008, of which $1,967,000 is for the National Veterans' Employment and Training Services Institute. To carry out the Homeless Veterans Reintegration Programs under section 5(a)(1) of the Homeless Veterans Comprehensive Assistance Act of 2001 (38 U.S.C. 2021) and the Veterans Workforce Investment Programs under section 168 of the Workforce Investment Act (29 U.S.C. 2913), $31,055,000, of which $7,435,000 shall be available for obligation for the period July 1, 2008, through June 30, 2009.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $72,929,000, together with not to exceed $5,729,000, which may be expended from the employment security administration account in the Unemployment Trust Fund.

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.)) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between a program, project, or activity, but no such program, project, or activity shall be increased by more than 3 percent by any such transfer: *Provided further*, That the transfer authority granted by this section shall be available only to meet unanticipated needs and shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 102. In accordance with Executive Order No. 13126, none of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, whole or in part, by forced or indentured child labor in industries and host countries already identified by the United States Department of Labor prior to enactment of this Act.

SEC. 103. After September 30, 2007, the Secretary of Labor shall issue a monthly transit subsidy of not less than the full amount (of not less than $110) that each of its employees of the National Capital Region is eligible to receive.

SEC. 104. None of the funds appropriated in this title for grants under section 171 of the Workforce Investment Act of 1998 (29 U.S.C. 2916) may be obligated prior to the preparation and submission of a report by the Secretary of Labor to the Committees on Appropriations of the House of Representatives and the Senate detailing the planned uses of such funds.

SEC. 105. The Secretary of Labor shall award the following grants on a competitive basis: (1) Community-Based Job Training Grants awarded from amounts provided for such purpose under this title; and (2) grants during fiscal or program year 2008 under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 2916 note), as amended by section 428 of the Consolidated Appropriations Act, 2005 (Public Law 108–447).

SEC. 106. None of the funds made available to the Department of Labor for grants under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 2916 note) may be used for any purpose other than training in the occupations and industries for which employers are using H–1B visas to hire foreign workers, and the related activities necessary to support such training: *Provided*, That the preceding limitation shall not apply to grants awarded under section 107 of this title and to multiyear grants awarded in response to competitive solicitations issued prior to April 15, 2007.

SEC. 107. Out of funds available to the Department of Labor under section 414(c) the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 2916 note), as amended by section 428 of the Consolidated Appropriations Act, 2005 (Public Law 108–447), up to $20,000,000 is available (in addition to dislocated worker assistance national reserve funds) for the purposes of grants to States to address the gap in health care coverage faced by trade adjustment assistance (''TAA'') participants and dislocated workers awaiting TAA certification, to assure that these dislocated workers can benefit from the tax credit for health insurance costs authorized in section 35 of the Internal Revenue Code of 1986.

SEC. 108. The Secretary of Labor shall take no action to amend, through regulatory or administration action, the definition established in 20 CFR 667.220 for functions and activities under title I of the Workforce Investment Act of 1998, or to modify, through regulatory or administrative action, the procedure for redesignation of local areas as specified in subtitle B of title I of the Act (including applying the standards specified in section 116(a)(3)(B) of such Act, but notwithstanding the time limits specified in section 116(a)(3)(B) of such Act (29 U.S.C. 2831), until such time as legislation reauthorizing such Act is enacted.

SEC. 109. None of the funds made available in this or any other Act shall be available to finalize or implement any proposed regulation under the Workforce Investment Act of 1998, Wagner-Peyser Act of 1933, or the Trade Adjustment Assistance Reform Act of 2002 until such time as legislation reauthorizing the Workforce Investment Act of 1998 and the Trade Adjustment Assistance Reform Act of 2002 is enacted.

SEC. 110. (a) On or before November 30, 2007, the Secretary of Labor shall, pursuant to section 6 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655), promulgate a final occupational safety and health standard concerning employer payment for personal protective equipment. The final standard shall provide no less protection to employees and shall have no further exceptions from the employer payment requirement than the proposed rule published in the Federal Register on March 31, 1999 (64 FR 15402).

(b) In the event that such standard is not promulgated by the date required, the proposed standard on employer payment for personal protective equipment published in the Federal Register on March 31, 1999 (64 FR 15402) shall become effective as if such standard had been promulgated as a final standard by the Secretary of Labor.

SEC. 111. None of the funds appropriated in this title may be used to carry out a public-private competition or direct conversion under OMB Circular A–76 or any successor administrative regulation, directive, or policy until 60 days after the Government Accountability Office provides a report to the Committees on Appropriations of the House of Representatives and the Senate on the use of competitive sourcing at the Department of Labor.

AMENDMENT NO. 5 OFFERED BY MR. SESSIONS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. SESSIONS: Strike section 111.

Mr. SESSIONS. Madam Chairman, my amendment would strike section 111 of this legislation, which, as drafted, would have the same effect as language already included in a number of the Democrat majority's other appropriations bills which prevents funds from being spent to conduct public-private competitions.

While this policy may be good for increasing dues payments to private sector union bosses, it is unquestionably bad for taxpayers and for Federal agencies because agencies are left with less money to spend on their core missions when Congress takes the opportunity to use competition away from them.

In 2006, Federal agencies ''competed'' only 1.7 percent of their commercial workforce, which makes up less than one-half of 1 percent of the entire civilian workforce. This very small use of competition for services is expected to generate savings of $1.3 billion over 10 years by closing performance gaps and improving efficiencies.

Competitions competed since 2003 are expected to produce almost $7 billion in savings for taxpayers over the next 10 years. This means that taxpayers will receive a return of about $31 for every $1 spent on competition, with annualized expected savings of more than $1 billion.

Specifically at the Department of Labor, since May 2004, 27 public-private partnerships have competed, involving over 1,000 positions. And thanks to a 10 percent protection clause, 24 of these competitions have been won by the government. This overwhelming track record of government success in competing with private sector begs the question, why would the Democrat leadership insist upon preventing Federal agencies from running their operations in the most efficient manner when they have been successful in the past?

I think the answer is clear, Madam Chairman, that when this appropriations bill cuts the budget for the Office of Labor Management Standards, which monitors union compliance with Federal law, and prevents competitive sourcing from taking place, that the Democrat leadership is clearly hearing from labor bosses that this bill represents a good opportunity to increase the power of labor bosses at the expense of taxpayers and good government.

In this time of stretched budgets and bloated spending, Congress should be looking to use all of the tools it can to find taxpayer savings and reduce the cost of services that are already being provided by thousands of hardworking companies nationwide.

I urge my colleagues to support this commonsense taxpayer-first amendment to oppose the underlying provision to benefit private sector union bosses by keeping cost-saving competition available to the government.

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

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

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. OBEY. Madam Chairman, this bill contains a provision that freezes public-private competitions at the Department of Labor under OMB circular A–76. That process is used to compete out jobs now performed by Federal employees. Significant resources have been spent by the Department over the last several years on contracting out government jobs, and the committee believes it is time to take a step back and examine how the process is working.

Government-wide statistics cast doubt, frankly, on the overall effectiveness of this process. OMB reports in fiscal year 2006 that government employees won the competition in more than 85 percent of the cases where competitive sourcing was used. At DOL, the results have been similar. Since the process has begun, DOL employees have won 22 of the 25 competitions.

Now, aside from questions about the lack of compelling evidence of cost savings or increased efficiency, there is concern about the fact that the Department is not taking proper care to assure that functions that ought to be considered inherently governmental or are otherwise unsuitable for contracting performance are excluded from these competitions.

We have seen some competitions where regulatory and policy functions are included and believe that an independent look at the Department of Labor's use of this authority is warranted.

The gentleman says that it is labor bosses who are concerned about this. The last time I looked, this was having a disproportionate impact on women and on minority workers, and we are asking the GAO to assess the impact on them.

□ 1900

The bill language freezes the A–76 process at the Department of Labor until the committee has the benefit of a GAO review of that process. What is wrong with that?

The Comptroller General chaired a panel that submitted a report to Congress in 2002 and the request to GAO will be to ask for an assessment of the extent to which the sourcing principle adopted by the panel, including the recognition of inherently governmental functions, are being followed by the Department. This department is frankly not known to be a friend of the worker, certainly not under the present regime. It certainly is not known to be a friend to Federal workers, and it seems to me that we have seen in Iraq what happens when we contract out everything in sight. We have seen what happens in the Labor Department when 90 percent of one of their most important manpower programs, when 90 percent of the money in that program is farmed out on a noncompetitive basis. Frankly, we have sincere doubt about the balance with which the Department is approaching this issue.

Therefore, we asked the GAO to review the process. What on earth is wrong with that? I urge opposition to the gentleman's amendment.

Mr. MORAN of Virginia. Madam Chairman, the moratorium on A–76 public-private competition at the Department of Labor is the right provision, in the right bill at the right time.

The moratorium is included in this Appropriations bill because the Department of Labor has made indications that the agency is trying to reach numerical privatization targets—quotas—for its outsourcing.

The use of outsourcing quotas was first addressed by Congress when the Office of Management and Budget under the Bush Administration introduced its effort to outsource at least 15 percent of each agency to the private sector, with a goal of outsourcing up to half of the agency workforce.

The problem with outsourcing quotas is that they are a "one-size-fits-all" arbitrary privatization effort. Quotas never consider the unique needs of different Federal agencies, and they often lead to widespread cuts that harm the ability of Federal agencies to effectively carry out their mission.

I offered an amendment to the Transportation-Treasury Appropriations Act in 2003 that shed light onto the administration's effort, and outlawed the outsourcing quota.

Now it appears that the Department of Labor is taking the same approach.

In the next two years, over 2,000 jobs are expected to be competed, many of which appear to be both inherently governmental and even discriminatory.

These jobs include technical writers reviewing OSHA enforcement action, senior instructor for safety specialist responsibilities, and physical scientists that analyze toxic materials in working environments. It is vital that these positions provide sound, objective services that Federal employees can.

Furthermore, the majority of employees impacted by the recent round of A–76 competitions were older African-American women. The GAO report will analyze whether the scheduled outsourcings are discriminatory.

The DOL has won 21 out of 23 competitions conducted in the past 3 fiscal years. Millions of dollars have been spent over the last several years on these initiatives; 90 percent of the cases are won by Government.

The GAO report would give Congress an objective analysis of the outsourcing program at the Department of Labor from which to base further decisions.

Competitive sourcing is not inherently a bad thing if it can save money for the Federal Government, but arbitrary quotas, numerical targets, are a bad thing.

Mr. OBEY. 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. SESSIONS).

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

Mr. SESSIONS. 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.

The Clerk will read.

The Clerk read as follows:

This title may be cited as the "Department of Labor Appropriations Act, 2008".

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, IV, VII, VIII, X, XII, XVI, XIX, and XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V and sections 1128E, 711, and 1820 of the Social Security Act (42 U.S.C. 1320a–7e, 912, and 1395i–4), the Health Care Quality Improvement Act of 1986, the Native Hawaiian Health Care Act of 1988, the Cardiac Arrest Survival Act of 2000, construction and renovation (including equipment) of health care and other facilities, and section 712(c) of the American Jobs Creation Act of 2004 (42 U.S.C. 300b–1 note), $7,055,709,000, of which $63,538,000 from general revenues, notwithstanding subsection (j) of section 1820 of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program under such section: *Provided*, That of the funds made available under this heading, $100,000 shall be available until expended for facilities renovations at the National Hansen's Disease Programs Center (as described in section 320 of the Public Health Service Act (42 U.S.C. 247e)): *Provided further*, That in addition to fees authorized by section 427(b)(4) of the Health Care Quality Improvement Act of 1986 (42 U.S.C. 11137(b)(4)), fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank authorized under such Act, and shall remain available until expended to carry out such Act: *Provided further*, That fees authorized under subsection (d)(2) of section 1128E of the Social Security Act (42 U.S.C. 1320a–7e) to be collected for the full disclosure of information under the national health care fraud and abuse data collection program established under such section, shall be sufficient to recover the full costs of operating the program, and shall remain available until expended to carry out that program: *Provided further*, That $35,000,000 of the funding provided for community health centers shall be used for base grant adjustments for existing centers: *Provided further*, That no more than $40,000 is available until expended for carrying out the provisions of section 224(o)(6) of the Public Health Service Act (42 U.S.C. 233(o)(6)) including associated administrative expenses: *Provided further*, That $3,963,000 is available until expended for the National Cord Blood Stem Cell Program: *Provided further*, That no more than $45,000,000 is available until expended for carrying out the amendments to section 224 of the Public Health Service Act (42 U.S.C. 233) made by the Federally Supported Health Centers Assistance Act of 1995 and for expenses incurred by the Department of Health and Human Services pertaining to administrative claims made pursuant to such amendments: *Provided further*, That of the funds made available under this heading, $310,910,000 shall be for the program under

title X of the Public Health Service Act to provide for voluntary family planning projects: *Provided further*, That amounts provided to such projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: *Provided further*, That of the funds available under this heading, $1,865,800,000 shall remain available to the Secretary of Health and Human Services through September 30, 2010, for parts A and B of title XXVI of the Public Health Service Act: *Provided further*, That within the amounts provided for part A of title XXVI of the Public Health Service Act (42 U.S.C. 300ff–11 et seq.), funds are included to ensure that the amount of any funding provided under such part to a metropolitan area for the program year beginning in 2007 is not reduced by an amount that is more than 8.4 percent, and the amount of any funding provided under subpart II of such part to a transitional area is not reduced by an amount that is more than 13.4 percent, relative to the amount of the total funding provided under such part to the metropolitan area or transitional area, respectively, for the program year beginning in fiscal year 2006: *Provided further*, That $830,593,000 shall be for State AIDS Drug Assistance Programs authorized under section 2616 of such Act (42 U.S.C. 300ff–26): *Provided further*, That in addition to amounts provided herein, $25,000,000 shall be available from amounts available under section 241 of the Public Health Service Act (42 U.S.C. 238j) to carry out parts A, B, C, and D of title XXVI of such Act to fund the special projects of national significance under section 2691 of the Public Health Service Act (42 U.S.C. 300ff–101): *Provided further*, That, notwithstanding section 502(a)(1) of the Social Security Act (42 U.S.C. 702(a)(1)), not to exceed $170,991,000 is available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act (42 U.S.C. 701(a)(2)).

AMENDMENT OFFERED BY MR. STEARNS

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

The Clerk read as follows:

Amendment offered by Mr. STEARNS:

Page 33, line 25, after the aggregate dollar figure insert ''(increased by $12,500,000)''.

Page 90, line 7, after the first dollar amount insert ''(increased by $12,500,000)''.

Page 97, line 16, after the aggregate dollar amount insert ''(reduced by $25,000,000)''.

Mr. STEARNS. Madam Chairman, my amendment is very simple. My amendment transfers 10 percent or $25.5 million from AmeriCorp to the TRIO educational programs and the geriatric program. I have one of these programs in my congressional district, and I have a large university, two community colleges, so I thought it would be appropriate considering lots of time we talk about the loan process for the students, and particularly for low income, first generation college students, I thought it might be appropriate to take a very small portion of AmeriCorp and give it to these two programs.

I think we all know that AmeriCorp has done some good work. When we talk about volunteerism, we talk about people who go out and help people after natural disasters. We have a lot of that in Florida. We recently had a tornado in Lake County. A lot of the people in the district donated blood. They helped mentor schoolchildren. We teach English to new Americans, we teach illiterate adults how to read. We also have volunteers who go in and clean up rivers and forests.

AmeriCorp is a little bit different. It does have volunteers, but these volunteers, obviously, are paid. Remuneration in exchange for choosing to contribute one's time, energy and/or money clearly undermines the word ''volunteer.'' This is a different type of volunteerism. We have had a discussion whether it is necessary to pay volunteers. Paying people to volunteer sort of almost contradicts the spirit of the word, but we have sort of accepted that and the program has continued to flourish.

There has been some question that Members on both sides have sought to legislate whether AmeriCorp members could spend time with political activities, campaigns, faith-based initiatives or unions. That got us into some controversy and some rhetoric. If the Federal Government were not involved in what should be a personal preference in the first place, we wouldn't have to have these conversations discussing whether we should allow these AmeriCorp members be involved with political activities, campaigns, faith-based initiatives, or unions.

So I think when you look at the overall spectrum, I think the modest amount I am taking from AmeriCorp and putting into these two programs, I hope Members agree with me, it is worthwhile.

Take a little money, give to TRIO programs. They are aimed, as I mentioned, at low-income, first generation college students. Currently there are 2,700 TRIO programs serving nearly 900,000 low-income students across the United States. TRIO is critical to our Nation's commitment to advance educational opportunities at our colleges and universities and, as a result, obviously our Nation's economic future.

I have had the privilege of visiting several TRIO programs at schools in my district and had the privilege of hearing some of the wonderful success stories from these students. For that reason, I would like to give them a little more money.

Also across many districts like mine there are geriatric programs. So I am taking part of this money from AmeriCorp and putting it into geriatric programs, roughly $12 million. These programs are currently funded at the same level as the previous fiscal year. Included in these programs are educational centers which provide crucial physician, dental and mental health training programs for the care of our seniors. Current Federal funding will continue the support of about 50 geriatric education centers and the training of over 50,000 health care providers. This funding should be increased to provide more education and training for more health care professionals so we can meet our aging population's future health care demands. This is particularly true in Florida.

I ask my colleagues to consider putting part of the money from AmeriCorp into the geriatric educational centers. They have done a great job.

In my district we have three of these geriatric centers. At the University of Florida, where one center is located, it was established in 1987 to provide educational services for faculty and practitioners in the State of Florida. Their goal is to provide better care for older Americans.

I close, Madam Chairman, and urge support for my amendment so we can create better educational opportunities for underprivileged youth through the TRIO programs, and better ensure adequate and quality care for our seniors.

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 is recognized for 5 minutes.

Mr. OBEY. Madam Chairman, once again we demonstrate the strangeness of the administration's statement of policy on this bill.

This amendment would add $40 million to TRIO. We have already added $40 million above the amount that the President asked for for that program. It is a worthy program.

The President also eliminated the funding for the other account that the gentleman wants to increase in this amendment. The President zeroed out the geriatrics program. The committee restored $32 million. So in both of these accounts, we are significantly above the President's budget; and yet we get another amendment from the other side of the aisle seeking to raise a worthy program.

Now he seeks to pay for it by cutting, among other sources, AmeriCorp. I am a little confused by that because just a few minutes ago the distinguished gentleman from Connecticut had an amendment to try to add money for AmeriCorp. The House turned that down. Frankly, had I realized that the gentleman's amendment was going to be offered, in this instance I probably would have accepted the gentleman's amendment from Connecticut because I don't think it makes sense to reduce AmeriCorp, which has already been cut $9.2 million below last year, although I admit they do have carryover funds of $8 million.

I guess what I am saying is I don't intend to stand in the way of this amendment, but it once again illustrates that when the administration claims that this bill is profligate, it is in fact far off the mark. Virtually every single amendment being offered today is being offered for the purpose of increasing funding for what is described as a worthy program.

Now, yes, in order to pretend that we are all equally focused on the same things, they say that they have an offset. But it is clear that the offset is a

secondary motivation and the primary motivation is to raise funding for these programs, and I think it indicates that the committee has been far from profligate when it has set the funding levels that we have set in this bill.

I yield back the balance of my time.

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

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SHAYS. I rise to oppose this amendment not because of where the money is spent but where it is taken from. That is what I want to address.

I had an amendment to try to restore funds for AmeriCorp programs to bring it back to the level of 34,000 AmeriCorp workers. We can call them volunteers; we can call them workers.

I was a Peace Corps volunteer. Peace Corps volunteers are given whatever the minimum wage is in the countries where we serve. We are given a stipend when we return, a modest stipend. We are called a ''volunteer'' but we don't work for nothing. We have to have shelter provided as a Peace Corps volunteer, and we have to be paid something to buy food.

AmeriCorp workers, ''volunteers,'' are given a minimum wage in order for them to buy food and to pay their minimum expenses like rent. They may have a 1-year assignment or a 2-year assignment. Most of these people are young kids out of high school who may never have even had a job before, and now they have a job as an AmeriCorp volunteer with this wonderful hope that they can use the 2 years, the stipend that they receive of about $4,600 a year, for college expenses, for educational expenses.

Why would we increase a Pell Grant and not require anything of our young people, but we have an opportunity with AmeriCorp to have someone provide a service to their community, learn a skill and put aside money for education? They can't spend the stipend for anything other than educational needs.

So I just really would encourage my colleague to reconsider doing this. It is destructive, I think, to the program. It is, I think, foolish to think that we would not want these young people gainfully employed in society.

And I make this point particularly to my Republican colleagues. We helped write this bill. The Clinton administration was going to have a one-size-fits-all, and they said we will have a competitive model. We will run these programs State by State by State. We will have them be local programs so you have not the one-size-fits-all. The States then decide what programs competing on the State and local level should be funded. And the program really works well.

I think, if anything, we should be adding more money to AmeriCorp, not less.

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 reluctantly rise to oppose my friend and colleague's amendment. I certainly support the intent to provide more money for TRIO, and I also championed additional funds for the geriatric programs in the 2007 continuing resolution. But I can't support this cut to AmeriCorp.

Like my colleague from Connecticut who just spoke, I was a Peace Corps volunteer. The point was made you are not a volunteer if you get paid. Well, nobody gets rich at these jobs. You have to have some money to live, to pay the rent, to buy your food, and to call home on occasion.

□ 1915

So you still can be a volunteer and receive a small portion of income to maintain your livelihood while you're providing this service, but this program gives young Americans the opportunity to express their idealism, to give something back and to learn and to round themselves out and to broaden their horizons.

In fact, since AmeriCorps was established back in 1993, it has demonstrated some pretty remarkable results. Eighty-one percent of former members have volunteered. Additionally, after leaving AmeriCorps service in other areas, 89 percent of former members became employed in the public sector, and Lord knows we need good people working in the public sector. Ninety percent of organizations said AmeriCorps members helped their involvement with other organizations in the community.

Young people are idealistic. They want to do something positive in their lives. This is one of the few programs that we have in the Federal Government that gives them that opportunity. So I would again reluctantly oppose the gentleman's amendment.

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

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. I'm pleased to yield to my friend from Florida.

Mr. STEARNS. I thank my distinguished colleague from Georgia.

Madam Chairman, I am just going to briefly respond to my two distinguished Peace Corps representatives. I know both of them have had ample experience understanding what the Peace Corps is all about.

When they came to Congress, we didn't have the AmeriCorps. In fact, the AmeriCorps is only a recent program here in Congress, and it's been funded continually every year.

I think this is a question not of the Peace Corps merits, but this is a question of priorities. And I think both of them would realize that the TRIO, which helps low-income students in college, is probably just as deserving, as well as geriatric education programs that are part of the amendment here which would get more funding. So it's only in terms of priority, and I think when you look at the two programs, I think they trump the AmeriCorps.

I just would conclude by giving you an example, perhaps highlight two outstanding participants in the TRIO programs that are from my congressional district.

A sophomore at Loften High School in Gainesville, Florida, Juliun Kinsey was one of only 30 students nationwide selected as a Young Entrepreneur of 2007 by the National Foundation for Teaching Entrepreneurship for his unique and high-quality business plan. As a result, he received an all-expense paid trip to an awards banquet in New York City and a cash award.

Another example is Brooke Bostic, a TRIO program participant and a sophomore at Buchholz High School, which is also in Gainesville. He was one of only six students from Florida whose paper on global issues was selected for entry in the United Nations Association Student Paper Competition in New York City this spring.

So both these students benefited from the TRIO program. I think it has ample accommodation for us to say it has a higher priority when we take just a small portion from the AmeriCorps to use for this TRIO program.

So with that, Madam Chairman, I yield back to my distinguished colleague and thank him for the opportunity.

Mr. PRICE of Georgia. I thank my friend for his comments, and I would just like to underscore one point that he made, and that is, that all appropriations bills are bills that relate to priorities.

And we oftentimes hear from our good friends on the other side that we're quibbling or pretending or all sorts of descriptions about what's going on here tonight, but Madam Chairman, what's going on here tonight is the work of our democracy and the work of representatives in Congress to best represent their constituents.

And to scoff at ordering priorities for spending at the Federal level, I don't believe it's an appropriate message to send to the American people. This is important work. This is hard-earned taxpayer money, and it behooves us to spend as much time as any Member in this House so desires to determine the best way in which that money ought to be spent.

So I commend my friend for standing up for the priorities that he believes are most appropriate in this bill.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS).

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

Mr. STEARNS. 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 Florida will be postponed.

AMENDMENT OFFERED BY MS. WASSERMAN SCHULTZ

Ms. WASSERMAN SCHULTZ. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. WASSERMAN SCHULTZ:

Page 33, line 25, after the dollar amount, insert the following: ''(increased by $3,500,000)'' .

Page 38, line 18, after the dollar amount, insert the following: ''(reduced by $3,500,000)''.

Page 39, line 17, after the dollar amount, insert the following: ''(increased by $3,500,000)''.

Ms. WASSERMAN SCHULTZ. Madam Chairman, I congratulate the chairman and ranking member on a very well-crafted and bipartisan bill. I'd like to particularly thank the chairman for including a nearly $100 million increase to the Ryan White CARE Act.

My amendment would add a $3.5 million increase to Ryan White title IV funding.

Title IV's unique model of coordinated, family-centered care has proven successful at promoting better health. HIV-positive children treated by title IV have reduced hospitalizations, fewer symptoms, and fewer opportunistic infections, resulting in overall improved health and longer life. Babies are more likely to be born HIV-free if their HIV-positive mothers receive prenatal care through a title IV program.

Nearly 90 percent of the people cared for by title IV live below the poverty level, and 88 percent are African American or Latino.

As HIV infections in women and young people continue to rise, disproportionately impacting low-income women and youth of color, title IV programs have needed additional resources in recent years.

A $3.5 million increase to title IV will prevent cuts to HIV services for women, children, youth and families living with HIV. Even this modest increase can help bring more pregnant women and young people into care and keep them in care.

Madam Chairman, I thank the chairman of the committee and the ranking member as well, and I want to acknowledge the advocacy and support of Congressman HANK JOHNSON from the State of Georgia as well.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. JINDAL

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

The Clerk read as follows:

Amendment offered by Mr. JINDAL:

Page 33, line 25, after the aggregate dollar amount insert ''(reduced by $37,200,000) (increased by $37,200,000)''.

Mr. JINDAL. Madam Chairman, the current bill provides $37.2 million for nurse education and retention at level funding from the last fiscal year.

Nursing is the Nation's largest health care profession, with an estimated 2.9 million active, licensed registered nurses. However, only 212,927 of these RNs received their licenses after 2000.

The Bureau of Labor Statistics projects there will be approximately 1 million new job openings for registered nurses by 2010.

In 1980, 26 percent of RNs were under the age of 30. Today, less than 9 percent of RNs are under the age of 30, with the average nurse being 46.8 years of age.

In 2004, the highest level of educational preparation for nurses was 17.5 with a diploma, 33.7 percent had an associate degree, 34 percent had a baccalaureate degree, and 13 percent with a master's or doctoral degree.

The number of full-time nursing faculty required to fill this nursing gap is approximately 40,000. Currently, however, there are less than 17,000 full-time nursing faculty in the system.

The average age of a nursing professor is 52, and the average age of an associate professor is 49. Retirement accounts for about 25 percent of the decline in nurse faculty.

In 2005, 81 percent of accredited nursing schools stated they needed additional faculty. Only 350 to 400 nursing students receive doctoral degrees each year. Given that 52 percent of nursing schools require doctorate degrees as a criterion for professorship, it is imperative to increase the number of student nurses receiving doctoral degrees.

Because of the faculty shortage of those both willing and skilled to teach, nursing schools turned away over 30,000 qualified applicants in 2005 and 16,000 in 2004 to entry-level BA nursing programs.

Madam Chairman, my amendment directs an additional $37.2 million for nurse education retention, which would double funding from fiscal year 2007 levels. This account targets the education, practice and retention in response to the growing nursing shortage.

And in anticipating a potential objection that the amendment doesn't specify this, it will be possible to fund this amount from other accounts while still providing increased funding for other accounts, for example, like Job Corps' construction and renovation or Job Corps administration. In other words, within the underlying bill, it is possible to fund this amount while still providing increases to other accounts. Other accounts have been increased. I simply would like to make sure that we provide additional funding to address the critical nursing shortage that we are facing in our country, to both improve access, improve quality and decrease the cost of our health care.

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, if I could, I'd like to enter into a colloquy with the gentleman who's offered the amendment.

I'd like to ask the gentleman from Louisiana what is the offset that he's proposed to pay for this additional expense.

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

Mr. WALSH of New York. I yield to the gentleman from Louisiana.

Mr. JINDAL. The amendment actually increases and reduces funding, so it's more to indicate an intent. But as an example, what I offered as an example was it would be possible to fund this amendment from accounts, for example, from the increase in the Job Corps construction and renovation account, from the Job Corps administration account, from other accounts that have been increased, while still leaving increases in those accounts.

So, even though this amendment does not take money from those accounts, it could be funded in that way.

Mr. WALSH of New York. Just a further inquiry to the gentleman. In order to add funds at a certain point in the bill, you have to derive those funds from another point in the bill. Would you please, for the record, identify where these $37 million come from.

Mr. JINDAL. If the gentleman would yield, again the amendment increases and then reduces by $37.2 million. But, for example, the money could come from the Job Corps construction and renovation fund, which is currently funded at $12.9 million above the President's request, from the Job Corps administration fund, which is funded at $28 million above last year's.

Mr. WALSH of New York. Would the gentleman care to identify which of those two funds he will provide this offset from?

Mr. JINDAL. Absolutely. The amendment doesn't do this. But, for example, $7.9 million could be taken from the Job Corps construction and renovation fund. From the Job Corps administration fund, $14 million could be taken. From the community service employment fund, the remaining funds could be taken. In all three cases, it would actually leave more funding than was there in fiscal year 2007.

So, again, the amendment doesn't actually reduce those accounts by those three amounts, but the funding could be provided in that way, still leaving increased funding in those three accounts.

Mr. WALSH of New York. Reclaiming my time, Madam Chairman, my understanding is that these funds, the offset would have to be provided from within the HRSA account, and while the amendment may be in order, I don't believe the offset is correct procedure.

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

Mr. GARRETT of New Jersey. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

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Mr. GARRETT of New Jersey. Madam Chairman, I rise to support the gentleman's amendment, leaving aside the underlying question of the funding issue of where the dollars come from. I appreciate the ranking member's point with regard to that.

I want to go to the point the gentleman raises as far as the necessity and the importance of making sure that we have appropriate dollars spent on nurse education and retention and to have a level of funding for 2007. I come from the great State of New Jersey, and within the Fifth Congressional District, which I represent, I represent several, over five good hospitals and also long-term health care facilities as well.

As I travel about the Fifth Congressional District, and I meet with the various hospitals and the administrators from such, and I also meet with the people from the long-term health facilities as well, when I travel down to Trenton, our State capital, to meet with our State hospital associations as well, one of the first issues that always comes up in our discussion is the issue of the availability and quality of nurses in the State of New Jersey, I should say the availability of quality nurses in the State of New Jersey. Every nurse that we have is a quality nurse. We just need more of them in the State.

To that end, on a positive note I should add, we have initiated for some facilities in our State where we are providing more nurse training than we ever had before. One of the things, I will just say from a parochial interest, is once we do have that training for the nurses, we are going to do everything we possibly can to make sure that they stay after being trained in the State of New Jersey, but we will, of course, if need be, maybe allow them to go out to some other States as well down South, where I believe they probably have a need as well.

But this is a bill from a national perspective. I know the gentleman can speak to this more eloquently than I. This is not simply an issue up in the Northeast, and this is not an issue down South as well. I am sure that I can speak to any Member of this body from any portion of this country, and they will tell me similar stories that I am recounting here right now, that we have a lack of quality, skilled nurses in this country.

Maybe there are other underlying reasons for this. One that comes to mind, of course, is the rate of compensation for nurses. When you talk to nurses, when you consider the number of hours they put in as far as the training they have to go through initially, and then the net length of the time they have to get the other skills necessary to become a nurse, and then the amount of pay that they get, it is certainly not commensurate to what they provide to this community and to this country. On top of that, of course, is the long hours that they must struggle with in their jobs, and the conditions that they have to work with and under in certain circumstances as well.

So I take my hat off to the nursing establishment, the nurses, the young people, men and women that decide to go into this career. If there is anything we can do as a national body to facilitate that and encourage and foster this, I will support it.

So I commend the gentleman for coming up with the idea to make an amendment to the Labor-HHS appropriation bill to double funding for nurse education and retention, as they said, from the $37.2 million that's currently in the bill.

I commend his work. If I can work with him on this initiative or other initiatives in the future to address the issue of nurse retention, I am more than happy to do so.

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

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

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

Mr. OBEY. Madam Chair, this is another one of those ''let's pretend'' devices that I guess we are going to be afflicted with the next 2 days.

This amendment doesn't do nothing to nobody, and it doesn't do nothing for somebody. The fact is that it pretends to move $37 million out of this account, and then it puts $37 million back into this account and pretends that something has been accomplished.

There is no congressional direction that I know of that's being accomplished by this amendment. There is no consensus about what it does. It makes no changes in either the bill or the report. As a practical matter, it doesn't do anything except let somebody pretend that they have just done something for nurses' education.

If it makes you feel good to play a ''let's pretend'' game, go ahead and vote for it. But let's not kid ourselves. This amendment is not a real amendment. It has no real impact. It pretends to have an increase. It has, in fact, no offset. It's simply a shell game.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. JINDAL).

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

Mr. JINDAL. 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 Louisiana will be postponed.

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

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

The Clerk read as follows:

Amendment offered by Mr. SMITH of New Jersey:

Page 35, line 6, after the dollar amount insert ''(increased by $11,037,000)''.

Mr. SMITH of New Jersey. Madam Chair, 2 years ago the President signed the Stem Cell Research and Therapeutic Act into law.

This bipartisan legislation is designed to turn medical waste to medical miracles by deriving stem cells from umbilical cords and placentas after the birth of a child.

Cord blood transplantation is saving lives and is doing so today. It is one of the most promising and exciting fields in the area of regenerative medicine. The bipartisan legislation, Madam Chair, establishes a nationwide integrated bone marrow core blood stem cell transplantation program.

The good news, according to a July 13 technical assistance briefing memo by HRSA, is that six major grant recipients, Duke, New York Blood, Puget Sound Blood Center, Stem Cyte, the University of Colorado and the Anderson Cancer Center at the University of Texas have received funds for state-of-the-art programs that are now part of the newly created National Cord Blood Inventory.

With significant infrastructure now in place, and more blood grant centers imminent, and single point of access to facilitate the delivery of those units, more than 4,600 units of lifesaving cord blood has already been collected.

HRSA reports that approximately $22 million from fiscal years 2004 and 2007 appropriations will make collection of some 17,000 cord blood units possible by the end of fiscal year 2007.

"The question is—then what?

According to HRSA—in FY08—the new Cord Blood Program, just coming into it's own, will have to rely entirely on new appropriations.

So the bad news, it seems to me, is that if funded at about $4 million for FY08, the amount in the bill, the current grant recipients will have to dramatically scale back in their cord blood banking initiatives just as they're ramping up; just as breakout is occurring.

At $4 million, only about 3,000 units will be available in FY08 for medical realization of the goal of 150,000 units the experts tell us is needed to provide genetic matches for over 90 percent of Americans who can be aided by cord blood transplant.

We've come so far—the network is in place. And that money buys more cord blood which means more people cured and more research to save even more lives.

The $15 million that my colleague from Alabama and I are asking Members to support comports with the authorized level and is derived from within the HRSA allocation, which in the underlying bill is being increased by $69 million over last year and $1.3 billion over the President's request. Our shift represents less than ¼ of 1 percent of HRSA's $7 billion.

Surely, we can accommodate an $11 million shift—the net effect of the amendment—to a proven regenerative medical treatment that will mitigate—even cure—a myriad of diseases including leukemia and sickle cell anemia.

Mr. OBEY. Would the gentleman yield?

Mr. SMITH of New Jersey. I would be happy to yield.

Mr. OBEY. Same deal as we have offered several times earlier today. If the gentleman is willing to shorten his remarks, we are willing to accept the amendment.

Mr. SMITH of New Jersey. I certainly appreciate that very generous offer.

Mr. WALSH of New York. Madam Chairman, I rise in support of the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. WALSH of New York. Madam Chairman, I will be very brief.

Cord blood has proven to be very effective for many lifesaving purposes. We need to support this research.

I would urge a ''yes'' vote on the amendment.

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BARTON OF TEXAS

Mr. BARTON of Texas. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BARTON of Texas:

Page 36, beginning at line 5, strike ''*Provided further*, That within'' and all that follows through the end of the proviso.

Mr. BARTON of Texas (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 Texas?

There was no objection.

Mr. BARTON of Texas. Madam Chairman, I am willing to not speak at all if Mr. OBEY is willing to take my amendment without me talking about it.

I was chairman of the Energy and Commerce Committee in the last Congress, and one of the things that I am most proud of was that in the late stages of that Congress we passed the Ryan White CARE Reauthorization Act of 2006. It's a 3-year reauthorization act. It was a bipartisan, bicameral compromise.

Some of the House Members that worked on it included Congresswoman MARY BONO on the Republican side, Congresswoman ANNA ESHOO on the Democrat side, Senator ENZI, Senator KENNEDY, Senator BOXER, Senator FEINSTEIN, Congressman DINGELL, of course myself, and many, many others.

One of the cornerstones of that reauthorization was a formula change in the dispensation of HIV/AIDS funding to more reflect where the epidemic is actually still in play in this country. Under the old formula you had one-half of funds based on a formula based on population, things like this, and then you had one-half of the funds based on a discretionary fund.

Under the reauthorization we changed that to two-thirds formula and one-third discretionary. But because we were changing the formula, we did put in a hold-harmless provision for the formula funding.

What we were trying to do was make more funds available to those areas of the country where the epidemic was still prevalent and growing, and less funds on a discretionary basis where the epidemic had once been centered but was now thankfully not as prevalent. The pending bill before us changes that formula.

Now, normally, that would be considered legislation on an appropriations act, and a point of order would have been reserved by Chairman DINGELL of the committee, and all we would have to do is make a point of order, and it would be sustained. Chairman DINGELL did not reserve that point of order, so I have to rise to try to strike it.

My amendment does not change the amount of funding for HIV/AIDS. It does prevent this reversion of the formula so that we would keep the bipartisan, bicameral agreement, that we would have two-thirds of funds based on a traditional formula and one-third of the funding based on discretionary.

Now, the effect of the pending legislation that I am attempting to strike, if we don't strike it, two cities will benefit, Newark, New Jersey, and San Francisco, California. Every other city that currently receives AIDS funding and HIV funding will be disproportionately disadvantaged.

So I hope that the House will accept my amendment, and we will keep the formula that was agreed to after intense negotiations where we have a two-thirds and one-third split based on formula and discretionary, and a hold-harmless on the formula side but not a hold-harmless on the discretionary side.

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 is recognized for 5 minutes.

Mr. JACKSON of Illinois. I wanted to ask the gentleman from Texas (Mr. BARTON) a question if it's appropriate.

I wanted to ask the gentleman a question specifically about his amendment and the hold-harmless clause and its impact possibly on Ryan White.

I yield to the gentleman from Texas.

Mr. BARTON of Texas. In the reauthorization bill that was carefully negotiated on both sides of the aisle and the Senate, we maintained a hold-harmless provision for the formula funding under the bill, but we did not put that hold-harmless provision to the discretionary funding in the bill.

Discretionary funds are based on actual active case counts, how many HIV/AIDS patients you have. There is a methodology to determine how many of those individuals there are, and then the discretionary funds are distributed based on need.

In the legislation that's pending in the appropriations bill, the hold-harmless provision, which in the authorization bill we had on the formula side, is also applied to the discretionary side. The effect of that would be that an area that at one time had a large number of HIV/AIDS patients, but those patients had either passed away or been cured or moved out of the area, they wouldn't get to use the old patient count for their discretionary request. They could only count for discretionary purposes the number of active cases that they currently had in their area.

Mr. JACKSON of Illinois. Reclaiming my time, what the chairman, I believe, and the committee sought to do by adding this language was to create a stop loss that does not prevent cuts, but rather reduces losses to a level that the jurisdiction can absorb in one fiscal year.

For example, the San Francisco EMA, which includes San Mateo and Marin Counties, for example, will still receive about a $2.3 million cut. The language caps losses for eligible metropolitan areas like San Francisco at 8.4 percent, misrepresents the 5 percent hold-harmless loss that was agreed to in last year's reauthorization, plus the average loss for all title I jurisdiction, which was 3.4 percent.

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But I think it is important to note, and then I would be happy to yield if the gentleman would like to respond, here are some of the other jurisdictions that will benefit from the stop loss language which included in the chairman's mark: Hartford, Connecticut, 892,000; New Haven, Connecticut, 712,000; Nassau-Suffolk, New York, 432,000; Puerto Rico, 310,000; Caguas, 286,000; Sacramento, 195,000. And it goes on and on and on.

So what we are trying to understand here is how the chairman's language, which seeks to remedy a particular problem, is fundamentally changed by the gentleman's amendment.

I would be happy to yield for his response.

Mr. BARTON of Texas. Under the old law, the funding was based one-half on a formula and one-half on discretionary, and the discretionary counted active cases and also cumulatively, I believe, cases of individuals who had expired because of the infection. Under the new formula that we passed in the reauthorization bill, we changed the formula to two-thirds instead of one-half, and we reduced the discretionary from one-half to one-third.

We did put a hold harmless provision in on the formula side, but we did not apply that hold harmless to the discretionary side. So we also had a specific hold harmless for the first year of the

new authorization which we are currently in.

The effect of the language that is in the pending bill basically puts hold harmless not only on the formula funding, which we increase from one-half to two-thirds, but it also puts it on the discretionary side, the effect of which would be areas which don't have as large a patient count as they once did would get more discretionary funding; conversely, those areas that 5 or 6 years ago, perhaps, didn't have much of an HIV/AIDS epidemic would be shortchanged.

Mr. JACKSON of Illinois. Reclaiming my time, I know my time is just about expired; I know the chairman may have some concluding remarks, but this has been very difficult from the beginning, and the chairman's language in the mark seeks to remedy ongoing problems, and I would encourage my colleagues to vote ''no.''

Ms. WOOLSEY. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentlewoman from California is recognized for 5 minutes.

Ms. WOOLSEY. Madam Chairman, over 20,000 people have died from AIDS in the San Francisco-Bay Area, and AIDS continues to be the second leading cause of premature death in our area. In addition, and it is because of improved treatments, because of programs like the Ryan White AIDS program, nearly 23,000 individuals are currently living with HIV/AIDS, more than at any point in the history of the epidemic. Therefore, it is not the right time for the people in the San Francisco-Bay Area to have any cuts in their AIDS/HIV programs, because it is starting to work but it isn't working well enough, including my own county of Marin County north of San Francisco and the county of San Mateo south of San Francisco. Our communities have the third largest cumulative number of AIDS cases in the entire country.

This amendment will recklessly and irresponsibly put the lives of many of our constituents at risk. The very idea truly astounds me, the very idea that these lifesaving programs would be cut, that there would even be an offer to cut them while we are spending $10 billion a month to occupy Iraq just is beyond my comprehension. I have to wonder, what are some people thinking about? What are their priorities? I can tell you my priorities are with the health and the well-being of our constituents.

Treatments and support programs and systems for HIV/AIDS have come a long way. Now is not the time to pull the rug out from under the programs that are working and to stop supporting those who are living with AIDS and HIV, particularly in the most affected areas such as San Francisco and Newark, New Jersey. Therefore, I urge my colleagues, please oppose this misguided amendment.

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

Ms. LEE. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentlewoman from California is recognized for 5 minutes.

Ms. LEE. Madam Chairman, I rise in strong opposition to the Barton amendment. This issue of HIV and AIDS, first of all, is a matter of life and death, and I don't want to see us tamper around with the language which we have in this bill.

Despite the inclusion of language in the Ryan White Reauthorization Act to protect against these drastic cuts that would destabilize existing systems of HIV and AIDS, one jurisdiction's award was cut by 31 percent, or $8.6 million. Several other jurisdictions also received larger than anticipated cuts. So the language that we have creates just really a stop loss effort that doesn't prevent further cuts but just reduces losses to a level that a jurisdiction can absorb in one fiscal year, which still to me is just not acceptable, but it is the best we can do in this bill. For instance, as we said earlier, the San Francisco EMA will still receive a $2.3 million cut.

The language also caps losses for eligible metropolitan areas like San Francisco at 8.4 percent, which represents the 5 percent hold harmless loss that was agreed to in last year's reauthorization plus the average loss for all title I jurisdictions, which was 3.4 percent. Also, the losses for transitional grant areas which were not protected by the hold harmless in the reauthorization will be capped at 13.4 percent.

We heard earlier some of the jurisdictions that were included in the chairman's mark, but in addition there is Jersey City, New Jersey; Dutchess County, New York; and others.

My colleague from California just mentioned over 20,000 people have died from AIDS in the San Francisco EMA, and AIDS continues to be the second leading cause of premature death in the city and county of San Francisco. Also, nearly 23,000 people are currently living with HIV and AIDS, more than at any point in the history of the epidemic. San Francisco also has the third largest cumulative number of AIDS cases in the country. In fiscal 2006, San Francisco's EMA received about $27 million. In fiscal year 2007, it is only $18 million. This represents again, what I said earlier, a 31.4 percent reduction.

Provisions were included in last year's reauthorization to prevent drastic cuts of this sort, and we don't believe HRSA properly interpreted these provisions.

I hope that we oppose the Barton amendment. We do not need any more destabilizing initiatives that would affect people's lives. This is a matter of life and death. We need to look at how we can begin to move forward to make sure that all of those that need the HIV/AIDS services receive those services in terms of care, treatment, and prevention, and start looking at how to do that rather than do the things that the Barton amendment does. So I urge us to oppose this amendment.

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

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

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

Mr. BILBRAY. Madam Chairman, I had the privilege to serve 10 years as a county supervisor in the County of San Diego serving a community that desperately needed help with the HIV/AIDS epidemic, and I also happened to have been privileged enough to serve on Interstate and Commerce on the Health Committee that reauthorized the Ryan White Act.

The biggest issue here that is being discussed by the Member from Texas (Mr. BARTON) is the fact that the need should follow the patient. I am sure the gentleman from Chicago recognizes that all of these agencies and all of this money is supposed to be to service the people, not to groups, not to cities. It is human beings we are talking about in need. His motion is a compromise. It doesn't say don't strike the need on everything, but it says let's take half of it or take a portion and give priority to those who need it.

Madam Chairman, this would be like somebody thinking that it would be appropriate to send as much money to an empty hospital that used to serve patients as it is to send it to the new hospital that is full of patients. All he is saying is, let's take a portion of this and commit it totally to need. Not all of it, but a portion of it. How can we go back to our districts and say the agency in a certain city was more important than the patients and the people who are sick who just happen not to be sick in that same area?

The fact is having a formula that puts weight to those who used to be served is an inappropriate formula, and we all agreed in the 1990s that we were going to phase that out. The gentleman's motion only moves forward that agreement we have always had when we talked about Ryan White, that Ryan White was a young man, not an agency. Ryan White was a human being who had AIDS.

This grant, this program was never meant to serve groups, cities, or agencies except if they were the victims of this hideous disease called AIDS/HIV.

And so I think, let's stop a second. These groups and people that want us to send them money because they used to serve a large number of patients and realize that they may have to move or they might have to change their employment, that is not what this fund is for. It is for serving patients. And so all the gentleman is saying is, please, let's follow the need, and let's not say that it is for treating those who are sick if we are going to send it to agencies that are not serving. Let's send it to those agencies that are serving. At

least let's start moving towards the total amount of this fund. And the honor of Ryan White is to make these funds totally committed to serving patients that are ill today, the patients that need the service today, not patients of the past. We can't solve the problems of the past, but we can solve the problems that face us today, this year, and in the future, and that is by making sure funds are committed to those who are actually sick today.

And I would support all of the funds going to only those based on a formula of today's service, because we are talking about this year that these funds are supposed to be sent. The gentleman has accepted a compromise; I am willing to accept that compromise. We should be able to go this far, and common decency says the gentleman should get a chance to be able to have this compromise worked out.

I yield to the gentleman from Texas.

Mr. BARTON of Texas. Madam Chairman, I want to point out in the brief time that the gentleman from California still has, the Barton amendment doesn't lessen funding for this; it doesn't change the total amount of dollars at all. It simply protects the agreed-upon compromise that the stakeholders, the House, and the Senate on both sides of the aisle agreed to in the last Congress. And what the compromise was is, we moved more to a formula funding mechanism, two-thirds, and one-third for discretionary. And on the discretionary side, that is totally based on active HIV/AIDS case counts. It does not include people who have passed away from AIDS.

And the gentlelady that spoke earlier about the number of people in San Francisco that have contracted the disease and have passed away is totally right that those people, unfortunately, are no longer here. They should not be counted for the discretionary funding because you can't help them now.

□ 2000

We want the funding from the discretionary side to go to those that actually still have the infection.

The CHAIRMAN. The gentleman's time has expired.

Mr. JACKSON of Illinois. Madam Chairman, I would like to respond to the gentleman from California, but I think it's appropriate to recognize the gentlelady from California because I have struck the last word already. And if she will give me 15 seconds, I would be more than grateful.

Ms. ESHOO. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentlewoman from California is recognized for 5 minutes.

Ms. ESHOO. I yield to the gentleman from Illinois.

Mr. JACKSON of Illinois. Madam Chairman, we agree that this is about people and not about cities, and that's why the committee has an overall increase in the Ryan White funding.

San Francisco has more people living, not dying of AIDS, but living AIDS, than any other point in the history of the epidemic. The need is not going down in any of the 11 jurisdictions protected by this language and, therefore, the committee is correct in opposing the Barton amendment.

Ms. ESHOO. Madam Chairman, I rise in opposition to Mr. BARTON's amendment. I believe that it will perpetuate a system of winners and losers in the allocation of Federal resources for AIDS.

When Congress reauthorized the Ryan White AIDS program last year, we included language to allow the historic epicenters of the disease to continue providing care to those in need. The language was specifically intended to protect against drastic cuts that would destabilize the existing infrastructure for HIV/AIDS care.

Now, my friend from Texas has been absolutely consistent, and so have I. He's always been opposed to what I've just described, and I have supported it. So it's gone back and forth. But we've both been consistent in terms of our positions. I obviously respectfully disagree with his amendment, because I think it's important to understand, number one, A, that you have to protect the infrastructure. This isn't simply, when we say the care of people, you have to have infrastructure for it. And I think, underlying the gentleman's amendment is the notion that dead people are being funded, and that simply is not the case. We are both on the Energy and Commerce Committee. We've debated it there, and that's why I'm bringing some of the flavor of what we've debated there.

Over 20,000 people have died from AIDS in San Francisco's EMA. That's the eligible metropolitan area.

Now, the gentleman from California that spoke just a few moments ago talked about his time on the Board of Supervisors. That's where I came from in San Mateo County. And San Mateo and the City and County of San Francisco have been partners in this. And it's what has really held up and helped to build the infrastructure to take very good care of people. We take it seriously. Every dollar in this, every dollar in this has an effect on human beings. So this is not some tidy formula that somehow is not going to affect the infrastructure. So that's another reason why I oppose this.

San Francisco's award for fiscal 2007 was cut by 31.4 percent, or $8.6 million. Now, in Federal money, $8.6 million, unfortunately, is not considered serious money. This is devastating in this EMA. I know of what I speak. I've been there on the ground. I see where the dollars go and what people get.

Now, several other jurisdictions also have received larger than anticipated cuts. So I don't believe that the HRSA properly interpreted these provisions and that this bill, very importantly, corrects that error.

The stop loss language does not prevent cuts. Instead, it reduces losses to levels that can be reasonably absorbed in one fiscal year. And that's really a very important operational phrase, ''reasonably absorbed in one fiscal year.''

Any Member of Congress want to take a 31.4 cut in what their income is to help them take care of what they have to take care of their responsibilities and obligations? It's absurd. It's absurd. So that's why we are rising in opposition to the amendment.

So the language caps losses for the EMAs at 8.4 percent. And I think that this represents the 5 percent hold-harmless loss that was agreed to in last year's reauthorization.

I think the Barton amendment would prevent us from responding to the real needs of people that suffer from HIV and AIDS, and I urge my colleagues to oppose it.

The CHAIRMAN. The gentlewoman's time has expired.

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

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. BURGESS. Madam Chairman, I rise tonight in support of the Barton amendment. I hadn't intended to speak about this, but I was listening over in my office, and I am extremely concerned about the structure of this provision that has been added to the bill.

By increasing the percentage of the ''hold-harmless aspect'' the concern has to be about where are those dollars going to come from to pay for those increases?

My understanding is that other communities where authorized identified need may now be placed at risk. And yes, that would include my home district in north Texas. That would include the City of Fort Worth, Texas, where there are great numbers of people who, where unfortunately, the rate of acquisition of AIDS is increasing.

Madam Chairman, this was a carefully negotiated compromise on our committee, appropriately so. It was an authorizing committee. At best, this activity tonight is authorizing on an appropriations bill. At worst, it is a thinly disguised earmark for the Speaker of the House. I urge my colleagues to vote for the Barton amendment.

I yield to the ranking member of the committee.

Mr. BARTON of Texas. Madam Chairman, I don't want to belabor this, but I do want people to understand what the compromise was. Those that represent, as has been characterized, the epicenter of the original contagion on AIDS/HIV, are protected in the compromise.

Two-thirds of the funding is based on a formula that advantages those areas where the epidemic started. And we hold that formula harmless. You can't have, on the formula funding, more than a 5 percent cut the first year. That's this year. Then next year you get 100 percent of what you got this year, and the third year you get 100 percent of what you got the second

year. So there's no drastic, there are some reductions because on the discretionary side the population centers are changing. And on the discretionary side, the compromise was not to have a hold-harmless, but to base those on actual active HIV/AIDS counts.

Now, if you accept the base bill and reject the Barton amendment, you're going to have two areas, primarily, I'm told San Francisco and Newark, that get more funding, and every other area in the country gets less.

And since all the AIDS groups supported the bipartisan compromise, and both Chambers did, I don't think it's fair to change that by putting something in a base text that there were no hearings on, there were no amendments on, it wasn't debated in the subcommittee or the full committee, the appropriations, it was just put in, and our only opportunity is to try to amend that bill right now.

And again, if a point of order had been raised against it, all we'd have to do is make the point of order, but it wasn't reserved. So I think what the compromise was in the last Congress is eminently fair, and was carefully crafted and, as Mr. BURGESS has pointed out, worked out with everybody having input, and that the Barton amendment, which just reverts it back to that base compromise should be supported.

I thank the gentleman for yielding.

Mr. BURGESS. I'll be happy to yield to my friend from California.

Mr. BILBRAY. Madam Chairman, many people in this country would think the compromise being proposed doesn't go far enough. I think most people would say that the money for AIDS should follow the patient, not a bureaucracy. But it's equal protection.

Does somebody with AIDS in Fort Worth have any more or less of a right to Federal funds to take care of AIDS than somebody who lives in San Francisco? How about equal protection here?

Does an AIDS patient in Fort Worth have equal rights with an AIDS patient in San Francisco? That's the question here.

The compromise gives 75 percent preference to San Francisco. How much more preference do you want? And let's not talk about equal protection any more if you want to do this.

He has bent over backwards to try to cooperate and meet the people from San Francisco halfway at phasing this out. All we're asking for is stick to the compromise rather than continue to go. And I don't think that anybody that believes in equal protection can honestly say that an AIDS patient who happens to be in Fort Worth doesn't have the same rights and shouldn't be given the same protection and just as much money per capita as somebody in San Francisco.

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

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

Mr. BARTON of Texas. 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:

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM ACCOUNT

Such sums as may be necessary to carry out subpart 1 of part A of title VII of the Public Health Service Act. For administrative expenses to carry out the guaranteed loan program under such subpart, including section 709 of such Act, $2,906,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: *Provided*, That for necessary administrative expenses, not to exceed $3,528,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles II, III, VII, XI, XV, XVII, XIX, XXI, and XXVI of the Public Health Service Act (42 U.S.C. 201 et seq.) (''PHS Act''), sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 811, 812, 813, 841, 842, 843, 861, and 951), sections 20, 21, and 22 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 669, 670, and 671), title IV of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), section 501 of the Refugee Education Assistance Act of 1980 (8 U.S.C. 1522 note), and for expenses necessary to support activities related to countering potential biological, disease, nuclear, radiological, and chemical threats to civilian populations; including purchase and insurance of official motor vehicles in foreign countries; and purchase, hire, maintenance, and operation of aircraft, $6,141,753,000, of which $10,500,000 shall remain available until expended for equipment, construction, and renovation of facilities; of which $581,335,000 shall remain available until expended for the Strategic National Stockpile under section 319F–2 of the PHS Act (42 U.S.C. 247d–6b); of which $50,000,000 shall be available until expended to provide screening and treatment for first response emergency services personnel related to the September 11, 2001 terrorist attacks on the World Trade Center; and of which $122,769,000 for international HIV/AIDS shall remain available until September 30, 2009: *Provided*, That in addition, such sums as may be derived from authorized user fees, which shall be credited to this account: *Provided further*, That in addition to amounts provided herein, the following amounts shall be available from amounts available under section 241 of the PHS Act (42 U.S.C. 238j): (1) $12,794,000 to carry out the National Immunization Surveys; (2) $120,000,000 to carry out the National Center for Health Statistics surveys; (3) $24,751,000 to carry out information systems standards development and architecture and applications-based research used at local public health levels; (4) $39,173,000 for Health Marketing; (5) $31,000,000 to carry out Public Health Research; and (6) $88,361,000 to carry out research activities within the National Occupational Research Agenda: *Provided further*, That none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention may be used, in whole or in part, to advocate or promote gun control: *Provided further*, That up to $31,800,000 shall be made available until expended for Individual Learning Accounts for full-time equivalent employees of the Centers for Disease Control and Prevention: *Provided further*, That the Director may redirect the total amount made available under authority of section 3 of the Vaccine and Immunization Amendments of 1990 (Public Law 101–502) to activities the Director may so designate: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are to be notified promptly of any such transfer: *Provided further*, That not to exceed $12,500,000 may be available for making grants under section 1509 of the PHS Act (42 U.S.C. 300n–4a) to not more than 15 States, tribes, or tribal organizations: *Provided further*, That of the funds appropriated, $10,000 is for official reception and representation expenses when specifically approved by the Director of the Centers for Disease Control and Prevention: *Provided further*, That none of the funds appropriated may be used to implement section 2625 of the PHS Act (42 U.S.C. 300ff–33): *Provided further*, That employees of the Centers for Disease Control and Prevention or the Public Health Service, both civilian and Commissioned Officers, detailed to States, municipalities, or other organizations under authority of section 214 of the PHS Act (42 U.S.C. 215), shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel ceiling applicable to the Agency, Service, or the Department of Health and Human Services during the period of detail or assignment.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

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 cancer, $4,870,382,000, of which up to $8,000,000 may be used for facilities repairs and improvements at the NCI–Frederick Federally Funded Research and Development Center in Frederick, Maryland.

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. GARRETT of New Jersey:

OFFERED BY MR. GARRETT OF NEW JERSEY

Page 80, line 2, after the first dollar amount, insert ''(reduced by $10,000,000)''.

Page 41, line 7, after the dollar amount, insert ''(increased by $10,000,000)''.

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 Jersey is recognized for 5 minutes.

Mr. GARRETT of New Jersey. Madam Chairman, the amendment that I'm offering tonight is a very simple, straightforward one. As was just read, it would remove $10 million from a program that was in fact zeroed out in the Bush administration's budget request, and then use those dollars, that money to increase the level of funding currently appropriated to the National

Cancer Institute at the National Institutes of Health.

Madam Chairman, some time ago President Nixon unofficially declared a war on cancer in his State of the Union Address back in 1971. Since then much progress has been made in the area of cancer research, thankfully. And over the last 3½ decades, science and research has continued to break down barriers in the fight against this dreadful disease.

Today, cancer is no longer the mystery disease that it once was, and researchers know infinitely more now today about the prevention, the detection and the treatment of the disease than ever before in history.

□ 2015

The results from all of this research is now beginning to bear fruit on people's lives every day. Fewer people are dying from cancer in 2004 than they were in 2003, according to the studies. An American public is witnessing declining rates for most major cases, including breast cancer, prostate cancer, and colorectal cancer as well.

So, Madam Chairman, I think that the chairman of the Appropriations Committee has done a good job for increasing the budget of the National Cancer Institute this year in the bill, and Republicans supported a doubling of the budget at the National Institutes of Health in past sessions. I supported that. But I think we can do just a little bit more.

The account that this amendment would take from is the Alaska Native Education Equity program. That is a program, like we hear so often on this floor, that is basically a redundant program that the President has eliminated in his budget request. According to the administration, the Alaska Native students already receive benefits from the department in Indian education programs, which provide more than $118 million in formula grants to school districts and competitive grants for demonstration and professional development programs.

Now, Madam Chairman, when we consider how the Federal Government is prioritizing its spending, which really is what it is all about when we come to the floor on each and every one of these amendments, I submit that funding cancer research is more important than spending additional redundant money on a redundant Federal program.

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

POINT OF ORDER

Mr. OBEY. Madam Chairman, I make a point of order against the gentleman's amendment.

The amendment proposes to amend portions of the bill not yet read. The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of outlays in the bill.

I ask for a ruling from the Chair.

The CHAIRMAN. Does any Member wish to be heard on the gentleman's point of order?

Mr. PRICE of Georgia. Madam Chairman, we have had a number of amendments that have dealt with line items at one point in the bill and then at a point later in the bill that has not been read yet, so I would respectfully suggest that the point of order is not appropriate as it has not been utilized on other amendments that have been offered and that all Members ought to be treated with equity in the offering of their amendments.

Mr. OBEY. Madam Chairman, if I may be heard further, that is a very quaint interpretation of the House rules. And, nonetheless, it does not at all address the fact that the amendment proposes to increase the level of outlays in the bill, which I assume as a good conservative, the gentleman would be opposed to.

Mr. GARRETT of New Jersey. I would like to be heard on the objection.

The CHAIRMAN. The gentleman from New Jersey is recognized.

Mr. GARRETT of New Jersey. The objection, if I understand it correctly, is that the assertion is that this increases the total of number of outlays for the bill. That would be the case if we are simply asking for an increase of $10 million for the Cancer Research Institute, but that is not what we are asking to be done. We are simply asking that $10 million in one line, Page 41, line 7, be increased by the $10 million but another line, page 80 line 2, after the first dollar amount insert, ''would be reduced by $10 million.'' So in point of fact, this amendment does not increase the total net dollar output of the underlying bill. It is a balanced amount. No increase, no decrease.

Mr. OBEY. Madam Chairman, if I might point out to the gentleman, just because it is neutral in budget authority does not mean it is neutral in outlays. It is not neutral in outlays, and, therefore, it is out of order.

The CHAIRMAN. The Chair is prepared to rule.

To be considered en bloc pursuant to clause 2(f) of rule XXI, an amendment must not propose to increase the levels of budget authority or outlays in the bill. Because the amendment offered by the gentleman from New Jersey proposes a net increase in the level of outlays in the bill, as argued by the chairman of the Subcommittee on Appropriations, it may not avail itself of clause 2(f) to address portions of the bill not yet read.

The point of order is sustained.

The Clerk will read.

The Clerk read as follows:

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

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 cardiovascular, lung, and blood diseases, and blood and blood products, $2,965,775,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

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 dental disease, $395,753,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

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 diabetes and digestive and kidney disease, $1,731,893,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

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 neurological disorders and stroke, $1,559,106,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

(INCLUDING TRANSFER OF FUNDS)

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 allergy and infectious diseases, $4,632,019,000: *Provided*, That $300,000,000 may be made available to International Assistance Programs ''Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis'', to remain available until expended: *Provided further*, That such sums obligated in fiscal years 2003 through 2007 for extramural facilities construction projects are to remain available until expended for disbursement, with prior notification of such projects to the Committees on Appropriations of the House of Representatives and the Senate.

AMENDMENT OFFERED BY MRS. MUSGRAVE

Mrs. MUSGRAVE. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. MUSGRAVE:

Page 42, line 13, after the dollar amount, insert ''(reduced by $175,000)''.

Mrs. MUSGRAVE. Madam Chairman, the bill we are debating today will direct $300 million to the Global Fund to Fight HIV/AIDS, tuberculosis and malaria. This is an organization that was founded to fight deadly diseases in the world's poorest countries.

Madam Chairman, I have learned that the Global Fund's former executive director was spending money on activities well outside of its intended mission. According to a Boston Globe article which broke a story last February, the former executive director of the Global Fund frequently used Global Fund dollars in ways most of us, especially the American taxpayers, would find reckless.

Global Fund documents say he spent between $91 and $930 per day for limousines in London, Paris, Rome, Washington and San Francisco, averaging $376 a day. He spent $1,695 for a dinner for 12 at the United States Senate dining room here in Washington, D.C.; $225.86 to rent a suit; $8,780 for a boat cruise on Lake Geneva in Switzerland; $8,436 for a dinner in Switzerland for 63 people; $5,150 for a meal and drinks for 74 staff members at a retreat in Switzerland. The Global Fund documents cited other spending that included buying flowers for staff members and champagne at a retreat.

Madam Chairman, this sounds like American tax dollars being spent to improve the lifestyle of Global Fund employees. If you add up all the lavish spending just listed in the Boston Globe article, it comes to $24,512.72. At a dollar a dose, that money could have saved the lives of 24,514 infants from dying from malaria. That money could

have protected almost 5,000 families from being infected with malaria for a year at the cost of about $5 to spray a house with the cheapest insecticide.

Madam Chairman, the United States has contributed almost $3 billion to the Global Fund since 2001. I want to make sure that the Global Fund knows that the American people are watching the way they are spending their hard-earned dollars, and I want the director of the Global Fund to know that he is accountable to the United States taxpayers. And that is why my amendment reduces his salary from $320,000 a year to $145,000 a year, which is equal to the salary of the United States Global Fund AIDS coordinator.

I ask for support for my amendment. This is a shot over the bow to let the Global Fund know that we want American tax dollars spent to save lives, not to give lavish lifestyles to the Global Fund employees.

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

Ms. LEE. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentlewoman is recognized for 5 minutes.

Ms. LEE. Madam Chairman, I rise to strongly oppose the amendment proposed by the gentlewoman from Colorado.

First of all, as one who wrote the initial legislation that established the framework for the Global Fund, I want the gentlewoman to know that the Global Fund is the only international organization multilateral that is providing for care, prevention and treatment of those living with HIV/AIDS, malaria and tuberculosis. It is a very successful effort. We have major international partners. We are the largest contributor to the fund. And I believe, and she can correct me if I am wrong, that the cut that she is talking about references a prior director of the fund who is no longer there. And, in fact, the fund has reorganized, is moving forward, and is doing quite well. And we discussed this in the subcommittee and we had testimony. We met with the officers and directors, the new executive director of the funds, and I would hate to see us cut a nickel from the Global Fund because we need every dime we can get to make sure that we address this global pandemic that is killing so many, especially those in sub-Saharan Africa and the Caribbean.

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

Mr. OBEY. Madam Chairman, could I inquire of the gentleman from New York, is the gentleman from New York intending to accept the amendment on his side?

Mr. WALSH of New York. I do, Madam Chairman.

Mr. OBEY. Then I would suggest accepting the amendment on this side. This is an amendment that does nothing, Madam Chairman, except, in my view, it is an effort to put people on the hook by ratifying some unacceptable conduct by someone who is no longer associated with the program. I don't intend to be associated with that kind of a problem, and so I think this is one of those nuisance amendments that is meant to enable someone to pose for political holy pictures without much effect.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Colorado (Mrs. MUSGRAVE).

The amendment was agreed to.

□ 2030

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. KLINE of Minnesota.

An amendment by Mr. PLATTS of Pennsylvania.

An amendment by Mr. MARCHANT of Texas.

An amendment by Mr. JINDAL of Louisiana.

Amendment No. 5 by Mr. SESSIONS of Texas.

Remaining postponed votes will be taken at a later time.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. KLINE OF MINNESOTA

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. KLINE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 186, noes 237, not voting 13, as follows:

[Roll No. 642]

AYES—186

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Cramer
Crenshaw
Cubin
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McIntyre
McKeon
Mica
Miller (FL)
Miller, Gary
Mitchell
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOES—237

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Ellison
Emanuel
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor

Payne
Perlmutter
Peterson (MN)
Pomeroy
Porter
Price (NC)
Rahall
Reyes
Rodriguez
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—13

Bordallo
Brown, Corrine
Culberson
Davis, Jo Ann
Edwards
Feeney
Hastert
Kucinich
Marchant
McMorris Rodgers
Rangel
Tancredo
Young (AK)

□ 2051

Messrs. WELCH of Vermont, PALLONE and PERLMUTTER and Mrs. BIGGERT changed their vote from ''aye'' to ''no.''

Messrs. HOBSON, GILCHREST and PICKERING changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PLATTS

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. PLATTS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 174, noes 250, not voting 12, as follows:

[Roll No. 643]

AYES—174

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Barrow
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boustany
Boyda (KS)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Cleaver
Coble
Cole (OK)
Conaway
Cubin
Cuellar
Davis (KY)
Davis, David
Davis, Lincoln
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Goode
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Herger
Herseth Sandlin
Hobson
Holt
Hulshof
Hunter
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
King (NY)
Kingston
Knollenberg
Kuhl (NY)
Langevin
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mahoney (FL)
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McHugh
McKeon
McNerney
Moran (KS)
Murphy, Patrick
Murphy, Tim
Neugebauer
Nunes
Paul
Pearce
Peterson (PA)
Petri
Pickering
Pitts
Platts
Porter
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ryan (WI)
Sali
Sensenbrenner
Shays
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walsh (NY)
Wamp
Watt
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOES—250

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrett (SC)
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boswell
Boucher
Boyd (FL)
Brady (PA)
Braley (IA)
Butterfield
Campbell (CA)
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Chandler
Christensen
Clarke
Clay
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Ellison
Emanuel
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Flake
Frank (MA)
Franks (AZ)
Garrett (NJ)
Gillmor
Gonzalez
Goodlatte
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hensarling
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Jordan
Kagen
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
Kirk
Klein (FL)
Kline (MN)
LaHood
Lamborn
Lampson
Lantos
Larsen (WA)
Larson (CT)
Latham
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mack
Maloney (NY)
Manzullo
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pence
Perlmutter
Peterson (MN)
Poe
Pomeroy
Price (GA)
Price (NC)
Rahall
Reyes
Rodriguez
Rohrabacher
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Waxman
Weiner
Welch (VT)
Westmoreland
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—12

Bordallo
Brown, Corrine
Culberson
Davis, Jo Ann
Edwards
Hastert
Kucinich
McMorris Rodgers
Mica
Rangel
Tancredo
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 1 minute remains in this vote.

□ 2057

Mr. POE changed his vote from ''aye'' to ''no.''

Mr. FORBES and Mr. MCHUGH changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MARCHANT

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. MARCHANT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 149, noes 277, not voting 10, as follows:

[Roll No. 644]

AYES—149

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boustany
Brady (TX)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Everett
Fallin
Feeney
Flake
Fortuño
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)

Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pickering
Pitts
Poe
Price (GA)
Putnam
Radanovich
Ramstad
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf

NOES—277

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boozman
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown-Waite, Ginny
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Donnelly
Doyle
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Frank (MA)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Regula
Reichert
Renzi
Reyes
Rodriguez
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—10

Bordallo
Brown, Corrine
Culberson
Davis, Jo Ann
Edwards
Hastert
Kucinich
Rangel
Tancredo
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 1 minute remains in this vote.

□ 2105

Mr. MITCHELL changed his vote from ''aye'' to ''no.''

Mr. BRADY of Texas changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. JINDAL

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. JINDAL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 243, not voting 10, as follows:

[Roll No. 645]

AYES—183

Aderholt
Akin
Alexander
Bachmann
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boren
Boustany
Boyda (KS)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carney
Carter
Chabot
Coble
Cole (OK)
Conaway
Cubin
Cuellar
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Engel
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortuño
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gillibrand
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green, Gene
Hall (TX)
Harman
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McKeon
McMorris Rodgers
McNerney
Melancon
Mica
Miller (FL)
Miller, Gary
Mitchell
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Sali
Schmidt
Schwartz
Sensenbrenner
Sessions
Shadegg
Shuler
Shuster
Smith (NE)
Smith (TX)
Souder
Space
Stearns
Sullivan
Tanner
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOES—243

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boozman
Boswell
Boucher
Boyd (FL)
Brady (PA)
Braley (IA)
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Ellison
Ellsworth
Emanuel
Emerson
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Fortenberry
Frank (MA)
Frelinghuysen
Giffords
Gilchrest
Gillmor
Gonzalez
Gordon
Green, Al
Grijalva
Gutierrez
Hall (NY)
Hare
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McNulty