

Under H.R. 1119, Beth and other working members will have the flexibility to turn their overtime hours into time-and-a-half wages or paid time-and-a-half off. They will have the peace of mind that comes with knowing they can pick up a sick child from school, make it to the soccer tournament or take time off without using up their vacation days.

I urge my colleagues to join me in supporting H.R. 1119, the Family Time Flexibility Act.

CASH AND COUNSELING

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, I am here to talk about a program called cash and counseling which allows flexibility for Medicaid, people who are poor, people who are disabled, gives them an opportunity to be involved and get more resources, and it is good for the Federal Government, too.

In February of this year, I spoke on the floor about this Cash and Counseling program. It was demonstrated in Florida, Arkansas and New Jersey. In these demonstrations, disabled and elderly beneficiaries were given great latitude to direct their own support services; that is, they were involved themselves, and it was not just the government giving them a check or services.

The national project has conducted its first evaluation of this program in Arkansas, and the results are in. It was reported favorably through the Journal of Health Affairs on March 26, 2003.

In summary, the author concluded that, our survey of roughly 1,800 elderly and non-elderly adults showed that relative to agency-directed services, as a government directing it, State directing it, Cash and Counseling greatly improves satisfaction and reduced most unmet needs. Moreover, contrary to some concerns, it did not adversely affect participants' health and safety, always a complaint that these elderly people will not get served.

Dr. Lavizzo-Mourey, president and CEO of The Robert Wood Johnson Foundation, says, "The Cash and Counseling program offers Medicaid consumers flexibility and a sense of control over their care." In The Robert Wood Foundation's recently released Annual Report 2002, they said, "Cash and Counseling enables Medicaid beneficiaries with chronic illnesses and disabilities to purchase needed personal assistance services with cash allowances in lieu of receiving traditional agency-delivered services. The result," of course, "is greater choice and autonomy in obtaining the required help. Early evaluation results show increased access and improved satisfaction for Cash and Counseling clients."

Secretary Thompson of Health and Human Services shared, "This ap-

proach gives people with disabilities more freedom and responsibility, in the same way that all of us want to be in charge of our lives and" of course, "our choices. It lets the individuals themselves decide how best to use the Medicaid dollars they are already entitled to. The study confirms that these Medicaid recipients make good choices that maintain their health and safety, even as they improve their convenience, satisfaction and quality of life."

So think about it. This program, Cash and Counseling, is part of an experiment that has proved successful, bringing in the actual beneficiaries and opportunities for choice and participation.

We now have Consumer Directed Care which is a larger demonstration program. What does this mean? According to the National Association of State Units on Aging and the National Council on Aging, "Consumer direction describes programs and services where people are given maximum choice and control over their care. Consumer direction may also be called self-determination or independent living. When people say they want to be independent or they want to have autonomy or self-direction, they are talking about consumer direction. In consumer-directed programs, consumers can choose to select, manage and dismiss their workers. They can decide which services to use, which workers to hire, and what time of day they will come. Consumer direction assumes that informed consumers are able to make decisions about the services they receive." Sounds good.

Consumer-directed care has already taken off among the aging populations. Last Friday, the Senate's Special Committee on Aging had a briefing on Consumer Direction in Aging Services. State elder affairs leaders from Vermont and Pennsylvania and Dr. Kevin Mahoney of Boston College, the national director of Cash and Counseling, championed its success in providing an infusion of choice and freedom and independence to the disabled and elderly nationwide. Most States report waiting lists of individuals waiting to enroll in this demonstration.

Besides in public health, many private plans are beginning to offer consumer-directed products. For example, in our Federal employee health benefit program, one group of Federal workers, the American Postal Workers Union, is the first to offer a consumer-directed option this year. On their Web site describing the option, the American Postal Workers Union say, We believe that people who have more control over how their health care dollars are spent are more satisfied customers, and their health plan's consumer-directed option plan is designed to give our employees that control.

Besides the now-documented satisfaction, Consumer-Directed Care is serving to reduce costs and fraud. So, Mr. Speaker, I think we have a very clear case where giving choice and

independence for the consumer, whether it is Medicaid for the poor or we should do for Medicare for the elderly or even in the private sector, it works much better.

I look forward to the continued evaluation of these programs, and of course, I continue to see on the Federal and State level the championing of the Consumer-Directed Care.

FISCAL YEAR 2004 DEFENSE AUTHORIZATION BILL

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from California (Mr. FARR) is recognized during morning hour debates for 5 minutes.

Mr. FARR. Mr. Speaker, I rise this morning to talk about the fiscal year 2004 Defense authorization bill. Earlier this year, the Department of Defense approached Congress with a request to exempt itself from several of the fundamental environmental laws in order to strengthen our military readiness.

At the time, this kind of shocked many of us because we saw that our readiness of our military was among, if not is, the best in the world, but that the state of some of our natural resources is certainly not the best in the world.

Then things went from bad to worse. The Committee on Armed Services reported out a bill that went way beyond and way above what the Defense Department had originally asked for. H.R. 1588, the Defense authorization bill this year, contains provisions that fundamentally change the Environmental Protection Act and the Endangered Species Act and, most importantly, the Marine Mammal Protection Act, two major pieces of legislation that directly affect the coastal communities of the United States and particularly my District in California.

There are many species listed under the ESA in my home District. There is the California condor. We have done a good job of trying to restore that condor into the wilderness. In fact, the Secretary of the Interior has been out to release those birds and has personally seen the effect of being able to re-establish a threatened species. There is the San Joaquin kit fox. There is the steelhead trout that are in our coastal streams, and the snowy plover, which is a shore bird that nests on our beaches.

The continued existence of many of these species relies on the designation of what they call the critical habitat which is basically the homes and breeding grounds that are necessary for survival.

For example, the Santa Cruz long-toed salamander only has six breeding ponds on which the whole species depends. Without the designation of these breeding ponds as critical habitat, the salamander would be left out without a vehicle for bringing it back from the brink of extinction.

I might point out, many people thought the sea otter was extinct. In

1950 we saw a small group of sea otters, and today that population has grown to about 1,000. It is threatened, but on the other hand, what it has done is increased tourism because people come out and look for that creature.

So this bill that the Defense Department is asking for aims to make critical habitat designation only when it is necessary and not when it is prudent and determinable as the law now currently requires.

When would it be necessary to designate a critical habitat? I am not sure necessary is defined in the bill. So basically the Secretary of the Interior and the Secretary of Commerce will be able to make a decision with no set criteria.

The Bush administration has clearly stated its belief that critical habitat provides no protection, and as such, this provision could result in more species without homes and breeding areas, and the list goes on and on.

The Marine Mammal Protection Act not only guts that, but it puts whales and dolphins in jeopardy by changing the Marine Mammal Protection Act, and my colleagues have already heard from several Members who have spoken on it. The intent of the Act is to prevent the harassment of marine mammals. The language in this bill weakens the definition of harassment, not just for DOD-related activities but also for all the people who use our oceans and coasts.

The waters of Monterey Bay in my home District have been designated by the Federal Government as a national marine sanctuary. It is the home to sea otters, sea lions and harbor seals and serves as a migratory route for the majestic humpback and blue whales. These animals are important for economic resources because people visit the coastline to see watchable wildlife. They go to see the sea birds, the sea lions, the whales and so on.

Likewise, the people travel to see the orcas in the waters off the Puget Sound in Washington or the whales off the gulf of Maine or the manatees along the coast of Florida, and we all know as Members from those Districts we do everything we can to protect those.

Currently, the Marine Mammal Protection Act language aims to protect these animals from being harassed, being injured and even from being killed, but the bill drastically weakens this protection and would allow an increasing number of harmful interaction, such as oil and gas exploration, high intensity sonar testing, and such increase in harassment and harm to marine mammals would go largely unchecked by wildlife agencies and left unmonitored and unmitigated.

Struggling sea otters are currently dying at record levels in the State of California. We do not know the exact cause, but we are going to be looking for that and hopefully trying to remedy it.

This bill does not help us with those remedies. We ought to take pride in the fact that the military has led in a lot of our environmental areas. The navy has been the first and most remarkable

agency at recycling at sea, of taking all their garbage on ship and treating that. The navy painted their ships with safe paint. So the military has been a good environmental steward. There is no need to change that position with the passage of this legislation.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m.

Accordingly (at 9 o'clock and 42 minutes a.m.), the House stood in recess until 10 a.m.

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AFTER RECESS

The recess having expired, the House was called to order at 10 a.m.

PRAYER

The Reverend Dr. David Anderson, Pastor, Faith Baptist Church, Sarasota, Florida, offered the following prayer:

Our Heavenly Father, with humble spirits we thank You for Your faithfulness to our Nation. We trust in You, not in our might. We depend upon Your blessings and not upon our resources. We rely upon Your providence in both good times and bad, and we submit to Your chastisement. We bow before Your infinite power, wisdom, truth, mercy, and love.

Strengthen our weakness by wielding Your power. Calm our fears by manifesting Your presence. Forgive our sin by bestowing Your grace and restore our virtue by imputing Your righteousness. Remind us, once again, of what You intend us to be, one Nation under God.

Grant unto the men and women of this House wisdom beyond their experience, courage beyond their resolve, vision beyond their sight, and truth beyond their learning. May they uphold Your law so our country can reflect Your goodness and correct its wrongs. Protect our troops and bring them home soon.

With the faith that has carried us for generations we ask, "May God bless America. In the name of the Lord Jesus Christ, I pray. Amen."

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. LAMPSON) come forward and lead the House in the Pledge of Allegiance.

Mr. LAMPSON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a concurrent resolution of the following title in which concurrence of the House is requested:

S. Con. Res. 44. Concurrent Resolution recognizing the contributions of Asian Pacific Americans to our Nation.

The message also announced that in accordance with sections 1928a-1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the North Atlantic Treaty Organization Parliamentary Assembly during the First Session of the One Hundred Eighth Congress, to be held in Prague, Czech Republic, May 23-26, 2003:

The Senator from South Carolina (Mr. HOLLINGS).

The Senator from Connecticut (Mr. DODD).

The message also announced that in accordance with sections 1928a-1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the North Atlantic Treaty Organization Parliamentary Assembly during the First Session of the One Hundred Eighth Congress, to be held in Prague, Czech Republic, May 23-26, 2003:

The Senator from Alabama (Mr. SESSIONS).

The Senator from Ohio (Mr. VOINOVICH).

The Senator from Texas (Mr. CORNYN).

DEPARTMENT OF EDUCATION ON THE RIGHT TRACK

(Mr. PITTS asked and was given permission to address the House for 1 minute.)

Mr. PITTS. Mr. Speaker, the Department of Education has had its share of problems with the money this body gives it. Many of us have followed the stories of waste and fraud that have plagued the Department. Some \$450 million were recently used for purposes other than educating children. Credit cards were used to purchase products from pornographic Web sites. Several employees were caught buying luxury SUVs and even buildings with money supposed to go to South Dakota schools.

Secretary Paige has cracked down on these activities. For only the second time ever, the Department received recently a clean audit from the GAO, and all of the \$450 million has been accounted for.