

of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

Mr. BURGESS. Mr. Speaker, tonight I would like to speak on the issue of the 17 percent increase in the Medicare monthly premium for the part B of Medicare. This is an increase of \$11.60 on the monthly part B premium, which places it from \$66.60 up to \$78.20 a month.

The reason, Mr. Speaker, this was necessary is under a formula, by law, the part B premium has to cover at least 25 percent of the cost of medical providers, and in fact, with medical inflation and with an increase in reimbursement to medical providers that we gave last year in the Medicare Modernization Act, this increase in premium was necessary. It reflects medical inflation; and more importantly, it reflects that slight provider increase that was included in the act.

There is no question that this increase is significant for some beneficiaries. Mr. Speaker, I have done probably 60 town halls in my district in the 18 or 20 months I have been in Congress; and, yes, when I go into my district, people will complain about the cost of the prescription drugs and point out to me the difficulties they have in meeting the obligation of paying for their prescriptions. But what I heard at virtually every town hall, without exception, was seniors who had turned 65 and asked me, how come when I now turn 65, I lose my doctor. The reason they lose their doctor is because doctors are dropping out of providing for the Medicare program because they cannot keep up with the costs that are required to keep their offices open, and as a consequence, we gave a very small increase in Medicare provider fees during the Medicare Modernization Act.

If those same patients who now see a slight fee increase in the Medicare part B premium, if the increase had not happened, in all likelihood there would have been fewer and fewer providers for them to actually see.

The fact of the matter is, Mr. Speaker, some of my colleagues quickly forget that the medical profession was facing another significant cut when we passed the Medicare Modernization Act last December, and how quickly they forget that it was necessary to ensure that seniors have access, timely access, to doctors and other Medicare providers.

The problem is that taking this out of context, the opponents of the Medicare Modernization Act, and there are many, they are only seeking to inflame the passions of people who are perhaps uneasy about their medical care anyway. But, really, what do these changes mean for seniors? What do they represent?

They represent a secured access to a provider network by providing a 2-year 1½ percent reimbursement rate increase. That is a 1½ percent rate increase for providers, not a significant amount when we consider the overall

cost-of-living increases and the fact that medical inflation itself has gone up by 2.5 percent over the past 6 months.

Seniors also get preventive screenings to begin in 2005 for new beneficiaries; and in fact, these screenings will save the patients themselves and the Medicare program at large thousands of dollars.

New diabetes screenings will begin that will save beneficiaries thousands of dollars; and to top it all off, in 2006 a prescription drug benefit does begin that will save seniors money and improve their quality of life.

But I must point out, the rate increase that was announced last week, in no way is the prescription drug benefit responsible for that rate increase. That was purely to cover the 25 percent cost that, by law, our part B premium has to cover of the provider reimbursement.

It is important for us in this body to be honest about the changes in the Medicare Modernization Act and not use instances like the premium increase to scare seniors away from Medicare; and, Mr. Speaker, I will even go a little bit further. It is also important to bear in mind that, once again, we have not done liability reform, which is one of the things that I really looked forward to when we began this session of Congress in January of 2003.

The embedded cost of defensive medicine in our Medicare system, from a Stanford University study done in 1996, so these are 1996 dollars, \$50 billion a year is spent on defensive medicine in this country because of the unfairness of the medical justice system. We have had an opportunity to fix that. In fact, we passed that twice in the House of Representatives with caps on non-economic damages. It still awaits activity over 400 yards on the other side of the Capitol. I would like to think we could get that done this year. It does not seem that it will happen. It is of critical importance that we tackle that and get that done next year.

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

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

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2004 AND THE 5-YEAR PERIOD FY 2005 THROUGH FY 2009

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

Mr. NUSSLE. Mr. Speaker, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal year 2005 and for the five-year period of fiscal years 2005

through 2009. This report is necessary to facilitate the application of sections 302 and 311 of the Congressional Budget Act and section 401 of the conference report on the concurrent resolution on the budget for fiscal year 2005 (S. Con. Res. 95), which is currently in effect as a concurrent resolution on the budget in the House under H. Res. 649. This status report is current through September 6, 2004.

The term "current level" refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

The first table in the report compares the current levels of total budget authority, outlays, and revenues with the aggregate levels set forth by S. Con. Res. 95. This comparison is needed to enforce section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2005 because appropriations for those years have not yet been considered.

The second table compares the current levels of budget authority and outlays for discretionary action by each authorizing committee with the "section 302(a)" allocations made under S. Con. Res. 95 for fiscal year 2005 and fiscal years 2005 through 2009. "Discretionary action" refers to legislation enacted after the adoption of the budget resolution. This comparison is needed to enforce section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 302(a) discretionary action allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

The third table compares the current levels of discretionary appropriations for fiscal year 2005 with the "section 302(b)" suballocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is also needed to enforce section 302(f) of the Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) suballocation.

The fourth table gives the current level for 2006 of accounts identified for advance appropriations under section 401 of S. Con. Res. 95. This list is needed to enforce section 401 of the budget resolution, which creates a point of order against appropriation bills that contain advance appropriations that are: (i) Not identified in the statement of managers; or (ii) would cause the aggregate amount of such appropriations to exceed the level specified in the resolution.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET—STATUS OF THE FISCAL YEAR 2005 CONGRESSIONAL BUDGET ADOPTED IN S. CON. RES. 95, REFLECTING ACTION COMPLETED AS OF SEPTEMBER 6, 2004

[On-budget amounts, in millions of dollars]

	Fiscal year 2005	Fiscal years 2005–2009
Appropriate Level:		
Budget Authority	2,012,726	(?)
Outlays	2,010,964	(?)
Revenues	1,454,637	8,638,287
Current Level:		
Budget Authority	1,556,621	(?)
Outlays	1,755,708	(?)
Revenues	1,482,757	8,687,835
Current Level over (+) / under (–) Appropriate Level:		
Budget Authority	–456,105	(?)
Outlays	–255,256	(?)

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET—STATUS OF THE FISCAL YEAR 2005 CONGRESSIONAL BUDGET ADOPTED IN S. CON. RES. 95, REFLECTING ACTION COMPLETED AS OF SEPTEMBER 6, 2004—Continued

[On-budget amounts, in millions of dollars]

	Fiscal year 2005	Fiscal years 2005–2009
Revenues	28,120	49,548

¹ Not applicable because annual appropriations Acts for fiscal years 2006 through 2009 will not be considered until future sessions of Congress.

BUDGET AUTHORITY

Enactment of measures providing new budget authority for FY 2005 in excess of \$456,105,000,000 (if not already included in the current level estimate) would cause FY 2005 budget authority to exceed the appropriate level set by S. Con. Res. 95.

OUTLAYS

Enactment of measures providing new outlays for FY 2005 in excess of \$255,256,000,000 (if not already included in the current level estimate) would cause FY 2005 outlays to exceed the appropriate level set by S. Con. Res. 95.

REVENUES

Enactment of measures that would result in revenue reduction for FY 2005 in excess of \$28,120,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate level set by S. Con. Res. 95.

Enactment of measures resulting in revenue reduction for the period of fiscal years 2005 through 2009 in excess of \$49,548,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate levels set by S. Con. Res. 95.

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR DISCRETIONARY ACTION REFLECTING ACTION, COMPLETED AS OF SEPTEMBER 6, 2004

[Fiscal years, in millions of dollars]

House Committee	2005		2005–2009 Total	
	BA	Outlays	BA	Outlays
Agriculture:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Armed Services:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Education and the Workforce:				
Allocation	68	56	236	230
Current Level	66	57	234	226
Difference	–2	1	–2	–4
Energy and Commerce:				
Allocation	576	483	4,350	3,381
Current Level	0	0	0	0
Difference	–576	–483	–4,350	–3,381
Financial Services:				
Allocation	1	1	17	17
Current Level	–6	–6	–5	–5
Difference	–7	–7	–22	–22
Government Reform:				
Allocation	1	1	19	19
Current Level	1	1	19	19
Difference	0	0	0	0
House Administration:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
International Relations:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Judiciary:				
Allocation	15	15	35	35
Current Level	0	0	0	0
Difference	–15	–15	–35	–35
Resources:				
Allocation	2	2	10	10
Current Level	0	0	0	0
Difference	–2	–2	–10	–10
Science:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Small Business:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Transportation and Infrastructure:				
Allocation	1,737	4	22,070	12
Current Level	2	–9	10	–8
Difference	–1,735	–13	–22,060	–20
Veterans' Affairs:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Ways and Means:				
Allocation	1,368	804	3,470	3,244
Current Level	115	131	83	124
Difference	–1,253	–673	–3,387	–3,120
Reconciliation	0	0	4,600	4,600
Current Level	0	0	0	0
Difference	0	0	–4,600	–4,600

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2005—COMPARISON OF CURRENT LEVEL WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUBALLOCATIONS

(In millions of dollars)

Appropriations Subcommittee	302(b) suballocations as of July 22, 2004 (H. Rpt. 108–633)		Current level reflecting action completed as of September 6, 2004		Current level minus suballocations	
	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development	16,841	18,113	14	5,351	–16,827	–12,762
Commerce, Justice, State	39,815	40,463	0	11,825	–39,815	–28,638

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2005—COMPARISON OF CURRENT LEVEL WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUBALLOCATIONS—Continued

(In millions of dollars)

Appropriations Subcommittee	302(b) suballocations as of July 22, 2004 (H. Rpt. 108-633)		Current level reflecting action completed as of September 6, 2004		Current level minus suballocations	
	BA	OT	BA	OT	BA	OT
National Defense	390,931	415,987	390,931	415,772	0	-215
District of Columbia	560	554	0	60	-560	-494
Energy & Water Development	27,993	27,973	0	9,558	-27,993	-18,415
Foreign Operations	19,386	26,735	0	19,813	-19,386	-6,922
Homeland Security	32,000	29,873	2,528	12,126	-29,472	-17,747
Interior	20,039	20,214	36	6,364	-20,003	-13,850
Labor, HHS & Education	142,526	141,117	19,151	96,225	-123,375	-44,892
Legislative Branch	3,575	3,696	0	708	-3,575	-2,988
Military Construction	10,003	10,015	0	7,557	-10,003	-2,458
Transportation-Treasury	25,320	68,993	37	38,224	-25,283	-30,769
VA-HUD-Independent Agencies	92,930	101,732	2,198	48,957	-90,732	-52,775
Unassigned	0	283	0	0	0	-283
Total (Section 302(a) Allocation)	821,919	905,748	414,895	672,540	-407,024	-233,208

Statement of FY2006 advance appropriations under section 401 of S. Con. Res. 95 reflecting action completed as of September 6, 2004

[In millions of dollars]

	Budget authority
Appropriate Level	23,158
Current Level:	
Interior Subcommittee: Elk Hills	0
Labor, Health and Human Services, Education Subcommittee:	
Employment and Training Administration	0
Education for the Disadvantaged	0
School Improvement	0
Children and Family Services (Head Start)	0
Special Education	0
Vocational and Adult Education	0
Transportation and Treasury Subcommittee: Payment to Postal Service	0

	Budget authority
Veterans, Housing and Urban Development Subcommittee:	
Section 8 Renewals	0
Total	0
Current Level over (+) / under (-)	
Appropriate Level	-23,158

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 9, 2004.
Hon. JIM NUSSLE,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.
DEAR JIM: The enclosed report shows the effects of Congressional action on the fiscal year 2005 budget and is current through September 6, 2004. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.
The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2005. The budget resolution figures incorporate revisions submitted by the Committee on the Budget to the House to reflect funding for wildland fire

suppression and for technical reasons. These revisions are authorized by sections 312 and 313 of S. Con. Res. 95.

Since my last letter, dated July 12, the Congress has cleared and the President has signed the following acts that changed budget authority, outlays, or revenues for fiscal year 2005:

- The Surface Transportation Extension Act of 2004 (Public Law 108-280);
- The United States-Australia Free Trade Implementation Act (Public Law 108-286);
- The Department of Defense Appropriations Act, 2005 (Public Law 108-287);
- The John Marshall Commemorative Coin Act (Public Law 108-290);
- The Marine Corps 230th Anniversary Commemorative Coin Act (Public Law 108-291);
- The Coast Guard and Maritime Transportation Act of 2004 (Public Law 108-293);
- The SUTA Dumping Prevention Act of 2004 (Public Law 108-295); and
- The Morocco Free Trade Agreement (Public Law 108-302).

The effects of these actions are detailed in the accompanying table.

Sincerely,
DOUGLAS HOLTZ-EAKIN,
Director.

Enclosure.

FISCAL YEAR 2005 HOUSE CURRENT LEVEL REPORT AS OF SEPTEMBER 6, 2004

(In millions of dollars)

	Budget authority	Outlays	Revenues
Enacted in previous sessions:			
Revenues	n.a.	n.a.	1,482,831
Permanents and other spending legislation	1,179,653	1,133,168	n.a.
Appropriation legislation ¹	0	391,841	n.a.
Offsetting receipts	-398,008	-398,008	n.a.
Totals, enacted in previous sessions	781,645	1,127,001	1,482,831
Enacted this session:			
Authorizing Legislation:			
TANF and Related Programs Continuation Act of 2004 (P.L. 108-262)	122	138	0
Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004 (P.L. 108-264)	-1	-1	0
Child Nutrition and WIC Reauthorization Act of 2004 (P.L. 108-265)	66	57	0
GAO Human Capital Reform Act of 2004 (P.L. 108-271)	1	1	0
An act to renew import restrictions on Burma (P.L. 108-272)	0	0	-10
AGOA Acceleration Act of 2004 (P.L. 108-274)	0	0	-30
Surface Transportation Extension Act of 2004 (P.L. 108-280)	0	-11	0
United States-Australia Free Trade Implementation Act (P.L. 108-286)	0	0	-29
John Marshall Commemorative Coin Act (P.L. 108-290)	-2	-2	0
Marine Corps 230th Anniversary Commemorative Coin Act (P.L. 108-291)	-3	-3	0
Coast Guard and Maritime Transportation Act (P.L. 108-293)	2	2	0
SUTA Dumping Prevention Act of 2004 (P.L. 108-295)	-7	-7	0
Morocco Free Trade Agreement (P.L. 108-302)	0	0	-5
Total, authorizing legislation	178	174	-74
Appropriations Acts:			
Department of Defense Appropriations Act, 2005 (P.L. 108-287)	391,153	266,777	0
Total, enacted this session	391,331	266,951	-74
Entitlements and mandates:			
Difference between enacted levels and budget resolution estimates for appropriated entitlements and other mandatory programs	383,645	361,756	n.a.
Total Current Level ^{1,2}	1,556,621	1,755,708	1,482,757
Total Budget Resolution	2,012,726	2,010,964	1,454,637
Current Level Over Budget Resolution	n.a.	n.a.	28,120
Current Level Under Budget Resolution	456,105	255,256	n.a.
Memorandum:			
Revenues, 2005-2009:			
House Current Level	n.a.	n.a.	8,687,835
House Budget Resolution	n.a.	n.a.	8,638,287

	Budget authority	Outlays	Revenues
Current Level Over Budget Resolution	n.a.	n.a.	49,548

¹ For purposes of enforcing section 311 of the Congressional Budget Act in the House, the budget resolution does not include Social Security administrative expenses, which are off-budget. As a result, the current level excludes these items.

² Per section 402 of S. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2005, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, current level excludes outlays of \$19,902 from 2004 budget authority provided in the Defense Appropriations Act, 2005 (P.L. 108-287).

Notes.—n.a. = not applicable; P.L. = Public Law. Numbers may not sum to total because of rounding.

Source: Congressional Budget Office.

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

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

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

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

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

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

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

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

REMEMBERING SEPTEMBER 11, 2001

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from New Mexico (Mr. PEARCE) is recognized for 60 minutes as the designee of the majority leader.

Mr. PEARCE. Mr. Speaker, I am happy to be here tonight speaking on what is very close to the anniversary date of 9/11, and joining me tonight would be the gentlewoman from Texas (Ms. GRANGER) and the gentlewoman from New York (Mrs. KELLY). I would like to at this time recognize the gentlewoman from New York to discuss the events and the things that we should be mindful of on this anniversary date.

Mrs. KELLY. Mr. Speaker, I rise today to pay tribute to the heroes of September 11, to offer my sincerest condolences to the family and friends of those who were taken from us on that awful morning, and to offer my prayers to the men and women of our Armed Forces who continue the fight spawned by those attacks.

Much has been said about the firefighters and police officers who ran into those burning buildings, never to

run out. I feel that we can never say enough about such unparalleled bravery. In the face of an unprecedented attack, they displayed unprecedented courage in fighting through smoke and flames to save people they had never even met.

□ 1930

They made the ultimate sacrifice for their country, and their selfless action helped thousands of people escape the burning towers.

The people I represent lost a number of their friends, their coworkers, and their family members, but because of the heroics of the ones who ran in, many mothers, fathers, sisters, brothers, sons, and daughters did make it home to embrace their families, and we pay tribute to the heroic firefighters and police officers who helped save lives on the anniversary of this attack on America.

We yet mourn the 3,000 fellow citizens who lost their lives that day. These were men, women, and children who did nothing wrong; who had no enemies; no foreign policy. They were killed for merely living as free Americans.

As we speak, tens of thousands of young men and women carry the stars and stripes on their sleeves working in hostile regions around the globe to protect the security and freedom many of us took for granted 3 years ago. Though they may be physically detached from their families and their loved ones, we hold a special place for them in our hearts. The sacrifices that they make can never be fully repaid, but we in this House and this Nation must remain committed to see that we try. And we must try to do so by providing our men and women in uniform the wages, benefits and respect that they deserve and that the American people expect.

Mr. Speaker, following the attack on Pearl Harbor, President Franklin Roosevelt told a shocked and angry America, we will always remember the character of the onslaught upon us. I do not think a person in this House or in this country will ever forget the disbelief they felt on September 11. We must never forget the way we felt that day watching our friends and neighbors die before our eyes in an act of war. Our world was changed forever that day, as our Nation's otherwise passive course was suddenly and forcibly altered.

We need to continue the lessons learned from September 11 and continue our steadfast and resolute fight to rid the world of this radical form of terror. We must never forget.

Mr. PEARCE. Mr. Speaker, I thank the gentlewoman from North Carolina for those stirring comments, and I would now like to yield to the gentlewoman from Texas (Ms. GRANGER) for any comments that she may have.

Ms. GRANGER. Mr. Speaker, the memory of September 11 and our reaction to it will be forever with us. Most of us experienced first shock, then disbelief, confusion, yes, great concern, certainly, but, above all, horror when we fully realized what had been done to us. Each of us remembers just where we were, what we were doing and how we felt.

When I am asked where I was, I am always met with surprise when I explain that I was at the Pentagon that morning. I was there with a handful of other Members at a breakfast meeting with Secretary of Defense Donald Rumsfeld. He had asked us there to discuss the future of the military and what changes, transformation was the word used, what transformation had to occur for us to meet the challenges of the 21st century and the dangers of our time.

It was a thoughtful and serious discussion, of course, as we all considered what would be needed to meet the dangers we thought we understood. And then, in a matter of seconds, as that meeting broke up, we learned of that first dreadful deed. As we made our way back to the Capitol, our worst fears were realized when the second plane hit the second tower. Now it is 3 years later, and I often return to that meeting in my mind, thinking how prophetic it was to be looking into the future trying to see and prepare for what was to come.

The question being asked daily during this election period is: Are we safer today than we were on September 11? I sit on both the House Homeland Security Committee, and the Subcommittee on Homeland Security of the Committee on Appropriations, and I can answer that question. Yes, we are safer today.

We have torn down walls that kept our agencies from talking to each other and sharing information. We have locked the doors that were open that allowed those terrorists to use our airlines and our airports so easily. We have enabled local communities and States to plan for proper responses to attacks. We have undertaken one of the most massive government reorganizations in our history by creating the Department of Homeland Security. We have funded new technology to protect our borders and our ports. We have provided funding to develop agents to