

Parliamentarian, the Committee on the Budget, and the Congressional Budget Office to be certain their amendments comply with the rules of the House and the Congressional Budget Act.

If you have any questions, please contact Chairman DREIER or the Rules Committee staff.

**REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 1081**

Mr. WILSON of South Carolina. Mr. Speaker, I ask unanimous consent to be removed as a cosponsor of H.R. 1081.

The SPEAKER pro tempore (Mr. WESTMORELAND). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

**REPEALING MANDATORY FUNDING  
FOR SCHOOL HEALTH CENTER  
CONSTRUCTION**

The SPEAKER pro tempore. Pursuant to House Resolution 236 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1214.

□ 1825

**IN THE COMMITTEE OF THE WHOLE**

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1214) to repeal mandatory funding for school-based health center construction, with Mr. SIMPSON (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule, and shall be considered read.

The text of the bill is as follows:

H.R. 1214

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. REPEALING MANDATORY FUNDING  
FOR SCHOOL-BASED HEALTH CENTER  
CONSTRUCTION.**

(a) IN GENERAL.—Subsection (a) of section 4101 of the Patient Protection and Affordable Care Act (42 U.S.C. 280h-4) is repealed.

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available by section 4101(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 280h-4(a)), the unobligated balance is rescinded.

The Acting CHAIR. No amendment to the bill shall be in order except those received for printing in the portion of the CONGRESSIONAL RECORD designated for that purpose in a daily issue dated May 2, 2011, and except pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered read.

**AMENDMENT NO. 1 OFFERED BY MS. JACKSON  
LEE OF TEXAS**

Ms. JACKSON LEE of Texas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 1, add at the end the following:

(c) NOTICE OF RESCISSION OF UNOBLIGATED FUNDS.—Not later than 10 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall post on the public website of the Department of Health and Human Services a notice of—

(1) the rescission, pursuant to subsection (b), of the unobligated balance of funds made available by section 4101(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 280h-4(a)); and

(2) the amount of such funds so rescinded.

The Acting CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Chairman, I ask my colleagues to join me in supporting this amendment. I appreciate very much my friend and colleague from Texas, and I believe that this is an amendment that Republicans and Democrats can join on, maybe for different reasons.

I have indicated that I believe the repealing of the support for school-based health clinics and construction thereof is an unfortunate act on behalf of America's children.

My amendment is very simple. It requires the Department of Health and Human Services to post public notice on its official Web site that the mandated funds from Section 4101(a) of the Patient Protection and Affordable Care Act, including the amounts of the funds, will be rescinded. It explains to the American public just what we are doing and it gives them a line-by-line, dollar-by-dollar impact of what happens when they take money away that is already being invested, that will be invested, to help build a health care infrastructure in their neighborhood, so that children like this young man and many others who may not have access to health care can have a school-based clinic. The amendment will provide the public with important information about mandatory school-based health center funding that will no longer be available for them to receive these preventative care services.

This amendment also assists my good friends on the other side of the aisle by permitting them to easily show the American public that they are cutting public spending. But yet we must weigh the balance—cutting spending, or alleging that you are going to benefit from these cut funds, and undermining the health care system of America.

□ 1830

When the Congress passed the Affordable Care Act in 2010, and the President signed it into law, the Department of Health and Human Services was given a mandate to provide funding for expanded and sustained national health investment in school-based health cen-

ter construction programs to improve clinical preventive services and help restrain the growth in private and public health costs. Nearly every State has school-based health centers. There are about 2,000. It provides mandatory funds for building and improving school-based health centers. There are now 350 applications for 46 States with shovel-ready projects. It couldn't be all bad.

If H.R. 1214 is passed, it will kill those funds. It will repeal it. And yet this particular amendment will point out Sophie's choices—not really good choices—to take away from our children good health care under the pretense of cutting the deficit. The majority of the funding that is being cut by my friends is from discretionary services, few dollars that represent only a small portion of the Nation's budget, appropriations, and deficit.

And so I ask that we support this amendment because truth is in the pudding. Let's see what they're doing and how you can get good health care and cut school-based clinics.

Let me quickly say this. We're trying to make sure that we have places in neighborhoods for people to evacuate to—schools that are secure enough and strong enough that you could run or you could evacuate or you could be safe in place. School-based clinics, health clinics, provide places to take the wounded from a hurricane or tornado or a disaster unforeseen—or a man-made disaster.

So I would ask my colleagues to vote for this amendment, to support this amendment, because it shows the light of what we should and should not be doing.

With that, I reserve the balance of my time.

The Acting CHAIR. The gentlewoman may not reserve her time. The Committee is operating under the 5-minute rule, in which case the gentlewoman is recognized for 5 minutes.

The gentlewoman still has 1 minute and 10 seconds remaining.

Ms. JACKSON LEE of Texas. And I am trying to reserve my time.

The Acting CHAIR. The gentlewoman cannot reserve her time.

Ms. JACKSON LEE of Texas. Let me make the point that in earlier debate today, the Chair allowed me to reserve, and so I take issue with the ruling. And what is the basis of the ruling?

The Acting CHAIR. Under the 5-minute rule, the gentlewoman has to use her time or yield back her time. She may not reserve her time.

Ms. JACKSON LEE of Texas. Can I have an explanation as to why I was allowed to do so previously?

The Acting CHAIR. The Chair would tell the gentlewoman that the Committee is operating under the 5-minute rule and the time is not controlled.

Ms. JACKSON LEE of Texas. So to my parliamentary inquiry, the answer is that we're under the 5-minute rule?

The Acting CHAIR. That is right.

Ms. JACKSON LEE of Texas. Let me just indicate that school-based clinics

represent a source of homeland security, and in fact what we will find is we will stop States in their tracks for trying to provide the kind of health care not only for the children going to school every day to be able to protect them, but also in a long-range effort.

Does anyone remember H1N1? I do, because I went to my schools where there was an epidemic of H1N1. And we had it all across the Nation. We were panicked. I will tell you that school-based clinics can be a source of relief for children either coming to school with infections or some devastation coming about.

I would ask my colleagues to support this very simple amendment which gives to the American public the reason why we shouldn't cut these funds. Cutting funds, killing health care. Cutting funds, killing health care. Support this very thoughtful amendment that provides you with the reason for us being able to support school-based health clinics, for homeland security, for the ability to evacuate and be secure in times of disaster and, yes, to take care of the millions of children and respond to the States that are not Democratic or Republican who have 350 applications on the record. I ask my colleagues to support the amendment.

Mr. Chairman, I would first like to state my clear position that I am adamantly opposed to H.R. 1214 and its repeal of the important mandatory funding for School-Based Health Center Construction Prevention and Public Health Fund created under the Affordable Care Act. The funding saves lives and saves money.

If H.R. 1214 to repeal mandatory funding for School-Based Health Center Construction provided under Section 4101(a) of the Patient Protection and Affordable Care Act is enacted into law:

#### WHAT MY AMENDMENT DOES

Requires the Department of Health and Human Services to post public notice on its official web site that the Mandated Funds from Section 4101(a) of the Patient Protection and Affordable Care Act including the amount of the funds that will be rescinded.

This Amendment will provide the public with important information about Mandatory School-Based Health Center Funding that will no longer be available for them to receive necessary preventive health care services.

This Amendment also assists my Republican Colleagues by permitting them to easily show the American Public that they are cutting government spending, by how much they are cutting spending, and where they are cutting government spending. So I expect that my Republican Colleagues will fully support this Amendment.

Purpose of the Mandatory Funding for School-Based Health Center Construction Prevention and Public Health Fund Created under the Affordable Care Act. (Section 4101 of the Affordable Care Act)

When Congress passed the Affordable Care Act in 2010 and the President signed it into law, the Department of Health of Human Services was given the mandate to provide funding for expanded and sustained national health investment in School-based Health Center construction programs to improve access to Clinical Preventive Services and help restrain the

growth in private and public health costs. This was already a cost cutting measure.

Nearly every State has School-based health centers (there are about 2,000 of these)

Provides mandatory funds for building and improving school-based health centers.

There are 350 Applications for 46 States with shovel—ready projects.

If H.R. 1214 is passed it will repeal these funds and kill jobs.

According to the Texas Department of Health Services there are approximately 8 to 10 people employed at the 85 existing health centers. More than 20 of these health centers are currently in Houston.

A study conducted by John Hopkins University found that school-based health centers reduced inappropriate emergency room use among regular users or school-based health centers

A national multi-site study conducted by Mathematica Policy Research Institute found a significant increase in health care access by students who used school-based health centers: 71 percent of students reported having a health care visit in past year compared to 59 percent of students who did not have access to a school-based health center.

This program has been attributed to a reduction in Medicaid expenditures related to inpatient, drug and emergency department use to use of school-based health centers.

#### FUNDING PROVIDED

Section 4101(a) the Affordable Care Act mandates the Department of Health and Human Services to use any Funds from the Treasury in the following amounts for School-based health center construction and improvement projects:

Fiscal Years 2010 2013—\$50,000,000 per year for a total of \$200,000,000.

#### USE OF FUNDS

The mandatory funds appropriated for School-based Health Centers are a cornerstone of the Affordable Care Act.

Section 4101 provides grants to establish school-based health centers. Eligible entities must be a school-based health center or a sponsoring facility of a school-based health center. They must assure that the funds awarded under the grant will only be used for services authorized or allowed by Federal, State, or local law.

Preference is given to school-based health centers that serve a large population of children eligible for medical assistance under the State Medicaid plan.

Further the funds can only be used only for expenditures for facilities, equipment, or similar acquisitions. No funds will be used for expenditures of Personnel or to provide health services.

Appropriations. The funds have already been appropriated for fiscal years 2010 through 2013. \$50,000,000 a year for a total of \$200,000,000.

Grants support the core services offered by school-based health centers includes comprehensive primary health services from health assessments, and treatment of minor, acute, and chronic medical conditions to mental health and substance use disorder assessment including crisis intervention, counseling and treatment.

They do not provide abortion services.

The program is designed to aid children residing in areas designated as medically underserved or has a shortage of health professionals.

Additional factors indicative of the health status of a child living in a medically underserved area include the ability of residents to pay for health services, accessibility of such services, and availability of health professionals.

Children in our proud nation should have access to health services. This is a reasonable solution to a serious problem.

Right now there are children who do not have the financial resources to receive adequate care. Even with the necessary financial resources they would not have adequate access to medical services in their area. Providing grants to build or renovate school-based health centers to protect the health of our children, create jobs and increase access to medical services in underserved areas should be our priority.

Mr. Chairman, my amendment is essential to provide greater consideration to this sensitive issue by affording an opportunity for the public to review the Department of Health and Human Services Web site information about mandatory school-based health center funding. This public notice will include information about rescinded mandatory funds from Section 4101(a) as well as the amount of funds that will be rescinded. This amendment will once again allow the American people to have accurate information about the impact this cut in government spending will have on our Nation's medically underserved children and jobs created as a result of this program. I urge my colleagues to join me in supporting my amendment.

I yield back the balance of my time.  
Mr. BURGESS. I move to strike the last word.

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

Mr. BURGESS. Mr. Chairman, the Jackson Lee amendment would require the Secretary of Health and Human Services to post on the HHS public Web site a notice of the rescission of unobligated balances from the mandatory funding for school health center construction provided under section 4101(a) of the Patient Protection and Affordable Care Act, and the amount of that rescission.

Mr. Chairman, I support transparency in government. I actually wish there was more transparency, especially when the last Congress was putting together this new health care law. We still do not know why it is certain projects were given mandatory funding and others were determined to be discretionary programs. No explanation has been given as to why construction of these facilities is mandatory and yet the staffing remains discretionary. Paying for construction of health centers has always been the responsibility of States and localities and the Federal Government would help with the staffing. The Patient Protection and Affordable Health Care Act turned that long-term policy on its head.

I recognize that the Democrats in the House of Representatives, now the House minority, did not write the bill. In fact, the bill was written behind closed doors in the Senate and probably at a coffee shop down by the White House. Yet no one who was in

the room or at the coffee shop will explain how the bill came to be.

If the author of this amendment feels that this would increase transparency, then I will support the amendment. I would hope that all Members would take the opportunity to increase transparency and demand transparency on how the backroom deals that sealed the fate of our health care system in the hands of Washington bureaucrats came to pass.

Mr. Chairman, I urge an “aye” vote on the amendment, and yield back the balance of my time.

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

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

Mr. PALLONE. I yield to the gentleman from Texas.

Ms. JACKSON LEE of Texas. I just rise to thank the gentleman from Texas for accepting this amendment. I think it shows that though we may have positions that differ on the underlying legislation, this is an initiative for transparency, and it will help explain to the American people.

Let me also conclude by saying that it should be very clear that this funding is not used for health care, in particular, on personnel. But it is to build the structures that will provide and protect children to be able to have these clinics, more access to health care for communities, and a source and site to be able to protect people who are impacted by natural or manmade disaster.

With that, I would ask my colleagues to support this legislation.

Mr. PALLONE. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE of Texas. Mr. Chair, I demand a recorded vote.

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

#### AMENDMENT NO. 2 OFFERED BY MR. PALLONE

Mr. PALLONE. Mr. Chairman, I have an amendment preprinted in the RECORD as amendment No. 2 to H.R. 1214, as the designee of Representative CAPPs.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 1, add at the end the following:  
(c) GAO STUDY TO DETERMINE SCHOOL DISTRICTS MOST IN NEED OF CONSTRUCTING OR RENOVATING SCHOOL-BASED HEALTH CENTERS.—The Comptroller General of the United States shall conduct a study to determine the school districts in the United States most in need of constructing or renovating school-based health centers (as defined in section 2110(c)(9) of the Social Security Act (42 U.S.C. 1397jj(c)(9)). Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Congress a report setting forth the results and conclusions of the study under this subsection.

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

Mr. PALLONE. Thank you, Mr. Chairman.

This amendment provides for a GAO study to determine school districts most in need of constructing or renovating school-based health centers. Basically, it asks the Controller—or I should say mandates the Controller—to conduct a study to determine the school districts most in need of construction and renovation, and not later than 1 year after the date of the enactment, the Controller has to submit to the Congress a report setting forth the results and conclusions of the study under this subsection.

Mr. Chairman, I know we’ve had a lot of debate today about money, but the fact of the matter is that the \$50 million per year doesn’t actually cover the costs of all of the schools that have requested and applied for construction or renovation funds. That’s why I would like to have this amendment passed and hopefully accepted by the other side so that we can find out exactly how many more of these clinics, or centers, are in need of funding.

I yield back the balance of my time.

Mr. BURGESS. I move to strike the requisite number of words.

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

Mr. BURGESS. Mr. Chairman, I rise in support of the amendment. The amendment requires the Government Accountability Office to conduct a study to determine the school districts in the United States most in need of constructing or renovating school-based health centers.

Actually, the amendment is refreshing. I only wish we would have had an opportunity to have this discussion in our committee a year and a half ago before the Patient Protection and Affordable Care Act passed. This amendment underscores one of the major flaws in the Patient Protection and Affordable Care Act.

□ 1840

Rather than conduct hearings and markups on this specific program, the school-based health center construction fund was lumped in with hundreds of other programs in a 2,700-page bill. I think the amendment will help the Congress determine whether the need exists and to quantify the target dollars in a careful manner.

My only regret—my only regret—is that in the last Congress the then Democratic majority did not request this study before providing \$200 million in mandatory funding for the school-based health center construction under the Patient Protection and Affordable Care Act.

Congress should determine the need before authorizing and appropriating

dollars. That’s, after all, regular order. That’s the way we are supposed to do it; not simply throw the money out after a program because we feel that it may be a good program or we believe that it may be a good program, no. We’re dealing with taxpayer dollars. It is our obligation to show those dollars are going to be wisely spent and then proceed with the authorization and then the appropriation.

I believe this amendment will help in that process, and I urge support of the amendment.

I yield back the balance of my time.

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

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

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

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

Mr. BURGESS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DUFFY) having assumed the chair, Mr. SIMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1214) to repeal mandatory funding for school-based health center construction, had come to no resolution thereon.

#### HONORING THE RECENTLY FALLEN SOLDIERS IN AFGHANISTAN

The SPEAKER pro tempore (Mr. SIMPSON). Under the Speaker’s announced policy of January 5, 2011, the gentleman from Texas (Ms. JACKSON LEE) is recognized for 60 minutes as the designee of the minority leader.

Ms. JACKSON LEE of Texas. Mr. Speaker, I am delighted to have the opportunity to be on the floor for such an important issue and joined by my colleagues.

I am holding the time until the distinguished gentleman from Louisiana (Mr. RICHMOND) arrives. But let me just indicate that this is an enormous crisis when nine of our soldiers are killed in the way that they were killed in Afghanistan. And for many of us who are concerned about the continuing conflict and the next steps, it is important to be able to offer our sympathy to their families and, as well, to be able to ask for an investigation as to the basis of their loss.

So it is important tonight that we educate our colleagues about the challenges that those brave soldiers faced, the conditions under which they lost their lives, and to say to their families that we will not rest until we have the opportunity to secure all of the facts