

section 1125A for the preceding fiscal year, not less than 67 percent of the amount of such grant; or

“(ii) if the agency met such minimum eligibility criteria and received a grant under section 1125A for the second preceding fiscal year (but not the preceding fiscal year), not less than 34 percent of the amount of such grant.”.

(b) The amendments made by this section apply only with respect to funds appropriated for fiscal year 2005 or any subsequent fiscal year.

Mr. TOM DAVIS of Virginia (during the reading). Mr. 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 Virginia?

There was no objection.

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

The CHAIRMAN. The gentleman from Ohio reserves a point of order.

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

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. TOM DAVIS of Virginia. Mr. Chairman, first let me state I realize this amendment is subject to a point of order so I will withdraw the amendment, but I want to take the opportunity to raise an important issue that is of great importance to the Fairfax County school districts which I represent.

Mr. Chairman, No Child Left Behind requires the Department of Education to use the most up-to-date poverty data from the Census Bureau when determining eligibility for title I grants. The intent behind this requirement is sensible. We want title I funds going where they are most needed.

That said, two of the four available title I grant programs, Targeted Grants and Education Finance Incentive Grants, have a 5 percent cutoff for eligibility. If a school district falls below this level, they lose all funding through these grants. There are no hold-harmless provisions for a drop in poverty rates.

In the case of Fairfax County, our most recent poverty figures fell about 1 percent to 4.94 percent. While this figure represents a small number of students, 106 students to be exact, it has equated to a 26 percent reduction in title I funds.

□ 1645

We lose almost \$3½ million for losing 106 students. That is about \$33,000 a student. My concern is not just that my local school district has lost \$3.3 million for the coming school year, it is that a school district like Fairfax County can hover at around the 5 percent level year after year, and this makes it impossible to plan effectively since it is unclear from one year to the next whether these funds will be available.

Our amendment would implement hold harmless provisions for targeted

and EFIG grants. The first year the school district fell below the 5 percent level, it would still be eligible for two-thirds of the amount they received the previous year. The second year it would be eligible for one-third. The third year it would lose eligibility.

In my estimation such a stair-step system would better reflect a true change in the demographics of a given school district and allow better planning from year to year. As I said, this equates to almost \$33,000 a student for a loss of 106 students.

I will withdraw the amendment, but hope that the members on the authorizing committee and appropriation committees will work with us in the future to try to look at such a stepped approach, which I think makes for better planning.

Mr. MORAN of Virginia. Mr. Chairman, I rise in strong support of this amendment which will help to correct an “unfair penalty” relating to Title I funding for some of our nation’s most deserving schools.

There are four different grant categories which deliver Title I funds to school districts: Basic Grants, Targeted Grants, Education Finance Incentive Grants (EFIG), and Concentration Grants. The Department of Education maintains a 5 percent poverty level “cliff” for Education Finance Incentive Grants and targeted grants.

This means that if a school district’s poverty line falls below five percent, they lose a significant portion of their Title I funds.

The Davis-Moran amendment would provide a phase out of funds over several years, for example, if the school district falls below the 5 percent requirement, they would only lose 33 percent the following fiscal year. After the second consecutive year, they would lose 66 percent. After the third year, they would lose all funding. If a school district’s poverty data rose above the 5 percent minimum level, it would be fully eligible to receive education finance incentive grants and targeted grants.

As a representative of one of the largest public school systems in the country, Fairfax County, I am deeply troubled that they are set to lose over \$3 million in Title I funds because their poverty level is 4.96 percent, slightly below the 5 percent floor required for most Title I grants.

This loss of Title I funds is going to have a devastating impact on several school districts and comes at a particularly critical time. School districts are facing the public choice and supplemental services sanctions mandated by No Child Left Behind, and these same school districts are going to be forced to redirect Title I funds out of the very classrooms where they are needed the most.

No Child Left Behind stipulates that the Department of Education must use the most-up-to-date poverty data from the Census Bureau in determining a school district’s eligibility to receive Title I funds.

Because of this, the Department of Education is using data from census year 2000 for their calculations of poverty rates. Unfortunately it is 2004 and we do not have the same economy that we had 4 years ago.

In Fairfax County alone, the student population eligible for the free and reduced-price lunch program has increased by 18 percent since FY 2000. This data more clearly reflects

the need of the Fairfax County school system to receive Title I funds than old census data.

Because Title I funds are allocated on the basis of poverty and not the basis of free and reduced price lunch eligibility, this school system stands to see their Title I funds decreased by 26 percent, the largest dollar decrease of any school division in the country.

This poverty threshold calculation actually under emphasizes significant pockets of poverty in otherwise relatively wealthy school districts. The Fairfax County Public School System is a perfect example of a school district which includes the wealthy areas of Great Falls and McLean but also the traditionally underserved areas of the Route 1 Corridor and Baileys Crossroads, where a majority of students on free and reduced lunch reside.

This calculation is not fair to those students in the poor sections of a wealthy county, and does not accurately portray the needs of them, their teachers and their schools.

I urge all my colleagues to adopt the Davis-Moran amendment and make the Title I funding formula more equitable in order to ensure that no child is left behind.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

AMENDMENT OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

Mr. GEORGE MILLER of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GEORGE MILLER of California:

At the end of the bill, before the short title, insert the following:

SEC. ____ . None of the funds appropriated by this Act may be used by the Pension Benefit Guaranty Corporation to enforce section 4010(c) of the Employee Retirement Income Security Act of 1974.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I rise to offer an amendment to better protect the pension benefits of millions of Americans. Workers’ retirement security has been taking it on the chin for the last 4 years. First, tens of thousands of workers and retirees lost their retirement savings after the Enron and WorldCom debacles. Then the Bush administration tried to restart the cash balance conversions and cut the pensions of millions of older workers. Under that proposal millions of older workers would have seen their pension benefits cut up to in half, and they would have had no way to return and repair the amount of money that they were planning to retire on. And now we find out that thousands of pension plans are, in fact, underfunded, and many are considering the termination and the dumping of billions of dollars of liability on the Pension Benefit Guaranty Corporation, the agency that ensures the workers of this country’s pensions.

The Pension Benefits Guaranty Corporation has gone from a \$7 billion surplus to a \$10 billion deficit in just 2

years. The GAO has it on its watch list of high-risk agencies. And a handful of airlines, including United, Delta, and US Air, may soon dump more liabilities on the Pension Benefits Guaranty Corporation that reach as high as \$30 billion.

One of the worst parts of this is that the workers have no idea that their pension funds are underfunded and at risk, that their employer could default on their pension promises. Let me say that again. That while these plans are underfunded, and while they are at risk, the workers are not informed of that information. Pension law requires underfunded pension plans to report their underfunding to the government, but not to the workers.

My amendment is simple. I prohibit the Pension Benefit Guaranty Corporation from enforcing the part of the law that prohibits them from disclosing to workers and to retirees the funding status of their pension plan. After all, this is their money. This is money that they have contributed to those pension plans. It is money that they are planning on for their retirement. It is money that they are planning on for their future, and it is money that they cannot replace if they are an older worker. They ought to have this information.

Most interesting is the fact that the Pension Benefit Guaranty Corporation wants to make this information public. The Bush administration has said that they support making it public. But this provision in the law prevents them from doing this.

There is no reason why the government should know the status of company pension plans, but the workers should not. Workers are losing more and more each day under the administration's proposals on pension. Their jobs are being outsourced overseas. Their wages are falling. They have no protection of an adequate minimum wage. They are either losing their health care benefits or paying more in copays and deductibles and more of their wages on skyrocketing health insurance premiums, and they are losing their retirement security.

We have got to be able to provide them this information. This is very analogous to the workers at the Enron Corporation. The corporation knew that their 401(K) plans were in serious jeopardy. The corporation officers were unloading the stock because they knew they could not continue that criminal enterprise that they were engaged in in ripping off the energy consumers of this Nation. They unloaded. They got out. They took care of their golden parachutes. But the workers lost their 401(K) plans.

In this Congress we listened to the testimony of these workers as they talked about their entire retirement being destroyed, workers who were 60 years old, 65 years old, who had worked 10 and 15 and 20 years, who were planning to retire, no way to replace those savings. And now we see, and now we

see, that there are hundreds of corporations that are underfunding; in fact, over 1,000 corporations that are underfunded according to the law in their pension plans, but this information is disclosed only to the Pension Benefit Guaranty Corporation and not to this.

Why am I here with this amendment on the floor? Because I have requested the chairman of the committee to ask to make this information public, and he has refused to do so. If he would do that, the law provides that it would be made available to the Members of Congress. At least we could start to see some of this information. But that will not be done.

The fact of the matter is this, and it is very simple: The workers in these corporations paid into these pensions. The corporations contributed to these pensions. The workers gave up other benefits to get these pensions. That money belongs to the workers. The workers ought to have the information.

The CHAIRMAN. The time of the gentleman from California (Mr. GEORGE MILLER) has expired.

(By unanimous consent, Mr. GEORGE MILLER of California was allowed to proceed for 1 additional minute.)

Mr. GEORGE MILLER of California. Mr. Chairman, it is just a matter of decency. We see now major reforms going on in the administration of mutual funds and how their relationships are on behalf of workers, the disclosures of fees, the disclosures of their transactions, time days, one scandal after another, with people cheating the owners of the money out of their funds. Now we see the machinations of corporations as they try to cover up the potential liability or the potential failure or the loss of these pensions of the workers. Transparency is the watchword of the day. The workers of America, of corporations that are in danger of unloading these pensions and getting rid of these pensions, the workers of this country are entitled to that information.

I would hope that this House would support this in the name of the transparency, in support of the position of the Bush administration, in support of the position of the Pension Benefit Guaranty Corporation that this information should be made available, and I would urge an aye vote.

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

I rise in strong support of the amendment by the gentleman from California (Mr. GEORGE MILLER). I think most Americans, Mr. Chairman, would be shocked to know that information about their pension which they own is not available to them at the same time it is available to a government agency.

When the President speaks about Social Security, he is fond of talking about trying to create accounts which are private property of citizens so that we can know what is ours. Pensions are already private property of citizens. When one contributes to a pension fund, or their employer contributes on

their behalf to their fund, they own it. But under the present law, one of the more remarkable laws that we have on the books, if the pension fund that one's employer sponsors is in trouble, if it looks like it is going to be unable to pay benefits because its costs are exceeding its revenue, and it looks like the fund might crash so that the Federal Government, under the jurisdiction of the Pension Benefit Guaranty Corporation, will have to step in and make the pension fund whole, the law says that one's pension fund has to tell the Pension Benefit Guaranty Corporation that it is in trouble, and it has to disclose the nature of that trouble. So this government agency gets this information about one's pension fund being in trouble and their check being in jeopardy. Believe it or not, there is a statute that says once this government agency has this information that a person's pension is in trouble, it cannot tell him.

We do not understand that. We think if someone works for a company, and is counting on their pension being delivered, and has contributed to that pension, and has had the employer contribute to that pension, and the pension is in jeopardy so much that the trustees of the fund have to report that trouble to a government agency, we think that the citizens, the pensioners themselves, have a right to know.

That is what the gentleman from California's (Mr. GEORGE MILLER) amendment does. It prohibits the administration, prohibits the executive branch, from enforcing this secrecy law. One's pension should not be held secret from them if they are an employee or a citizen or a future pensioner. That is what this says.

It is my understanding that, as the gentleman from California (Mr. GEORGE MILLER) said, in fact, the administration supports this change, wants this information to be made public.

I do not believe this is a partisan issue. I think that responsible Members on both sides of the aisle would understand that if their pension is in trouble, they ought to have a right to know it, not later after the pension fund has failed and they do not get their check, not after it is too late to do something about it, as was in the case of the Enron and WorldCom employees, but now, as soon as it is timely, so they can do something about it.

So if the Members believe, as I think people on both sides of the aisle do, that someone's pension is their property, and if they believe, as I think people on both sides of the aisle do, that they have the right to know about the dynamics and phenomena happening about one's own property, and if they believe that some government agency has the right to know what is going on with their pension and they should, too, if they believe those things, then they ought to vote for the gentleman from California's (Mr. GEORGE MILLER) amendment. It is an

idea that is supported, to my understanding, by the administration. I hope it would be supported by both sides of the aisle here. I would urge a "yes" vote.

Mr. REGULA. Mr. Chairman, I continue to reserve a point of order.

Mr. BOEHNER. Mr. Chairman, I move to strike the requisite number of words.

I appreciate the concerns of my colleagues on the other side, but I rise today in opposition to their amendment. And while they make it sound simple as it would normally be the case, there is nothing at all simple about the amendment that is being offered.

The 4010 information that is required to be submitted to the Pension Benefit Guaranty Corporation would be for any defined benefit pension plan that has a negative balance actuarially of at least \$50 million, and these could be public companies, they could be private companies. And the information that has to be supplied to the Pension Benefit Guaranty Corporation is not just information about where the pension fund is. It also includes all types of detailed information about the finances of the company itself.

□ 1700

For private companies who may be in this position, this is very sensitive information.

The reason we have not dealt with the issue as yet is we have been working on a long-term fix for the defined benefit pension plans. As we get into those conversations, we have had a number of hearings over the past couple of years, we passed the Pension Equity Funding Act earlier this year, signed by the President, to fix the most immediate problems.

But as the gentleman from California (Mr. GEORGE MILLER), the author of the amendment, well knows, we have had a number of hearings last year and this year about the long-term problems facing defined benefit pension plans, a traditional pension plan, and what we hope to do is to have a bill next year that would revise all of the funding rules to make it easier for companies to comply with the rules and, most importantly, to ensure that companies are funding their pension plans.

As part of this overall bill, I think there may be a way to address the concerns raised by the gentleman from California (Mr. GEORGE MILLER) in terms of who the companies are or the extent of their pension issue, without disclosing all of the sensitive financial data that must be submitted to the Pension Benefit Guaranty Corporation.

So I would urge my colleagues to vote no on the Miller amendment, and my colleagues should know that a commitment is on my part to the gentleman from California (Mr. GEORGE MILLER) and to all of my colleagues that we will address that portion that is not nearly as sensitive on the financial data as we deal with the broader

overhaul of our defined pension benefit laws and regulations.

I would urge my colleagues to vote no.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding, and I thank the comments of my chairman, the gentleman from Ohio (Mr. BOEHNER), on this situation. But I must say I continue to disagree with the gentleman, and I disagree on two grounds.

First and foremost, we have made several requests to him to ask the PBGC, and we have specifically have asked, the Democrats on the committee have asked the PBGC for this information. They will not make it available to the committee, much less the public. They will not make it available to the committee because the chairman of the committee must make that request to them.

So when you talk about us going into long-term pension reform, Mr. Chairman, at a minimum we ought to have this information about the magnitude of the problem and the variations among the various corporations and the industries that are involved in this, if we are going to, in fact, deal with some kind of long-term and necessary fix, that I hope we will, and I thank you for holding those hearings. We need that information as members of the committee at a minimum.

But, furthermore, this information was available up until 1994. Then the Clinton administration cut a deal on the financing of GATT, and this information, the corporations prevailed on them to make this secret in exchange for a premium increase to pay for GATT. Who got left out? Who was not at the table? The American worker. So all of a sudden they did not get the information anymore.

The point and the magnitude and the necessity for this amendment, let me just point out that according to Standard & Poor, 290 of the 362 companies in the Standard & Poor's 500 that offer defined benefit plans are underfunded by \$165 billion in 2003.

The point is this, that this is a huge, looming problem. You know the people who just went through bankruptcy at U.S. Air and thought they had cured their problem? Well, when United said, we think we might offload our pension onto the public taxpayers, all of a sudden the people at U.S. Air are in trouble again.

We think these people ought to have that information, so they, when they are negotiating, because if United does this, it is a likelihood that U.S. Air does it, and if U.S. Air does it, it is a likelihood that Delta will do it.

Well, that is a catastrophe for the PBGC and for those workers. There is

something about transparency. We insisted in other financial arrangements where individuals have their money in the hands of third parties, and in this case we ought to do it for corporations.

So I appreciate, and I have said to the chairman very often, that he has given attention to this problem. We hope to have a long-term solution. But this is fundamental to the rights of workers at this most perilous time with respect to the security of their pensions.

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

Mr. OBEY. I yield to the gentleman from Ohio.

Mr. REGULA. If I understand this correctly, the corporation would have to disclose information under the requirements of this section that would go beyond the pension part of their liability.

Mr. GEORGE MILLER of California. Mr. Chairman, if the gentleman would yield further, I appreciate that argument, but in reviewing the case, the Bush administration said they support the disclosure under this provision of the law, and the PBGC supports that. I do not think these two entities are interested in destroying these corporations. The fact of the matter is this information was made available for many years.

Mr. OBEY. Mr. Chairman, reclaiming my time, I thank the gentleman from California, and I fully agree with his statement.

Mrs. MCCARTHY of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, all day today we have been hearing so many different issues coming up onto the floor that are concerning so many people, and I thank the ranking member, and I thank the chairman, and I thank the ranking minority ranking member on the Committee on Education and the Workforce for bringing these issues up.

I am here because I am not allowed to bring up the assault weapons bill onto the floor. With that, I will continue for the rest of the evening and all day tomorrow and all day Monday to talk about how we need to get the President involved to be able to make some phone calls to the Speaker of the House. I know that he supposedly is going to be meeting with all the police officers and chiefs that we met this morning to try and convince them that this is what the American people want, this is what our police officers want.

It comes down to a safety issue. There are so many things that we have to handle here, and we actually, in my opinion, have wasted an awful lot of time this year. We have done more politicking than we have done actual work, and that is too bad, because the only one that suffers is the American people.

If the assault weapons ban is not renewed, the American people in the end will suffer, our children will suffer, our communities will suffer, our health care system will suffer.

This is a bill that is already in place. They say enforce the law. Well, let us continue enforcing the law. Let us make sure the assault weapons bill stays in place. It saves lives. It does not cost us a penny.

I just heard that one of the large gun manufacturers, with every assault weapons gun that they buy, they will get a free large-capacity clip. Is that not terrific? It is much easier to mow down our own citizens.

Mr. DOGGETT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by our colleague and join in offering the amendment by our colleague from California (Mr. GEORGE MILLER). This amendment follows very closely legislation that the gentleman from California (Mr. GEORGE MILLER) and I introduced last year to address this problem.

There are at the moment that we gather here in Congress, I suppose, tens of millions of Americans who are out working, trying to ensure that their families have a better future. As they do their work and they look forward to payday to get their paycheck, one of the things they also consider are whatever benefits that they get with their work. For many workers, particularly those that move in their forties and fifties to begin to think about what retirement lies ahead, they have a particular concern with the retirement plan for their company and whether it will, in fact, allow them to retire in dignity and enjoy the fruits of their labor after they have provided for their family and community, to be able to enjoy a decent, dignified retirement.

In recent years, American employees, American workers, have had good reason to be fearful that that very significant benefit of retirement that they have worked for, with some companies perhaps for 20 or 30 years, will not be there when they need it in full amount.

First there were the employees of Enron. Thousands of them, through no fault of their own, lost their retirement. Then the same thing happened at WorldCom. Thousands of people who had worked for that company almost since its origin losing their retirement future, the hope of a dignified retirement, many of them having to go back into the workforce.

Really, when you look back over the activities of this Congress since the Enron debacle, as far as preventing another debacle for employees at Enron and their retirement futures, or WorldCom, this Congress has done next to nothing to prevent other employees from suffering the same fate.

As the years have gone by and Congress has been inactive, our economy has struggled, and we have begun to see more major companies, particularly in the airline industry, begin to raise questions as to whether they were going to put their pension plan into bankruptcy, whether they were going to stop making pension payments.

This amendment does not solve all those problems. It is a very modest amendment. It simply expresses confidence in the employees, that they deserve to know the same information that their employer is filing with the government bureaucracy.

As my colleague from California just pointed out, were it not for the fine print in legislation that was approved in 1994, we would have the right to know this information. This amendment is based on the principle that if the employee has the information, they can choose to go to another employer who has a fully funded pension plan, or they can turn to their employer and ask, why not? Why am I being given a false promise of a secure retirement, when, in fact, this plan is not funded at a sufficient level to assure that all workers who work here and retire will be able to enjoy their retirement with dignity?

Of course, there is another public policy consideration here, and that is that there is a government agency, the Pension Benefit Guaranty Corporation, that is responsible for ensuring and protecting against those plans that fail. From all of the recent reports about the status of that corporation, we face the potential of something that will make the savings and loan bailout of a few decades back look modest in comparison to the dangers of major pension funds, one after another, going under and placing a burden on this corporation.

The Bush administration came out in support of the very kind of amendment that is being offered here today. As usual, once some special interest began to question the wisdom of this provision, they fell moot. But their recommendation is a matter of public policy; it is clear, and it is out there.

The Government Accountability Office, the Pension Benefit Guaranty Corporation itself, all of these have recommended that this information that they get be made available to the employee so that the employee will be empowered.

This amendment is based on the principle that the workers that are out there deserve the right to know, they deserve the right to be empowered about their pension future, and I can see no good reason not to provide that information.

The suggestion by the chairman of the committee that he has a long-term plan to deal with this is great, but it is a little too long for the term of those who are concerned about their retirement safety and, one after another, pension plans failing.

I urge adoption of the amendment.

The CHAIRMAN. Does the gentleman from Ohio (Mr. REGULA) insist on his point of order?

Mr. REGULA. Mr. Chairman, I do. But we recognize that since it is a limitation amendment, that it would not be in order. On that basis, I withdraw it.

The CHAIRMAN. The gentleman withdraws his reservation.

The question is on the amendment offered by the gentleman from California (Mr. GEORGE MILLER).

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

Mr. REGULA. 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 California (Mr. GEORGE MILLER) will be postponed.

AMENDMENT OFFERED BY MR. STEARNS

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

The Clerk read as follows:

Amendment offered by Mr. STEARNS:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds appropriated by this Act may be expended by the Secretary of Health and Human Services to carry out the modification of coverage policy number 35-26 of the Medicare Coverage Issues Manual R125CM announced by the Secretary on July 15, 2004, in the press release entitled "HHS ANNOUNCES REVISED MEDICARE OBESITY COVERAGE POLICY—Policy Opens Doors to Coverage based on Evidence" until the date on which the Secretary submits to Congress a report containing the Secretary's estimate of the increased costs to the Medicare program by reason of such modification of coverage policy.

Mr. REGULA. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Ohio (Mr. REGULA) reserves a point of order against the amendment.

The gentleman from Florida (Mr. STEARNS) is recognized for 5 minutes in support of his amendment.

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Chairman, this is a very simple amendment. Obviously the chairman has reserved a point of order. He might want to listen to my arguments. Perhaps persuasiveness of what I have to say will change his mind.

All of us know that on July 15, 2004, the Secretary of Health and Human Services announced that Medicare would allow for the coverage of antiobesity treatments and interventions by Medicare.

□ 1715

He said this would go on as long as scientific and medical evidence demonstrates their effectiveness in improving the health of beneficiaries on Medicare.

Now, the question I have, and part of my amendment here is, we do not know what this means. Does this mean that it is going to have an immediate impact on Medicare's coverage? Does this mean there are new benefits? We just do not know. Because the Secretary is saying, let us just take a look at this treatment or at that treatment, evaluate it on the basis of improving the health of individuals.

So my amendment is basically saying, okay, Mr. Secretary, if you want