

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. PAUL:

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

SEC. \_\_\_\_ None of the funds made available in this Act may be used to create or implement any new universal mental health screening program.

The CHAIRMAN pro tempore. Pursuant to the order of the House earlier today, the gentleman from Texas (Mr. PAUL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. PAUL).

Mr. PAUL. Mr. Chairman, I yield myself 3½ minutes.

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

Mr. PAUL. Mr. Chairman, my amendment says that no funds in this bill will be permitted to be used to institute system of universal mental health screening. The New Freedoms Commission on Mental Health, a commission established in 2002, has recommended universal mental health screening for all our children in our public schools as well as adults who work in these schools. As a medical doctor, as a civil libertarian, and a strict constitutionist, I strongly reject this notion, this plan, as dangerous and nonproductive.

This type of screening would surely lead to a lot more treatment of hyperactive kids. We already have an epidemic in our schools today that are overtreated. Too often under these conditions, children are coerced into taking medicine. It has been known that parents who have denied medication for their children have been accused of child abuse. There is already tremendous pressure on parents to allow public school officials to put children on medication like Ritalin.

This amendment would not deny, in the routine course of events, medical treatment for those who are suffering from mental disease. What my concern is for a universal screening test of all children for mental illness.

Diagnosis in psychiatry is mostly subjective. It is very difficult to come up with objective criteria. If we wanted psychiatrists to perform the test to make it more objective, it would be impossible. We are talking about an unbelievable number of psychiatrists that are not available, so nonpsychiatrists would be doing this testing.

One of the worst downsides from a program like this would be for a child to be put on a list as having some type of mental disorder.

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An unruly child is going to be the first one to be determined as mentally disturbed. It is happening all the time. Those are the individuals that are hyperactive even in a normal sense and end up on Ritalin.

But can you imagine a list of this sort? They claim it will be private, but

can you imagine if there is a list that has identified an individual as a possible candidate for violence? And what if he were to be hired by an important industry? What if the post office was to hire this individual and he was on this list and we did not make this information available to the hiring authorities? That means there would be tremendous pressure to make public officials use this list for reasons that I think would be very, very negative.

The whole notion of testing children to me represents a principle even more intrusive than a mandatory blood test. It would make more sense medically to have a blood test for, say, AIDS, if you thought it was the responsibility of the Federal Government to take this job upon themselves. But, no, if we tried to do this in the area of mental diseases, believe me, the criteria would be way too arbitrary. A diagnosis will be too difficult to determine with a set of objective standards.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN pro tempore (Mr. THORNBERRY). Does any Member rise in opposition to the amendment?

Mr. REGULA. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from Ohio is recognized for 5 minutes.

Mr. REGULA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am a little baffled by this, because there is nothing in this bill to establish the universal mental health screening. I do not know what the need for the amendment is. I understand what the concern of the gentleman is if this were the case, but we do not have it. There is no requirement, there is no money, there is no action.

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

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

Mr. PAUL. Mr. Chairman, that is correct, there is no money specified for this. But on previous legislation, the authority exists for us to be involved in mental health. The particular bill's mental health services, it is on the books. The legislative authority is there. It could be done by regulation.

I am just saying you are correct, it is not on there, so there should be no objection, is my interpretation. It is just a protection, a statement by the House that we do not like this idea because this is a recommendation from a commission set up by the administration, and I would like to cut it off before it gets very far.

Mr. REGULA. Mr. Chairman, reclaiming my time, I guess you might call this preventive medicine.

Mr. PAUL. I hope the gentleman will join me in this effort for preventive medicine.

Mr. REGULA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think it is a little inflammatory. You do have a lot of

people who for, one reason or another, maybe family members, maybe in their own case, they do have problems. I think, in a way, to pass an amendment of this type is sort of putting our thumb in their eye or sort of saying, hey, we do not want any part of this.

What the commission did in their report is say this is a problem we need to be thinking about, that we need to address. But I think it is premature, and it is unfair in a way to identify a segment of the population and say under no circumstances are you going to get any help.

For this reason, I would have to oppose the amendment.

Mr. PAUL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think the amendment was misconstrued by the previous speaker, because it would not deny medical care. What it does is it denies the authority to the administration to have universal screening of all children in public school. It does not deny care to any individual that may qualify.

Already the SAT tests have now been changed to incorporate having the students write a paragraph about personal beliefs and their world view. Can you not see the connection? If one has a strange world view or a strange personal belief, if you have a prejudice or whatever one may be deemed mentally ill.

This is a dangerous idea and a notion that has been used by totalitarian societies throughout the ages. Just think of the extreme of this if this is not nipped in the bud, as happened in the Soviet system. People were not always convicted of crimes; but they were put in psychiatric hospitals to be retrained, to be conditioned to think differently and politically correct.

When we see a monopoly school system, a universal school system, talking about standardizing what they think is sound mental health, believe me, we are treading on dangerous ground.

I would like to restate once again, this amendment does not deny treatment to any individual that is pointed out to have medical needs. This goes along with the principles of reasonable cause. They cannot go in and search our houses, or at least they are not supposed to, without a reasonable cause. We should not go into these kids' minds without reasonable cause and sort out this kind of information.

Mr. REGULA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I just want to point out that this is the President's new Freedom Commission on Mental Health, and it is titled, "Achieving the Promise. Transforming Mental Health Care in America." But nowhere in this report does it propose universal mental health screening.

So this amendment is totally unnecessary, and I think it is almost a slap in the face to people that have some difficult problems. Therefore, I would be strongly in opposition to it.

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