

burning down police stations and killing members of Lavalas. This so-called Prime Minister called them in a public meeting freedom fighters. It is so outrageous, it is so ridiculous, and that is one of the reasons he is not being accepted. He is not being respected, and he is not considered as a serious person with any leadership ability or any vision for Haiti's future.

So, let the record indicate that he came to the Capitol; that he was not received by any appreciable number of people; that he did not get his message across. We have said to the State Department and to Secretary Colin Powell that it is important, it is imperative that they arrest and incarcerate the thugs and the criminals who are in control of Haiti. There is no way that they can ask us to recognize this puppet and this puppet government and to recognize this illegally appointed so-called Prime Minister until at least they take those steps.

#### THE ECONOMY

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

Mr. BROWN of Ohio. Mr. Speaker, I appreciate the words of my friend from California (Ms. WATERS) and her passion about what has happened in Haiti and how our government has not been exactly on the right side of that. Equally important, I want to say something about my friend from California (Mr. DREIER) and his comments.

To try to make it sound like the Democrats and Senator KERRY want the French and the German model, while he wants the red, white, blue American model is just a bit much. We are all proud of the economic growth. We are all proud of the freedoms of our country. We are all proud of our strong environmental laws, our worker safety laws, our laws to protect the public and the dynamic economy we have. No one is arguing, nobody I know, JOHN KERRY, anybody else is arguing we want the French economy or we want to be Germany.

What we are arguing is that we can do better with this economy than George Bush has done. We look back at the 1990s during Bill Clinton's 8 years and saw 25 million jobs created. We look at George Bush's 3½ years and see 3 million jobs lost, and we see a President who, during his term, will be the first since Herbert Hoover that has expressed, that has experienced a net loss of jobs.

I look at my State when I hear the gentleman from California (Mr. DREIER) speaking about this incredible economy. Then I look at my State, and we hope we had an economy like he was talking about. I do not think very many places in this country, if any places, do have that kind of economy, the picture he painted; but we know

what we need to do to make the economy better.

Instead, President Bush has used the same old tired bromides, tax cuts for the wealthiest people in the society. If you make a million dollars in a year under the Bush plan, you get a \$20,000 tax cut. The Republicans hope this tax cut will trickle down and create jobs. It clearly has not worked. We lost 3 million jobs in the last 3½ years.

The second part of his economic plan over and over is let us do more NAFTAs, let us do more trade agreements that continue to ship jobs overseas, that outsource, that hemorrhage jobs to China and Mexico. That clearly is not working, but I understand my friend from California. I understand his viewpoint.

Members of Congress do not feel the anxiety that my constituents feel. In my State, we have lost 177,000 manufacturing jobs. One out of six manufacturing jobs in my State has simply disappeared during George Bush's Presidency. Yet George Bush's answer continues to be more tax cuts for the most privileged and continues to be trade agreements that do not work and continues to be this ideological mission to give tax cuts and say that automatically tax cuts to the wealthy automatically create jobs. It simply has not worked.

What we need to do is extend unemployment benefits to the 1 million Americans, fifty-some thousand Ohioans, whose benefits have expired since January. We need to, instead of rewarding those companies that go offshore and change their corporate headquarters to Bermuda so they can avoid taxes and have continued to get various kinds of Federal contracts, on-bid contracts in the case of Halliburton, and all of that, we need to pass legislation that will actually give tax breaks to those companies that stay in the United States and manufacture here.

□ 2100

Several manufacturing companies from my State came to see me today. They cannot believe we continue to give tax breaks to these big, multinational corporations who ship jobs overseas, who outsource to India, and we do not give any kind of tax incentives to American manufacturers. I just wanted to say that in response to my friend from California.

Mr. Speaker, I yield to the gentleman from New Jersey.

Mr. PALLONE. Mr. Speaker, I know we are going to talk about prescription drugs tonight, but I just want to say that I heard the gentleman from California also, and he kept referencing France and Germany and how their economies were not doing well and the U.S. was doing so well. I do not know how he can make those comparisons because I do not think the United States is doing well at all.

I saw an analysis yesterday in terms of what was happening to the United States in terms of job losses as opposed

to Canada, and it showed dramatically that even though the Canadian economy is very dependent on the U.S. economy, the Canadian economy actually increased the number of jobs over the 4 years at the same time that jobs were being lost here under President Bush's Presidency. It said the reason was because in Canada, although they gave tax cuts, the tax cuts all went to the middle class and working people, and those people basically got that money and reinvested it and created more jobs, and it also talked about how productivity in Canada and the United States increased at about the same amount over the last 4 years, but in the United States the profits from the increased productivity went to corporate profit whereas in Canada, the increase in productivity was passed on to workers in higher wages and they invested it and created more jobs.

The gentleman from California was comparing other countries, and he did not mention Canada. The reality is if we look at the Canadian experience in the last 4 years, it is the Republican policies in the United States, huge tax cuts to the rich, taking the money from increased productivity and giving it back in corporate profits and not giving it to workers, this has resulted in a huge difference between our two countries. We lose the jobs, and in Canada they increase the number of jobs.

It is the President's policies which have caused these job losses. It is not something that is inevitable, it is something that he has caused with his Republican majority.

Mr. BROWN of Ohio. Mr. Speaker, tonight I am joined by the gentleman from New Jersey (Mr. PALLONE), the gentleman from Maine (Mr. ALLEN), the gentlewoman from Ohio (Mrs. JONES), the gentleman from Ohio (Mr. STRICKLAND), and the gentleman from Washington (Mr. INSLEE) and I want to talk about Medicare and the discount card program that has been unveiled this week.

Enrollment began for the prescription drug discount card through the Medicare bill passed last year. For some seniors in Ohio, this can mean \$600 in prescription drug benefits. On the surface that sounds good, and we want seniors to look into these cards. If they can get any help, that is a good thing.

However, the real story about the discount cards is found in the details. The discount drug cards will further complicate an already confusing process for America's seniors. Instead of implementing a prescription drug benefit under one program, Medicare, the simplest, cleanest and the deepest discount available and possible, which 40 million of America's seniors know and trust, the administration fought on behalf of the insurance and the drug companies, who really wrote this bill, the administration fought to create an unnecessarily complex system that diverts money away from benefits and gives it to drug companies, insurance

companies, and to these discount card companies that we will talk about in a moment.

The big drug companies under this original \$400 billion bill, the big drug companies will profit an additional \$150 billion from this bill, and insurance companies will get \$46 billion. The insurance companies get a direct subsidy, a direct payment of my tax dollars and your tax dollars directly into their pockets for this bill.

No wonder, considering the drug companies, we hear on the streets of Washington, the drug companies are going to give \$100 million to President Bush's reelection. They have already given tens of millions. No wonder the President wrote this bill so these companies benefited.

The drug card portion of the bill was in part crafted by friends of the President, such as David Halbert, CEO of Advanced PCS, one of the discount card companies, a man who set President Bush up in business before he was President and before he was governor, around the time he ran unsuccessfully for Congress, Mr. Halbert set President Bush up in business and helped President Bush make his first million in an unsuccessful oil company.

It is no surprise then that this system features 70 cards by 70 different private companies. It is a lot like the multiple HMO system that my Republican friends are trying to foist on Medicare beneficiaries. The gentleman from Maine (Mr. ALLEN) has said on the House floor that seniors want a choice of doctors and hospitals and prescription drugs, they do not want a choice of insurance agents or fancy brochures or insurance companies. Unfortunately, what this discount card does is give seniors a choice of a whole bunch of discount cards, and it is almost impossible to figure out which one is the best.

A senior in Akron in my district will have to research through 50 cards to find one that works. Under our plan, they could have used one card. Under the Republican plan, they are going to have to go through 50 cards. They are going to have 50 cards that they need to sort through. Let me see, I am taking Fosamax. This card covers Fosamax, this card covers Vioxx, but this card covers Zoloft, but this card covers Celebrex.

Why do they make this more confusing instead of allowing seniors one card, one discount, one plan. Instead, the Republicans have 50 cards, 50 plans, 50 insurance companies, 50 mailings coming to their house, 50 insurance agents knocking on their doors representing 50 different insurance companies. The answer is why would they choose this over this? The answer is pretty obvious. It just might, and correct me if I am wrong, I ask my friends from Washington and Ohio and Maine and New Jersey, it might have something to do with the insurance industry, the drug industry, and Mr. Halbert, CEO of Advanced PCS, that

makes these cards, it might have something to do with the fact that they gave lots of money to President Bush's reelection.

We have all read in the paper that President Bush has set all kinds of fund-raising records. One week it is 150, then he flies Air Force One out to Cleveland or Portland or New Jersey or Washington State, does a little bit of government business so he can charge it off to the government, and then he does another fund-raiser and raises another \$3 million. It just keeps going up, setting records every week. No wonder he can raise \$200 million when he does things like this instead of doing it right.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. Once a senior goes through all these cards and finally reaches a decision, and that is going to be difficult to do, once they reach a decision and select a particular card, they are stuck with that card for an entire year. Yet the sponsors of that card every 7 days can either increase or reduce, but they are most likely to increase the costs of the drugs that are a part of that card. And every 7 days, the sponsor of the card can change the medicine covered by that card.

Mr. BROWN of Ohio. So I look through these cards. I am a senior and I decide Fosamax is here, and they also do Claritin and Zoloft, so I want this card. I pay \$30 and sign up for the whole year. And then Mr. Halbert's company, if it is his card, he can change it, but I have to stay with this card, is that how it works?

Mr. STRICKLAND. You can start out by getting a discount of 10 percent, and in 7 days that discount can be reduced down to 5 percent. I ask the gentleman from New Jersey (Mr. PALLONE) to clarify this, but, for example, I am a senior citizen and I have high cholesterol, and I take Lipitor to control my level of cholesterol. I sign up for a card that has Lipitor as one of the medicines that is available under that card, and I am stuck with that card for an entire year, but 2 weeks after I sign up for that particular card, the card's sponsor decides they are not going to provide Lipitor any longer for high cholesterol, they may decide to provide Pravachol or some other drug, and I am left without the ability to get the drug with a discount that my doctor says I need.

Mr. BROWN of Ohio. Mr. Speaker, reclaiming my time, I choose a card and I get a decent discount, even though the price goes up 20 or 30 percent per year. So you are the card maker, you can both cut the discount and you can take my drug off the discount card list totally?

Mr. STRICKLAND. Every 7 days, I am able to make those kinds of changes in the level of discount and in the drugs that are actually covered by that discount card, and yet the senior will be stuck with that particular card for an entire year. So I am locked into

one card for an entire year, and the sponsor of that card has the ability to make all of these changes and I am the victim. I am helpless to do anything about it.

Mr. PALLONE. Mr. Speaker, everything the gentleman said is absolutely true. I saw the gentleman from Ohio (Mr. BROWN) show the variation cards, and I think he has to make it clear, they are not getting all those cards. They are just going to choose one.

Mr. BROWN of Ohio. One card for \$30.

Mr. PALLONE. Also, I do not know how the senior citizens will be able to make a decision which card to use. They have a Web site and you can go on that Website, and they will give you the different cards and tell you what is covered and what the cost is going to be today, but a lot of seniors are not just taking one drug, too. So they are supposed to look through all these different cards and decide which is the best based on the particular cost for the particular medicine or several medicines at a given time, but there is no guarantee of anything. There is no guarantee that discount is going to be there the next day because it can be changed. My understanding is they have to provide some type of drug like Lipitor, but they do not need to provide Lipitor.

Mr. STRICKLAND. They have to provide one drug in every class of medications; but there are many medications that are prescribed for high cholesterol. I can tell Members that I took one drug for high cholesterol for over a year, and it did not control my cholesterol. It was not until my physician changed my prescription that I was actually to find control for my cholesterol level. That is an example of the problems that seniors are likely to face.

Mr. BROWN of Ohio. Mr. Speaker, I yield to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Last year when my mother was very ill, she had to get five prescriptions on her health care plan. I went to the pharmacist to pick up these various drugs. Three were within the plan. One cost \$10, another \$10 and another \$11; but two were not within the formulary and so one cost \$263 for 30 days and the other cost \$250. Seniors can choose what prescription drug they will cover. So, for example, my mother had congestive heart failure and kidney failure, and her doctor prescribed some of the newest drugs treating those types of conditions, but those drugs were not covered by the formulary; therefore, they were paying significant dollars, and I anticipate that will be the same problem for seniors.

Mr. PALLONE. Mr. Speaker, they are only comparing cards on this Web site and the fact of the matter is if we look at any one of these drugs, and I am going to use Lipitor. This is from the National Committee to Preserve Social Security and Medicare, what they did is they not only posted the prices for

drug cards, but also what you can get at some drug companies like cvs.com or drugstore.com or costco.com or what the price might be in a Canadian drugstore.

Lipitor, for example, the cheapest is actually at drugstore.com. It may very well be there is a card that is not even on the list that will give a better discount, or you can get it online through one of the other companies or drugstores that is offered online; and certainly in almost every case, the price is less in Canada.

So the whole notion of trying to give seniors a choice is just based on the notion that somehow these cards sponsored by the government are going to give them a good choice. Reality is they are not. The same drug is cheaper elsewhere on the Internet.

Mr. STRICKLAND. I believe this is an election year scam, and America's senior citizens are going to be so confused. They are not going to know what choices to make, and we are doing it because an election is coming up in November and we want to present to our senior citizens that we are actually doing something meaningful when the drug companies are telling us that they expect their drugs to be increased by about 18 percent this year and these discount cards are likely to provide much less in discounts than that.

□ 2115

So seniors are going to end up paying more even with these discount cards than they have been paying.

Mr. BROWN of Ohio. Mr. Speaker, it is hard to say that it is a good deal when the drug companies raised the price 20 percent and President Bush has a discount card that might be 12 or 13 percent, and then it happens again and again.

Mr. Speaker, I yield to the gentleman from Maine (Mr. ALLEN), who has done so much in this whole issue.

Mr. ALLEN. Mr. Speaker, several people are saying how much seniors are going to have to pay for these drugs. The trouble is, one part of the problem is, it is their tax money that is being used to promote the program. We have just seen the Federal Government spend tens of millions of dollars to promote the underlying prescription drug benefit that will not take effect until January of 2006. Now there is an \$18 million taxpayer-funded campaign hitting the airwaves to promote these new Medicare cards.

So the public has to pay for the TV advertising, to persuade them of something that is not true, that is, that these cards will actually help them.

There was an article in the Portland paper today quoting one woman, 70-year-old Jean Houston of Waterville, Maine, who said she has already tried calling the Federal Government's toll-free number to enroll. She has not gotten through yet. "I tried to sign up," she said. "I called five times yesterday and three times today." How long will it take Jean Houston just to get through?

Now, CMS says, well, they have got a Web site. They can just go to the Web site. Most seniors do not have computers that are linked to the Internet. That is just a fact. And the idea that they are going to sit down and try to choose among 50 different cards with all sorts of different drugs when the pharmaceutical companies can change the drugs that are on the cards any given week, week after week after week, this is just absolutely nonsense. But there is an explanation. My staff tells me that CMS has now admitted that if we get seniors to work through this absolute maze, this absolute nightmare of 50 different prescription drug cards, it will help prepare them.

It will get seniors used to working with private plans, private insurance plans. Instead of the Medicare plan, which has the same benefit and the same additional premium for everyone in the country no matter where they live, we are going to have lots and lots of private insurance plans. The systems that are failing the small business community today are going to be inflicted on seniors in Medicare, and it is not right.

Mr. BROWN of Ohio. Mr. Speaker, it is almost like NAFTA. People lose their jobs. We are retraining them. We are retraining seniors so they can negotiate private health plans.

Think about what the gentleman from Maine (Mr. ALLEN) said now. We had a choice. We could do what President Bush wanted to do on behalf of his friends that own the drug companies and the insurance companies. We could have 50 cards to choose from and seniors can go through and try to choose the best one and pay \$30 and the cardholder changes the way it works and changes the discount, changes what drugs are available. We can look at 50 cards and choose and get about a 10 or 15 percent discount, or we could use one card and we could tell the government to negotiate price, tell the government to negotiate on behalf of 39 million Medicare beneficiaries a better price the way Canada does. Canada's prices are 30, 40, 50, 60, 70 percent lower than the United States because the Canadian government on behalf of the whole country, 29 million people, negotiates drug prices.

Why could we not use a card like this, give this to every senior, and then negotiate prices on behalf of every senior in this country, 39, 40 million beneficiaries? They go to a drug store and they show this card and they automatically get that 30, 40, 50, 60, 70 percent discount. Instead, because President Bush receives so much money from the drug and insurance industry, he has given us 50 cards for seniors to choose one of the 50, and then maybe, if they are lucky, get a consistent 10 or 15 percent discount. So we have one card that could do 50, 60, 70 percent discount or a choice of 50 that might do a 10, 15, 20 percent discount.

I yield to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, I thank the gentleman for yielding to me.

And the shame of it all is here we have seniors who are in the twilight of their life. The last thing they want to do is to be surfing the Internet or looking through booklets trying to figure out where to buy their drug, what discount they want, how will they choose. It is really just ridiculous. It is a shame that we would put the burden on the backs of seniors to require them to negotiate through this process. Even with this proposal that will allow lower-income seniors a \$600 benefit, they are probably going to spend so much time trying to manipulate or make it through the process that they are not going to be payable able to benefit from this at all.

It is almost like the lottery. One gets a lottery ticket and they scratch off on it. Does this work? No, that does not work. Let me go to the next scratch off, and I am going to scratch off again. And it is almost similar to how much benefit we in Ohio got from the lottery in terms of education right now, and here we are imposing upon the seniors across this country the responsibility to figure out not only what plan to go to, but how do they figure out the benefit, and then in 2006 they are going to have to go back and figure out what plan to take and what plan will benefit them or not benefit them.

It is a shame that we are not standing up for seniors and saying, seniors, just like Medicare used to go to work, they can go to the doctor, get their Medicare. They can go to the pharmacist, get their prescription, and they can move on without all this hassle. And I agree with the gentleman from Ohio (Mr. BROWN) that we ought to make sure seniors understand the dilemma they have been placed in by this legislation.

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentlewoman from Ohio (Mrs. JONES).

It is just incredible that the Congress has passed something to put more confusion in seniors' lives, to make the choices more difficult, more complicated. One of 50 cards that gives a small discount instead of using the buying power of 40 million Medicare beneficiaries to get one good discount that every senior can put in his wallet or in her purse and get a good 30, 40, 50 percent discount like the Canadians and the French and the Germans and the Japanese and the Israelis and the Swedes and everybody else.

Mrs. JONES of Ohio. Even in Cuba, Mr. Speaker.

Mr. BROWN of Ohio. Everywhere, Mr. Speaker. And I cannot think of any other reason. It is all because President Bush has received literally millions of dollars in campaign contributions from the drug industry, from the insurance industry, and from Mr. Halbert, the CEO of AdvancePCS and his company and other companies that make these prescription drug cards.

I yield to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I would just like to follow up by what the gentleman is saying because this may seem to many people in this country to be a very odd result. Why on earth would the Republicans in Congress and the President put pass this kind of complicated plan? Well, remember what they said when they passed it. They said that in the long run, this would help save money, this would be cost efficient. We would have competition between plans and that would drive down costs.

Not exactly. Right now, right now, the private plans are being paid 107 percent of the cost to Medicare. That clunky old government-run fee-for-service Medicare program that the Republicans wanted it to get rid of. The private plans are being paid 100 percent more than it cost Medicare to deal with the average Medicare beneficiary. We will pay those private insurance plans \$46 billion more than it costs the government-run fee-for-service Medicare plan. In other words, we are paying private insurance companies more than it costs to deliver Medicare to Medicare beneficiaries today and for what reason? Why on earth? Well, the insurance industry knows it is money in their pocket. Not millions of dollars, not hundreds of millions of dollars, but billions of dollars. The pharmaceutical industry knows as well.

Mr. BROWN of Ohio. Mr. Speaker, think about this. We are giving the insurance industry \$46 billion just direct, reach in taxpayers' pockets, put \$46 billion from taxpayers' pockets into insurance companies' coffers. I mean, there is no doubt about that, \$46 billion. That is actually \$1,100 for every single senior in this country. There are 40 million Medicare beneficiaries. That is more than \$1,000 for every senior in this country. So instead of giving \$1,000 to seniors to buy a drug benefit, which is a lot of money and most seniors have drug costs not much more than that, and many have a lot more, but \$1,000 goes a long way for anybody, instead of giving \$1,000 to every senior, we are giving the insurance industry \$46 billion, \$46 billion that could go to all kinds of things. But how much money did they give President Bush and the gentleman from Texas (Mr. DELAY) and the Republican leadership?

Mrs. JONES of Ohio. Mr. Speaker, will the gentleman yield on just that point?

Mr. BROWN of Ohio. I yield to the gentlewoman from Ohio.

Mrs. JONES of Ohio. Mr. Speaker, I will be short. Not only are we giving them this money up front. When the seniors finally do get a prescription drug benefit in 2006, we are going to be forcing the seniors to pay the premium every month into the plan and they will get no coverage when their drug costs are between \$2,000 and \$5,000, that doughnut hole we have been talking about. So these plans will get money

while the seniors get no benefit on top of the billions of dollars we have already paid.

Mr. BROWN of Ohio. Mr. Speaker, it is hard to think when this bill was written by my friends on the other side of the aisle, if my colleagues remember, during the debate on that, they started the debate at midnight. The vote was cast at 3 in the morning, not finished until 6 in the morning, so they could twist enough arms and do enough drug company contributions to get it through, it is hard to think that seniors were ever in the calculation. It was about the drug industry and the insurance industry.

Mr. STRICKLAND. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. Mr. Speaker, I yield to the gentleman from Ohio.

Mr. STRICKLAND. Mr. Speaker, I noticed that we have got some people in the balcony tonight, and many of our constituents obviously are watching through C-SPAN. I think it is appropriate that we just take a moment and explain.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman will refrain from noticing guests in the gallery.

Mr. STRICKLAND. Mr. Speaker, I am very glad that there are those watching us tonight and are paying attention to what we are saying because we have lots of constituents. I have lots of constituents back in Ohio certainly that are watching, and I am sure there are constituents watching from Maine and New Jersey and elsewhere. And I think they need to know how this bill came into being. We received this bill as a body, over 700 pages, I believe, on a Friday morning. We began that debate. We debated Friday afternoon and through the night and at three o'clock in the morning when most of the people who are watching us tonight were probably asleep.

They finally called the vote. I would remind my colleagues that this is probably the most important piece of domestic legislation that this body has considered maybe in many years, and we recall that the President told us it was going to cost \$400 billion. Now we find out that his own administration's actuary had indicated it was going to cost over \$550 billion, and apparently he was told he would be fired if he told the Congress, those of us who are supposed to be representing the people of this country. He was told he would be fired if he told us the actual cost, an action that the CRS, the Congressional Research Service, is now saying was probably an illegal act.

But anyway, at three o'clock in the morning they called the vote here in the people's House. And at the end of that 15-minute voting period, the bill had lost because it is a bad bill. And they kept the vote open, not for 15 minutes, not for 30 minutes, not for an hour, not for 2 hours, but for 3 hours. And the press said that they got the President out of bed at four o'clock in

the morning so that he could start twisting arms. And then the gentleman from Michigan (Mr. SMITH), who is retiring and whose son is running in a Republican primary, indicates that he was approached on the floor of this House, the people's House, and offered \$100,000 for his son's campaign if he would change his vote. Think of that. Think of that. And at 6 o'clock in the morning as the sun was coming up, they finally convinced enough Members to change their votes, and the bill passed.

That is not how an important piece of public policy should be crafted in a democracy. And we walked home that morning, as the gentleman recalls, as the sun was coming up after that kind of shameful behavior had taken place in this Chamber. And now they are spending \$18 million on TV ads to try to convince America's senior citizens that it is a good thing. Shame on this administration for this kind of political shenanigans.

Mr. BROWN of Ohio. Mr. Speaker, I yield to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding to me.

I want to follow along with what the gentleman from Ohio (Mr. STRICKLAND) has been talking about because just this Monday, the Congressional Research Service issued an important report, and in that report they concluded a couple of things. First of all, they were looking at this issue that was raised by Richard Foster, the Medicare actuary who has testified that he was threatened by his boss, Tom Scully, the head of CMS, that if Foster went to Congress and told them the truth about his projections for what the Medicare bill would cost, which was \$150 billion more than what administration was saying, if he went to Congress and told them that, he would be fired.

Let us look at this report. This report was just made public on Monday. One point here it says "Congress's right to receive truthful information from Federal agencies to assist in its legislative functions is clear and unassailable."

□ 2130

They go back to say that according to the report, attorneys at CRS said these gag orders have been expressly prohibited by Federal law since 1912.

Let me read you one of applicable laws. It is at 5 U.S.C. Section 7211. "The right of employees individually or collectively to petition Congress or a Member of Congress or to furnish information to either House of Congress or to a committee or Member thereof may not be interfered with or denied."

But the truth is that the head of CMS, appointed by this President, refused to allow his employee, the Medicare actuary, to tell Congress the truth. So on the night of that vote, Republicans and Democrats believed that the only applicable projection was that this law would cost \$400 billion over 10

years, when Medicare program officials themselves knew it would be \$550 billion.

We have talked about this before, all this money going to the insurance industry, \$46 billion more than it cost the government-run program. No wonder it is not cost-efficient. No wonder it breaks the bank. No wonder that it delivers a very small benefit, given the amount of money being spent on it.

This report makes it clear: The law was violated when the Congress was not told what the cost of this bill would be, what the projections of the Medicare actuary would be, and that in itself makes it clear, it never would have passed this Chamber if we had been told the truth.

Mr. BROWN of Ohio. Mr. Speaker, reclaiming my time, imagine if everybody in this Chamber had known, Democrats over here, Republicans, if all of us had known that this bill would send 46 billion taxpayer dollars directly to insurance company coffers. If people in this hall had known that, Members of Congress had known that that would mean \$1,100 for every Medicare beneficiary would just be a gift to the insurance industry, no matter how much money the drug companies gave to Republican leaders, no matter how many calls George Bush had made to Republican Members, no matter how many arms they twisted, no matter how many drug company lobbyists had descended like vultures into this institution, no matter all of that, if we had known, if they had not broken the law and been honest with us, if we had known 46 billion in taxpayer dollars were going directly from taxpayer pockets to insurance companies, there was no way this bill would have passed. There is just no way. No matter how many lobbyists, how much campaign money, how many calls from the President, this bill simply would not have passed.

I yield to my friend, the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, I want to dovetail on this, to reference why this is so spectacularly ironic. About an hour ago one of our Republican colleagues was railing about the only problem with the Federal Government is waste, fraud and abuse, that that is the only problem, and just if the Democrats would stop all this waste, fraud and abuse we would have no problems.

I thought that was interesting, because this entire government is run by the Republican Party, a Republican President, a Republican Senate and a Republican House, yet he pointed out all this waste, fraud and abuse in the Federal Government. I wanted to stand up and say, who is in charge of the waste, fraud and abuse? Obviously it is the Republican Party, because that is who is running this government right now.

But here is this gentleman wailing about waste, fraud and abuse, when his party foisted down the throats of Congress and the American people this sit-

uation where they are giving \$46 billion of taxpayer money to the insurance industry, which is totally unnecessary, because we could have given exactly the same benefits through Medicare.

Now, I challenge any Republican, any Republican or any Democrat, or any Green Party or socialist or independent, to show me a larger portion of waste, fraud and abuse than the \$46 billion of taxpayer money going to the insurance industry, that does not deliver one penny of additional prescription drug benefit to seniors than Medicare could have done, had we not been involved in the shenanigan, not to pay off, but to pay benefits to people who are very, very powerful political forces in this town.

This I would nominate for the largest piece of waste, fraud and abuse, foisted on this country by the Republican Party, and it is an abomination. When you think about the generation having this done to them, think about who the victims of this fraud are, it is the men and women who we will be celebrating on Memorial Day down when we dedicate the World War II memorial. My dad is coming in. He was a World War II veteran.

This is the greatest generation. They prevailed in World War II, and how do we treat them? We foist this abomination, that can only pass this Chamber through fraud itself, a situation where my colleagues have talked about the 3-hour delay.

It reminds me of when we beat the Russians in 1964 in the Olympics in the basketball game. The only way the Russians won was to put time back on the clock. This was a Russian-style democracy, when they put 3 hours back on the clock. But during that 3 hours, what happened? There was a Republican Congressman who reported that he was offered a \$100,000 bribe, in essence, to his son's campaign, if he would switch his vote. Does the greatest generation deserve that type of contempt for democracy in this Chamber, which has sullied the name of Congress and Medicare?

I have to tell you one thing, I will tell you, my Republican colleagues, this dog is not hunting with our constituents. I had meeting with 200 senior citizens in Edmonds, Washington, many of whom are stalwart Republicans, two weeks ago. I asked for their hands. This is a nonpartisan senior citizens group, just a bunch of folks concerned about this.

We talked about this bill in some detail, and I asked how many people believe this bill was substantially beneficial in their lives and that it deserved passage by Congress? Not one single hand was raised of those senior citizens, who were an eclectic group of conservatives and not-so-conservatives and Democrats and Republicans.

It is not playing, it is not being accepted, and because it is not accepted, people understand this, and people need to know why their taxpayer money is being wasted in another great incident

of waste, fraud and abuse on this \$18 million plan to try to sell this to the American people. Why is that waste, fraud and abuse taking place?

Well, there is a reason for it, and the reason about it is that this administration understands that the seniors have figured out it is an Edsel, and the seniors know about the Edsel. Maybe some of our younger constituents do not, but it is a turkey.

The seniors know it is an Edsel, and that is why these guys are spending millions of dollars of taxpayer money to try to dig themselves out of this horrible hole they have dug us into. It is an abomination.

I have to tell you, I am glad we all are here talking about it tonight.

Mr. BROWN of Ohio. Mr. Speaker, I thank my friend for his compassionate commitment.

I yield to my friend, the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I am glad the gentleman mentioned this \$18 million payday. I do not have it in front of us to show, but I wanted to read one of the ads that began airing this week.

It shows a line of older people at a pharmacy. Most have Medicare-approved cards that emit a blue light. The announcer says, "Good news for those with Medicare. You can get savings on prescriptions."

At the end, there is a disappointed looking man that steps to the pharmacy counter without a Medicare-approved card, and the announcer says, "Because you either have the power to save, or you do not."

Essentially, the whole emphasis here is that you are going to save money. As my colleague from Washington said, it is essentially a lie. I guess we cannot use the word "lie" here. It is just a total misrepresentation of the truth.

In some ways, I do not want to say I am glad, because it is such a tragedy and it is almost immoral, as the gentleman pointed out, but in some ways I am almost glad we have this experience with the discount drug cards for the next 6 months or 2 years before the year 2006 when the so-called Medicare prescription drug benefit gets into place, because I strongly believe that when the seniors see what this discounts card is and what a fraud and sham it is, they are going to want to repeal this whole bill, and maybe we'll have the opportunity over the next 6 months or a year to show what a sham this discount card is and actually get the votes to repeal this lousy bill that is not helping anybody.

One of the things that I did not mention, and I think we should, we mentioned the fact there is no guaranteed discount from the card sponsors. We said that. Then we said there is no guaranteed discount on particular medicines. Then we also said there is no guarantee that the discount offered by a particular card will be the lowest price available for a particular individual, because they might be able to

get another card or go on the Internet and find a lower price.

But what we did not mention is there is no guaranteed access to any particular pharmacy, and that the final price paid for prescriptions will vary from pharmacy to pharmacy. So even if you get the card and you think you are going to get the savings, which you do not necessarily get, because they can change it from day to day, or you do not necessarily get the drug you think you are getting because they can change the drug, you may not be able to go to your local pharmacy or any particular pharmacy nearby, because that pharmacy may decide they are not going to honor the card.

Then, in addition to that, the way I understand it, is they can charge a different price, because they can decide at the pharmacy whether they are going to make a little more profit or not on the particular drug they sell.

We have also have had some of the companies, this web site has only been on, I do not know how long, I guess a few days or maybe a few weeks, but already some of the companies are writing back, and I had one of them, saying that the information that is being given on the web site about their card is not accurate.

I just have never seen so much misinformation, untruth. I do not know how to describe it.

Mr. BROWN of Ohio. When it could have been so simple. When it could have simply been one discount card where the government negotiated price, using 40 million beneficiaries as the negotiating pool, could have gotten one much lower price. Instead of that, because the drug and insurance companies wanted it, the President made it very, very confusing.

Mr. PALLONE. Essentially it is a lie, because it is not the truth, because they are saying that the main goal here is to save money. There is no reason to believe that.

But I just go back to what my colleague from Maine said. The purpose of all this is to get people used to privatization, and not used to a government program like Medicare. And I am beginning to believe, maybe I am too optimistic, that when people see how lousy the private sector is, if this is an example of it, they are not going to want it and they are going to reject it. That is the only positive thing I can see coming out of this.

Mr. BROWN of Ohio. I yield to my colleague, the gentlewoman next door in Ohio (Mrs. JONES).

Mrs. JONES of Ohio. First of all, I want to commend my colleague the gentleman from Ohio (Mr. BROWN) for his leadership on this issue. He has been right on top of all of this as long as I have been in Congress, and this is my sixth year in Congress, and I am just so proud to be a part of the delegation in which he is one of our more senior Members. That is no offense to you, talking about "senior."

But to the gentleman from Ohio (Mr. BROWN) and to the gentleman from

Washington (Mr. INSLEE) and to the gentleman from Ohio (Mr. STRICKLAND) and to the gentleman from Maine (Mr. ALLEN), this story is almost like the story our mothers used to read to us when we were growing up, The Emperor Has No Clothes.

Remember this person came to the emperor's palace and said, "Okay, emperor, I want to make you this finest robe out of this wool. The wool is so fine, you will not be able to see it. I am going to go to the barn and I am going to string it and so forth and so on and I am going to come back with this gorgeous robe."

The emperor kept saying, "I cannot see it, I cannot see it."

He kept saying, "But it is there. It is there. I am going to put it on you, and you are going to walk down the street of your community, and everybody is going to go, oh, what a beautiful robe you have on, emperor."

Come to find out, the emperor walked down the street with no clothes on, naked, just with his underwear on. And that is what this bill is like. It is naked. It is saying to seniors, I am going to give you this great bill, you are going to get all these benefits. But it is like the bill has no clothes. It is a piece of paper with no benefit for senior citizens. It is a card that gives them nothing. It is a premium that they are given for a period of time, and they get nothing.

The fact is, it is a misrepresentation, and it is just like that emperor walking down the street without any clothes.

I just want to thank all my colleagues for their leadership on this issue.

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentlewoman from Ohio.

I yield to the gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. Mr. Speaker, I want to thank also my friend the gentleman from Ohio (Mr. BROWN) for leading this discussion tonight.

I really believe what we are dealing with here is an administration that truly does not believe in Medicare, and this effort is not going over well with our senior citizens.

As my friend the gentleman from Washington (Mr. INSLEE) said, the experience that he had with his seniors, I have had the same experience with the seniors in my district. When I sit down with them and I explain this bill, I explain how it came into being, the shenanigans that occurred right here in the people's chamber, the benefits that are so difficult to understand, the benefits that are really going not to the senior citizen, but to the insurance companies and to the pharmaceutical companies, they are outraged.

They say to me, "What can I do to respond? Who can I talk to? How can I express the anger that I feel?" And that is what is happening across this country, and the administration is starting to feel the heat, and that is why they are taking I think \$18 million

of public tax dollars and putting these ads on TV, trying to convince our seniors that they are doing something good for them.

Well, America's seniors are a pretty wise bunch. They have lived through a lot. Many of them have lived through the Depression. They have lived through the wars. These are not children in their understanding. They have watched government. They know those who are for them and those who are against them.

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And America's senior citizens are angry tonight, because they desperately need help with the cost of their medications. There are seniors in this country I believe losing their lives because they are unable to afford the medicines that they so desperately need. They know that this bill that was passed here in the Chamber under these terrible circumstances specifically prohibits the reimportation of cheaper drugs from Canada. They know that the Secretary of Health and Human Services is specifically prohibited from negotiating discounts for our senior citizens, although the Veterans Administration negotiates discounts as a savings of, I think, about 40 percent. They know that this bill was written by and for the pharmaceutical industry, and they are angry.

And I think they are going to express themselves come November, because they are sick and tired of being used as political pawns, of being given false and exaggerated information; and I think they are going to stand up and say, we have had enough. We built this country. We fought the wars. We built our schools and our hospitals. We have made the sacrifice to make America what it is today, and we are sick and tired of being treated like second-class citizens. I think America's seniors are going to be expressing themselves loudly and clearly, and the best way they can do that is to do it with their vote. That is the one way they can fight back.

Mrs. JONES of Ohio. Mr. Speaker, if the gentleman will yield just for a moment, can we imagine if the seniors in Ohio had been able to ask these same questions of President Bush when he was parading through Ohio. Can we imagine if they had been able to say, President Bush, what am I getting from this prescription drug benefit? I mean, the day that the card was issued, here he was parading around Ohio, but he was not talking about the non-prescription benefit. He was talking about the jobs that we did not get in Ohio as well.

So those seniors could have said, President Bush, President Bush, I need a prescription drug benefit. Can you help me?

Mr. BROWN of Ohio. Mr. Speaker, I want to thank all of my colleagues together tonight: the gentleman from Ohio (Mr. STRICKLAND), the gentleman from Washington (Mr. INSLEE), the gentlewoman from Ohio (Mrs. JONES), the

gentleman from New Jersey (Mr. PALLONE), and the gentleman from Maine (Mr. Alan).

I want to close with an interesting point that the gentleman from Ohio (Mr. STRICKLAND) raised. He said it just seems that Republicans do not much like the Medicare program. On the surface, that does not sound like it makes sense, because I have a whole lot of Republican constituents who love Medicare. They know it has saved their lives and let them live longer, let them live healthier lives; but there is something about Republican politicians and their relationship with Medicare.

Back in 1965, 12 Republicans, 12 Republicans total voted for Medicare, to create Medicare. Bob Dole voted against it, Gerald Ford voted against it, Strom Thurmond voted against it, Donald Rumsfeld voted against it. Then, 30 years later, the first time the Republicans had control of this House and the majority, they tried to cut \$270 billion, with a B, billion from Medicare. That failed because President Clinton got out his veto pen and said, Do not even try.

Then, in 2002, or in 1999, Congressman Army, the second top Republican in Congress, said, in a free society, we would not have Medicare; we would not want something like Medicare. Whatever that meant. Then, in 2002, another Southern Republican Congressman in the leadership, the gentleman from Georgia (Mr. LINDER), said that Medicare is a Soviet-style program, whatever that meant.

The fact is that a lot of us in this institution, every single Democrat and some of the Republicans, care deeply about Medicare and want to preserve it, and that is why we fought against the privatization of Medicare that President Bush tried to foist upon us. That is why instead of these 50 cards, we want to see one discount card where seniors get a good benefit under Medicare, get a 30 or 40 or 50 or 60 percent discount like our neighbors to the north, the Canadians have, and like our neighbors across the ocean in Europe have. Instead, what we got was a bill written by the drug discount card companies, written by the insurance companies, written by the drug companies, all of whom are major contributors to the President of the United States.

Mr. Speaker, it was a sad day last December when this bill passed. It was a sad day when President Bush signed this bill. We all have work to do.

#### AMERICA'S WAR HISTORY

The SPEAKER pro tempore (Mr. COLE). Under the Speaker's announced policy of January 7, 2003, the gentleman from California (Mr. ROHRABACHER) is recognized for 60 minutes.

Mr. ROHRABACHER. Mr. Speaker, just a few thoughts about the controversy concerning the abuse of prisoners by American contractors and military personnel, if accurate. Some of these charges, of course, must be ac-

curate. No American should deny the truth, nor ignore this unacceptable and illegal behavior. In fact, the source of information and photos documenting wrongdoing appears to have come from an investigation, an investigation that was set forth and set in motion by the Pentagon itself. The Pentagon launched an investigation in order to end any abuse of prisoners that may have been taking place. Americans can be proud that we have standards that will not tolerate such abuse, and the Pentagon moved to correct it before it was publicly known.

We Americans should not flagellate ourselves because of a tiny number of American personnel who humiliated or abused prisoners. Certainly, the vast, vast majority, if not 99.99 percent, of our troops in Iraq and Afghanistan have conducted themselves in a courageous and honorable way. But such abuses and such mishaps and wrongdoing have occurred in every war. From the American Revolution on, we have seen soldiers who perhaps lose a friend and are struck by grief and lash out with revenge, killing a person or killing a prisoner or mistreating a prisoner or, we find, in some cases, a person with sadistic tendencies ends up overseeing the prisoners that have been taken. This happens in every war and conflict. Yes, things like this may have happened in this war as well.

The question, however, is what is to be done? Our government has declared such treatment of prisoners as wrong and illegal. We have thus maintained an honorable standard that we can be proud of.

Many of those criticizing us now or jumping to criticize us have no such standard. They murder their own people. Saddam Hussein, for example, butchered hundreds of thousands of his own countrymen. We found the mass graves, and in those mass graves were thousands and thousands of children.

Now, the world, the Arab world in particular, criticizes us over and over again, finding everything that they could possibly criticize us about, for trying to remove this sadist Saddam Hussein from power. Most of those Arab countries who criticize us or Arab organizations that criticize us, well, let us take a look at the criticism. Yes, it is wrong to abuse prisoners, and to the extent that they were, we were wrong. But we are actually trying to correct the problem. But those people, most of those people or many of those people who are criticizing us do not come anywhere close to a humanitarian standard of their own. They should not be pointing fingers at us or at our troops. This is sort of like the drunk down the street who has been arrested for drunk driving and had his license taken away pointing his finger at a neighbor because the neighbor is drinking a beer on the front porch.

Well, this hypocrisy comes from nitpickers, naysayers, and America-bashers. It is a bit too much. We are correcting a bad situation. We are ad-

mitting our failures, and we are correcting it. But we recognize that any noble cause, any war that has a noble cause is messy, just like all wars are messy and brutal undertakings. And for Americans, war is usually thrust upon us.

Tonight, I rise to discuss the war on terrorism, a war that was thrust upon us. This great challenge to our generation is the challenge we must face. History records that the people of the United States rose up and courageously defeated the forces of evil that threatened this planet during the last century. First we defeated the combined might of the German Nazi and Imperial Japanese war machines. Without the strength, courage, and sacrifice of the American people, this would have been a far different world dominated by the likes of Tojo and Hitler. And, yes, in that war there were some abuses and some mistakes by American military personnel, but does that mean that our cause of eliminating Hitler and Tojo was wrong? Certainly not. And we moved to correct those abuses, just as we have moved in this case when we have found some people who were misbehaving and doing some immoral things.

After World War II, Americans believed they had earned a better and a more peaceful life, only to realize that another evilism, communism, would destroy democracy unless America acted. The Cold War was upon us. Had it not been for the tenacity of the American people, for our love of liberty and, yes, our willingness to bear the burden for a sometimes ungrateful world, a Marxist-Leninist dictatorship would undoubtedly be dominating this planet.

Do our Muslim friends really believe that it would have been better for us not to have won the Cold War? Do they believe that the Marxist-Leninist regimes like they had in Yemen would have been better throughout the Muslim world? Certainly the rest of the world understands that communism was an evil force, and we can be proud of ourselves that we helped defeat that force, and it would not have happened without America.

I am proud to have served in the White House during a pivotal time in that Cold War. For 7 years I was a speech writer and special assistant to President Ronald Reagan. It is clear now that it was the tough policies put in place by President Reagan that brought the collapse of the Soviet Union and brought the collapse of Soviet communism and an end to the Cold War, but it was not easy. It was not a historic inevitability, as we are being told now; and it would not have happened on its own.

So please do not tell me also of the bipartisan spirit that enabled President Reagan to rebuild our defenses, that enabled President Reagan to support those fighting Communist domination, that bipartisan spirit that enabled President Reagan to vigorously