



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 109<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 151

WASHINGTON, TUESDAY, JULY 26, 2005

No. 103

## House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. MARCHANT).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 26, 2005.

I hereby appoint the Honorable KENNY MARCHANT to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,  
*Speaker of the House of Representatives.*

### MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 25 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes, but in no event shall debate extend beyond 9:50 a.m.

The Chair recognizes the gentleman from Colorado (Mr. BEAUPREZ) for 5 minutes.

### REASONS TO SUPPORT THE CENTRAL AMERICAN FREE TRADE AGREEMENT

Mr. BEAUPREZ. Mr. Speaker, I would like to highlight just a few of the reasons why I am in favor of the Central American Free Trade Agreement, known as CAFTA.

CAFTA is going to level the playing field for U.S. workers and farmers. Right now, the CAFTA countries have virtually open access to our U.S. mar-

ket. This agreement will give Americans the same free and fair access to their markets. The day CAFTA is signed, nearly \$1 billion a year in tariffs on U.S. goods goes away, making us immediately more competitive. Somewhere in this world, farmers will be producing the food and workers will be making the goods to meet the growing demand of the CAFTA nations. I want this demand to be met by American workers.

CAFTA will protect existing American jobs, allow us to compete fairly for more international business and strengthen our relationships with these six developing democracies.

Mr. Speaker, neighbors help each other, and CAFTA is a good neighbor treaty. I urge its adoption.

### HEALTH SAVINGS ACCOUNTS: A SOLUTION TO THE HIGH COST OF AMERICA'S HEALTH CARE SYSTEM

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Pennsylvania (Mr. FITZPATRICK) is recognized during morning hour debates for 5 minutes.

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I rise today to address the high cost of America's health care system and also to highlight a solution to this problem that not only reduces the number of uninsured in the United States, but gives consumers the ability to rein in the high price of health care on their own terms.

Everyone in this Chamber and across the Nation knows that our Nation is in the midst of a health care crisis. The crisis not only affects patients, but our health care professionals as well. Rising health care costs have left nearly 45 million Americans without health insurance and thousands of small businesses struggling to cover their employees. In my home State of Pennsyl-

vania, over 50 percent of Pennsylvanians surveyed said their family has had difficulty paying the cost of health care or obtaining insurance for their dependents.

Since 2001, the cost of health insurance has risen 59 percent. In 2004, employers who offered health insurance benefits were paying an average of 11 percent more for health insurance premiums, making that year the fourth year of double-digit increases in premiums.

Last year, President Bush spoke of the need to create an ownership society in America. His idea was simple: Pass laws to enable our families to take greater ownership in their investments, their financial security and their future. The idea of an ownership society has already resulted in a booming housing market, impressive job growth and historic economic productivity.

I come to the floor today to say that the ownership society can also change health care as we know it today through the use of Health Savings Accounts. Designed as part of the Medicare Modernization Act of 2003, Health Savings Accounts are tax-free accounts that empower consumers to take control over their own health care expenses.

The principle is simple: If a person has a health insurance plan with a high deductible of at least \$1,000 for an individual or \$2,000 for family coverage, that person can make pre-tax contributions to a savings account specifically designed to handle health insurance.

Health Savings Accounts are portable, interest-bearing financial instruments. Like a 401(k), contributions to HSAs are made with pre-tax income. Like an IRA, the account grows tax-free and can also be moved from job to job. There is no penalty for the removal of money from an HSA, and if an individual does not use any money from an HSA over the course of a year,

This symbol represents the time of day during the House proceedings, e.g.,  1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H6433

the money is not lost. Instead, it is rolled over into the next year and without penalty.

Due to the ability of account holders to contribute 100 percent of their deductible in pre-tax income into an HSA, consumers gain an added benefit by having health insurance plans with higher deductibles. The higher the deductible, the more they are able to invest without a tax penalty.

For business owners, especially small businesses, HSAs allow employers to lower health care spending and simultaneously reap a tax benefit. These incentives will motivate more businesses to take advantage of Health Savings Accounts.

I can relate to you a first-hand account of the success of HSA for small businesses. Last week, I hosted a Small Business Forum back in my State of Pennsylvania that brought together small business owners and employees from across my district to discuss the issue of the cost of rising health care premiums.

The gentleman from Illinois (Chairman MANZULLO) and I heard from George Donovan, the principal of a small architectural firm that employs 30 people. Mr. Donovan testified that the health insurance he pays accounts for nearly 50 percent of his total insurance costs. Three years ago, his firm's health insurance premium was \$120,000 per year. By switching to an HSA, he was able to cut that amount by half, to just \$60,000, in his first year.

Like many employers, George Donovan does not believe in employing individuals without health insurance. He found through staff interviews that health insurance is the number one criteria for accepting a job or for staying with his firm. By all measures, his adoption of HSAs has helped his bottom line, as well as allowed him to retain trained and talented staff.

Health Savings Accounts empower Americans across the country to make informed choices. Instead of being tied into a traditional plan that limits choice and keeps the consumer at arm's length from the health care market, Health Savings Accounts allow individuals and businesses to take an active role in choosing how to spend their money.

According to Andy Laperriere in a Wall Street Journal article of January 24 of this year, "health care is the only sector in the economy where there is almost no price transparency and no price competition."

Laperriere's article is correct. How many of us actually understand the cost of a medical test or procedure? Most of the information in a medical or hospital bill is too complicated to understand, and most health insurance plans compound that confusion.

HSAs create an economic incentive for consumers to shop for care competitively, become involved in the market and save more money with HSAs. Since you are able to keep that money that you do not spend in your HSA, it

makes sense to purchase the best care at the lowest possible price. Therefore, the widespread use of HSAs will create an educated class of consumers that will cut administrative costs, lower overhead and reduce the cost of health care for the majority of Americans.

Mr. Speaker, I call on my colleagues to support Health Savings Accounts and legislation that will expand and support their use. The best way to lower the cost of health care is to make the consumer an active participant in the market. Health Savings Accounts do just that, and bring us one step closer to an ownership society.

---

#### RECOGNIZING THE 15TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from New Jersey (Mr. HOLT) is recognized during morning hour debates for 5 minutes.

Mr. HOLT. Mr. Speaker, I rise today to recognize the 15th anniversary of the Americans with Disabilities Act, enacted on July 26, 1990.

The ADA occupies a unique place in our political and social history, providing sweeping protections against discrimination for a group that had suffered legal inequities and indignities from time immemorial. The accommodations that ADA afforded to persons with disabilities, in employment, public and private services, transportation and telecommunications, demonstrated that all Americans are entitled to legal protection from discrimination.

Just as the Civil Rights Act of 1964 was essential to eliminating legal justifications for denying equal rights to African Americans and others, the Americans with Disabilities Act constituted a step forward by prohibiting discrimination against persons with disabilities; and just as passage of the Civil Rights Act was a necessary precursor to the elimination of racism in practice, we still have some distance to go in order to eliminate popular prejudice and stigmatization of persons with disabilities.

In Congress, I have worked with the disability community to ensure that all Americans are afforded the full protection of the law. I have introduced legislation to require that staff working with developmentally disabled persons call emergency services in the event of a life-threatening situation. Danielle's Law would extend the New Jersey law to the rest of the country.

I have introduced the Voter Confidence and Increased Accessibility Act, legislation to amend the Help America Vote Act, to require a voter-verified paper audit trail and to ensure that any system of verification be fully accessible for all voters.

In the Committee on Education and Workforce, I successfully amended H.R. 4278, the Improving Access to Assistive Technology For Individuals With Dis-

abilities Act of 2004, in order to allow protection and advocacy agencies to carry over program income, funds generated by program activities, that is, for 2 additional years. This change will enable these programs to reinvest the earned funds into additional services and assistance in the acquisition, utilization and maintenance of assistive technology.

I have opposed the Department of Education's efforts to gut the Rehabilitation Services Administration, a program that has literally changed people's lives, providing the tools for disabled persons to live and work independently and with dignity. I fought for a full 40 percent funding for Individuals With Disability Education Act, the IDEA, which the Federal Government neglects. We are underfunding it by at least a factor of two.

The Americans with Disabilities Act has allowed great gains in the past 15 years, but there is much yet to be done. We must continue to ensure that jobs are open to persons with disabilities and that these valuable employees have the necessary accommodations. We must continue to make accessible transportation and housing options and grant access to community-based supports and services that promote independence and integration. We must also commit to continued education and job training for all Americans.

Since the passage of the ADA, I have been concerned with the interpretation of the law by Federal courts with regard to protections offered and individuals protected. The Federal courts' narrow interpretation of ADA has prevented it from achieving all that it was designed to do. As the Senate considers the nomination of a new Supreme Court justice, I hope the Senate will fully inquire as to his views on the application of the ADA.

Again, I would like to recognize the 15th anniversary of the Americans with Disabilities Act. I value the advances that our country has achieved because of legal protections it extends, and I look forward to continuing to work on behalf of Americans with disabilities.

---

#### PATRIOT ACT PROTECTS RIGHTS OF AMERICANS

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentlewoman from Virginia (Mrs. DRAKE) is recognized during morning hour debates for 5 minutes.

Mrs. DRAKE. Mr. Speaker, I think it is important to point out that last week, before we left here, we did a very important thing on Thursday night, and that is that we reauthorized the PATRIOT Act. I think it is important to remember that in 2001, when this act was first put into place, that there were no "no" votes. But now, 4 years later, Mr. Speaker, there is a great deal of concern among the American people that our freedoms be protected, and we often hear the expression that if we