

Too often when we dictate who will lead another country, we only replace one group of thugs with another, as we just did in Afghanistan, with the only difference being that the thugs who we support are expected to be puppet-like and remain loyal to the United States, or else.

Although bits and pieces of the administration's plans to wage war against Iraq and possibly Iran and North Korea are garnered, we never hear any mention of the authority to do so. It seems that Tony Blair's approval is more important than the approval of the American people.

Congress never complains about its lost prerogatives to be the sole declarer of war. Astoundingly, Congress is only too eager to give war powers to our presidents through the back door by the use of some fuzzy resolution that the president can use as his justification. Once the hostilities begin, the money always follows, because Congress fears criticism for not "supporting the troops." But putting troops in harm's way without proper authority and unnecessarily can hardly be the way to "support the troops."

Let it be clearly understood: There is no authority to wage war against Iraq without the Congress passing a Declaration of War. H.J. Res. 65, passed in the aftermath of 9-11, does not even suggest that this authority exists. A U.N. resolution authorizing an Iraqi invasion, even if it were to come, cannot replace the legal process for the United States going to war as precisely defined in the Constitution. We must remember, a covert war is no more justifiable and is even more reprehensible.

Only tyrants can take a nation to war without the consent of the people. The planned war against Iraq without a declaration of war is illegal. It is unwise because of the many unforeseen consequences that are likely to result. It is immoral and unjust, because it has nothing to do with U.S. security and because Iraq has not initiated aggression against us.

Besides, the American people become less secure when we risk a major conflict driven by commercial interests and not authorized in a proper manner by the Congress. Victory under these circumstances is always elusive, and unintended consequences are inevitable.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. WELDON) is recognized for 5 minutes.

(Mr. WELDON of Pennsylvania addressed the House. His remarks will ap-

pear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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REGARDING THE NATIONAL AVIATION CAPACITY EXPANSION ACT

The SPEAKER pro tempore (Mrs. CAPITO). Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

Mr. LIPINSKI. Madam Speaker, I rise tonight to speak about the National Aviation Capacity Expansion Act, a bill that will help end 20 years of aviation gridlock at the most important crossroads of American aviation.

This measure would codify a historical agreement between Mayor Daley and Governor Ryan that will expand and modernize O'Hare International Airport, take steps to construct a new south suburban airport, and keep Chicago's downtown general aviation airport open for 25 years.

It is necessary to codify this agreement into Federal law because the city and the State do not want to move forward with this \$6 billion project only to have a future governor rescind the agreement, thereby throwing billions of dollars down the drain.

The agreement reached December 5 by the Governor and Mayor is good news for our national aviation transportation system and for air travelers. O'Hare modernization is perhaps the most important action Congress and the Federal Government can take to alleviate system-wide congestion.

Chicago O'Hare is a vital economic engine in Chicago, the State of Illinois, the Midwest, and the entire Nation. It is among the world's busiest airports and serves as the only dual hub with United and American Airlines basing significant equipment, employees, and assets at the facility.

O'Hare serves more than 190,000 travelers per day, nearly 73 million in the year 2000. This is the Nation's busiest airport in number of passengers. Forty-eight States have direct access to O'Hare, as it serves communities large and small.

But O'Hare needs to be redesigned to meet the demands of today's marketplace. Designed in the 1950s, the airport has intersecting runways and a layout designed for smaller aircraft. By simply reconfiguring the airport layout, many weather-related delays could be avoided. By replacing old runways with safer, parallel configurations, delays and cancellations would be greatly reduced, eliminating delays that often ripple throughout the entire Nation.

Ninety percent of O'Hare's modernization will be paid for by airline and airport guaranteed funds, including passenger facility charges, landing fees, concessions, and bonds. The rest of the funds will come through the regular FAA process for airport construction, and my legislation is very clear on this issue.

This agreement also moves forward with a south suburban airport near Peotone. Common sense dictates that we need the capacity in the near future, and with this airport at Peotone we will have it. But just expanding O'Hare does not eliminate the need for a third airport, as I mentioned before. Building Peotone will not replace O'Hare modernization. They are not mutually exclusive. Both are needed to address serious aviation capacity problems in the region and the Nation.

This agreement also addresses traffic congestion along O'Hare's northwest corridor, including western airport access, and maintains the quality of life for residents near these airports. Clearly, the environment and airport noise should not be afterthoughts, as this agreement will reduce by half the number of people impacted by noise, and it includes \$450 million in funds for soundproofing. In addition, as the U.S. aviation system completes its move to quieter Stage 4 aircraft, airport noise will be reduced.

The FAA is and will continue to be the final arbiter of safety. Safety is our number one priority, and the legislation maintains the FAA's safety role.

Some might call my legislation unprecedented, but it is clear that the Chicago situation is unprecedented and unique. When the House Subcommittee on Aviation held a hearing on the issue in August, no other similar situation could be found where a State has an arbitrary veto power over a city's airport or runways. In addition, since Chicago is the crossroads of aviation, it is vitally important to codify this agreement into Federal law.

In closing, Madam Speaker, I urge all of my colleagues to cosponsor H.R. 3479, the Aviation Capacity Expansion Act. No other bill in this Congress will do more to end the aviation gridlock that plagues the American flying public.

IMPARTIAL INVESTIGATIONS WILL HIGHLIGHT THE TRUTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

Mr. FILNER. Madam Speaker, I have introduced this evening legislation that calls for a special prosecutor to be named to look into the whole Enron mess.

Sure, this is a business scandal, and congressional committees are looking into reforms of our auditing practices of public corporations and the safety of employee pension plans. But this is a scandal that goes far beyond that. This

is a scandal that shows the pervasive corruption in American politics.

My legislation asks for a special prosecutor to look into the relationship between Enron and the manipulation of the stock market and its value per share; to look into the relationship between contributions by Enron to the President, the Vice President, Cabinet officers, other administration officials, and congresspeople.

I am asking the prosecutor to look into the influence of Enron on Federal and State legislation, including, in particular, the effort to deregulate energy markets, both in States and in the Nation as a whole.

Finally, I ask for the prosecutor to look into the relationship between Enron and our whole Federal and State regulatory system.

When we went through the energy crisis in California in the summer of 2000 and since, many of us claimed that this was not a supply and demand crisis but a crisis of manipulation of our market; and, in fact, that criminal manipulation resulted in the theft of anywhere between \$20 billion and \$40 billion from California ratepayers.

Enron and a small group of its friends in the energy industry were the perpetrators of this crime. We took evidence of that crime, many of us in California, to our supposed protector, the Federal Energy Regulatory Commission. They investigated, or so they say, the situation, and they found no wrongdoing.

In fact, now that the spotlight is burning brightly on Enron, FERC has suddenly announced that they are going to look into this matter again. Why, after an investigation which was smoke and mirrors, do they say, "Let us look again"? I think this FERC, what I call the Federal Enron Rubber-Stamping Commission, wants to preempt other investigations and stop a real look into the relationship between Enron and the crimes that were committed in the electricity market in California.

So we cannot let FERC, the Federal Enron Rubber-stamping Commission, take over this investigation. We must give this to an independent and thorough investigation by a special prosecutor.

We have to go beyond the congressional investigations into the business practices of Enron and the problems that they caused, the tragedies they caused, because this is a bigger problem, and the American people should not allow this investigation to stop with only a few business reforms instituted and maybe one or two folks thrown into jail. They must demand the investigation of the whole corruption of our political system.

We know about the contributions to both administrations in recent history. We know about the contributions to congresspeople. We know about the separate meetings Enron had with the Vice President and the energy task force of the White House over an 8-

month period to determine the energy policy of this Nation.

We know that the seventh biggest company in the United States, with revenues of over \$100 billion, was making our energy policy. We know that Cabinet members came from Enron right into this administration. We know that the CEO of Enron, Ken Lay, personally submitted names and interviewed candidates to be members of our Federal Energy Regulatory Commission.

We know the connections, close connections, between this administration and Enron. It was those connections that caused this scandal, and it was the connections between Enron and State legislatures and State legislators and State regulatory commissions and Federal regulatory commissions that caused their success.

Not only the failure of Enron is what ought to be investigated but why they flew so high for so long and allowed the stealing of so many billions from so many people.

So we have to look at Enron with a neutral, unbiased look. It seems to me that neither the administration nor this Congress can do that, so that is why I am calling for a special prosecutor. Enron must be fully examined so the American people can understand why and how our political system has been hijacked.

GOVERNORS' RESOLUTION ON GENERIC DRUGS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Madam Speaker, I rise this evening to bring attention to the Governors' resolution on generic drugs that is going to be offered by Governor Dean of Vermont at the National Governors Association conference taking place this week in Washington, D.C.

Madam Speaker, after all is said and done, the high cost of prescription drugs still remains one of the most pressing health care issues confronting our country's senior citizens, employers, managed care plans, and State and Federal drug programs. It also remains clear that generic competition can have a dramatic impact on reducing pharmaceutical costs.

There is a need, in my opinion, for statutory or legislative initiatives that allow timely access and availability of generic drugs. Frankly, Madam Speaker, Congress has been dragging its feet. Congress has been so negligent in ensuring proper entry of generics to the market that States are beginning to act on their own, as we see with the Governors' resolution.

The Governors' resolution expresses concern about the 1984 Hatch-Waxman Act. Part of the intent of the Hatch-Waxman Act was to lawfully improve consumer access to lower-priced generic drugs. The problem, Madam

Speaker, is that loopholes within the Hatch-Waxman Act are being taken advantage of and preventing the availability of generic drugs to enter the market. Brand name companies have become proficient in manipulating the Hatch-Waxman law and launching campaigns to block or delay generic alternatives from reaching the market.

The Governors are concerned in their resolution that these elements within the Hatch-Waxman Act may actually be contributing to the rising costs of prescription drugs, and the resolution asks Congress to explore this issue.

In addition, the Governors raised the valid point that during this time of tight State budgets, a national deficit, and an economic recession States are burdened by Medicaid costs which are on the rise due to the soaring costs of prescription drugs. With prescription drug costs rising at a rate of up to 18 percent annually, States' Medicaid drug costs represent the fastest-growing health care expense for States, employers, and consumers across the Nation.

USA Today reported that the Business for Affordable Medicine, a coalition of governors, business, and labor unions, stated that certain reforms to the Hatch-Waxman Act could save State Medicaid programs \$600 million in prescription drug costs over the next 3 years. According to the coalition, States spent about \$1.2 billion in 2001 on 17 drugs, including the allergy medicine Claritin, the asthma drug Flovent, and the cancer treatment Lupron. The coalition said that the \$600 million figure is the amount of savings that would occur if these 17 drugs were replaced by generic alternatives that would be allowed to enter the market.

Madam Speaker, the inclusion of generic alternatives in the marketplace is great for consumers, employers, and government purchasers because generic competition provides access to less expensive, therapeutically equivalent generic versions of brand-name drugs.

I fully support the Governor's resolution and the intent to improve access to generic drugs, and I encourage my colleagues in Congress to take the lead of the Governors here in Washington, D.C., and to pursue this important issue.

THE PRESIDENT'S AXIS OF EVIL AND THE IMPORTANCE OF MIS- SILE DEFENSE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. McINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. McINNIS. Madam Speaker, this evening I would like to cover a couple of subjects. The first subject that I would like to spend some time on is on the President's axis of evil. I really do not want to focus entirely on that particular subject, but I want to talk more specifically as kind of a jump from