

have paid an assessment on every pound of tobacco grown to keep the program operating at no net cost to the federal government. This approach has generally been strongly supported by quota holders, growers, manufacturers, dealers, and in recent years, even public health organizations; however, certain structural problems have emerged in the last few years to make the program less efficient.

Tobacco quotas can be rented or leased by quota holders. This means that active tobacco growers seeking to increase their production can do so by obtaining the production rights from inactive quota holders. In the last few years, rent and lease costs have risen substantially, and the overall demand for tobacco leaf has been cut in half. Much of this reduction stems from the \$268 billion multi-state settlement in 1998, and fears of excessive federal regulation of tobacco products by manufacturers which has driven export production overseas. In the past two years, there has been much speculation about a tobacco quota buyout. This speculation has caused many quota holders to hang on to their quotas longer than they otherwise might have, making quotas more, expensive to buy and driving up rent and lease costs. At the same time, the price of domestic tobacco leaf has been supported at levels that are incongruous with international prices, making domestic leaf less competitive in world markets. As a result, support for the current program has been falling among active tobacco growers, thereby creating the need for reform.

Under my proposal, growers can opt for a modernized program or eliminate the program altogether, giving growers a vote on this issue. It calls for an up-front referendum for each type of tobacco to decide whether growers move forward with a licensing program that includes a cost-of-production safety net, or no program at all.

This bill will eliminate the current tobacco quota program and create a modernized program in its place. Quota holders would be eligible for buyout payments from non-federal sources through the existing Phase II trust fund and additional amounts provided under a new Phase III trust fund. Active tobacco growers would also be eligible for payments from these non-federal sources and would be issued tobacco production licenses based on their actual production history. The new licensing program would be administered by the Department of Agriculture, establishing licenses that are non-transferable, except to the heirs of the tobacco grower. In other words, the renting or leasing of production rights would be eliminated and tobacco leaf would be sold with a new safety net formula based on costs of production. Finally, growers would be given a vote on a new modernized program or no program at all.

The second objective of my legislation is to stimulate a discussion of alternative ways to fund a tobacco quota buyout. The current debate in Congress is at a stalemate, and I believe that it is well past time to look at alternative solutions. I continue to oppose all federal tax increases as a way to pay for a buyout including direct taxes, user fees, assessments, or new revenues by any other name.

Before the Attorneys General from the major tobacco states would sign the multi-state set-

tlement in 1998, they wanted guaranteed relief for tobacco growers, but they did not come to Congress looking for the money. The tobacco manufacturers and the states sat down and negotiated a separate \$5.15 billion trust fund, known as Phase II, that did not require taxpayer dollars. In this same vein, I believe we should begin looking at non-federal ways to fund a buyout, like developing a new Phase III trust fund with buyout payments made over 5 years. This would require a willingness on the part of manufacturers and growers to come together to find a solution, and I think it is an idea worth trying given that such a solution could potentially be accomplished far faster than waiting on the legislative process.

The third objective of my legislation is to keep the tobacco buyout and program reform debate separate from a massive tobacco product regulatory debate like the one experienced in 1998. I don't believe such a debate can be successfully concluded in the near future, yet group after group continues to meet with our tobacco growers and tell them that they need to accept FDA regulation of tobacco products if they want a tobacco buyout.

One of my major concerns with FDA regulation is its application of medical device language to tobacco products. Language regulating each machine part of a medical device will not work when applied to a tobacco leaf. Instead, it could end up giving the federal government broad authority to reengineer the compounds in the tobacco plant. Our tobacco growers have been pawns in the FDA power struggle long enough, and we simply must separate this issue and move forward to help our growers.

I hope my colleagues who represent tobacco-growing states will join with me in looking at the tobacco buyout issue in a different light. Tobacco growers cannot wait indefinitely for a solution. Let us find a non-federal, taxpayer friendly way to fund a buyout, enact sensible tobacco program reform that gives growers a choice, and move forward so that our farm families can enjoy a more stable future.

REINTRODUCTION OF CENSUS DIRECTOR LEGISLATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 2, 2003

Mrs. MALONEY. Mr. Speaker, today, I introduce legislation that establishes a 5-year term of office for the Director of the Census Bureau. By establishing a fixed term of office, this legislation would lessen the role that politics plays at the Census Bureau, an agency which should be grounded in the science of counting our nation. Other agencies charged with developing critically important statistical information, including the Bureau of Labor Statistics, have a fixed term for their directors. This policy ensures the most accurate, non-partisan data possible.

IN HONOR OF MARINE GUNNERY
SERGEANT PHILLIP A. JORDAN
OF ENFIELD

HON. ROB SIMMONS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 2, 2003

Mr. SIMMONS. Mr. Speaker, I rise today to share a Connecticut family's sorrow with my colleagues and the nation.

Marine Gunnery Sgt. Phillip A. Jordan, a 42-year-old Marine from Enfield, Connecticut, was killed along with eight other Marines near the city of An Nasiriyah. Sgt. Jordan died on March 23, when enemy troops, pretending to surrender, opened fire. He served America and the cause of freedom honorably in the first Gulf War, in Kosovo and in Afghanistan.

Sgt. Jordan, a constituent of mine, is the first Connecticut resident known to have died in the war. He leaves his wife, Amanda, and a son, Tyler, who is 6 years old. He was laid to rest today with full military honors in Enfield. We mourn his passing but honor his service.

This is an old story for Americans. Since our nation's birth there have been periods of time in which brave men and women have had to step forward to defend our freedom, our Nation and our Constitution. Yet, the timelessness of the story does not ease the sadness that is felt by those who mourn the loss of their loved ones. It is not only our men and women in uniform who sacrifice for our Nation—their families make profound sacrifices as well.

Sgt. Jordan reminds us that the guardians of our freedoms are the sons and daughters and the husbands and wives who volunteer to serve America and the people they love. When called upon, they leave their homes to engage in the dangerous and difficult work that must be done if we are to continue to enjoy the rights we have as Americans. Our men and women in uniform are the threads that bind together our national defense fabric. Without their courage throughout the centuries we would not be in this Chamber today.

It is the soldier and his family who above all others desires peace because it is the soldier and his family who bears the heaviest burdens of war. But the soldier and his family also know that there are even heavier burdens than those imposed by war. They know that there are some things worth fighting for and dying for.

Sgt. Jordan understood the difference between using force for liberation and defense; and using force for repression and conquest. He will take his place among the ranks of courageous and devoted Americans who gave their last full measure for this great Nation.

America will be a safer and more secure nation because of Sgt. Phillip A. Jordan. The America that we love, and that we will not falter in defense of, will forever stand as his monument. He and his family will be in our prayers. We thank them for their service and sacrifice.

INTRODUCTORY STATEMENT FOR
H.R. 1562, THE VETERANS
HEALTH CARE COST RECOVERY
ACT OF 2003

HON. BOB BEAUPREZ

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 2, 2003

Mr. BEAUPREZ. Mr. Speaker, along with Mr. SMITH of New Jersey, Chairman of the Committee on Veterans' Affairs; Mr. EVANS of Illinois, the Committee's Ranking Member; Mr. SIMMONS of Connecticut, Chairman of the Subcommittee on Health; and Mr. RODRIGUEZ of Texas, the Health Subcommittee's Ranking Member, I am introducing a bill to improve health care cost recovery programs in the Department of Veterans Affairs (VA).

The Veterans Health Care Cost Recovery Act of 2003 would strengthen VA's rights under law to collect third-party reimbursements from certain third parties for the costs the Department incurs in providing health care to veterans and others covered by a private or public health plan. It would specifically authorize reimbursement for services provided by VA to persons enrolled in and/or receiving treatment from VA health care facilities. The absence of a participating agreement or other contractual agreement would no longer serve as grounds for denying or reducing amounts the Department may collect from third party payers.

With this legislation, the Department of Veterans Affairs would be deemed a "preferred provider" for purposes of collections when a payer might be a managed care or preferred provider organization or other non-traditional payer. This bill would authorize VA to receive full reimbursement for services provided to all persons with insurance, with the exception of service-disabled veterans for health care provided related to their service connected conditions. This bill would require health plans to reimburse VA for legitimate expenses associated with a covered beneficiary. A number of payers and plans that fully cover veterans have either refused to reimburse VA or have legally been unable to do so. This bill would eliminate such barriers to reimbursements to the VA system.

The Veterans Affairs Committee is fully aware that the VA health care system is seriously under-funded and unable to meet the demands being placed on it by our nation's veterans. VA health care is under great stress, as increasing enrollment and rising health care costs have resulted in hundreds of thousands of veterans being forced to wait months, some even more than a year, to see a VA doctor for the first time. VA recently reported that over 200,000 veterans are waiting six months or more to be seen in VA primary care. These proud defenders of our freedom should not be told to wait because we lack the resources, or even more unthinkable—told to go away.

Mr. Speaker, my bill would correct serious deficiencies in VA's ability to recover costs of care provided to patients covered by other health plans. Since 1986, VA has had statutory authority to collect from traditional insurers such as Blue Cross-Blue Shield, Aetna, Mutual of Omaha and many others. These funds are used by VA to supplement appropriated funds to maintain high quality health care.

But currently, VA is unable to collect from the sizeable managed care and preferred provider sector, which accounts now for over two-thirds of all health plans in the United States. This segment of the health care industry also includes the managed care plans within the Federal Employee Health Benefits Plan. My legislation would require the private sector programs to pay VA for care it provides to covered beneficiaries. This would increase the amount of money VA could collect by hundreds of millions of dollars each year—providing funds that are desperately needed to reduce the waiting lists and promote better use of all available health care resources.

Mr. Speaker, this is a sound proposal that would increase available health care dollars for veterans. I urge prompt House action on this important measure.

LEGISLATION TO AID DISPLACED
AVIATION WORKERS

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 2, 2003

Mr. OBERSTAR. Mr. Speaker, today, I have joined with Congressmen ENGLISH, NEY, HOYER, DUNN, LIPINSKI, HART, MENENDEZ, DEFAZIO and WEINER to introduce H.R. 1553, the Air Transportation Employees Assistance Act. I strongly support this legislation to ensure that workers in the aviation industry are not asked to bear a disproportionate share of the costs of fighting terrorism and the war with Iraq. These are national responsibilities and should be borne by the entire nation. We have already recognized this principle and granted financial relief to airline companies and their stockholders. Now we should grant some relief to the workers of these companies who have lost their jobs as a consequence of terrorism and war.

The airlines were the weapons used by the terrorists of 9/11, and, as a consequence, the airlines have suffered serious financial damages—from the groundings after 9/11, from the lost traffic which has never returned to pre 9/11 levels, from increased insurance costs, and from the loss of substantial revenues because of security limitations on the carriage of freight and mail.

The war with Iraq is also having a significant impact on the airlines, producing increased fuel costs, loss of revenue from the reluctance of passengers to fly, and from the need of our military to use the airlines' aircraft to carry troops and equipment to the war zone.

Shortly after September 11, Congress responded to the aviation industry's financial problems caused by terrorism, by passing a \$15 billion package of direct assistance and loans. Now proposals are going forward to furnish \$3.0 billion more to help the airlines meet the costs of a war with Iraq.

While I have supported these efforts to aid the industry for the problems created by terrorism and war, I, and many of my colleagues, are deeply disappointed that there has not been the same fair treatment of aviation industry employees who have also suffered from terrorism and war.

Even prior to the war with Iraq, the financial state of the airlines and the fate of their employees was deteriorating daily, as more than

150,000 industry employees were laid-off or furloughed. The situation has reached a crisis point and Congressional action is desperately needed to avert a total collapse of several air carriers and the elimination of thousands of jobs. The air carriers are now bleeding millions more each day as bookings plummet in the wake of the war. The airline industry predicts another 70,000 layoffs due to a severe drop in business resulting from the war. Moreover, Boeing, which already cut 30,000 workers due to aircraft order cancellations and deferrals following 9/11, says it will lay off nearly 1,000 more workers.

The issue of aiding aviation employees is not new. When we passed the \$15 billion assistance bill soon after September 11, many of my colleagues and I insisted that if the airline companies were to be afforded relief, so should employees who had lost their jobs. The Republican Leadership told us that there was no time to develop a consensus proposal on employee relief, but on the House Floor, Speaker HASTERT promised prompt consideration of employee relief, including financial assistance, ability to retain health insurance, and training for new careers. Regrettably, the Leadership has not followed through, and the House has never considered assistance for displaced airline employees.

Mr. Speaker, if the airline industry is entitled to special relief because it has suffered disproportionately from terrorism and war, its displaced workers are equally deserving of relief. Our bill will redress the imbalance, and help the industry's employees cope with difficulties arising from events outside their control. Our bill provides industry employees 26 additional weeks of unemployment benefits. Aviation industry employees were the first to be laid off after 9/11, and they were among the first to exhaust their state and federal jobless benefits. The current federal extension of those benefits as enacted earlier this year will soon expire, and it did not give any help to thousands of workers who had exhausted all their benefits. Aviation workers need and deserve our assistance as the war on terrorism causes a further contraction of the industry.

I urge my colleagues to support the Air Transportation Employees Assistance Act. We hope that it can be included in the Supplemental Appropriations Act which will soon be considered by the House.

HONORING THOMAS N. LESCH FOR
40 YEARS OF DEDICATED SERVICE

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 2, 2003

Mr. KLECZKA. Mr. Speaker, today I announce the retirement of a great friend of labor, Tom Lesch. Over the years, the machinists of Wisconsin have had no greater an advocate than Tom. For four decades, he has ably served in one capacity or another as a committed member and leader of Local Lodge 2110 of the International Association of Machinists and Aerospace Workers (IAMAW).

Mr. Lesch started his union career as Local Lodge President, Recording Secretary, and Shop Committee Chair representing workers at Geuder, Paschke and Frey. In 1976, he became a Business Representative with District