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House of Representatives

The House met at 10:30 a.m.

MORNING HOUR DEBATES

The SPEAKER. Pursuant to the order of the House of January 7, 2003, 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 30 minutes, and each Member except the majority leader, the minority leader or the minority whip limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BROWN) for 5 minutes.

MONEY: THE PHARMACEUTICAL INDUSTRY'S MIRACLE DRUG

Mr. BROWN of Ohio. Mr. Speaker, PhRMA, the lobbying shop for America's drug companies, has a problematical condition. It is suffering from that most debilitating of special interest deficiencies: sickly message. PhRMA has to come in with a straight face and tell public officials: if you support efforts to lower the cost of prescription drugs, we will not have the resources to develop the next generation of miracle medicines.

Now, anyone who knows even a little about the drug industry knows that that argument does not hold water. We know that with profit margins consistently pushing 20 percent, the drug companies are the most profitable industry in America for 20 years running. They have the lowest tax rate in America. Half of all the drugs developed in this country, half of all the research and development for drugs in this country is done by taxpayers. But without a shot in the arm, PhRMA, the drug industry's lobbying arm, PhRMA's case of anemic message might result in an acute loss of profits.

Fortunately for the drug industry, it has found a miracle cure of its own, a

very effective drug called money, and they are using it to change the way America thinks. Here in Washington you see the drug companies' money everywhere. They spend untold millions on high-priced inside-the-Beltway lawyers to tell the administration and Congress that State initiatives to control drug costs violate the law by putting Medicaid beneficiaries at risk.

And they spend big money, really big money to sell this message to Congress and the White House. The drug companies spent over \$70 million lobbying House and Senate Members during the last election cycle. They spent almost \$90 million on political campaign ads. They know where their bread is buttered. They know who their friends are. Almost 90 percent of their campaign spending was on behalf of Republicans. And they were especially generous to President Bush in his 2000 race and already for his 2004 race.

And by any standard, the money that drug companies have spent on Republicans is well spent. Rather than use its influence to bring down prices in the United States, the Bush administration, infused with all kinds of drug industry campaign dollars, is using its power to prevent Americans from purchasing the same medicine in Canada for one-half, one-third, and one-fourth the price. The Medicare prescription drug bill passed last year by the Republican-led House does nothing to curb the ever-escalating price of drugs. In fact, the Republican bill throws more money, more government dollars, more taxpayer funds at the drug companies.

For the 1¼ million people in my State of Ohio without health insurance, and for the tens of millions throughout this country, the problem is not whether the giant multinational drug companies will be able to afford to develop another version of Viagra or another "Me Too" drug. For working Ohio families and seniors struggling to make ends meet, the problem is they

cannot afford the drugs that are available today.

In Ohio, as in other parts of the country, seniors have grown tired of waiting for the Federal Government to address the high price of prescription drugs. They know they cannot count on President Bush, who receives millions of drug company dollars. They know they cannot count on the Republican leadership. The Ohio Coalition for Affordable Drugs wants to let the citizens of Ohio decide for themselves; and PhRMA, the drug industry's lobbying arm, is pulling out all the stops to block their plan.

Millions of Ohioans would benefit from this plan. Savings are estimated as high as 50 percent. That is why PhRMA is working so hard to make sure the proposal never makes it to the ballot in Ohio. PhRMA sued over the language of the proposal. After that failed to stop the initiative, they challenged petitions trying to get people's signatures disqualified because they had moved or because they have not voted for a couple of years.

But the complete absence of a valid argument has never slowed the drug industry's friends down. No, PhRMA marches relentlessly on in its efforts to derail the Ohio prescription drug savings issue. PhRMA plans to spend \$16 million, more than the total amount of money spent on the Governor's race last year in Ohio. The drug industry plans to spend \$16 million to keep the issue off the ballot; and if it gets on the ballot, millions of dollars to defeat it. That is money they did not spend researching medical breakthroughs. It is money they are not spending helping families afford the latest generation in miracle drugs.

No, the drug industry is spending that \$16 million to delay and to deny the citizens of Ohio an opportunity to exercise their right to vote on whether prescription drug prices should come down. PhRMA is not engaging in a debate or arguing against the merits of

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the plan; they are smart enough to know a losing campaign when they see one. Instead, they are trying to get the election called on a technicality.

PhRMA, the drug industry, and the Republicans are counting on PhRMA's money, the miracle pill that has worked before, to make its problems go away. I do not know if that trusty remedy will work this time. There is a growing understanding in Ohio, and I think there is throughout the country, that when push comes to shove the drug industry's priority is profit, not patient safety. If the drug company's real priority is patient safety, why are they spending so much money to ensure that we cannot afford the medicine that so many of us need?

FULFILLING OUR PROMISE

The SPEAKER pro tempore (Mr. SCHROCK). Pursuant to the order of the House of January 7, 2003, the gentleman from Texas (Mr. DELAY) is recognized during morning hour debates for 5 minutes.

Mr. DELAY. Mr. Speaker, this week, the House of Representatives will implement another item on the President's agenda. We have been voting for 6 years to ban the cruel and unnecessary violence of partial-birth abortion. At long last, Congress will take the same decision our constituents took years ago. We will call infanticide by its name.

The House is well aware of the debate, and we will repeat it once again before we finally send this legislation to a President who is willing to sign it. It will become law. And when it does, we will become a slightly better Nation for it.

But beyond the specific victory this will be for its tireless proponents, the passage and enactment of the Partial-Birth Abortion Act will be a victory for the American families we were sent here to serve.

Last November, in the face of uncertainties about war in Iraq and a sagging economy, the American people elected this Congress to get things done. Our mandate was to rise above partisan gridlock to complement President Bush's leadership instead of undermining it. Five months into our first session, we have passed major legislation not just in the House but in the Senate as well. And we are not just passing paper, we are passing laws.

In addition to the partial-birth abortion ban, the Armed Services Naturalization Act has significant bipartisan support and can quickly become law. We are also pursuing the President's initiative to reform Medicare with a prescription drug benefit to help those seniors who need it the most. This is on top of the jobs and growth package to create more than 1 million new jobs and provide for our economic security.

And the global AIDS bill to help curb the spread of HIV/AIDS in the most vulnerable regions of this world. And

the Child Protection Act to prevent and punish sexual predation against our children. And the war budget to fund the liberation of Iraq and the reconstruction of its government.

Mr. Speaker, this Congress is helping this President produce results. And with every law we pass and he signs, we move another step closer to fulfilling America's promise and, just as important, fulfilling our promise to America.

BAIT AND SWITCH

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from New Mexico (Mr. UDALL) is recognized during morning hour debates for 5 minutes.

Mr. UDALL of New Mexico. Mr. Speaker, what the gentleman from Texas (Mr. DELAY) does not say is that what this piece of legislation on the floor today does is take away a woman's right to choose, take away a woman's right to reproductive freedom, and it is part of a concerted effort on behalf of the Republican Party to pack the courts with judges who would repeal *Roe v. Wade*. That is what the real issue is when it comes to this piece of legislation the gentleman from Texas just talked about.

Mr. Speaker, last month, President Bush visited my home State of New Mexico. He came to sell his tax cut. The President said, and what many of his minions have been saying over the last couple of months, is that every taxpayer was going to be helped by this tax cut. He emphasized how the child tax credit would help all taxpayers. Well, now the bill has been signed and we have read the fine print, and guess what? New Mexico, in fact, is going to get very little in the way of a tax cut for working families. Virtually nothing. Zero. Nada.

When I was Attorney General and we used to work on cases called consumer scams, we used to call this tactic bait and switch: tell them one thing to sell them the idea and complete the sale, and give them something completely different and hope they will never find out. Bait and switch. One of the oldest consumer scams. That is what this tax cut was all about.

The Republican National Committee is also in on this scam. The committee, on its Web site, asks the question: Who benefits under the President's plan? And I read from the Web site: "Everyone who pays taxes, especially middle income Americans."

Why bait and switch? Because they do not want you to know who gets the lion's share of benefits from this tax cut: millionaires. In 2005, 200,000 taxpayers making \$1 million or more will get 44 percent of the benefits. Eight million, mostly low- and middle-income taxpayers will not receive any benefit, not a penny from the law. Forty times as many taxpayers who get no benefit from the cuts as there are millionaires who get 44 percent of

the law's benefits. Let me repeat: 40 times as many taxpayers who get no benefit from the cuts as there are millionaires who get 44 percent of the law's benefits.

What can we say about a tax cut and a fiscal policy which rewards the rich at the expense of the middle income? What can we say about a tax cut which will force us to cut health care, education, and homeland security? What can we say about a tax cut and fiscal policy which deprives the government of revenue it needs to make the United States a strong and vital Nation?

The normally staid *Financial Times* of Britain answered the question this way: the lunatics are now in charge of the asylum. The lunatics are now in charge of the asylum.

PRESCRIPTION DRUG PACKAGE IMPORTANT FOR RURAL HEALTH CARE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentlewoman from West Virginia (Mrs. CAPITO) is recognized during morning hour debates for 5 minutes.

Mrs. CAPITO. Mr. Speaker, I stand here today as a Member of Congress to emphasize the importance of passing a meaningful, comprehensive prescription drug package now. But I know my voice is small, even as a Member of Congress, compared to a senior citizen who has to choose between paying for living expenses or prescription drugs. That voice needs to be heard in Congress.

I heard that voice in Paw Paw, West Virginia. I heard that voice in Martinsburg, West Virginia. And I heard that voice again in Mill Creek, Moorefield, Franklin, Gassaway, and Cedar Grove. Those are all of the towns in West Virginia that I visited and have visited during my year-long district tour of rural health centers and during the last two district work periods.

I am sure I will hear that voice again when I visit more rural health care centers. I will probably hear it more from women, because women represent 72 percent of the population age 65 and older.

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Mr. Speaker, women are more likely to have lower incomes in their retirements. There are twice as many women as men 65 years or older with annual incomes less than \$10,000.

I want to modernize Medicare with a guaranteed prescription drug benefit so when I visit my district again and resume my rural health tour, it is not to hear what the problem is, but to say that the problem has been worked on and a solution has been passed by this Congress.

MISGUIDED REPUBLICAN POLICIES

The SPEAKER pro tempore (Mr. SCHROCK). Pursuant to the order of the