

church that I attend on a regular basis. We named it the Charlie H. Murray, the Reverend Charlie Murray, who is the pastor emeritus of this church; and as we thought of the contributions that this gentleman had made, we had brought practically every Senator, every mayor, Presidential candidates, all to this small church because of the tremendous outreach and appeal of the Reverend Charlie Murray.

So as we go into primary elections and people are voting and thinking about electing a new President, we thought that was an appropriate time to pay tribute to a church man who had been civically involved.

#### TRIBUTE TO CHIEF WARRANT OFFICER BRIAN D. HAZELGROVE

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, it is written that we are to grieve with those who grieve and mourn with those who mourn. It is in that spirit today that I rise to honor a hero, Chief Warrant Officer Brian Hazelgrove.

Warrant Officer Hazelgrove is the son of Ron and Patty Hazelgrove of Edinburgh, Indiana, a small town just a stone's throw from my home, where I am sure today in Sherman's Barber-shop and elsewhere there is genuine grief and sadness at the loss of this 1994 graduate of Edinburgh High School.

Warrant Officer Hazelgrove joined the Army in that year of 1994. He began his service in military intelligence before becoming a pilot and serving two tours of duty in South Korea.

He was serving with the 3rd Squadron, 17th Air Cavalry Regiment from the 10th Mountain Division at Fort Drum, New York. He died this January 23, 2004, in support of Operation Iraqi Freedom when his OH-58D Kiowa Warrior helicopter went down 31 miles south of Mosul, Iraq. He was bravely executing a combat mission at the time.

Warrant Officer Hazelgrove, Mr. Speaker, died like every other American soldier throughout our Nation's history, bringing hope and freedom to a people who have never known it before.

On behalf of the people of the sixth congressional district, I extend my deepest sympathies and prayers to the family of Chief Warrant Officer Hazelgrove, to his lovely wife, Kimmi; their four children, Taylor, 11; Zachary, 10; Brandon, 3; and Katelyn, 7 months. Indiana and America mourn the loss of this heroic American, Chief Warrant Officer Brian Hazelgrove.

#### WHAT PRESIDENT BUSH DID NOT TELL US ABOUT THE MEDICARE BILL

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Ohio. Mr. Speaker, last week President Bush stood in this

well and told us that he signed a Medicare bill last month. What he did not tell us was that this bill does not take effect until 2006. What he did not tell us is that this bill gives the insurance companies a \$14 billion taxpayer subsidy. What he did not tell us is that this bill provides \$139 billion more to the drug companies in profits, and what he did not tell us was how little coverage this Medicare prescription drug bill will give to most of America's seniors.

This bill falls short because the Medicare bill was written by the drug industry and by the insurance industry, for the drug industry and for the insurance industry in the Oval Office.

#### COLLABORATION ON THE AFTERMATH OF IRAQ

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I do not believe it is important at this time to restate a position that many of us took in this Nation in opposition to the attack against Iraq: preemptive, unilateral, and without a constitutional vote of this Congress.

We have long since said that we stand united behind the United States military, but it is clear that our policies now in the aftermath are failing, with the insurgents going against our troops in high numbers, with the loss of life increasing and now the political delay because those in Iraq want direct and prompt election. In addition, it is important not to cover up the wash out, the white out, the words of Mr. Kay, finding no weapons of mass destruction.

Today, I ask for a serious and collaborative effort with the United Nations who, of course, this government has approached, our NATO allies and Mideast allies to deal with the aftermath of Iraq.

Secondarily, I ask for a full and open hearing by all committees of jurisdiction on the issue of the lack of finding of weapons of mass destruction. I do that because that is the basis upon which representations were made to the United States and the people for which we entered into Iraq. It is imperative that these hearings are open and free for the public to hear, for the national security, to ensure the security of our homeland and the security of our troops and the security of all those around the world.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

#### BREAST CANCER STAMP EXTENSION

Mr. OSE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1385) to extend the provision of title 39, United States Code, under which the United States Postal Service is authorized to issue a special postage stamp to benefit breast cancer research, as amended.

The Clerk read as follows:

H.R. 1385

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. BREAST CANCER STAMP EXTENSION.

Section 414(h) of title 39, United States Code, is amended by striking "2005" and inserting "2006".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. OSE) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. OSE).

#### GENERAL LEAVE

Mr. OSE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. OSE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1385, introduced by my distinguished colleague from my home State of California (Mr. BACA), extends the life of the breast cancer research semipostal stamp.

Mr. Speaker, on the night of July 22, 1997, Dr. Ernie Bodai, Betsy Mullen, and David Goodman sat breathlessly in the House gallery awaiting the outcome of a vote that they had worked tirelessly to see become a reality. At that time, H.R. 1585, the Stamp Out Breast Cancer Act, was landmark legislation establishing the Breast Cancer Research Stamp Program and directing the U.S. Postal Service to issue a new first-class breast cancer stamp with proceeds benefiting breast cancer research at the National Institutes of Health and the Department of Defense Breast Cancer Research Programs.

This advocacy team, a surgeon, a survivor and a widower, used their own time and resources to convince lawmakers to pass this essential legislation.

Dr. Ernie Bodai of Carmichael, California, a constituent and personal friend of mine, led the charge. After 14 visits to Washington within 2 years, as well as spending over \$100,000 of his personal savings, he succeeded, creating the lead for breast cancer fundraising. Dr. Bodai is the pioneer of the breast cancer stamp, chief of general surgery for Kaiser Permanente, and CEO of CureBreastCancer, Inc.

Joining him in this crusade was Betsy Mullen. Ms. Mullen is one of slightly over 2 million women living in the United States who have been diagnosed with and treated for breast cancer. She was diagnosed with breast cancer in 1992 at age 33 and formed the Women's Information Network Against Breast Cancer, the acronym WIN ABC, which provides information and support for life-and-death decisions about treatment options.

The final member of this advocacy team is David Goodman, a WIN board member who lost his wife to breast cancer less than a year before appearing on the House floor.

H.R. 1585, the Stamp Out Breast Cancer Act, passed the House on a 433 to three vote; and on August 13, 1997, President Clinton signed this legislation into law. By May 9, 1998, the U.S. Postal Service unveiled the new 40 cent stamp, and August 9 the stamp officially went on sale to the public.

The legislation we are considering today, H.R. 1385, reauthorizes the breast cancer research stamp program through the year 2006. The stamp marks the first time that some of the proceeds of stamp sales have gone to fund research, and the awareness raised as a result of this historic stamp designed to save lives continues to be priceless. As of December of 2002, 421.3 million breast cancer research stamps have been sold dating from July 29, 1998, raising almost \$30 million for biomedical breast cancer research at the National Institutes of Health and the Department of Defense.

The Department of Defense Breast Cancer Research Program receives 30 percent of the moneys raised from stamp sales. Since the breast cancer stamp was introduced, Department of Defense has received over \$9 million from the stamp's sales, and the National Cancer Institute has received \$24 million.

The breast cancer stamp functions like a regular first-class stamp and is purchased on a voluntary basis by the public. In 1997, when a person purchased the breast cancer stamp, 32 cents would be used for postage and the extra 8 cents from each stamp sold was turned over to research programs run by the National Institutes of Health and the Defense Department. Today, the stamp can be purchased for 45 cents.

The stamp is a line drawing of the Roman goddess Diana reaching back to retrieve an arrow from her quiver, and the words, "Fund the fight. Find a cure," written across.

□ 1415

The exact cause of breast cancer is not known; therefore it is imperative that researchers continue to study the basic biology of cancer.

Research proposals funded by the Breast Cancer Research Stamp look at the basic biology of breast cancer, such as understanding the changes in breast cells, including DNA and proteins in

the cells that result in the development of breast cancer. An increased understanding in cancer cells could lead to the development of new drugs to prevent or treat breast cancer.

Funding is directed to prevention, detection, diagnosis and treatment research projects. Studies examine the use of antibiotics to block breast cancer cell growth, to observe tumor behavior to keep the cancer from spreading, to explore immunotherapy and the potential to create a vaccine to stimulate the human immune system to protect itself from breast cancer, and search for alternatives to mammography for breast cancer detection.

The program's success encouraged Congress to appropriate additional funds to the Breast Cancer Research Program in subsequent years, totaling over \$1.6 billion through fiscal year 2004. To date, the Breast Cancer Research Program supported awards in three categories: Research, Research Resources, and Training Recruitment, as well as the Innovator Award.

Projects are coordinated to specifically avoid duplication of research between the Department of Defense on the one hand and the National Institutes of Health on the other. Awards are meant to fill gaps in ongoing research and to complement initiatives sponsored by other agencies. The Department of Defense Breast Cancer Research Program has emphasized support for research and training awards that encourage innovative approaches to breast cancer research to accomplish the program's vision of eradicating breast cancer.

In addition to research, the Department of Defense Breast Cancer Research Program has sponsored three Era of Hope meetings to publicly present results of DOD funded studies and provide researchers with the opportunity to share their results with the scientific community, with policymakers, and with the lay public. The most recent meeting, in 2003, was held in Orlando, Florida, with over 1,500 scientists, clinicians, and breast cancer survivors and advocates in attendance.

A National Cancer Institute report estimates that about one in eight women in the United States will develop breast cancer during her lifetime. It is the most commonly diagnosed cancer in women, accounting for 30 percent of all cancers in women. In 2004, more than 40,000 individuals are projected to die from breast cancer. In 2003, the American Cancer Society estimated 21,100 new cases of breast cancer will be diagnosed among women in my home State of California and, of these, 4,000 women will die from this disease.

An individual's breast cancer risk depends on a variety of factors, including family history, reproductive history, life-style factors such as heavy alcohol consumption and smoking, and a number of other factors that are not yet understood. A woman's risk for developing breast cancer increases if her mother, her sister, her daughter, or

two or more other close relatives, such as cousins, have a history of breast cancer, especially at a young age. However, 85 percent of women who develop breast cancer have no known family history of the disease.

Early detection and treatment is the key to survival. Declining death rates caused by breast cancer are believed to be the result of early detection and improved treatment. Breast cancer prevention experts strongly encourage women of all ages to have regular mammograms and to conduct breast self-examinations monthly.

When people choose to purchase the Breast Cancer Stamp every day, they can turn that simple little act into a meaningful and effective way to participate in the fight against breast cancer.

Mr. Speaker, I would like to conclude by thanking my friend, Dr. Ernie Bodai, for his persistence in this fight against breast cancer. Driving through Sacramento, he can be easily spotted in his car, which is adorned by its license plate PL 105-41, the public law number that made the breast cancer fund-raising stamp official. It is in honor of this man and to honor the lives of the victims of breast cancer that I stand before my colleagues, supporting the reauthorization of H.R. 1385.

Mr. Speaker, I thank the gentleman from California (Mr. BACA) for his efforts towards stamping out breast cancer, and I urge all Members to support the passage of H.R. 1385.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the ranking member of the Committee on Government Reform's Special Panel on Postal Reform and Oversight, I am pleased to join my colleague, the gentleman from California (Mr. OSE) in consideration of H.R. 1385 extending the issuance of the Breast Cancer Semipostal Stamp through December 31, 2006. H.R. 1385, as amended, was introduced by the gentleman from California (Mr. BACA) on March 20, 2003, and has 145 cosponsors.

Semipostals are stamps sold with a surcharge above the cost of a first-class postage stamp with the net surcharge amount going to a designated cause. We owe our interest in semipostal stamps to Dr. Ernie Bodai, Chief of Surgery at the Kaiser Permanente Medical Center in Sacramento, California, and former Representative Vic Fazio. Dr. Bodai first proposed the idea of a semipostal with the money raised going towards breast cancer research. He took his idea to Representative Fazio, and on May 7, 1996, Representative Fazio introduced the first semipostal bill, H.R. 3401, the Breast Cancer Research Stamp Act. Representative Fazio was joined in this effort by Senator Dianne Feinstein of California when she introduced identical legislation in the Senate.

The following year, Representative Fazio joined Representative Susan Molinari of New York in introducing H.R. 1585, Stamp Out Breast Cancer. This bill was subsequently enacted into law, Public Law 105-41. The law not only authorized a breast cancer research stamp for 2 years, it also required the General Accounting Office to submit a report to Congress that evaluated the effectiveness of the appropriateness of this method of fund-raising. In its first report issued in 2000, GAO determined that the semipostal statute was successful and an effective and appropriate way to fund-raise.

By way of addressing the health issues raised by many of the semipostal bills pending in Congress, the chairman and ranking members of the former Subcommittee on the Postal Service, the gentleman from New York (Mr. MCHUGH) and the gentleman from Pennsylvania (Mr. FATTAH) introduced H.R. 4437, the Semipostal Authorization Act. This measure, which became law, Public Law 106-253, provided the Postal Service with discretionary authority to issue semipostals provided the revenue raised goes to Federal agencies and is for medical research. Such authority is similar to the discretion the Postal Service currently has in deciding which commemorative stamps to issue.

Breast cancer is the second leading cause of cancer deaths among women in our country. More than 2 million women have been diagnosed with breast cancer and at least another 1 million are unaware that they have it. Every year, nearly \$7 billion is spent on breast cancer treatment, all the more reason to support the issuance of a Breast Cancer Semipostal Stamp.

Since its issuance in 1998, the Breast Cancer Stamp has raised over \$30 million for research. By law, the National Institutes of Health and the Department of Defense are the recipients of the money and are required to submit an annual report to Congress on the amount of funds received, how the funds were spent, and accomplishments. The sale of the Breast Cancer Research Stamp has done much to increase public awareness of the disease and has allowed millions of people the opportunity to participate directly in raising money for this much-needed research.

Mr. Speaker, I commend my colleague for his effort and cannot express enough my support for his measure. I would also like to thank the chairman, the gentleman from Virginia (Mr. TOM DAVIS), the ranking member, the gentleman from California (Mr. WAXMAN), and the House leadership, both Democrat and Republican, and the Senate for working to ensure an additional source of research money for breast cancer.

I urge the swift adoption of H.R. 1385.

Mr. Speaker, I reserve the balance of my time.

Mr. OSE. Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 5 minutes to the gentleman from California (Mr. BACA), who introduced this important resolution.

Mr. BACA. Mr. Speaker, I thank the gentleman from Illinois (Mr. DAVIS) for yielding me this time, and I thank the gentleman from Virginia (Mr. TOM DAVIS) for his support.

I rise in support of H.R. 1385, my bill to authorize the Breast Cancer Research Stamp through the year 2006. I am proud to say that the language in my original bill extending the stamp through the year 2005 was included in the omnibus and signed by the President last Friday. This amendment will extend the stamp for 1 additional year, through the year 2006.

It has been a long, hard fight to extend the Breast Cancer Research Stamp. It is a fight I began when I was in the California assembly and have continued to do so here in Congress.

But we would not be here today without the hard work of several individuals. I want to thank Dr. Bodai for first asking me to introduce this resolution urging Congress to extend its research stamp when I was in the California State Assembly. It was Dr. Bodai who developed the idea of a Breast Cancer Research Stamp, and it was through his crusade and persistence that we have it here today. Had it not been for him doing it in California, in Sacramento, it would not have happened.

I also want to thank Senator FEINSTEIN and the gentleman from California (Mr. OSE). And I know it was difficult for him to be here this afternoon, because he and I were both on the Red-eye. He knew the importance of this bill and what it means to many individuals, and I want to thank him for his leadership and his hard work and what he has done to make sure that the sunset on the research stamp is extended. And for that, I compliment the gentleman for taking the time, on the Red-eye, on this important issue to address this issue here today.

I introduced this bill last year for one reason, and that is to save lives. All of us care about saving lives. This issue is more important to me now. I recently learned from my son, Joe Baca, Jr., that his wife's grandmother passed away from breast cancer. We will miss Josefine Sanchez and many others who have died, but early detection and prevention and research may have prevented this. By working together to pass this important piece of legislation we can prevent such tragedies.

This year, more than 200,000 women and men will be diagnosed with breast cancer. More than 40,000 women and men will die from this disease. Breast cancer is the most commonly diagnosed cancer among women in every major ethnic group in the United States. And I say every ethnic group, not one, but all. It does not discriminate. Whether an individual is white, black, Hispanic, or whatever race or

ethnicity, everyone is at risk. Early prevention and early detection is of the utmost importance.

Breast cancer is still the number one cancer killer of women between the ages of 15 to 54, between 15 to 54. The disease claims a woman's life every 15 minutes in the United States. Imagine that, claiming the life of a woman every 15 minutes. More than 2 million women are living with breast cancer in America today, yet 1 million of them have not been diagnosed. One million women have not been diagnosed. That is why it is important to increase the funding for breast cancer research.

The Breast Cancer Research Stamp is among the most successful commemorative stamps of all time, with 485 million stamps sold. I repeat: 485 million stamps sold. The stamp program has generated over \$35 million for breast cancer research. It has been a critical ally in generating the resources necessary to wage war on this terrible, terrible disease.

□ 1430

The stamp is a semipostal stamp that can be voluntarily purchased by the public for only 45 cents. It is worth it to save a life. Eight cents of each stamp sold goes to the National Institutes of Health and the Department of Defense Breast Cancer Research Program.

Working with Dr. Bodhai, Senator FEINSTEIN introduced the Breast Cancer Research Stamp bill in 1998 to help support the fight against breast cancer. I am also proud to say that California continues to lead the way, and I thank the gentleman from California (Mr. OSE) for starting it in Sacramento, along with Dr. Bodhai. It has contributed over \$3 million in research funds, or roughly 21 percent of the money raised nationwide.

Today, I ask for Members' support for the Breast Cancer Research Stamp, my bill, and all women and men who will benefit from the money the stamp raises.

We have the support of 150 Members who have cosponsored my bill, and countless organizations like the American Cancer Society, American Medical Association, the Breast Cancer Fund, and the Susan G. Komen Breast Cancer Foundation.

By supporting reauthorization of this stamp, you are not only helping research but you are helping to raise awareness and save future lives.

Think about it: the customer purchases a stamp, a carrier delivers it, and a person receives it. That is three people who have seen the message saying breast cancer needs to be stamped out. Each time we use the stamp, not only do we raise additional funds for research; we send a message of hope to many men and women who have this terrible disease. We need to find a cure, and we will find a cure. With Members' continued support of this legislation, we will do that.

Mr. OSE. Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding me this time and for being here for what I believe is an enormously important commitment to saving lives.

I thank the gentleman from California (Mr. BACA) for the commitment he has shown, as stated in the gentleman's opening statement, and for offering this legislation, to do something that is more than honorable, that is, to save lives. My hat is off to the gentleman, and I stand here as a very proud cosponsor of this legislation for what it means to those who are fighting every day against this devastating disease.

Needless to say, there is not one of us, 435 in this body and certainly 100 Senators, who has not been confronted by family members and by those who are experiencing the devastation of breast cancer. Certainly there are many of us who have lost loved ones. Breast cancer is a devastating disease, and it has been stood up to by the women of America. This particular semipostal legislation, which allows for research dollars to come, is imperative that it be continued. And the reason is midway, otherwise, in the middle of very serious research, we would wind up having to stop that research because of the fact that resources are no longer there.

I certainly want to acknowledge Ethel Kesler, who helped design this stamp, and Whitney Sherman as well; and I want to make it very clear that we appreciate the senior Senator from California's initial leadership. Let me make note of the fact that cancer makes an impact on every single ethnic group in America.

Mr. Speaker, 2 million are living with breast cancer in America today, but yet 1 million have not been diagnosed. Breast cancer incidence in women has increased from one in 20 in 1960 to one in 8. Breast cancer is still the number one cancer killer of women between the ages of 15 and 54. The disease claims another woman's life every 15 minutes.

I want to emphasize there are major local community groups working on this issue. I have worked with Sisters Network in Houston, Texas. They are an outreach group that goes to inner city residences to encourage women to be tested for breast cancer. One of the worse parts of this disease is it is a silent killer. If women do not get a mammogram, and I remember some fights years ago, and the gentlewoman from California (Ms. ESHOO) remembers this as well, where there were no benefits to allow poor women to go forward and have mammograms. There was a debate whether it be covered or not. I appreciate the Women's Caucus and this

body fighting very hard to involve and make everyone conscious of the fact that all women should be able to have access to mammograms.

Sisters Network in Houston, Texas, and they have chapters around the country, is a minority-based, African American-based organization that particularly reaches out to our community for those who may be intimidated by the medical system or are not covered by health insurance. I remember going door to door with packets of information, reaching out to both Hispanic and African American women to encourage them to seek mammograms.

This is an important legislative initiative; and although it may be on a very cold and stormy day in Washington, D.C., there is a glimmer of sunlight that this legislation be reauthorized so researchers on the front line of saving lives will have an opportunity to do so.

As I close, let me thank all of the survivors who are living with cancer or who have survived breast cancer. I thank them for their steadfastness and courage. They are a shining example to others, ensuring others might live. Again, I add my appreciation to the gentleman from California (Mr. BACA), the gentleman from Illinois (Mr. DAVIS), and the gentleman from California (Mr. OSE) for their enthusiastic support, as well as the chairman and ranking member of the Committee on Energy and Commerce.

Mr. Speaker, I am pleased to be here today in support of the Breast Cancer Research Stamp. The Breast Cancer Research Stamp was first introduced in 1998 by Senator DIANNE FEINSTEIN to help support the fight against breast cancer.

It is among the most successful commemorative stamps of all time with 485 million stamps sold. The stamp program has generated in excess of \$35 million for breast cancer research.

The idea for the stamp was developed in California by Sacramento oncologist, Dr. Ernie Bodai. The stamp was designed by Ethel Kessler of Bethesda, MD, and illustrated by Whitney Sherman of Baltimore, MD. The stamp is a "semi-postal" stamp that can be voluntarily purchased by the public for 45 cents with 8 cents benefiting the National Institute for Health and the Department of Defense Breast Cancer Research Program. If the sunset on the stamp had not been extended, many important research projects would have gone unfunded, hurting the fight against breast cancer. The stamp was set to expire on December 31, 2003.

This initiative is so important because of the devastating effects of Breast Cancer. Breast cancer is considered the most commonly diagnosed cancer among women in every major ethnic group in the United States. More than 2 million women are living with breast cancer in America today, yet one million of them have not been diagnosed. Breast cancer incidence in women has increased from one in 20 in 1960 to one in eight today. Breast cancer is still the number one cancer killer of women between the ages of 15 and 54. The disease claims another woman's life every 15 minutes in the United States.

This year, more than 200,000 women and men will be diagnosed with breast cancer and more than 40,000 women and men will die from breast cancer. It is tragic that one woman in eight either has or will develop breast cancer in her lifetime. In addition, 1,600 men will be diagnosed with breast cancer and 400 will die this year.

In my state of Texas alone, in 2002, there were 12,819 new cases of breast cancer and an estimated 800 deaths. In Texas, African Americans are more likely to develop cancer and more likely to die from the disease.

At this time there are slightly over 2 million women living in the U.S. who have been diagnosed with and treated for breast cancer. Every 3 minutes a woman in the United States is diagnosed with breast cancer.

As introduced, H.R. 1385 reauthorized the Breast Cancer Research Stamp for two years, through 2005. The language from H.R. 1385 was included in the Omnibus by Senator FEINSTEIN and became law on January 23, 2004. As amended, H.R. 1385 will extend the reauthorization for one additional year, through 2006.

I am pleased to be a cosponsor of this legislation and urge my colleagues to realize the significance of this bill and what we can do to fight this battle together.

Mr. OSE. Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield 4 minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank the ranking member and I thank the gentleman from California (Mr. OSE) for this legislation. It is an important piece of legislation, and I am proud to be a cosponsor of it.

This is the first fund-raising stamp in the United States, and it benefits the eradication of breast cancer. During the holidays at home wherever I was, whether it was a holiday party, in the grocery store, wherever I was, there was someone that came up to me and said I went to the post office to buy the breast cancer stamp, and was told that it is no longer available because Congress has not reauthorized it. People know, and they have become attached to this effort and very supportive of it for what it produces.

The stamp was introduced in 1998, and the profits are split between the National Institutes of Health and the Department of Defense's Health Research Division, as called for by Congress. Over 450 million of these 45 cent stamps have been sold. I am very proud to say that of the \$35 million raised, California continues to lead the way because we have contributed roughly 21 percent of the money that has been raised nationwide.

Mr. Speaker, my colleagues have expressed our collective concerns about the issue of breast cancer. Certainly during my tenure in the Congress I have been very proud to have worked on the causes of breast cancer, for the optimal treatments for breast cancer, and ultimately a cure for breast cancer. These have all been priorities of mine.

I see that the gentleman from Pennsylvania (Mr. GREENWOOD) is here on

the floor. We worked very hard together to pass the Breast and Cervical Cancer Treatment Act, which was introduced and passed in the 106th Congress. As one of my colleagues said, more than 2 million women in America are living with breast cancer today. During the time that we have been on the floor and making comments on this, three women in the United States have died as a result of breast cancer. The statistics we still carry with us. I think this is an important effort, and I thank everyone who is a part of this effort and urge all of my colleagues to vote for this measure and make it unanimous so we send a message out to Americans who have gone to their post office and not found this stamp available that Congress has reauthorized it.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would indicate that California is leading the way on this issue, and the rest of us are very pleased to follow their example. I urge swift passage of this bill.

Mr. ROTHMAN. Mr. Speaker, according to the National Cancer Institute, 1 in 8 women will get breast cancer in her lifetime. I rise today in support of H.R. 1385, the Breast Cancer Research Postal Stamp because I believe that number is unacceptable.

Breast cancer is currently the most common cancer among women in the United States with incidents on the rise. In my home State of New Jersey over 6,000 women were diagnosed with breast cancer last year and tragically, approximately 1,500 women died from this terrible disease. I support and cosponsored H.R. 1385 because it is about changing those statistics, it is about hope.

In December of 2003, the Breast Cancer Research Stamp expired, and today we have an opportunity and a responsibility to renew it. Approximately 500 million copies of this special Breast Cancer Research Stamp have been sold, raising about \$40 million for the National Institutes of Health and the Department of Defense Breast Cancer Research Program. These are programs that help more women get screened, help more breast cancer cases to be detected and detected early, and help more women get the treatment that allows them to survive.

There is another very positive aspect of the Breast Cancer Research Stamp—it raises awareness. Each time the stamp passes hands as a letter goes from sender to recipient, another person becomes aware; another man grows concerned and reminds his wife to get a mammogram, another woman schedules a check-up with her doctor, and another mother teaches her daughter about breast self exams.

Mr. Speaker, I rise today because "breast cancer needs to be stamped out!" I strongly hope that my colleagues will stand with me and reauthorize the Breast Cancer Research Stamp.

Mr. RODRIGUEZ. Mr. Speaker, today I rise in support of reauthorizing the Breast Research Stamp Act (H.R. 1385). The public has widely supported the stamp, and their voluntary purchases have generated over \$35 million dollars for breast cancer research. The National Institutes of Health and the Depart-

ment of Defense Breast Cancer Research Program use this donation to help the 2 million women nationwide who are daily battling this disease.

The Breast Cancer Research Stamp was developed by Dr. Ernie Bodai, designed by Ethel Kessler, and introduced by Senator DIANNE FEINSTEIN in 1998. Since its introduction, over 485 million stamps have been sold with 8 cents of each purchase price going toward breast research. The stamp expired December 31, 2003 and there has been overwhelming support to extend the stamp's production through 2006. Congressman JOE BACA proposed the stamp's extension with 148 cosponsors and numerous groups including the American Cancer Society and the American Medical Association supporting H.R. 1385.

The revenue created by the sale of this stamp will help fight the most commonly diagnosed cancer among women, and it will be used to educate women and encourage early detection practices in Texas and across the country. The Alamo Breast Cancer Foundation (ABCF) is a San Antonio based organization that supports awareness, treatment, and counsels those receiving cancer treatments. In Texas alone, 13,700 women will be diagnosed and 2,600 lives will be lost to this disease in the coming year. In the entire country, 40,000 people a year will die from breast cancer.

Mr. Speaker, breast cancer will touch 1 out of every 8 women in America. This statistic is far too high and includes mothers, grandmothers, college students, and their loved ones. I urge my fellow Representatives to support the Breast Research Stamp Act and to continue to present the public with a simple method to donate to a worthy cause.

Mr. ROSS. Mr. Speaker, I rise today in support of H.R. 1385, the reauthorization of the Breast Cancer Awareness Stamp.

As a co-sponsor of H.R. 1835, I believe this bill is critical to continue to fund research for a disease that affects 2 million women in the United States alone. The Breast Cancer Research stamp was introduced in July 1998 and has raised \$35 million in five years for the Department of Defense and the National Cancer Institute for research in treating breast cancer. Of those funds raised, \$279,000 has gone to the University of Arkansas for research.

Breast Cancer is the leading cancer afflicting American women, and this year nearly 40,110 women will die of breast cancer, and over 215,000 new cases will be diagnosed. Unfortunately, many of these cases will not be diagnosed, and deaths will occur, in communities where access to advanced medicine is limited.

Congress's commitment to increasing the funding for cancer prevention and early detection is helping us battle this disease. Today we can be proud of the advancements we have made. But we must continue our commitment to defeating breast cancer by continuing to fund the research necessary to fight breast cancer.

Ms. BORDALLO. Mr. Speaker, I rise today in support of H.R. 1385 to extend the provision of title 39, United States Code, under which the United States Postal Service is authorized to issue a special postage stamp to benefit breast cancer research. I want to thank Mr. BACA for his support in introducing this legislation.

The Breast Cancer Research stamp has been a successful tool to raise funds to sup-

port research and programs to aid in the fight against breast cancer. Despite the extra cost added to purchase the first class stamps and three postage rate increases since its debut in 1998, the Breast Cancer Research stamp has brought in over \$35 million for innovative research, prevention and treatment programs and other initiatives at the National Institutes of Health and the Department of Defense.

There are hundreds of thousands of women fighting breast cancer and over 200,000 new cases that will be diagnosed this year. The funds raised by the Breast Cancer Research stamp provide hope to the victims and their families. More importantly, it symbolizes our commitment to eliminating this devastating disease.

I urge my colleagues to support H.R. 1385. Let us continue this successful program in the hopes that one day there will be success in finding a cure.

Mr. GREEN of Texas. Mr. Speaker, I rise today in strong support of H.R. 1385, legislation which would allow the United States Postal Service to continue its successful breast cancer semipostal stamp. Proceeds from this stamp directly benefit breast cancer research.

Breast cancer is a serious concern for all of us. We all have friends, family members, constituents and colleagues who have battled this serious disease. Breast cancer does not discriminate—Americans of every age, race, religion, gender, economic standing and political affiliation are affected by this disease.

The figures are alarming. An estimated three million women in the U.S. are living with breast cancer—one-third of whom do not know they have this deadly disease. It is the most common form of cancer in America, excluding skin cancers. More than 240,000 new cases—1 every 3 minutes—occur in the United States each year. More than 40,000 women will die from the disease.

One of our strongest weapons against breast cancer is early awareness and treatment. Women who are screened and diagnosed early can begin treatment before the disease becomes more advanced. That is why raising awareness of the disease is so critical.

The breast cancer stamp has clearly helped to raise awareness and funds for this serious disease. Since it was first created in 1998, more than 421 million stamps sold, raising \$29.5 million for biomedical breast cancer research. The alarming rate at which breast cancer is detected mandates that we continue to work toward a cure for this disease which is claiming so many lives worldwide. Enactment of H.R. 1385 will further enable research in an effort to increase the survival rate.

This disease calls for each of us to take a stand in an effort to find a cure and bring some solace to a disease that has tormented our mothers, wives, aunts, sisters and daughters. The importance of this stamp has immeasurable value and I strongly support enactment of this important legislation.

I encourage my colleagues to join the 145 cosponsors of this bill by passing H.R. 1385.

Mr. DAVIS of Illinois. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. OSE. Mr. Speaker, I join the gentleman in complimenting the gentleman from California (Mr. BACA) for introducing this legislation, and I urge all Members to support its passage.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from California (Mr. OSE) that the House suspend the rules and pass the bill, H.R. 1385, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. OSE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

## MEDICAL DEVICES TECHNICAL CORRECTIONS ACT

Mr. GREENWOOD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3493) to amend the Federal Food, Drug and Cosmetic Act to make technical corrections relating to the amendments made by the Medical Device User Fee and Modernization Act of 2002, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3493

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Medical Devices Technical Corrections Act".

### SEC. 2. TECHNICAL CORRECTIONS REGARDING PUBLIC LAW 107-250.

(a) TITLE I; FEES RELATING TO MEDICAL DEVICES.—Part 3 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379i et seq.), as added by section 102 of Public Law 107-250 (116 Stat. 1589), is amended—

(1) in section 737—

(A) in paragraph (4)(B), by striking "and for which clinical data are generally necessary to provide a reasonable assurance of safety and effectiveness" and inserting "and for which substantial clinical data are necessary to provide a reasonable assurance of safety and effectiveness";

(B) in paragraph (4)(D), by striking "manufacturing";

(C) in paragraph (5)(J), by striking "a premarket application" and all that follows and inserting "a premarket application or premarket report under section 515 or a premarket application under section 351 of the Public Health Service Act."; and

(D) in paragraph (8), by striking "The term 'affiliate' means a business entity that has a relationship with a second business entity" and inserting "The term 'affiliate' means a business entity that has a relationship with a second business entity (whether domestic or international)"; and

(2) in section 738—

(A) in subsection (a)(1)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i) by striking "subsection (d)," and inserting "subsections (d) and (e).";

(II) in clause (iv), by striking "clause (i)," and all that follows and inserting "clause (i)."; and

(III) in clause (vii), by striking "clause (i).," and all that follows and inserting

"clause (i), subject to any adjustment under subsection (e)(2)(C)(ii)."; and

(ii) in subparagraph (D), in each of clauses (i) and (ii), by striking "application" and inserting "application, report.";

(B) in subsection (d)(2)(B), beginning in the second sentence, by striking "firms, which show" and inserting "firms, which show";

(C) in subsection (e)—

(i) in paragraph (1), by striking "Where" and inserting "For fiscal year 2004 and each subsequent fiscal year, where"; and

(ii) in paragraph (2)—

(I) in subparagraph (B), beginning in the second sentence, by striking "firms, which show" and inserting "firms, which show"; and

(II) in subparagraph (C)(i), by striking "Where" and inserting "For fiscal year 2004 and each subsequent fiscal year, where";

(D) in subsection (f), by striking "for filing"; and

(E) in subsection (h)(2)(B)—

(i) in clause (ii), by redesignating subclauses (I) and (II) as items (aa) and (bb), respectively;

(ii) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively;

(iii) by striking "The Secretary" and inserting the following:

"(i) IN GENERAL.—The Secretary"; and

(iv) by adding at the end the following:

"(ii) MORE THAN 5 PERCENT.—To the extent such costs are more than 5 percent below the specified level in subparagraph (A)(ii), fees may not be collected under this section for that fiscal year."

(b) TITLE II; AMENDMENTS REGARDING REGULATION OF MEDICAL DEVICES.—

(1) INSPECTIONS BY ACCREDITED PERSONS.—Section 704(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(g)), as added by section 201 of Public Law 107-250 (116 Stat. 1602), is amended—

(A) in paragraph (1), in the first sentence, by striking "conducting inspections" and all that follows and inserting "conducting inspections of establishments that manufacture, prepare, propagate, compound, or process class II or class III devices, which inspections are required under section 510(h) or are inspections of such establishments required to register under section 510(i).";

(B) in paragraph (5)(B), in the first sentence, by inserting after "standards of accreditation," the following: "or where the Secretary has information indicating that the relationship between the establishment and the accredited person may create a conflict of interest.";

(C) in paragraph (6)(A)—

(i) in clause (i), by striking "of the establishment pursuant to subsection (h) or (i) of section 510" and inserting "described in paragraph (1)";

(ii) in clause (ii)—

(I) in the matter preceding subclause (I)—

(aa) by striking "each inspection" and inserting "inspections"; and

(bb) by inserting "during a 2-year period" after "person"; and

(II) in subclause (I), by striking "such a person" and inserting "an accredited person";

(iii) in clause (iii)—

(I) in the matter preceding subclause (I), by striking "and the following additional conditions are met:" and inserting "and 1 or both of the following additional conditions are met:";

(II) in subclause (I), by striking "identified under subclause (II) of this clause" and inserting "identified under clause (ii)(II) as a person authorized to conduct inspections of device establishments"; and

(III) in subclause (II), by inserting "or by a person accredited under paragraph (2)" after "by the Secretary";

(iv) in clause (iv)(I)—

(I) in the first sentence—

(aa) by striking "the two immediately preceding inspections of the establishment" and inserting "inspections of the establishment during the previous 4 years"; and

(bb) by inserting "section" after "pursuant to";

(II) in the third sentence—

(aa) by striking "the petition states a commercial reason for the waiver"; and

(bb) by inserting "not" after "the Secretary has not determined that the public health would"; and

(III) in the fourth sentence, by striking "granted until" and inserting "granted or deemed to be granted until";

(v) in clause (iv)(II)—

(I) by inserting "of a device establishment required to register" after "to be conducted"; and

(II) by inserting "section" after "pursuant to"; and

(vi) by adding at the end the following clause:

"(v) The eligibility of the establishment for inspections by accredited persons has not been suspended under subparagraph (B)(iv)(II).";

(D) in paragraph (6)(B)(iii)—

(i) in the first sentence, by striking ", and data otherwise describing whether the establishment has consistently been in compliance with sections 501 and 502";

(ii) in the second sentence—

(I) by striking "inspections" and inserting "inspectional findings"; and

(II) by inserting "relevant" after "together with all other"; and

(iii)(I) by inserting "(I)" after "(iii)";

(II) by adding at the end the following subclause:

"(II) In making a decision under this paragraph, the Secretary may consider any information relevant to the establishment's compliance with any provision of this Act. Nothing in the preceding sentence shall be construed to expand the Secretary's inspectional authority under subsection (a).";

(E) in paragraph (6)(B)(iv)—

(i) by inserting "(I)" after "(iv)"; and

(ii) by adding at the end the following subclause:

"(II) If, during the two-year period following clearance under subparagraph (A) with respect to a device establishment, the Secretary obtains information indicating significant deviations from compliance with this Act or implementing regulations, the Secretary may, after notice and an opportunity for a written response, notify the establishment that the eligibility of the establishment for inspections by accredited person has been suspended.";

(F) in paragraph (6)(C)(ii), by striking "in accordance with section 510(h), or has not during such period been inspected pursuant to section 510(i), as applicable";

(G) in paragraph (10)(B)(iii), by striking "a reporting" and inserting "a report"; and

(H) in paragraph (12)—

(i) by striking subparagraph (A) and inserting the following:

"(A) the number of inspections conducted by accredited persons pursuant to this subsection and the number of inspections conducted by Federal employees pursuant to section 510(h) and of device establishments required to register under section 510(i)."; and

(ii) in subparagraph (E), by striking "obtained by the Secretary" and all that follows and inserting "obtained by the Secretary pursuant to inspections conducted by Federal employees";

(2) OTHER CORRECTIONS.—