

form lowering the costs of prescription drugs, when Nation is experiencing a growing budget deficit, and is experiencing a sluggish economy, makes no sense at all.

Furthermore, there is a doughnut hole in the GOP bill that is large enough to drive a Mack truck through. Under the Republican bill, in the first year, millions of middle class seniors with drug costs between \$2,250 and \$5,100 will receive no help at all, even though they must pay premiums. This is not fair. Experts have concluded that most seniors will end up paying more for their prescription drugs in the near future, even if they enroll in the new program.

Tonight, I ask a very straight forward question: how in the world can millions of seniors citizens afford to pay, out of pocket, anywhere up to \$2,850 dollars in prescription drug costs, because of the doughnut hole in coverage in the GOP bill.

The answer is clear: seniors will continue to struggle, day after day, just as they have for decades, to figure out how they can afford to purchase desperately needed prescription drugs. Many will have to continue to endure their aches and pains because they will not be able to afford prescription drugs under this ill designed program.

Mr. Speaker, I do not think it is fair for senior citizens to have to go through this nightmare any more. Mr. Speaker, I think this is a moral outrage, and I urge the Congress to adopt a new Medicare Prescription drug bill that would benefit all seniors, not just the drug companies and the HMOs.

#### IRAQ INTELLIGENCE LAPSES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, the blessings of this Nation are that we are a Republic, a constitutional Republic, that the Founding Fathers were wise enough to establish three distinct branches of government. I take that distinction and that constitutional mandate very seriously and believe that the congressional legislative branch has a responsibility of oversight over the executive as the judiciary remains as an independent component.

The administration of this government, the executive, engaged in a debate in the fall of 2002 that suggested to the American people that we were about to be attacked by Iraq. It was a vigorous debate. There was great, if you will, challenge to the administration's facts; and they waged a very public, if you will, campaign to convince the American people and to convince the United States Congress that we were about to be imminently attacked. It was a serious campaign, Mr. Speaker; it was a serious moment in our history. Members of this Congress took that debate very seriously.

I recall very vividly great emotion on the floor of the House, great indecision, indecisiveness, great concern and conflictedness about whether we should go to war, whether or not the words of the President mentioned and the Axis of Evil that was then ultimately mentioned in the winter of 2003 was actually factual; but the administration was convinced. They have pushed the intelligence community to the point of representing to all of us that this information was factual.

Let me share with my colleagues words from the administration: "Simply stated, there is no doubt that Saddam Hussein now has weapons of mass destruction," Vice President DICK CHENEY, August 26, 2002.

"Right now, Iraq is expanding and improving facilities that were used for production of biological weapons," President Bush, September 12, 2002.

"The Iraqi regime possesses and produces chemical and biological weapons. It is seeking nuclear weapons," Bush, October 7, 2002.

"We have also discovered through intelligence that Iraq has a growing fleet of manned and unmanned aerial vehicles that will be used to disburse chemical and biological weapons across broad areas. We are concerned that Iraq is exploring ways of using the UAVs for missions targeting the United States," Bush, October 7, 2002.

"We know for a fact that there are weapons there," White House Spokesman, Ari Fleisher, January 9, 2003.

"The evidence indicates that Iraq is reconsidering its nuclear weapons program. Saddam Hussein has held numerous meetings with the Iraqi nuclear scientists, a group he calls his nuclear mujahadeen, his nuclear holy warriors. Satellite photographs reveal that Iraq is rebuilding facilities at sites that have been part of its nuclear program in the past," Bush, October 7, 2002.

Mr. Speaker, I will be offering in the next couple of days the Protect America's National Security Act of 2004, the PANS Act of 2004. That is to demand congressional hearings by the Select Committee on Homeland Security, Committee on the Judiciary, the Committee on Armed Services, and Permanent Select Committee on Intelligence, absolutely demanding that an inquiry be made on the question of the level of intelligence that was utilized to convince this Congress, both the House and the Senate, of the decision to go to war.

I am against the bipartisan commission that has been offered by the President. Why? Because the President will be making the appointments regardless of the fact of whether they will be Democrats and Republicans. The President, the administration, the executive will be setting the time of the start and the completion of its work. I am concerned that any report and any investigation on the question of the type of intelligence that was given at the time of the decision made to go to war be challenged and it be an oversight by the Congress of the United States.

I refuse to allow this Congress to abdicate its responsibility under the Constitution to give oversight of the question of whether or not the intelligence given was both legitimate and substantial and the basis on which it was made.

To the American public, you deserve an answer. To the American public, you deserve that your congressional representatives engage in a process to investigate where there is no time set, where there is no end set, by the very executive that presented the intelligence.

In addition, we should hurry this report. This report should be done within a 6-month period because it is time sensitive. Why is it time sensitive, Mr. Speaker? Because intelligence is a basic infrastructure of security of America. It determines how we secure our borders, it determines aviation security, it determines the difference or the different levels of alert that we propose day after day after day.

It is crucial that the Congress rises to the level of oversight. It is interesting that we wish to push this very important work off to a civilian, if you will, commission which the very entity that we are investigating will be the one that will select both the participants and the procedures. Congress needs to use its subpoena powers and its investigatory powers in order to ensure that the American people have the truth.

I ask my colleagues, Mr. Speaker, to join me in co-sponsoring the Protect America's National Security Act of 2004, which will ask for the general numbers of the CIA budget so that we will know, as was suggested by a former Reagan administration official.

I would like to thank my colleagues for taking the time to speak out tonight about this issue that is critical to the long-term survival of our Nation. I do not mean to use hyperbole. However, I truly believe that so much rides on our foreign intelligence gathering system. Our foreign policy, our trade policies, how we run our borders, what level of alert we are at, how we should live our day-to-day lives—it all is based on our understanding of what is happening in the world around us. If we are continually making decisions based on false assumptions and wrong interpretations, we could face a future full of 9/11s and unnecessary wars like the one still raging in Iraq today.

In the run-up to war, top Administration officials, and the President himself, were making statements daily about the deadly weapons that Saddam Hussein was pointing at the American people. We heard that they had stockpiles of biological and chemical weapons. We heard they were trying to buy materials for nuclear weapons; they had mobile weapons labs, and programs to develop more. One by one, these claims have been refuted. Last week, we heard Dr. David Kay, our own chief weapons inspector for the past year, testify that those claims were false.

However, we went to war based mostly on those claims. The war that has taken the lives of more than 500 brave U.S. soldiers, killed tens of thousands of Iraqis, cost us hundreds of billions of dollars, and diminished our standing in the world community. We have to find

out how this tragedy occurred, and make sure it doesn't happen again. The American people are calling for answers, and we need them urgently. On Friday, the President declared that he wants answers too. I commend him for that, but I am concerned that no matter how well-intentioned he is—the truth will not come out of his Administration.

I am worried that a commission hand-picked by the executive branch, with an agenda and schedule crafted by the executive branch, will be incapable of producing an objective and useful assessment of executive branch failures. It is a fundamental human trait that groups tend to close ranks to shield themselves from scrutiny when they know they have made mistakes. That is why the framers of the Constitution built a system of checks and balances into our great government. The President has the power to veto any law Congress passes, and in return, Congress has a strict duty of oversight over the executive branch and the Agencies.

It would be a gross dereliction of our duties, if Congress sits idly by and assumes that the Administration will take care of this problem. In fact, we have already seen that the President's Commission is getting off on the wrong foot. We are getting reports that it is too broad in scope, and may not yield any answers until next year. That is unacceptable. Our national security depends on reliable intelligence information. Furthermore, the President has stated that we are in a global "War on Terror." we have soldiers on the ground around the world fighting that war. They, their families, and the American people, deserve to know what they are fighting for, and what dangers they may face. We simply don't have months or years to waste before we get around to fixing our intelligence-gathering system. We may be vulnerable now, so we cannot rest until we address this problem.

Congressional leadership should immediately launch a series of full and comprehensive hearings, including Homeland Security, Judiciary, Armed Services, and Intel Committees from both the House and Senate. Within six months, we need to report back to the American people how the Administration could have been so far off the mark on Iraqi weapons. We must learn from that mistake first. After that, we can move on to broader issues.

None of us knows what a real investigation will yield. It will take hard work to fully understand the function of our intelligence gathering agencies, since they are largely secret from the American people, and most Members of Congress. Even simple questions like, "Are we putting enough money into Intel?" is tough to answer since the CIA budget is top secret. I think we need to take a look at that policy. Funding of special programs should obviously be guarded. However, I think maybe the American people should have a general idea of how much we are spending on intelligence gathering, in total. Only then can they decide if they are getting their money's worth.

But more important than the financing is the functionality. Do we have adequate manpower? Do we have reliable data? Are we interpreting that data properly? Have we compromised our analysis by poisoning it with politics and partisanship?

The American people deserve answers. This isn't about politics; it is about prudence.

□ 2045

#### THE REAL COST OF THE PRESCRIPTION DRUG BILL

The SPEAKER pro tempore (Mr. MARIO DIAZ-BALART of Florida.) Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

Mr. EMANUEL. Mr. Speaker, last week we learned that after extensive debate we were told that the Medicare bill would cost \$400 billion to the taxpayers. We learned that the real number, and known all along, was \$540 billion. Not a single benefit has been accrued to a senior citizen. Not a single prescription drug or reduction in cost has been accrued to a senior citizen, and yet the taxpayers are being asked to foot the bill not for \$400 billion but for \$540 billion.

In the last 2 months since this Congress passed the prescription drug bill, three things have happened. First, the taxpayers have been asked to pay an additional \$140 billion. Second, Mr. Scully, who is over at Health and Human Services and negotiated this bill, got a huge lobbying contract and became a lobbyist. And in today's Wall Street Journal, there was an article about Delphi gets boost in new drug law where they are able to write off \$500 million in costs for health care for their seniors and retirees, and yet not a single new benefit from the Medicare bill. So we have one individual becoming a lobbyist, the taxpayers getting an additional bill of \$140 billion, and corporate America gets to write off more of their health care costs. Not necessarily a bad thing, but seniors have to wait until 2006 to see any benefit at all, if there is one, from this legislation.

That to me is exactly what was wrong with this bill is that we have HMOs and pharmaceutical companies getting huge dollars and huge investments of taxpayer-paid benefits, and no money, no resources towards our senior citizens.

This article talks about Delphi's benefit but Caterpillar, GM, Lucent Technologies, all with a number of their retirees who have health care plans as retirees, will now be able to accelerate the write-off on their bottom line. The Delphi article talks about them being able to accelerate a \$500 million write-off, and yet no new benefit in prescription drug benefit has been delivered to a single senior citizen.

I will say one thing. The pharmaceutical industry, the insurance industry, and other special interests have surely gotten their money's worth out of this Congress, and so I applaud them for their hard work.

A number of my colleagues on the other side always talk about how they would like government to start emulating and working like a business. There was a bipartisan group that talked about how to make the government, and specifically prescription drugs, operate like a business, creating

in Medicare a Sam's Club entity, 41 million seniors would be pulled together, the purchasing power of the seniors. We could save hundreds of billions of dollars by negotiating bulk prices, just like Sam's Club does, just like private insurers do. But the legislation that was passed in this Congress at the behest of the pharmaceutical industry prohibits Medicare from doing what private industry does, what Sam's Club does or private insurance companies do, what even the Veterans Administration does, negotiate on behalf of who they represent, using the leverage power of a quantity of people. In this case it would be 41 million seniors.

Another way of reducing the price and delivering the prescription drugs would be allowing people to buy their drugs in Canada and Europe, again proving we pay 40 percent more here in the United States than anywhere else in the world. People are allowed to use competition in choice to buy their medications. We would have lower prices here in the United States, save our senior citizens dollars and our taxpayers dollars, but both attempts to get the government to operate like a business, to save money, to be more efficient, wring out synergies, has been prevented.

I have found in the last 2 weeks one of the most incredible news on this legislation.

First of all, I believe if we had known the true number and not been lied to or not told the truth or denied the access to the truth, and we had been told that the number was \$540 billion, the legislation never would have passed. But that information was consciously, specifically denied access in the public debate, as has been in the past for cases where the administration has refused to share information. Now we know the true number, and the taxpayers are going to be asked to pay an additional \$140 billion on top of the \$400 billion, and we do not have the money to do it. Yet we are asking them to do it, and not a single benefit.

Mr. Scully, nothing against that, has negotiated himself a wonderful contract to be a lobbyist on the prescription drug benefit, and companies like Delphi will now be eligible to accelerate and write down \$500 million on their taxes, and yet not a single benefit has been given for seniors. Everybody sat here and talked about what we were doing for seniors, and this year the prices of prescription drugs will go up 15 percent. They are projected to go up another 15 to 18 percent the following year, and we have done nothing to affect the price.

After this type of behavior in this Congress and the actions taken by this Congress, I am surprised that anybody wonders why people are cynical about politics. We have done a great job out of this institution, taking care of the special interests. Hopefully we will return and look at this legislation and once again think about how we can