

save our seniors money and our taxpayers.

CORPORATE CORRUPTION

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

Ms. WATERS. Mr. Speaker, I rise to express my grave concerns about corporate corruption of the highest order, corruption towards which President Bush and his administration have been utterly indifferent.

Halliburton, the Houston-based energy company formerly led by Vice President DICK CHENEY for 5 years before the 2000 Presidential election, has been giving the shaft to the American people and our brave military personnel stationed in Iraq, and the American people know it. They also know that despite the President's attempt to talk a good game on this issue, the Bush administration will do absolutely nothing about it.

Vice President CHENEY is still on Halliburton's payroll. He received \$205,298 in 2001, \$162,392 in 2002 in deferred salary, and is expected to receive similar amounts in 2003, 2004 and 2005. He also holds 433,000 unexercised Halliburton stock options.

It is deplorable to see corporations gouge the American taxpayers under any circumstances. To watch Halliburton overcharge our government and render inadequate services to our troops in a time of war is totally unconscionable.

The issue of corporate corruption and the Bush administration's willingness to look the other way at conflicts of interest when it would benefit their friends is not a new issue for me. On March 19 of last year, the year that the war in Iraq actually commenced, I circulated a Dear Colleague letter in support of my amendment to the Defense Production Act.

My amendment was designed to ensure that senior-level executives in the Bush administration could not use a conflict with Iraq to obtain financial benefits for companies with which they had been affiliated. Specifically, the amendment would have prohibited contracts under the bill with companies in which high-ranking administration executives were senior managers or members of the board of directors within the last 4 years.

At the time, I noted that there was a considerable amount of suspicion of the motives of this administration in pursuing a war against Iraq, and I expressed my concern about the importance of avoiding both actual and perceived conflicts of interest at a time when the administration's decisions about war and peace would be affecting so many.

My amendment failed. I offered similar amendments on several other occasions which were also unsuccessful.

Unfortunately, my concerns about Halliburton have proven to be all too

accurate. Look at what has happened in Iraq.

Halliburton was the beneficiary of no-bid contracts, which have served as the vehicle for war profiteering, such as the contracts that Kellogg Brown & Root, the Halliburton subsidiary, received to control Iraq oil well fires resulting from military action.

In the limited time available to me this evening, I want to look briefly at three issues: Halliburton's inflated oil supply contracts, the kickback scheme to which the company recently admitted, and the outrageous overcharges on its food supply contracts for our troops in Iraq.

Halliburton's inflated oil supply contracts. As my colleagues the gentleman from California (Mr. WAXMAN) and the gentleman from Michigan (Mr. DINGELL) have so ably demonstrated, the United States government paid the Halliburton company an average of \$2.64 a gallon to import gasoline and other fuel to Iraq from Kuwait, more than twice what others were paying to truck in Kuwait fuel. Halliburton, which has the exclusive United States contract to import fuel to Iraq, subcontracted the work to a Kuwaiti firm, government officials said, but Halliburton gets 26 cents a gallon for its overhead and fee, according to the documents from the Army Corps of Engineers.

Simply put, Halliburton was inflating gasoline prices at a great cost to American taxpayers. In October 2003, when Democrats first raised questions, it was estimated that Halliburton was charging the United States Government and Iraq's Oil for Food Program an average of about \$1.60 a gallon for fuel available for 71 cents wholesale.

A breakdown of fuel costs, contained in Army Corps documents, recently provided the Democratic congressional investigators, and shared with the New York Times late last year, showed that Halliburton is charging \$2.64 for a gallon of fuel it imports from Kuwait and \$1.24 per gallon for fuel from Turkey.

The oil price gouging is just the first of many Halliburton misdeeds that give rise to grave concern. Consider the recent allegations concerning Halliburton's food supply contracts.

Corruption. Halliburton charges for food it did not serve. The February 2, 2004, Wall Street Journal reported that, according to Pentagon investigators, "Halliburton company allegedly overcharged more than \$16 million for meals at a single U.S. military base in Kuwait during the first 7 months of last year." The revelations have "spurred an expansion of an already widening inquiry into Halliburton's government work in Iraq."

Apparently, a Saudi subcontractor, hired by the Halliburton subsidiary KBR, billed for 42,042 meals a day on average. But guess what? They only served 14,053 meals a day. The Pentagon will now review 50 other dining facilities in Kuwait and Iraq for meal-billing discrepancies.

This announcement comes just weeks after Halliburton reimbursed the Pentagon \$6.3 million after disclosing that two employees had taken substantial kickbacks from a Kuwaiti subcontractor.

I do not have time to finish all of this tonight, but there is more to come, more to come. We are going to learn more about DICK CHENEY, the Vice President of the United States, and his company ripping off the American taxpayers.

QUESTIONABLE ACTIVITIES DURING AND AFTER MEDICARE PRESCRIPTION DRUG LEGISLATION PASSED THE HOUSE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, tonight I would like to highlight several questionable activities during and after the Medicare prescription drug legislation passed the House of Representatives last year, and there is no doubt that this legislation, which passed here in the House after the Republican majority kept the vote open more than 3 hours in order to get the results they want, and it would be one thing, Mr. Speaker, if the result were beneficial to seniors who desperately need prescription drug coverage within the Medicare system; however, that is simply not the case.

The prescription drug legislation is a perfect example of how the Republican majority has turned the people's House of Representatives over to the special interests and the wealthy elite. Seniors should not be forced or, I should say, be fooled into believing that this Medicare legislation was written for their benefit. How could it have been considering Republicans forcing seniors to actually get the prescription drug benefits out of Medicare?

□ 2100

The bill also provides a minuscule benefit, considering that seniors with \$1,000 in annual prescription drug costs would pay \$857 out of their own pockets and those seniors with prescription drug costs of \$5,000 per year would be forced to pay \$3,920. What kind of a benefit is that if seniors are not getting the money? Where is the more than \$500 billion that now the President and the White House says that this Medicare prescription drug so-called benefit is going to cost the Federal Government? Where is the money going?

The answer, Mr. Speaker, is to the special interests. Republicans did not write this bill to help the seniors; instead, they wrote it to benefit insurance companies and the pharmaceutical companies.

Now, I could talk all night about why this bill is bad and how it is not helpful

to seniors, and I think that I and my Democratic colleagues have talked many times, including last week, about the problems with this bill and why it should just be repealed. But the amazing thing about it is that now we are hearing that many of those legislators and members of the administration who benefited or who were involved in creating this bill, negotiating this bill, bringing the bill out of committee, working to put together the language of the bill, are now benefiting from leaving their jobs within the administration, or possibly within Congress, in order to join the private sector and working for those same pharmaceutical companies that they worked with when they were up on the Hill or they were in Washington working for the government to put this bill together.

In fact, many of my colleagues have been saying for months that this legislation was being written not here on Capitol Hill but instead downtown in the offices of PhRMA, which is the pharmaceutical trade association, and also written by the insurance companies. Here in the Republican-controlled House of Representatives the only true voices that matter, in my opinion, on this bill, are the special interests and the wealthy elite.

There is no better example of how the lines have been blurred between Congress writing legislation and legislation being dictated to by special interests than the latest news that the House Committee on Energy and Commerce chairman, and this is my committee, the Committee on Energy and Commerce, the Republican chairman, the gentleman from Louisiana (Mr. TAUZIN), is now flirting with the possibility of leaving the House in order to lead PhRMA, that very pharmaceutical trade organization that represents those companies here in Washington. And he is one of the few House Republicans who negotiated the final prescription drug bill legislation last year.

We just heard, actually within the last few hours, that the gentleman from Louisiana (Mr. TAUZIN) announced that in fact he is going to be stepping down as chairman of the House Committee on Energy and Commerce on February 16, within the next week or so, and that he is seriously mulling going to work as the head of PhRMA.

Now, I understand, Mr. Speaker, that there is nothing wrong with Chairman TAUZIN deciding to retire and inquiring about future job opportunities. But one has to seriously question whether discussions between him and representatives of PhRMA just months after PhRMA received a cash windfall with the prescription drug legislation are appropriate. It certainly serves as a perfect example of what I was saying before of what interests Republicans represent: the special interests.

There has been no indication from Chairman TAUZIN's office that he was negotiating a job with PhRMA last

summer when he was also negotiating the prescription drug bill, and I hope that is not the case. However, the bottom line is that he was the main person in the House of Representatives responsible for this bill. And for him to now leave Congress and go seek a job with that very trade association that was benefiting from the bill, I think, is a serious ethical question and something that has to be looked into.

I see that some of my colleagues are here joining me. We are going to talk not only about this case but others, and I would yield now to the gentleman from Massachusetts.

Mr. TIERNEY. I thank the gentleman from New Jersey, Mr. Speaker.

I think people are just outraged by what is going on in this administration and with the Republican majority in the House and Senate here. This is a bad bill to begin with, the prescription Medicare bill, the so-called Medicare reform bill, but when we add to that what can only be described as an affront or a blow to Congress' credibility, the aspect of finding the chairman, the man in charge of writing this legislation, actually closing the doors and excluding Democrats in the process, kept them out of any way of improving what turned out to be a terrible bill, ending up being offered over \$2 million, if the stories are correct, \$2 million a year from PhRMA, the organization that was out there lobbying for this bill, the organization that has over 600 lobbyists crawling around the Halls of Congress.

If the rumors are true, then it is \$2 million to the person who excluded Democrats from the process, that closed the doors, that negotiated the end of the bill, that formulated the bill that ended up giving, by some estimates, a \$139 billion boondoggle to the prescription drug companies and manufacturers by putting in a provision that says the government cannot negotiate a better price. And all of this to the detriment of our seniors.

I think people ought to be outraged. I know they are in my district. I can tell the gentleman from New Jersey that a couple from Beverly, Massachusetts, told me that they are seniors and they depend on Medicare; that the bill has to be killed, they said. Means testing, forcing them into HMOs, destroying Medicare forever was not worth the meager drug benefit they are going to get at the end of the day. Nothing was more important for them than to get rid of that bill and write another bill.

Another couple from Hamilton, Massachusetts, wrote to me. The woman said, "My husband and I are retired and our savings are rapidly declining because of prescription drug costs. To deny Americans the right to purchase legally prescribed drugs from Canada is counterproductive. We realize this bill is being driven by special interests exerting a stranglehold over this Nation's senior citizens, and that is particularly galling."

They recognize that this bill should have done something, at least about re-

importations of FDA-approved safely packaged and transported drugs; and it did nothing. Even though this House passed an independent bill instructing the FDA to do that in conference, again behind closed doors, with Democrats excluded, and with the chairman who is now said to be offered a \$2 million-a-year job by the very people who get the most benefit out of this bill, the special interests, even with that, it just gets worse and worse.

I had a pharmacist write me: "Why aren't the pharmaceutical manufacturers asked to lower their costs to participate in the program?" Pharmacies were asked. "This is one of the reasons medications are cheaper in neighboring countries." Because in neighboring countries pharmaceutical companies are required to lower their prices. "Drug companies must reduce their prices to consumers if they are going to participate in government programs."

Unfortunately for him and other constituents in my district and my colleagues' districts, this is not happening under this bill. The Medicare reform legislation is nothing more than a cruel hoax on Americans.

Let us remember back in the State of the Union address when the President brought with him a woman by the name of Elsie Blanton. He had Ms. Blanton up there in the gallery; and he said his spokespeople said, at that time of the State of the Union address, that Ms. Blanton is on Medicare, a supplemental policy that does not include prescription drug coverage. Ms. Blanton spends approximately \$900 per month on prescription drugs when unable to obtain free samples from her doctors or the pharmaceutical companies. Ms. Blanton's prescription drug costs account for three quarters of her monthly income. Her monthly income is only \$1,190 in Social Security benefits. Ms. Blanton's income is just above the 150 percent of the Federal poverty level for 2003.

Now, supposedly, Ms. Blanton was there because she was an example of someone who was to benefit from this terrible bill. But according to the Center for American Progress, Elsie Blanton will not see any assistance for years under this bill. The new prescription drug benefit does not even begin until 2006. Ms. Blanton does not qualify for the \$600 of interim assistance.

So Ms. Blanton will continue to have to spend at least three quarters of her monthly income on prescription drugs for the next 2 years. In fact, because prescription drug costs rise faster than Social Security benefits, she will probably have to spend even more of her income on her medicines. She is going to have higher costs next year. She will have to pay more for her Medicare benefits next year, because higher payments to private plans and other changes are going to cause everyone's Medicare premium to go up. And the new law also raises the Medicare deductible.

She will potentially have higher costs when the benefit does begin. She could save much less than promised once the new prescription drug benefit begins because premiums and the benefit design are largely left to private health insurers and pharmaceutical companies. It is at their discretion, the insurance companies and the pharmaceutical companies, that they will decide what benefits and what prescription drugs are in there. So higher premiums.

The President had assumed Ms. Blanton would be able to get a drug benefit for a premium of \$35 a month, but we know by reading the bill that, in fact, private insurers will set their own premiums, and they can be much higher than \$35 a month. The President assumed that all of Ms. Blanton's medicines would be covered under the new benefit, but in fact there is no way to know that because we know that insurance companies and the pharmaceutical manufacturers will decide what drugs are covered.

Even if the medicines Ms. Blanton needs are covered when she signs up for the plan, we know from reading the bill that that list can change at any time after she originally signs on. And if the medicines she needs are not covered, any money she spends out of her own pocket on those medicines will not count toward the benefits' out-of-pocket limit.

She will go months without assistance, even after it kicks in. With monthly drug spending of \$190 a year, assuming that all of her drugs are covered, Ms. Blanton will receive no assistance from March and through June of every year until she hits another higher limit. It is during that period of time, after March and before June, that she will be in that so-called donut hole or gap of benefits where she gets nothing at all, despite the fact that she continues to pay her premiums during that period.

What will happen to Elsie Blanton should not happen to anybody in this country, particularly on a bill of this nature. And if that is the best the people that proposed this bill have to show Ms. Blanton, who has this terrible result, then this country is in a sorry way and seniors are being deprived.

Never again should an industry be allowed to come in here and write a bill; should people that are now being offered \$2 million a year by that industry be able to shut Democrats out of the process so they cannot improve the bill and write a bill that changes what the Senate had, changes what the House had; and after a so-called conference comes out with a bill that actually does worse for seniors, has them paying more for their prescription drugs and getting less benefits. Nevermore should that happen.

If this continues to happen, and if what I heard earlier tonight, and what I think our colleague from Illinois is going to talk about, if this administration now has the audacity to take mil-

lions of dollars in taxpayer money and go out on the stump and on the TV and try to convince seniors who got a bad deal that they actually got a good deal, then we should have an investigation done and talk about the propriety of that, possibly violations of campaign laws, certainly violations of taxpayer rights, and get to the bottom of this.

This is a bad bill, done in a bad way, by people benefiting from it getting too involved and people on the floor of this House potentially having an interest now in working for those same countries that made billions of dollars of benefits. It does not sound good, it does not look good, the American people do not feel it is right, and they have every right to be concerned.

Mr. Speaker, I thank the gentleman for his time.

Mr. PALLONE. Before I yield to the gentlewoman from Illinois, I just wanted to highlight two things the gentleman said that I think are so important.

One is that whole thing about how there really is no set premium, set deductible, set anything really in this bill. The Republicans go out there and they say, oh, your premium is going to be \$35 a month, your deductible, I think they say, is going to be \$250 a year, the government is going to pay 75 percent of the cost, you are going to pay 25 percent. There is nothing in the bill about any of that.

I have to stop using the term Medicare prescription drug benefit when I talk about this because this is not even under Medicare. The people that are in Medicare are eligible for it, but there is no guarantee that they are going to get it. And none of these things are guaranteed. They can charge \$85 a month, they could have a \$1,000 deductible, they could, as the gentleman says, not cover certain drugs. We do not even know if it is going to be available in most areas.

So this is why they are out there talking about advertising and trying to promote this thing, because there is nothing to it. It is like an empty suit.

The other thing the gentleman pointed out, which is very special interest-oriented, is the fact there is this specific prohibition in the bill on any kind of negotiation on the price. The Medicare administrator, the Secretary of Health and Human Services, cannot negotiate lower prices.

This is an excerpt from last Sunday's New York Times where they talk about how bad the bill is and they specifically say that "the ban on government intervention with regard to negotiated price reflects the Republicans' aversion to government price controls, but it is also a testament to the lobbying clout of the drug industry, a major patron of the Republican Party." Then of course they talk about how the Democrats have tried to introduce legislation that would allow for negotiated prices.

This is the very kind of special interest we are talking about. This is what was put in by PhRMA, and now we

have the chairman of our committee that was negotiating this bill and bringing this bill on the floor and through the committee with this prohibition on any kind of price controls or negotiated prices going to work to be the chief lobbyist for PhRMA.

Mr. TIERNEY. Mr. Speaker, if the gentleman will yield for just a minute, and then I will give the floor back.

While PhRMA was busy trying to contact the chairman's office to make an offer of some millions of dollars a year to work for them, the American people were having the deal cut out from underneath them. When we talk to seniors and say, look, if this is a good bill, when do you think it would start? Their answer is, immediately. This bill does not start until 2006, well after the next election. We know what that is all about.

Negotiations for lower prices? Common sense. Why do people think the pharmaceutical companies have resisted prescription drugs in Medicare all this time? Because they thought for sure the next common-sense thing would be for that large group of 37 million people to be used as bargaining leverage to get a fairer price, as the free market would dictate and is done elsewhere.

But with this majority in the House, the Republican majority in the House, the Republican majority in the Senate, and a Republican in the White House they can have it all. They can have all these new customers and clients and not have to worry about it because they got them to put in the bill that there would be no negotiation for a lower price. People can see right through that.

□ 2115

They see through the gap, the fact that there is going to be a period of time when they are paying premiums and getting nothing in return, the so-called gap or doughnut hole. To figure out whether or not this bill is good for them, they need a calculator. And when they apply this bill to their circumstances, they find out it is not a good bill for them unless they are desperately poor or have such catastrophic costs it is unbelievable.

To top it all off, about a third of today's retirees who get their health insurance and prescription coverage through their employer, the CBO assumes they are going to be dropped back to this plan and get less coverage for more cost than they did when they had their employers covering it.

Mr. Speaker, that is why we are hearing that the administration is going to try to spend millions of dollars of taxpayer money to try to make a silk purse out of this cow. Again, they should not be allowed to use taxpayer money to sell them a bad deal which they know is bad and try to change their mind.

Mr. PALLONE. Mr. Speaker, I yield to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank both gentlemen for their vivid description on what is wrong with the so-called Medicare bill that passed, the nonprescription drug benefit bill that passed the House, but I want to tell Members my reaction to the chairman talking about now and very seriously looking at going to work for the pharmaceutical companies and how the Medicare administrator is going to benefit. I feel that very personally and very deeply, for this reason. This kind of breach of trust is something that really affects me because it confirms the worst nightmares of the public about what we as Members of Congress do here.

I think all too many people have this view that Members of Congress come here and they try and line their own pockets for their own benefit, working with special interests. And then what they find is the smoking gun, a guy like the chairman of the Committee on Energy and Commerce, on which the gentleman and I both sit, taking a job and saying he is going to negotiate a job with the pharmaceutical industry, PhRMA, the lobbying organization. He has announced he is going to give up his chairmanship on February 16 and not run again, and that he is looking at this offer. We know he has turned down a million dollar offer already from another organization. We have heard it is between \$2 million and \$3 million, and go to work for PhRMA, the very industry that stands now to benefit the most from this so-called senior citizen prescription drug benefit.

The good news is that the seniors get how bad this bill is. But what I fear that they do not get is that there are Members of Congress who are sincere about trying to provide a real benefit to them and think that all that we are doing here is trying to line our own pockets, trying to rig the system so it helps the pharmaceutical companies, so it helps the HMOs, and that is pretty much what they have seen.

This bill is about an estimated \$140 billion windfall for the drug companies, \$140 billion windfall for the drug companies, because it is prohibited now from trying to negotiate. Like the Veterans Administration, we do not have to look far to see where an agency negotiates for lower prices. The Veterans Administration gets for veterans sometimes half the cost that other Americans pay when they go to the pharmacy, and about half the cost we are going to have to pay for under this bill because there will be no negotiation.

The Washington Post had an editorial on January 29 that said for the gentleman from Louisiana (Mr. TAUZIN) to leave so soon afterward to work for the pharmaceutical association whose companies reaped substantial benefits from that bill provides a particularly pungent example of how quickly the "revolving door" between Congress and K Street is now revolving, and how lucrative this game has become for its participants.

The only thing I would disagree with, this is not about a revolving door, this is about a locked door. This was happening while the gentleman from Louisiana (Mr. TAUZIN) is still in the Congress and still chairman of the Committee on Energy and Commerce. This is about a locked door where he kept out the gentleman from Michigan (Mr. DINGELL), the ranking member on his committee, who was here when Medicare was passed in 1965, an expert on the subject, locked out of the conference committee.

I hope the public understands how extraordinary that is for the appointed members of a conference committee to be locked out of the process.

Also locked out, the gentleman from New York (Mr. RANGEL), the ranking member on the Committee on Ways and Means. And let us be clear, when the gentleman from New York (Mr. RANGEL) got locked out, it meant that the only possible representative of people of color in this country who have a lot at stake in this issue, were also locked out of that conference committee, which is now an all-white committee, I guess. We do not know. Who knows who they invited in from the pharmaceutical industry or the HMOs because the leading Democrats in the House of Representatives were locked out of that process.

And coming out of that locked door is, number one, a bill that is just a pay-off to the HMOs and the pharmaceutical companies; and what comes out of that committee are job offers, big job offers. So what we have is now the gentleman from Louisiana (Mr. TAUZIN) we think getting between \$2-3 million, which is actually a pretty good deal for the pharmaceutical industry which stands to gain \$140 billion. That is not too bad a deal to get a clever man like the gentleman from Louisiana (Mr. TAUZIN).

They also got a guy named Tom Scully who was the Medicare administrator, the guy behind the scenes, who as a staffer helped write the bill and negotiate the whole bill. Where has Mr. Scully gone? Mr. Scully has gone to be a top health care lobbyist for the Washington firm of Alston & Bird. While serving as President Bush's director of Medicare and helping to craft the Medicare deal, Scully was actively negotiating with the lobbying firm. Recognizing the conflict of interest, the Bush administration granted Scully a special waiver to negotiate with the lobbying firm while serving in the Bush administration.

Here he is, he is with Medicare, he is the head man, he wants to look for another job, and Health and Human Services grants him a waiver while he is working on the Medicare bill to start negotiating for his next job. A waiver. Well, there was such an uproar over that, now they have said agencies cannot do that, only the White House can grant those sorts of waivers. So Scully is out the door.

Then there is the top aide on the Committee on Ways and Means, John

McManus, who was negotiating this bill as well. He left and he is going to have a job outside helping him make some money from the pharmaceutical industry. Here is what he said. "We accomplished what we set out to do. Helping people figure out how this gets implemented, that is what is interesting to me." Who are the people he is talking about that he wants to help figure it out? Is he going to help the seniors? I have not heard that he is going to go work for a senior citizen organization.

Mr. PALLONE. Mr. Speaker, the amazing thing to me, the fact that the White House, I guess because of the public pressure, because of people speaking out about what Scully did, are now saying that the department cannot grant the waiver, but the White House can. It seems to me the goal should be that there not be any waivers at all. Under what the Bush administration is now saying, they can still grant another waiver to somebody else to negotiate a bill, and then go work for the very company that they were negotiating with. I cannot believe that they said no more waivers by the department, but we can still grant the waiver.

Ms. SCHAKOWSKY. Mr. Speaker, the words that we want to come out of their mouths is that there will not be any more waivers, and that seeking a job in the private sector, particularly with an industry that you are now regulating in a sense or making decisions about, is not right. It is not right. It smells. People know that. They do not like it. This is why the public loses faith in government, and that is why I feel so strongly about it.

Mr. PALLONE. Mr. Speaker, that is exactly why the ethics law says you cannot do it, it is wrong. So why should any waivers be granted? And there is no basis for the waiver. I asked in the case of Scully why and if there were any special circumstances, and the answer was there was nothing of that nature, they just granted the waiver.

Ms. SCHAKOWSKY. Mr. Speaker, there are some aspects of revolving door that apply here, although I still believe that was about a locked door. These individuals were servants of the public while they are negotiating or figuring out their next move with the pharmaceutical industry. But we have got the door going the other way, too. We have a situation where an HMO lobbyist turns up as a Bush Medicare official. A woman named Julie Goon was just hired by the Bush administration. She is the former vice president of legislative affairs for an HMO trade association in Washington, and she is now the new Director of Medicare Outreach. Congress Daily reported that Goon will be in charge of "getting the word out to seniors, health care professionals, consumer groups and others about how the program works, HHS' progress in implementing it and what its impact on them will be, and for apprising the department of their reaction."

Before she got this job, Goon was named one of Washington's top lobbyists in Washington in 2002. Now she is head of explaining this Medicare bill and why it is such a great deal as Director of Medicare Outreach.

Mr. PALLONE. Mr. Speaker, the gentlewoman probably remembers within the last week or two that the President announced that he was significantly increasing the reimbursement for HMOs. The reason that was given was because so many of the HMOs dropped out of Medicare, did not want to cover seniors within the Medicare program, that they needed to provide significantly more resources to the HMOs if they wanted to get them back into the Medicare program.

It is obvious that under this bill that the HMOs are going to get significantly more money in terms of reimbursement rate than traditional Medicare. Again, that is just a function of the fact that the HMO industry was basically calling the shots at the White House, and here we go again with an example of someone within the industry now working at the White House on the very program that is increasing the amount of money that the HMOs will get.

Ms. SCHAKOWSKY. This is not only disgusting, but it is also very costly. We know now that this bill which helps seniors little and pharmaceutical companies and HMOs a lot, is going to cost not \$400 billion but about \$540 billion. Now is that additional cost meaning that we are going to help seniors more, that we are going to provide a more generous benefit, that they are going to be able to buy their prescription drugs any cheaper? No. The reason that the cost of the Medicare bill has been reassessed is because the cost of prescription drugs are going to go up, so taxpayers are going to have to take more money out of their pocket.

□ 2130

The cost to get the HMOs to keep providing the care, because HMO costs go up every year, is going to raise the price of this bill.

The other thing that was not talked about that I think a lot of seniors do not get is that the premium can go up every year, the copayment can go up every year. So what may start out as \$35 could end up being \$85 or even more in a few years.

Mr. PALLONE. If I could just throw this in a second, in that New York Times editorial that I mentioned, they specifically say, "Less well known is the likelihood that the drug coverage will actually become worse with each passing year. The premiums, deductibles and out-of-pocket expenditures will all increase rapidly, tied to increases in per capita drug expenditures under Medicare. By 2013, for example, the out-of-pocket spending required before a person qualifies for catastrophic coverage will probably be \$6,400, well above the \$3,000 required in the first year. That could be dev-

astating for those struggling to survive on these benefits." It is built into the bill, but it keeps going up.

Ms. SCHAKOWSKY. It is built into the bill, but it is quite remarkable that before the ink is even dry on this bill, the price has gone up more than 25 percent, from \$400 billion to \$540 billion, and it has not even started yet. Not one dollar in benefits, so-called, has even gone out.

The seniors know that this is a bad deal. The seniors who pay more attention than anybody else already know. In polls that have asked them, they do not think that they are going to benefit sufficiently. But it is important that it be explained. This comes from today, from the Associated Press:

"The Bush administration launched a \$9.5 million television advertising campaign Tuesday to rebut criticism of the new Medicare law. Understand, this is not a political commercial paid for by a campaign. You and I and all of our constituents are paying for a \$9.5 million television advertising campaign to rebut criticism of the new Medicare law. The ad is to run on network and cable television through March, clustered around soap operas, game shows and news programs. Its theme is, 'Same Medicare, More Benefits.'"

Mr. PALLONE. Can I ask you again, you said that this is paid for by taxpayers?

Ms. SCHAKOWSKY. That is correct.

Mr. PALLONE. Explain that to me again?

Ms. SCHAKOWSKY. I am reading to you this. This is not a campaign expenditure:

"The administration is spending another \$3.1 million for a newspaper, radio, and Internet effort in both English and Spanish. The 30-second ad addresses some of the major criticism of the law, including assertions that it will force seniors out of traditional Medicare and into managed care plans and that savings will be paltry from drug discount cards and prescription drug insurance starting in 2006."

Mr. PALLONE. I find that incredible. I have never heard of a situation where the government pays to rebut criticism of the program.

Ms. SCHAKOWSKY. This is correct. Quoting from the article:

"Health and Human Services Secretary Tommy Thompson played the commercial Tuesday for reporters. Four actors who portray Medicare beneficiaries ask how the law is changing Medicare. 'Can I keep my Medicare just how it is?' one asks. The announcer replies, 'Yes, you can always keep your same Medicare coverage.' At the end of the ad, another senior says, 'So my Medicare isn't different, it's just more?' The announcer, 'Right.'"

"Several Democratic Senators already have criticized as propaganda a two-page flyer that HHS plans to make the basis of a letter to be sent later this month to the 40 million older and disabled Americans who are enrolled in Medicare. Asked whether he had con-

sulted those Democrats about the accuracy of the ad, Thompson said, 'It's accurate.'"

Mr. PALLONE. So we now are standing here and basically pointing out why this bill does not benefit seniors, and the administration is going to spend taxpayers' money to say the opposite.

Ms. SCHAKOWSKY. Exactly.

Mr. PALLONE. That is unheard of. I have never heard of that happening.

Ms. SCHAKOWSKY. This is taxpayer advertising: \$9.5 million on television; \$3.1 million for newspaper, radio and Internet; and a mailing to 40 million seniors and persons with disabilities, all at taxpayers' expense to explain why this lousy bill is, in fact, good for them.

Mr. PALLONE. There has to be some way to stop that. It sounds to me like it is blatantly illegal. But we will have to look into it. I thank the gentlewoman.

Ms. SCHAKOWSKY. If I can go on for just a minute, when President Bush ran for office, he said our first priority will be to restore honor and dignity to the White House. But when you look at President Bush's top official in charge of Medicare getting issued a waiver to pursue employment in the health care industry while he continues to serve as administrator of Medicare, how can we call that honor and dignity? This confirms the worst of what people think about the way government is run.

When this first happened, I along with our colleague, the gentleman from California (Mr. STARK), wrote a letter to the Secretary of Health and Human Services, Tommy Thompson. A part of the letter says, "For 7 months Members of Congress who relied on Mr. Scully for information were kept in the dark about the fact that he was actively engaged in looking for employment with firms that have significant interests in the issues at stake. Financial conflicts of interest are designed to assure Members of Congress, entities with interests pending before CMS, and the public that Federal executive branch employees are independent and unbiased in their behavior. While we strongly believe that this waiver should never have been granted, at a bare minimum knowledge of it would have been valuable to us in weighing the advice provided by Mr. Scully."

This is just shameful. I think in order to restore the confidence that the American public should have in Members of Congress that we are operating in the public interest, in their interest, that when we come up with a bill, it is because it is going to help them get their prescription drugs, then we cannot allow this kind of behavior to continue. No waiver should be granted. An advertising campaign, paid for by the taxpayers, should not be allowed. If the gentleman from Louisiana (Mr. TAUZIN) takes this job with PhRMA, for 1 year he will not be able to lobby Members of Congress and staffers, but he can still lobby the executive branch,

the people that are writing all the regulations that have to do with implementing this particular piece of legislation that he crafted behind a locked door. I think that this notion of restoring honor and dignity to the White House, that is an important goal; but that goal has been undercut and betrayed by this administration and the conduct by the chairman of the Committee on Energy and Commerce.

Mr. PALLONE. I want to thank the gentlewoman for what she has presented tonight. It is incredible to me that this advertising campaign, I just assumed that it was being paid for by the Republican National Committee, that it is actually being paid for by the taxpayers. That is unheard of. What she brought out about Scully, who was the Medicare administrator, now we have an example with TAUZIN of a Member of Congress who was the chairman of the committee that dealt with the Medicare issue and then we have the head of the Medicare administration within the White House, both of them getting jobs now, purporting, in TAUZIN's case, it seems likely, to get a job working for the very pharmaceutical industry or the law firm representing the pharmaceutical industry. It is just such a blatant example of special interests.

I know that my colleague from Ohio wants to talk about another example. We mentioned before you were on the floor on the night when this vote was taken, that actually the board was left open for almost 3 hours because there was actually a majority of both Democrats and Republicans that were against the bill. Then the President started making calls and Secretary Thompson of Health and Human Services was in a back room there, I saw him, twisting arms. We got to the point where activities were taking place which, in my opinion, were bribery that I know the gentleman wants to talk about. I appreciate his being here.

I yield to the gentleman from Ohio.

Mr. STRICKLAND. I thank my friend from New Jersey. I think the American people need to know that under this President and under the leadership of this Congress that this government is for sale. It is for sale. It is for sale to the highest bidder. The fact is that Halliburton was fined, I think, over 60-some-million dollars for overcharging for fuel that they were supplying in Iraq, and now in the New York Times today there is a story about Halliburton having overcharged for the meals they are providing to our soldiers some \$24 million. Halliburton has overcharged for the meals they are providing or should be providing or said they are providing to our troops in Iraq.

In most other circumstances, this kind of behavior would be called criminal behavior. Why would this government continue to do business with Halliburton that has been fined 60-some-million dollars and overcharges \$24

million for meals? It is almost beyond belief that we would continue to let this rogue corporation that Vice President DICK CHENEY, I understand, is still getting compensation from, from getting these contracts. What is going on with this government? When are we going to stop and say, wait a minute, this is just unacceptable for a corporation to act like this?

Mr. PALLONE. If the gentleman would yield, I was thinking about what you said today with the meals and Halliburton. I would venture to say if this were another time, say it was World War II and something like that happened, Halliburton would be out of business the next day.

Mr. STRICKLAND. They are profiteering on this war. That is what they are doing. They are profiteering on the war, and it is time the people in this country and those of us who serve in this Chamber say enough is enough. We are not going to continue to allow this rogue corporation to act in this behavior and to continue to get government contracts.

I talk to my folks back home in Ohio, especially my seniors, very frequently about this so-called Medicare bill. When I describe to them what happened in this Chamber, the people's House, they are appalled. We got that Medicare bill, as you will recall, I think it was over 800 pages long, and we received it on a Friday morning. That debate started Friday evening. We debated in this House back and forth until 3 o'clock in the morning, at a time when most Americans are asleep. At 3 o'clock in the morning, they finally called the vote, and the vote which normally lasts 15 minutes, at the end of that voting period, the bill had lost.

Most Members of this Chamber recognized that it was a bad bill, that it would not provide adequate benefits for our seniors, that there were no cost controls, that we were prohibiting cheaper drugs from being imported from Canada, that the Secretary of Health and Human Services could not negotiate discounts, and the bill had failed. And so they just kept the vote open, not for 10 minutes, not for 30 minutes, not for an hour, but for 3 hours they kept the vote open, until 6 o'clock in the morning. And the news reports indicate that they got President Bush out of bed, or woke him up about 4 o'clock in the morning, so that he could start making calls and try to twist arms and get people to change their votes. The gentleman from Michigan (Mr. SMITH), a Republican, a man who is retiring from this Chamber and whose son is running in a contested Republican primary to replace him, shared with a columnist, Robert Novak, that he was approached on the floor of this, the people's House, and that he was told if he would change his vote that his son would be provided about \$100,000 from certain business interests if he would change his vote.

I am not an attorney, I am a psychologist by training, but that description

sounds a lot like bribery to me; and if it is and if it happened on the floor of this House, it ought to be investigated and those responsible ought to be held accountable. But to his credit, the gentleman from Michigan (Mr. SMITH), as I said, who is a Republican, refused to change his vote. And then it is reported that another Republican Member approached him and said to him, "Your son is dead meat. He will never be able to serve in the House of Representatives."

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That behavior is beneath the dignity and the honor of this, the people's House, and the Speaker of the House of Representatives ought to call for an investigation. We ought to determine if something illegal was done on this House floor, or at least something unethical or something that violated the rules of this House. And that is how that bill actually became law, because at 6 o'clock in the morning, as the sun was coming up, a couple of Members were finally persuaded to change their votes.

That is not the way to create public policy in a democracy; certainly not in the American democracy. It is shameful behavior.

Mr. DELAHUNT. If the gentleman will yield, I think it is important to note that in the aftermath of that vote, some of our colleagues on the other side of the aisle in private conversations absolutely deplored what occurred.

I think that as colleagues of the gentleman from Michigan (Mr. SMITH), it is important that we commend him for his courage, and acknowledge the fact that as he leaves this Chamber, his legacy and his contribution to this institution and to the people in his district has no stain, no blemish. He can leave as a man with his dignity, pride and, I think, good wishes from all of us.

What occurred to the gentleman from Michigan (Mr. SMITH) I think underscores the fact that within this House there is a perversion of the democratic process that has made this particular institution so strong and such a viable component in our democracy, and it is incumbent on all of us, Republican and Democrat, to insist on transparency, to insist on fighting for the process, so that the American people understand what is going on here in Washington, so that the truth be revealed.

The gentleman was talking earlier about profiteering, and maybe the gentleman from New Jersey (Mr. PALLONE) can inform the audience here tonight, maybe he knows, but I have a clear and vivid memory of during the debate on the \$87 billion supplemental, which was for the occupation, the additional occupation in Iraq and Afghanistan, that there was a clause in the bill which specifically addressed the issue of profiteering. It was in conference, and somehow it became deleted.

It is my memory, and you can amplify on this, that that particular provision would have increased substantially the criminal penalties for profiteering on the blood of American soldiers. I do not know if the gentleman has a comment or a memory, but I found that so shocking.

Mr. STRICKLAND. I had several members of school boards in my office today from Ohio. They were here because they are concerned about the fact that we are underfunding the No Child Left Behind legislation and passing unfunded mandates over to our States, and they told me there is an effort underway to require an audit of 12 or 13 percent of all of the school lunches that are fed to needy children in this country. Currently I think the audit requires a sample of 2 or 3 percent to be audited, but there is concern apparently that maybe we are feeding children who somehow do not deserve to be fed, so they want to increase the audit size to 12 or 13 percent.

Then I pick up the New York Times, and I read about Halliburton and the fact that they overcharged our government \$24 million, saying they had provided food to our troops that they had not in fact provided. I mean, when are we going to get real around here and go after the real culprits?

Now, I am not in favor of fraud in the school lunch program certainly, and we ought to do whatever we can to stop fraud wherever it exists, but I am a lot more concerned about Halliburton ripping off the American taxpayer than I am the fact that some needy child may be getting food that does not meet the specific criteria.

That is just an example of how our priorities are really out of kilter up here. We ought to be going after the big guys, the big offenders, those who are really ripping off the American taxpayer, whether it is Enron and the Ken Lays of this world, or it is Halliburton that has been fined, I think, \$64 million or \$65 million for overcharging for fuel that they provided in Iraq. And now we find out that Halliburton, this corporation that used to be headed by Vice President DICK CHENEY, has overcharged \$24 million for food that they should have provided to our troops.

When is this madness going to stop? When are we going to get serious about stopping this war profiteering? I am just sick. I think the American people are getting fed up with their tax dollars being used in these kinds of ways.

Mr. PALLONE. Reclaiming my time, I just want to add that I think my colleague from Massachusetts brought up the main point, which is that the problem is that Halliburton is doing all these things, now admitting, I guess, in two or maybe three cases they have done the wrong thing, but the penalty is not sufficient for them to stop doing it.

Mr. STRICKLAND. And they continue to get the contracts.

Mr. PALLONE. The oil contracts, they were charged a \$64 million pen-

alty, but they are making billions, almost a trillion dollars I think in terms of the amount of money they are taking in.

As our colleague from Massachusetts said, they are not going to stop doing it, because what do they care if they pay a few million dollar penalty when they are making billions of dollars? That is the problem. As I said before, if this had been a different time, like World War II, they would have been out of business; that would have been it. Now, twice, and it is probably going to be more. It is just unbelievable.

Mr. STRICKLAND. Why do we continue to do business with a company like this that has shown such bad faith? Sixty-four million dollars or \$65 million is a lot of money; \$24 million is a lot of money. Yet we continue to allow this company to suck up tax dollars in contracts, and it is a shameful set of circumstances.

I think the President and the Vice President ought to disassociate themselves from this company and say they are out of here. There are honest companies, there are honest corporate leaders that we can do business with. Why are we continuing to do business with Halliburton? I just cannot understand it.

Mr. PALLONE. We were talking before about the gentleman from Michigan (Mr. SMITH) and the allegations that there were efforts to bribe him. We talked about it, but I do not know if we mentioned that he talked about this in his own words. I just want to read a couple of sentences.

This was from the column the gentleman mentioned in the newspaper, where he said after the vote, and this is his quote, "The House passed a deeply flawed Medicare prescription drug bill by a vote of 220 to 215 at 6 a.m. Votes in the House usually last 15 minutes plus a traditional 2-minute cushion. But because the leadership did not have the votes to prevail, this vote was held open for a record 2 hours and 51 minutes as bribes and special deals were offered to convince Members to vote yes."

This is Congressman SMITH's quote. He continued: "I was targeted by lobbyists and the congressional leadership to change my vote. Other Members and groups made offers of extensive financial campaign support and endorsements for my son Brad who is running for my seat. They also made threats about working against Brad if I voted no."

These are his own words. Just so there is no doubt here about what the gentleman said or our colleague from Massachusetts said, he is saying this himself.

Mr. DELAHUNT. I would just like to interject for a moment. I do not know if either of you had the opportunity to see a recent broadcast of 60 Minutes, but you are surely aware that U.S. law does ban virtually all commerce with rogue nations. But there is a loophole, and Halliburton has exploited that particular loophole.

The law does not apply to any foreign or offshore subsidiary, so long as it is run by non-Americans. So what has happened? In the case of Halliburton, they have an offshore subsidiary. Guess where? In the Cayman Islands. That subsidiary is doing business with Iran.

The name of that particular subsidiary is Halliburton Products and Services. It is wholly owned by the U.S.-based Halliburton and is registered in a building in the capital of the Cayman Islands. In a building owned by the local Caledonian Bank, Halliburton and other companies set up in this Caribbean island because of tax and secrecy laws that are corporate-friendly.

Mr. STRICKLAND. Can I comment on that? If I understand what the gentleman is saying, Halliburton, a company that is getting billions of dollars in contracts, is doing business through an offshore subsidiary with a nation that the President has labeled one of the "axis of evil" nations.

Mr. DELAHUNT. That is correct.

Mr. STRICKLAND. So this company is benefiting from the American taxpayer through the contracts, doing business with a country that the President stood at that platform and labeled a part of the "axis of evil." Why is this happening?

Mr. DELAHUNT. Today, again, if the 60 Minutes piece is accurate, and I presume it is, it certainly has not been challenged, and Halliburton has declined to be interviewed by them; today, today, to this member of the "axis of evil" club, it sells about \$40 million a year worth of field services to the Iranian Government so that it can obviously support its oil infrastructure to gather the needed revenue to support whatever programs, whether they be weapons of mass destruction programs, whether they be supporting terrorist organizations anywhere in the Middle East or all over the world, whatever programs the Iranian Government funds through its oil revenue.

But that, as that famous radio commentator is wont to say, is only half the story. The subsidiary, Halliburton Products and Services, and I am reading again from the transcript of this CBS piece, was registered at this address. It was in name only. There is no actual office here or anywhere else in the Cayman Islands, and there are no employees on the site.

Mr. STRICKLAND. So it is a sham.

Mr. DELAHUNT. It is a sham. And I intend this week, maybe early next week, to consult with my colleagues on the Committee on the Judiciary and send a letter to the Attorney General, and I think it would be appropriate to request a special prosecutor to conduct an investigation into these allegations by 60 Minutes. I would hope that the gentleman from Ohio (Mr. STRICKLAND), the gentleman from New Jersey (Mr. PALLONE), and the gentleman from Pennsylvania (Mr. HOFFEL) would support that particular letter.

I think that this is something that has to be examined by an independent

prosecutor, not an independent counsel, to again reveal the truth to the American people. Were there violations of the intent of the existing legislation that would prohibit these companies from dealing with so-called rogue nations? I think that this is absolutely essential to do, just simply out of respect for the rule of law. But also, if it is true, to demonstrate the moral deficit on the part of some and the hypocrisy on the part of some when it comes to this particular issue.

I yield back to the gentleman from New Jersey.

Mr. PALLONE. I want to thank my colleagues for not only raising these issues with regard to Medicare, but also with regard to Halliburton. I would certainly say to the gentleman from Massachusetts, I would be glad to join in that effort that the gentleman described tonight.

I want to thank the gentleman from Ohio and the gentleman from Massachusetts for participating in this special order tonight.

□ 2200

IRAQ WATCH

The SPEAKER pro tempore (Mr. BARRETT of South Carolina). Under the Speaker's announced policy of January 7, 2003, the gentleman from Pennsylvania (Mr. HOEFFEL) is recognized for 60 minutes.

Mr. HOEFFEL. Mr. Speaker, good evening. I am happy to be back here with my colleagues to conduct another hour of Iraq Watch. We have been meeting one day a week, one evening a week for 1 hour for about 8 months now, since the invasion of Iraq was conducted and problems became apparent; and we have been trying to raise those questions here on the floor, asking for answers, and trying to educate the American public about the problems and challenges in Iraq. Since our last time on the floor, there have been amazing developments that I would like to talk about for a few minutes before turning to my colleagues and engaging in a discussion with them.

The big news is that President Bush, at long last, has agreed to appoint an independent commission to investigate the question of weapons of mass destruction and their presence in Iraq and to try to answer the unanswered questions about the weapons of mass destruction.

Now, on behalf of Iraq Watch, all I can say is, it is about time. We have been individually and as a group calling for an independent commission to investigate the controversy surrounding weapons of mass destruction since the very beginning of the Iraq Watch 8 months ago. I know, in particular, the gentleman from Ohio (Mr. STRICKLAND) and the gentleman from Massachusetts (Mr. DELAHUNT) never miss an opportunity to call for such a commission to be appointed; and I have lent my voice to that as well. Finally,

the President has agreed that such a commission is needed.

Well, let us take a quick review of the situation and find out why President Bush now believes it is important for an independent commission to investigate the weapons of mass destruction and the performance of his administration, because I can tell my colleagues, President Bush does not like independent commissions. I do not think he did this lightly. I think he realizes that there is a huge question here, and it is not a political question; it is a question of national security. The issues that we are raising are not designed to raise political controversy, but to deal with our national safety. These are matters of national security.

Well, we all remember that President Bush and his administration stated in the summer and fall of 2002 with complete certainty that Saddam Hussein possessed weapons of mass destruction and those weapons of mass destruction posed an imminent threat to America, to world peace, and to our national safety. There was not any hedging; there was not any doubt in the President's comments. There were not any hesitations or uncertainties expressed by any of the policy-makers in the Bush administration. They stated as fact that these weapons of mass destruction existed. They identified on maps where the weapons of mass destruction were located in Iraq. They even indicated how much those weapons weighed. They told us, we have 500 pounds over here; we have 300 pounds over there.

Now comes a year and a half later, Dr. David Kay, the CIA's chief weapons inspector in Iraq. And after working there for 7 or 8 months, he has announced, upon his retirement from that job, that the weapons of mass destruction do not exist and, in his opinion, did not exist during 2002 or at the time we went to war in 2003.

Now, it is, by the way, undeniable, Mr. Speaker, that Saddam Hussein had weapons of mass destruction in the 1980s. We know that. He used them in murderous ways against his own civilians, innocent civilians, the Kurds in Iraq. He also used them in murderous ways against the citizens in Iran, during the Iraq-Iran War. But the question is not whether he had them in the 1980s. The question is during the 1990s and the period of international sanctions and international inspections, did Hussein give up those weapons and did he have them at the time we went to war in 2003. David Kay says no. He has concluded they did not exist.

In addition to our general memory of how positive the President was, I can share with the House, as I have before, that I attended a briefing at the White House on October 2, 2002, 1 week before this House voted on the war resolution. That briefing was for a bipartisan group of Members, about 20 of us attended. It was one of several briefings the White House conducted during that time. The briefing was conducted in

the Roosevelt Room of the White House by CIA Director George Tenet and National Security Adviser Condoleezza Rice. Ms. Rice and Mr. Tenet told us with complete certainty that weapons of mass destruction existed, that they believed Hussein was giving them to terrorists, that there was a link between Hussein and al Qaeda and, again, they knew where the weapons were. It was just a matter of invading and uncovering them and seizing them. One of my colleagues specifically asked George Tenet, Mr. Tenet, on a scale of 1 to 10, how certain are you that Saddam Hussein has reconstituted his nuclear weapons program? And Mr. Tenet answered, without hesitation, 10. He was completely certain.

Well, we now know that information was simply incorrect. In fact, we had a glimmer of the amount of exaggerations and deception when in the spring of 2003 rank-and-file Members of the House were finally allowed to see the classified intelligence reports from the fall of 2002, the Defense Intelligence Agency report of September of 2002, that said, in part, there was no credible evidence of a chemical stockpile of weapons of mass destruction in Iraq, and the national intelligence estimate of October of 2002 that was filled with uncertainties. That report said that we think, according to the CIA, that Hussein has weapons of mass destruction. We believe he may have this. We believe it is possible he has that. Then we discovered in the spring of 2003, when we saw these reports 6 months after they were made available to the White House that the President, when he talked to the public, forgot about all that uncertainty and told us, without a hesitation, that these weapons existed.

Well, it seems clear to me, and it has for some time, that we were led to war on half truths and deception and that America was misled and the Congress was misled by these statements regarding weapons of mass destruction.

Now, Saddam Hussein is in custody. Iraq and this country are better off with him in custody. But the fact of the matter is, our challenges in Iraq have been made much harder and much riskier because of the arrogance, the unilateralism, and the cowboy diplomacy of this administration.

Now, a few final comments about the commission, and I know my colleagues are anxious to join in this discussion. The President has finally called for an independent commission, something that all of us have called for; and we have been joined by the gentleman from Hawaii (Mr. ABERCROMBIE), who has called for an independent commission as well. There are questions remaining about how to set this up. One, of course, is who will be the members, and this will be critically important for the President to pick a bipartisan and independent group of commission members.

The timetable for reporting is important. Obviously, this commission should be given sufficient time to do