

his convoy en route between Tikrit and Baghdad, Iraq. He has exemplified courage and strength in his service to our nation and was awarded the Purple Heart and promoted to Specialist for his bravery. He is now back in Kansas City after spending eight months in recovery at Walter Reed Hospital and continues his service in the military. He has made his family and our country proud.

Army Spc. Joel L. Bertoldie of Independence, Mo. was killed on July 18, 2003 when his vehicle ran over an explosive in Fallujah, Iraq. I was privileged to present his family with a flag flown over the Capitol in his honor, and to join them at his memorial service to pay tribute to a fine son, father and citizen. A former Truman high school student, Specialist Bertoldie served honorably in Operation Iraqi Freedom and was awarded the Purple Heart, Bronze Star, National Defense Service Ribbon and Good Conduct Medal for his valor. His spirit will live on in his son, and his memory will inspire all those whose lives he touched.

Mr. Speaker, I am honored to join with my colleagues to praise these heroic soldiers and the sacrifices they have made. God bless them and God bless our Nation.

Mr. MATHESON. Mr. Speaker, Memorial Day is our opportunity, as a nation, to pause and pay tribute to the millions of Americans who gave their lives for this country. We enjoy our freedom and prosperity because we are citizens of a nation that believes in service, dedication, and honor. We believe in liberty and our men and women have always willingly stepped up when called upon in defense of freedom.

This year, the Memorial Day weekend celebration on the National Mall will specifically honor America's World War II generation. The National World War II Memorial, which was authorized by Congress in 1993 in memory of those who served and died in World War II, will be dedicated in Washington, D.C., on Saturday, May 29, 2004. Sixteen million Americans fought valiantly, far from home, to protect not just our nation, but the entire world.

More than 400,000 Americans died during this war. Thousands more gave their lives during subsequent wars in Korea, Vietnam, the Persian Gulf, and most recently in Afghanistan and Iraq.

I would also like to take a moment to give my thanks to the soldiers from my home state of Utah. Over the past few years, nearly four thousand Utahns from the National Guard and Reserves, were sent into harm's way in the Middle East, or supported those on the front lines. I am so proud of these men and women—from the Wasatch Front, from St. George, Vernal, Cedar City, and other cities. I am proud of their commitment, grateful for their service, and deeply sorry for the families of those who won't be returning home.

God bless this Nation, and the men and women who serve so valiantly and with honor.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. RYAN) is recognized for 5 minutes.

(Mr. RYAN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Alabama (Mr. BACHUS) is recognized for 5 minutes.

(Mr. BACHUS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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 addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

(Mr. BLUMENAUER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONCERNING THE VICE PRESIDENT'S ENERGY TASK FORCE

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, I want to express my concern this evening over Vice President CHENEY's abusing his power as Vice President to continue to keep secret documents that could significantly impact our Nation's future energy policy and the effect the Bush administration's energy policies are having on American families and on our economy.

Mr. Speaker, almost immediately after entering office, Vice President CHENEY took it upon himself to convene what would later be called the energy task force. The unnamed participants of this secret task force came together to advise the Bush administration on energy policy and develop what would become the administration's official energy plan. However, in the 3 years since the energy task force released its report, the Vice President has done everything he can to keep the records and participants of the task force secret. This task force played a critical role in developing a major policy initiative with a direct impact on everything from our economy to our environment. Still, the Vice President has refused to let the American people know who made up this energy task force or how and why the task force came to the conclusions that it did.

I am going to get back to this in a minute, but first I want to address the rise in gas prices which I think ultimately is related to the issue of the energy task force.

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Earlier today, I heard the argument that if Congress passes the energy bill devised by the secret Cheney task force, consumers would be alleviated from the high gasoline prices we are

witnessing across the country. I want to say, Mr. Speaker, that not only is this argument foolish, but it is also wrong. The Republican-passed energy bill would do nothing to address the rising cost of gasoline; and, in fact, the bill has provisions that would make gasoline even more expensive.

In fact, a study released in February by the Energy Information Administration found that the provisions in the energy bill would have only a negligible effect on energy production, consumption, and prices; but that negligible effect would be far outweighed by a provision requiring the use of ethanol. The report concluded that such a provision would actually increase the average gasoline price by 3 cents per gallon and the price for reformulated gasoline by an average of 8.1 cents. So the study concludes that provisions in the Republican energy bill would actually increase gas prices, and I certainly know that my constituents would not like to see that happen, particularly as we now move into the Memorial Day week.

What President Bush and his administration do not understand is that high gas prices impact all of us, consumers and businesses alike. Gasoline prices have increased 38 percent since December 2003, with the average price for a gallon of regular unleaded at just over \$2. High fuel costs translate into a loss of profit margins for the manufacturing and transportation sectors that force prices for products and services higher, hitting American consumers twice. Not only do Americans need to dole out more cash to fill their gas tanks with the little disposable income that they have left; they are being strangled by rising health care costs, higher education costs, and now higher costs in goods and services.

I just want to give some stories from struggling Americans that show that the hardships are being felt from coast to coast. I quote first DeAnn from Salt Lake City, Utah, who writes: "My husband and I own a small trucking company. Due to the rise in fuel, we have let three drivers go and sold the trucks and trailers. This was very hard to do, but in an effort to keep the other two drivers working, we had to. I know of two other small companies that are doing the same, and the burden is just too much."

I have another letter from Sara, who lives in Virginia Beach, Virginia, and she writes: "As a military family, the rising gas prices are taking a big chunk of our disposable income. We have two small fuel-efficient cars, thankfully, but our cost to fill up our cars is easily \$10 more every time. Unfortunately, we will not be driving much this summer because of it. I really wish the President would take more of an interest in the problems of middle working-class families like ours."

Not only does Sara think, Mr. Speaker, that President Bush does not care about the impact that gasoline prices have on Americans, but another gentleman, Jon Meade Huntsman, who is

the founder of the largest privately held chemical manufacturing corporation in the United States, was recently quoted saying: "The average guy on the street is getting killed because this administration does not care."

Mr. Speaker, many in Congress have requested that President Bush temporarily suspend deliveries to the Strategic Petroleum Reserve and put this oil in the marketplace. If President Bush reduced the amount of oil placed in the Petroleum Reserve, more would be on the market and prices would moderate for Americans now. The SPR can then be replenished when oil prices are lower. But as we know, President Bush refuses to do this because of national security concerns, he claims. But I would like to know why President Bush has no concern for the health of the American economy.

The American people are tired of rising gas prices. In my State alone, in New Jersey, gas prices have increased 48 percent, costing New Jersey families an additional \$869 per year. This figure jumps to \$1,037 for households with teenagers. In the general U.S. marketplace, gasoline prices will cause a \$1.3 billion increase in costs for farmers, which will force American consumers into paying higher prices for food. The trucking industry will experience a \$6.3 billion increase in the cost of its services, and airlines will see a \$7.5 billion increase because of fuel costs. In fact, just yesterday I read that Continental Airlines has sought to impose a fuel surcharge for their services and reported that it is considering layoffs and cuts in wages and pension benefits in response to the struggle they are facing with the surging oil prices.

So the real impact of all this is a slowdown in the economy with a potential even for more job losses. In fact, an estimate by Merrill Lynch shows that every penny increase in gasoline prices at the pump is equal to \$1 billion in lost consumer spending. That is nearly \$25 billion in lost spending since the beginning of this year.

All of this is happening on the watch of the Bush administration that vowed to make energy policy a priority in the United States. Yet 4 years after President Bush took office, we have no national energy policy, and we have no national energy policy because the bill that the White House presented to Congress was filled with an extraordinary collection of energy industry giveaways. And to make matters worse, these giveaways do little or really nothing to moderate gas prices.

The President should have promoted meaningful policies that would increase fuel efficiency and conservation measures and provide for expanded use of renewable and alternative fuels.

I would like to ask, Mr. Speaker, what exactly has the Bush administration done over the last 4 years to cut gas prices? During that time the country lost five refineries with the total number of operating refineries dropping from 158 to 153; and while Repub-

licans blame difficult regulatory hurdles for new refineries, I would like to highlight that the Democrats included a policy in our 2001 energy plan with streamlined regulatory guidelines for permitting new refineries or for additional capacity to existing facilities when these permits did not detrimentally impact environmental standards.

I would also like to highlight data compiled by Bloomberg showing that mergers over the last few years have partially contributed to today's high gas prices. Since President Bush took office in January 2001, the administration has approved 33 takeovers totaling \$19.6 billion. The Federal Trade Commission took no action to prevent any one of these 33 mergers. And today, Mr. Speaker, the largest five refineries operating in America, ConocoPhillips, Royal Dutch Shell, ExxonMobile, BP, and Valero, control over 52 percent of domestic refining capacity, up 18 percent in a decade. The top 10, which includes ChevronTexaco, Citgo, Marathon, Sunoco, and Tesoro, control 78.5 percent, up 22 percent. With this market concentration, I think it is imperative that this administration seriously consider and review the impact that mergers have on consumers rather than watching out only for the CEOs who benefit from these business mergers.

While the Bush administration has expressed the concern for rising prices, it seems like they are completely disregarding the March 2001 report by the U.S. Federal Trade Commission, FTC, which concluded that during that summer of 2000 price spike, certain suppliers had pursued "profit-maximizing strategies," intentionally withholding gasoline supplies or delaying shipping as a tactic to drive up prices. But today the Bush administration is doing nothing to investigate whether a similar situation might be occurring now.

In fact, while Americans are paying higher prices at the pump, oil companies are posting record profits. In the first quarter of this year, ChevronTexaco reported a 294 percent increase in profits; British Petroleum, 165 percent increase; Exxon Mobile, 125 percent increase; and ConocoPhillips, a 44 percent increase in record profits.

I would also like to note that policies not related to the energy bill actually increased demand in consumption of gasoline. In February, President Bush extended for another 4 years the dual-fuel loophole. This loophole allows auto manufacturers who produce vehicles that can run on more than one fuel type, although they rarely do, a tax credit towards meeting CAFE standards for the entire fleet. What this means, Mr. Speaker, in effect is that these companies can reduce fuel economy for the millions of other cars that they sell. And according to the American Council for an Energy Efficient Economy, this means the U.S. will consume an extra 40 to 110 million barrels of oil from 2005 to 2008. Clearly, the Bush administration is not promoting

policies that relieve Americans from high gas prices.

What the administration really should be promoting are policies that make gasoline supplies more stable and provide resources for alternative energy sources. For instance, oil companies should be required to expand gasoline storage capacities and require them to hold significant amounts in that storage, and the administration should reserve the right to order these companies to release this stored gas in order to address supply and demand fluctuations.

I also think that conservation and efficiency standards should be a priority. Democrats have always supported and have proposed innovative tax incentives for gains in energy conservation and efficiency such as a nonrefundable tax credit for higher efficiency vehicles.

Before I finish, Mr. Speaker, I just wanted to go back to what I mentioned earlier regarding Vice President CHENEY's energy task force. After 3 years of hiding the details regarding the task force, it appeared that we might finally get some of the information CHENEY was fighting so hard to keep secret. The Sierra Club, as we know, and the conservative group Judicial Watch earlier this year jointly sued Vice President CHENEY and the energy task force, seeking an accounting of energy industry participation in crafting the Bush administration's destructive energy policy.

In response to that suit, a district court ordered the administration to provide information about participation from these industries, which the Bush administration refused to do. Of course, the President claimed constitutional immunity from these kinds of inquiries. But the district court rejected the Bush administration's contention, pointing out that the administration was attempting to "cloak what is tantamount to an aggrandizement of executive power with the legitimacy of precedent where none exists." That is a quote from the court. I will read it again: that the Bush administration was attempting to "cloak what is tantamount to an aggrandizement of executive power with the legitimacy of precedent where none exists."

Refusing, however, to give in, of course, Vice President CHENEY appealed the district court's decision, asking, basically, the district court to make new law that would effectively shield the Bush administration from any scrutiny. And I just have to say again, in my mind, Mr. Speaker, this is the height of arrogance on the part of the Bush administration. They actually go to court and they ask the court to shield President Bush, Vice President CHENEY, and the rest of the administration from any scrutiny. Fortunately, the court denied that request, and then of course what did the Vice President do? He appealed the decision to the U.S. Supreme Court, and in December the Supreme Court agreed to

make argument public on the case. Of course, we do not have a decision yet, but they have heard the case.

And the last thing that I wanted to mention in this regard, and I have mentioned it before here on the House floor, is the whole issue of Justice Scalia's involvement in the case and the fact that, in my opinion, he should have recused himself from any participation when this case came before the Supreme Court. We all know the story: Vice President CHENEY treated Justice Scalia to a personal hunting vacation down in Louisiana. They went on Air Force Two down to Louisiana. And, of course, several questions have been raised by not only me but others with regard to this hunting trip or duck hunting trip to Louisiana and the potential conflict of interest. And I would just like to mention some of those questions again tonight before I close.

First, was the energy executive that hosted the Vice President and Justice Scalia on this duck hunting trip to Louisiana a member of the energy task force? Of course we do not know because the whole point of the suit is to determine who was a member of the energy task force, and so far the Vice President is not willing to provide that information.

Second, was the Vice President attempting to use this trip, the duck hunting trip, as a way to persuade Justice Scalia that the documents being requested should remain secret under the cloak of executive privilege?

And, third, how could either Vice President CHENEY or Justice Scalia think that this trip in which both flew to and from Louisiana together on Air Force Two would not look like a conflict of interest?

These questions remain unanswered, but I do not think there is any question in my mind and the public's mind. Certainly there have been many editorials on this subject that have said that Justice Scalia should have recused himself from hearing this case.

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Of course, the one thing that I keep thinking in the back of my mind, Mr. Speaker, is, what if this ends up being one of those rather frequent 5-4 decisions, and Justice Scalia is one of the five? What are we going to think about that, given this trip to Louisiana?

I am going to yield to the gentlewoman, but I did want to say, the one thing that is really significant about this Energy Task Force and the one thing that I am trying to bring out tonight is, regardless of what you think about the Energy Task Force and what happened behind closed doors in these secret meetings, because we do not really know what happened, hopefully we will find out at some point, depending on the Supreme Court's decision, but we know one thing clearly, and that is the task force came up with a bad energy policy.

There is no doubt that the energy industry succeeded with its influence

during these secret, closed-door meetings. The one thing we know is they managed to craft an energy policy that benefited them, rather than benefiting Americans, who, at the time, desperately needed relief from high energy prices. That continues today with the high gas prices. The problems continue, and the Bush administration does not want to do anything about it.

I see the gentlewoman from Texas is here, and I yield to the gentlewoman.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman for taking the time to very deliberately chronicle for this body some of the concerns that we have expressed on a number of occasions.

Let me just expand on the gentleman's presentation, primarily because I think it is important to note he is from New Jersey and I am from Texas. The energy industry is one that I work collaboratively with as constituents of my area, and I have often been here on the floor indicating the importance of an energy policy.

We remember very well the number of Energy Secretaries in the Clinton administration, and on a number of occasions there were occurrences there that we disagreed with, but we were consistently working to give input on developing and embracing energy policy; and I still think, for the industry, that is the best way to go. That means we talk about conservation, we talk about solar, we talk about wind power, we talk about domestic production, which many of us have discussed over the period of time.

I think what the administration is failing to see is that we are now at a logjam. We are stagnant, because we have a problem not only with the energy bill being stagnated, because it is one that has not brought in as many of the interests as it should, but we now have this parallel issue, where, frankly, we cannot get to the bottom of the truth; and we are using, if you will, judicial procedures that are thwarting simply providing us with the truth.

This issue of "executive privilege," which is something very sensitive to me, being on the Committee on the Judiciary, but I think a lot of that is overcome by the very facts that the gentleman has just allowed us to hear, and that is, of course, the close relationship between Justice and the Vice President, the disregard of that close relationship, to the extent it does not matter finding out why others with other perspectives could not have been part of those discussions.

Our understanding is that any number of conservation groups repeatedly tried to access the meetings and provide information, and they were denied.

We do not suggest, nor do I think the distinguished gentleman from New Jersey is suggesting, that policy-makers should not have the benefit of different perspectives, whether it be industry or whether it be others. But what we are talking about is the light of day. Gov-

ernment has to be transparent. Frankly, what we have seen is nontransparency.

Might I just add to the gentleman's line of reasoning here, I know that the gentleman worked very hard on the Committee on Energy and Commerce, and this is an issue of great importance, but on the Committee on the Judiciary, this is a question of whether or not there has been an abuse of power.

My disappointment is, I recall maybe 3 or 4 years ago, let us say 4 years ago, in an earlier administration, neither the door of the Committee on Government Reform nor the Committee on the Judiciary or the lights of those committees were ever turned off. We were in a constant state of investigation, trying; I suppose a majority at that time would argue they were trying to present a transparent government.

But not only do we have the energy collapse and catastrophe and debacle, I am still, if you will, seething, I will use that term, and dismayed by Medicare.

Mr. PALLONE. Mr. Speaker, reclaiming my time, I appreciate what the gentlewoman is saying, because I think when we talk about the Republican abuse of power and we use the Energy Task Force, or I think she is going to go into the Medicare issue as well, what we have to explain, I think, to our constituents and to the public is that the Republican majority here in the House has simply made it impossible, if you will, for Democrats, any Democrat, to participate in the process.

So when I say that it is important to know what happened at this Energy Task Force and who was on it and what they did, it is not because of some secret feeling that this is crucial; it is because of the impact on public policy.

We know that when the energy bill came to the House, as the gentlewoman mentioned, from my Committee on Energy and Commerce, and came to the floor, basically it was a bill that came from this task force and that moved through the committee to the floor and over to the other body without any major changes, because they do not allow Democrats on the Committee on Energy and Commerce, or even Republicans sometimes, to make changes from what the administration requested.

So if we had gone through the normal deliberative process, where the White House came up with an idea, but there were all kinds of changes or a consensus was reached with the Democrats, where amendments were allowed, where we had a full debate, then maybe this would not be as significant.

But that is not the way this Republican majority has been operating. They abuse their power by not having the deliberations, by not having a consensus in the committee, by not having amendments, by not having full debate on the floor.

That is why what this secret task force did becomes even more important, because essentially they put together the bill that passed the House and that is now the Republican energy policy.

We just have so many examples. I know the gentlewoman is going to get into them now with the Medicare bill, where they abused their power and did not allow the Democrats, the minority, to have any input. It is an abuse of the system. It really is.

I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. The gentleman has made a very good point. I think it is very important, because we are speaking about the very nature of our government, beyond the concept of Democrats, Republicans or a two-party government. We are also talking about checks and balances and oversight and responsibilities of this body.

I do not believe when the dictates of oversight in our procedural body of rules that govern the House, they do not say, make sure those responsibilities of oversight only fall to Republicans when Democrats are in charge of the executive, or they only fall to Republicans or Democrats, if you will, or vice versa. It is the system of government, of transparency, that we are now speaking to.

I think the consternation, if you will, and in some instances, outrage, is frankly because this is going on without the light of day.

The gentleman has spoken about the energy bill. I have heard the ranking member eloquently announce the difficulty in even having a conference on the bill so that we could make this legislative initiative better for the American people, not for the distinguished gentleman from New Jersey or for the distinguished Member from California or for the Member from Texas.

It is, frankly, to make this a working legislative initiative that will actually pass both Houses, if you will, the other body, and actually implement a process that the American people can utilize.

Mr. PALLONE. Mr. Speaker, if I can just reclaim my time, the gentlewoman makes a very important point that I want to emphasize, and that is the unwillingness and the arrogance, if you will, of the Republican majority to not allow for input from the Democrats. And the consequence of not having a consensus on something as important as national energy policy means that we never pass a bill and that we continue to be energy-dependent on Mideast oil and other foreign sources.

This is because of the breakdown of Members. Even though the Republicans are in the majority in both Houses, the majority is very close. So if you take a position, as this Republican majority does in their leadership, that we are not going to allow input from Democrats, or even other views, then the consequence is, you have a stalemate and you do not pass a bill.

That is the reason why we continue to be so dependent on foreign oil, be-

cause they are not willing to try to come up with something that we can all agree on. They will not allow input.

Ms. JACKSON-LEE of Texas. If the gentleman will yield further, the gentleman again clarifies the point. We are not only energy dependent, we are energy deficient, because I believe we could find ways cooperatively to look at alternative sources of energy.

Coming from the State I come from, domestic production in many areas is very safe technologically. We have not enhanced that in ways where it has been welcomed. But because we have this cloud over this energy legislation, the gentleman is absolutely right, we are at a standstill. And while we are on this floor, there are millions of Americans in line for gasoline at gasoline stations, there are volunteers for Meals on Wheels, volunteers who take meals in to shut-ins' homes who are saying, I have to stop volunteering because I cannot afford \$2 a gallon gasoline, which we are paying here in the United States.

Of course, Europeans are listening to us with somewhat of a smile on their face.

But the point is, that is not where the economy is now. Truck drivers are pulling trucks off to the side. Deliverers of pizza are pulling their cars off. So the quality of life has been impacted by denying people who are getting to school, trying to improve their lives, getting to an hourly wage job, trying to support their family. All of them are being impacted by the fact we are at inertia because of this energy legislation.

If I might, just as an example, to continue this inequity, we see in both the administration and this Congress, we just got through finishing with the defense authorization bill. There were a number of Democratic amendments that would have been enormously valid and helpful in terms of where we need to move our military, both in terms of clearing up and saying to the world clearly that we denounce the atrocities that occurred in the Iraqi prison at the hands of our military personnel, as we abhor the decapitating of one of our very fine and able Americans. We are not diminishing that. That was beyond expression, beyond words.

But in order for us to be America, the country that rises to the highest moral value, then we must show that we have oversight. Yet we spent the last 2 weeks talking, and I might say most of the talking has been in the other body; not investigating, not deliberating on how we can, if you will, pull out, extract out those who should be held accountable in that instance.

The gentleman is right, I was about to mention Medicare.

As we know, on June 1, these prescription drug cards will be coming out. I imagine that all of us might be able to see some glimmer of positiveness in any discount that our seniors would get. But as the gentleman recalls, I think now for 6 to 8 years, we

have been constantly pounding the pavement, pounding on this podium and talking about a guaranteed prescription drug benefit, which some months ago we were on the precipice of attempting to get with a Medicare bill that could have been helpful to all Americans.

But, unfortunately, again we have quagmire of smoke and mirrors, and questions of abuse have now raised their head, investigations that are not yet finished. There is some talk of bribery that occurred. But, more importantly, procedurally we find ourselves in a very strange climate, with almost, I have now put it up to 6 hours, maybe it was a 4-hour vote open on the floor of this House in the wee, wee hours of the night, and frankly I believe that that is not the American way.

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Mr. PALLONE. We had a hearing today in the commerce committees, the Subcommittee on Health on the drug cards. And, of course, it was a hearing that was requested by the Republican majority because if we request it, they do not give us one. And I was amazed by their inability, not that I was amazed, their total inability to show the positive aspect of this discount drug card.

I mean, obviously the purpose of the hearing was to showcase that this was a great idea that seniors were going to benefit from it. They put up the Web site and showed you how to access the Web site and showed you the hotline, how to access the program. Even with that, all that effort, it was a sham. It was a farce.

These discount drug cards do not provide any savings. I had my seniors call me, first of all, most of them, many of them do not even have a computer so they can access the Web site. We tried to call the hotline yesterday, 30 minutes before you can even get on the hotline. And it is so confusing to the average senior that they have to kind of go on this Web site and see, of 70-some-odd cards, which one will offer a discount for a particular drug that they might need. But what they do not tell you, of course, is that next week the card company can change the price of the drug or they can decide to drop the drug, and that if you go to the local pharmacy, they do not have any obligation to take the card. Even if they take the card, they can charge more than the price because they may have to show a profit. So it is just unbelievable to me.

Most of my seniors cannot even figure it out by looking at the Web site. I have to be honest, not only could I not figure it out, but there was an article in last week's Washington Post where one of the reporters, a long-time health reporter, went through this whole maze, and basically said it took her 9 hours to go through the process. And at the end of it, she did not know which card she should opt for.

Again, it is what you said. This is a function of the fact that the Republicans do not want any input from the Democrats. If they had taken amendments, listened to us, tried to adopt some of the suggestions that we had, I believe that we could have come up with a good benefit. We do not even have a benefit now. It does not even go into effect until 2006, and it will cost you more out of pocket than you will benefit from. And these are, again, the result of this arrogance, this abuse of power on the part of the Republican majority.

Ms. JACKSON-LEE of Texas. It is a single thinking. Do you realize that just this past week, I think most of us got at least a slight shock, maybe it was even a larger shock, when they came to the floor of the House and did a, what would you call it, an en bloc rule with four and five bills in one rule to begin to dismantle rights that workers here in America have cherished for as long as we have had the OSHA regulations and rules that have created a safer workplace.

Certainly concepts that should have been deliberated and debated for a long period of time, frankly, that maybe again in a bipartisan way, we could have few common grounds on the concept of helping small businesses, which is what it was represented to be.

But when you shut off workers from the courthouse, when you open up opportunities to keep bad activity going in your workplace so that you do not have to respond to the OSHA citations, you can extend the time frame or not respond to them so you keep an unsafe working place under the pretense of being someone who is too economically unfeasible, if you will. All those bills passed with little sight and oversight by the American people.

And here we are now with the child tax credit. Of course, that is a policy question. Some people want to raise the deficit \$202 billion more than we already have. When I say "raise it," make it go up more, so we are right in line getting \$228 billion more to add to the deficit and leave 3 million working Americans off the list of a child tax credit. Again, that is a policy decision. I do not put that in the abuse of power, but I do put it in the inability to see the important aspect of us working together for better policies that serve the American public and serve our constituents across the board. That is a problem.

Mr. PALLONE. I think it is a form of arrogance, if you think about it. Here you have a situation where we are in a deficit which continues to grow, a huge deficit, one of the biggest we have ever seen; and rather than try to give some money back to working people below a certain income, I think my recollection is that if your family, and you are working and working and you are making minimum wage, you would not get any money back. You get no credit. And if you are a family that is up in the 300,000 bracket, you get a \$500 credit.

So if you are buying into the theory, which I think the Republicans articulate, that somehow this tax credit will benefit the average guy so that they can go out and spend the money and that helps the economy and all, this is what they articulate on the floor, how is it that you do not give it to the guy, the working person who is making a lower salary, he probably is more likely to go out and spend the money because he does not have that much money. He has to go out and buy food or staples for the family, clothing; as opposed to somebody in the 300,000 bracket who would probably put it in the bank because they do not need to spend it.

So their theory, even their own ideology, they do not practice it. They do not practice what they preach.

Ms. JACKSON-LEE of Texas. I will just tell a story about Margaret in Houston who makes between 8 and \$26,000, a student with an 8-year-old son. And she wrote an article just a year ago when we were fighting this same battle last summer.

She said it is simply a shame that she would be the one trying to make ends meet as a student, improving her life, raising an 8-year-old son, would not get the child tax credit. What is she to do with her child? How is she to pay her bills or to do as the gentleman said, to infuse the economy? They are simply left out, and we find that they are left out today.

One of the things I wanted to raise, I respect very much the first amendment, but I know that you are familiar with the question that we always raise with the media and not highlighting the substitute amendment that we worked very hard to put together. The American people should know that we are here fighting on the floor of the House, that we had an initiative, the Democrats, and it worked. It was paid for. It did not leave 3 million people behind. It gave to those making between 10,000 and \$26,000; it put it to 2011 when we can possibly then see a better day, have the deficit decreased and be able to legitimately consider making it permanent. 2011 is a good and decent time frame.

This is only 2004, but yet we had to rush to making it, if you will, permanent now and do the \$228 billion in deficit, and it just does not make any sense. Let me just for a moment add, if I might, some of the missing elements. I want to, and I will be happy to yield back to the gentleman, but I also just want to leave, as we are on adjournment, I think there are a lot of things left undone, particularly as it relates to the need of a strategy for Iraq. I do not think any of us know what the strategy is for Iraq. We know that every day more and more body bags are coming home. We also realize, of course, that there is a need for peace and security in Iraq, but we would like to have a strategy from this administration. We have not heard one.

We do not know whether we are going to be able to transition the gov-

ernment. We do not know what kind of security is in place. We do not know ultimately what is an exit strategy. It is just not functioning, and we have leadership in the Defense Department that we are concerned about, but I do want to mention items that I think are left undone.

I am concerned, for example, about Sudan, and what comments are being made by this administration. I know that we had a resolution, but there is slaughter and massacre going on there on a regular basis. There are refugees from Sudan at the border in Chad. There is a breakdown. The United Nations is struggling.

I think this administration needs to take the leadership in this area, primarily because none of us want to repeat the tragedy in Rwanda. It looks as though certainly we have cause to be wary, and I would like to make a very clear point to see some answers, not only from this administration but from this Congress.

Then, of course, we have heard some good news, at least some representations of numbers out of Haiti; but I still believe that unless you embrace all of the political parties, unless you have a schedule for democratic elections, unless you investigate what happened with respect to President Aristide and his removal from the country, I think there is work left undone, and I think it is imperative that we begin to answer those kinds of questions on the international level.

I know we are about to venture into the appropriations process, and I raise for the administration the question of how they are going to support their requests for this increased supplemental in light of what we have just done today with the \$228 billion deficit and spending on tax cuts.

In fact, I do not think there is a tax cut in this House that anyone has seen that they reject. At the same time there is such an enormous need. We have still not done anything about Leave No Child Behind. And the only reason I was adding this to the gentleman's discussion is because I think it is important on adjournment to realize that we are just full of work to be done and there is lack of cohesion and lack of agreement.

So we are going to get ready to go into the appropriations process in which we are somewhat delayed, and really we are going to be, I think, on rocky ground. We passed a budget resolution that is very disturbing, and that we allegedly are operating, you said, that has large gaping holes in it. It is not able to provide for a lot of issues that we are concerned about. So I am just squarely saying, departure and adjournment but a lot of work to be done.

The international world is looking for our leadership; there are a lot of problems that are percolating around the world. I would just offer to say that I believe I am a big supporter of Middle East peace and I just believe in engagement. And I would like to see the

United States more fully engaged than singular meetings that we have had with the administration. I want to see us with a team, working, because all of us are believers of the peace in that region, and I do not see that. So I consider that work left undone by this Congress and this administration.

Mr. PALLONE. If I could just interrupt, I think the gentlewoman makes some very valid points, and I think it relates back to what we were talking about before. You can call it abuse of power. You can call it arrogance, this arrogance that we see here in this House on the part of the Republican majority and the Bush administration which essentially says, my way or the highway. We are not really interested in your input. We do not want to hear what the Democrats have to say. We are not interested in whatever suggestions you have, we see playing out with regard to the Bush administration's foreign policy, which is essentially unilateral, the cowboy. We are not interested in other countries' views. They were not interested in other countries, views or the U.N., which is sort of a manifestation of all the other countries together because we want to do everything on our own.

So that is why we went into Iraq without having our NATO allies or the major ones supportive or without having the U.N. support it because the idea is we do not need other people. We do not need help. That is why the effort, the gentleman mentions Haiti, was pretty much the same thing. We will unilaterally decide that it is time for Aristide to go, without really thinking about what the consequences might be. And the U.N. has suffered because we do not give any credence to it.

We suggest that the U.N. is incompetent or that somehow they are not something that we favor, and so then we are forced to go it alone and not have the help of our allies. In the case of Iraq, it means that we end up mostly having our own soldiers fight the battles and our own resources being used. And then what are the consequences here? The consequences are that we go further and further into debt, and that is, of course, only multiplied by the fact that we do all these tax cuts that you and I have been talking about all evening. So we have the deficit situation. We do not have the money for domestic problems because we are spending all the money unilaterally in Iraq and other places, and we are cutting taxes at the same time, mostly for the wealthy.

So given those circumstances, there is no money to pay for education programs or for health care or for housing or for all the other priorities that are important, particularly for people at a time when the middle-class person is hurting and they probably need some help from the Federal Government for some of these things.

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This is all part of this arrogance, this abuse of power. I think it is domestic

policy, as well as the foreign policy, and it does not seem to be getting any better.

If you talk about Iraq, what countries want to help us now? The President says he wants to go to the U.N.; he wants other countries to help us, but the opposite is happening. The countries are leaving because of our arrogance and our unwillingness to get them involved, and our unwillingness to reach out and say we need your help. When does the President ever say, we need your help? I never hear him say that.

Mr. Speaker, I yield back to the gentlewoman.

Ms. JACKSON-LEE. You are absolutely right. The face that we have projected to the world needs a little bit of cleaning up, and so we need some articulated foreign policies that the world can understand.

I heard debate when we were discussing the motion to recommit here on the defense authorization bill, a very fair motion to recommit.

Just as an aside, this past week and the last couple of weeks, we denied the bill to have a substitute, the normal courtesies, and as I recall, the deans of this House who happen to be on our side of the aisle, have reflected and said they cannot remember when the Democrats were in the majority that denial of a substitute would be disallowed to the minority. It is certainly the rule of the majority, but not the tyranny of the majority, and so it is extremely disappointing.

But I recall the debate on the motion to recommit which we should state again was simply to have a select committee, a commission, to really effectively look into this issue, because a lot of people think this is pointing to Iraq.

No, this is pointing to international law, the Geneva Convention. This is saying to the world that when we sign and agree to a treaty, we really believe in it, because if the shoe is on the other foot, we are, if you will, darn sure not going to tolerate that kind of abuse of our prisoners of war.

How concerned we were when we had and we still have prisoners of war there. We still have some MIAs and prisoners of war to a certain extent, people that are missing in action right now, but people that are also, we know, prisoners of war. We still have that going on, MIAs in Vietnam, but we have people who are missing in Iraq.

The point is that you want to be sure that the convention is adhered to, and what I am saying is, there was a discussion here to reject it rather than doing it in a bipartisan way, because we are suggesting that the other people are worse than us, the other people are terrorists. And I respect the distinguished gentleman who offered opposition to the motion to recommit, but I believe that is wrong because we have an obligation to show the world that we are better than that and we adhere to the law.

May I just say one thing? I want to mention again some very fine constituents in my district and the United Nations Foundation, because through Federal Express and local leadership in Houston, Mike and Lisa out of Memphis, we are going to get, through the United Nations Foundation, books that Houston students collected to send to the children of Afghanistan.

And I want to thank the gentleman from Ohio (Mr. NEY) who was part of us working together. So I want to mention a colleague who was very helpful, working together on this very issue. But that is a positive, but what we were trying to do in that instance was to show the world a better face, or another face, and that is the face of charitableness and understanding and desire for democracy and educating children, that there is a better way and that what we do have in America is good.

That is the difference with what I am seeing here; they are not understanding, that is, the majority, that this is not a tit for tat. This is not partisanship. This is attempting to govern, and it is all right to stand and be able to throw stones, but when we govern, we should be able to govern together.

The world looks to us to govern. They do not really see Democrats and Republicans. They see Americans and say, what are you doing as Americans, as the American Congress, the American Government? That is what they are asking for.

They are asking that in the Sudan. They are asking that in Afghanistan. They are asking that in Haiti and Iraq. They are asking that in the Mideast. They are asking what America is doing, so when you stand here and view your critique and criticisms as that very question: What is America doing?

Mr. PALLONE. Mr. Speaker, I think the gentlelady makes a good point.

Again, you talked about the abuse of the prisoners in Iraq, in the prison, and the violation of the Geneva Convention, but again, I think it goes back to what I said before. If you really believe that you can act unilaterally and that everything you do is right and you do not want input from anybody else, be it here in the House from other party Members like Democrats or from other countries, then you start buying into this notion that somehow international treaties, which are not unilateral, but done with other countries, do not have to be adhered to. And if you listen to some of the comments that have been made with respect to this administration, where actually arguments were being put forth by them, some of the people that were responsible for change in tactics with prisoners or interrogations in Afghanistan and Iraq, you hear them say, well, somehow this is a little different, the notion that the terrorists do not come under the Geneva Convention in Afghanistan. But then somehow you lead from that to say, well, then, the Iraqis

do not come under the Geneva Convention either.

So you start to stretch. You say, okay, terrorists are not active combatants in Afghanistan, or because they are terrorists and not under any state, but then you move that to Iraq and say, well, maybe the same thing is true of the Iraqis, even though it is a very different situation because we invaded Iraq.

Then you start to say, well, then, maybe you do not need the Geneva Convention, it does not apply to the situation. And that is the danger here; it is sort of unilateral philosophy arrogance, not willing to listen to others that gradually erodes the notion that you have treaty obligations or that you have to succumb to some sort of international agreement or international body like the U.N. And it is such a dangerous thing, it is really such a dangerous thing.

I do not usually compliment him because I think that for the most part his conduct has not been good, but I remember there were some newspaper reports that when the Secretary of State Colin Powell heard that there were some suggestions that the Geneva Convention did not have to be adhered to, he was outraged. I think that was in part because he had, as a general and as someone who had been instructed in the norms of war, realized that you could not say that the Geneva Convention did not apply in this situation in Iraq.

But I think some of the soldiers or some of the people in charge were convinced that somehow it did not apply; and that is the danger that we face. It is such a dangerous situation because once the norms of the Geneva Convention are not applied by us, then how can we expect anybody to apply them to us? The whole breakdown in any kind of legality during the war, I mean it is just an awful thing.

I yield back to the gentlewoman.

Ms. JACKSON-LEE. Mr. Speaker, let me just say that you have absolutely, if you will, clarified again or made it understandable from what happens to us. And the Secretary of State, obviously, as a general, has served in that capacity, but more importantly, a combat officer, seen combat and knows what it is to be in combat and to rely upon the ability of the convention to set the standards for treatment for anyone who becomes a prisoner of war.

That is why, if I may go back again to Iraq, why I think it is such a disservice of this House not to have an investigation to begin to reset the standards and have oversight over those who are carrying out orders.

We know that General Miller, or Colonel Miller, I am not sure of the title, that used to be over Guantanamo Bay, with certain procedures that were questionable, then transferred over to Iraq. The question is, how do you figure that out? How do you determine that you either improve that or find the basis of those actions or the basis

of those actions. Why do I not correct myself and say we should be changing those actions?

So it warrants us understanding that this is not a question of who is in charge, but it is more a question of doing the right thing.

That is what we are suggesting, that we are not doing the right thing here, and frankly, it does not do us well not to be doing the right thing. And, as well, we are being seen as a body that is not either conversant with the law or desirous of adhering to the law.

You made a very good point earlier that I wanted to focus on. How interesting it is that we are now seeking the support and collaboration of the United Nations. I think we need to be more vigorous in seeking that support, but I wish we had had that support, really, way back in the fall of 2002. We might have had a much better success story.

Again, as we approach Memorial Day, I want to be very clear and I know the distinguished gentlemen's commitment to the military, that we understand who is on the front lines. We understand the mourning families who will be remembering their loved ones, fresh in their minds, lost in Afghanistan and Iraq, and those who were lost in earlier wars, and we understand the sacrifice that they have made.

We understand the wounded who are now in various hospitals or rehabilitation centers or those who are now home with their families mending. We know their lives have been altered forever.

So I certainly stand here with my colleague to pay tribute to them as we leave for this Memorial Day work recess.

This is not the question that we are debating tonight, because I hope that they fully appreciate our desire to honor them. The moment of silence today was more than appropriate and the honoring of Armed Services Day. I think that those who wear that uniform know full well that we are honoring them or they are honored more by the integrity of their service.

So I hope that that is what is understood by the distinguished gentleman's remarks tonight, as I perceive them to be, and I am grateful that he has allowed me to join with him to hopefully set some kind of tone for when we return back that we are not enemies here in this place. We should be working together for the betterment of America and for the betterment of the world. We are not enemies.

I am gratified to have been able to be part of the gentleman's discourse this evening and maybe we will come back here and get to work and establish a foreign policy and a health care policy and an energy policy that will be befitting of the Founding Fathers of this place.

Mr. PALLONE. Mr. Speaker, I do not want to add to the gentlewoman's comments because I think they are very appropriate for ending this special order tonight, and I thank the gentlewoman for being here.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment Concurrent Resolutions of the House of the following titles:

H. Con. Res. 420. Concurrent Resolution applauding the men and women who keep America moving and recognizing National Transportation Week.

H. Con. Res. 424. Concurrent Resolution honoring past and current members of the Armed Forces of the United States and encouraging Americans to wear red poppies on Memorial Day.

H. Con. Res. 432. Concurrent Resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

YES, WE ARE BETTER OFF NOW THAN WE WERE FOUR YEARS AGO

The SPEAKER pro tempore (Mr. MARIO DIAZ-BALART). Under the Speaker's announced policy of January 7, 2003, the gentleman from Kansas (Mr. TIAHRT) is recognized for 60 minutes as the designee of the majority leader.

Mr. TIAHRT. Mr. Speaker, lately, in a rare turn of events, House Democrats have adopted the old adage of Republican leaders and, in floor communications, they have posed the famous question from Reagan, Are you better off than you were 4 years ago?

Well, when the quote came, I think Democrats have found a moment of despair. We will welcome their call for comparison of today's economic, international and domestic status to that of 4 years. Yes, we are better off now.

Just look at the war on terror. The attacks on September 11 awakened the Nation to the threat of terror. Republicans have a clear strategy to keep Americans safe and to spread freedom and peace throughout the world.

In the past 3 years, we have seen great progress. Afghanistan is free, Libya is now disarmed, Saddam Hussein is no longer in power. Iraq is becoming a free country, making the heart of the Middle East more stable and America more secure.

The Republican-controlled House quickly passed legislation creating the Department of Homeland Security in 2002. All border activity has been consolidated into the Department of Homeland Security, a single agency, doing away with the fallible INS, or Immigration and Naturalization Service, that allowed the September 11 hijackers to slip through our borders, rent apartments, find employment and train in flight schools, only to have their visas approved by INS after they carried out attacks on the Twin Towers and the Pentagon.

The Department of Homeland Security is implementing background checks on 100 percent of applications for U.S. citizenship and has registered over 1.5 million travelers into the United States VISIT program.

Over 500,000 first responders have been trained in weapons of mass destruction, awareness and response since September 11, 2001.