

trains, the safety on planes, we should not make it easier for the terrorists to be able to get these guns, whether it is at a gun show or a gun store. They can get false I.D. We know that. Why would we give them this opportunity to make it easier for them?

Again, it comes down to this. Why did we pass an assault weapons ban 10 years ago? Because these guns were used rampantly to kill so many of our police officers. That is why we passed the bill. Why should we go back 10 years? We know it works. I happen to think we should make the bill stronger. I think it should be made permanent so we are not having this debate every 10 years.

I happen to think that gun manufacturers have a responsibility to not make copycats of these assault weapons, which they have been doing. Think about the D.C. snipers. That was a knock-off of that type of gun. I ask the American people, Mr. Speaker, to have their voices heard. We can do this, but we need your help.

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

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

#### FALLEN FIREFIGHTER, 14-YEAR OLD CHRISTOPHER KANGAS, DENIED BENEFITS

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

Mr. WELDON of Pennsylvania. Mr. Speaker, sometimes the bureaucrats in this city just do not get it. Before coming to Congress, Mr. Speaker, I was an educator, but I was also a volunteer firefighter and a fire chief in my home State of Pennsylvania. There are 32,000 fire departments across this country, and 85 percent of them are volunteers. There are 1.2 million men and women each year who risk their lives to protect the properties in their towns and that of their neighbors from the ravages of fire. Each year, 100 of them are killed in the line of duty, most of them volunteers.

Mr. Speaker, the Congress established a Public Safety Officers' Benefits Act for these brave heroes years ago. In establishing this program, the Federal Government did not set any age limitations. Rather, the Federal Government said where a firefighter is recognized by his or her State, that firefighter is eligible for public safety officer benefits.

In some States, the age for firefighters is 18. In other States, it is 16. In others, it is 14. In my State of Pennsylvania, where we have 2,600 fire departments, you can be 14 years of age to be a firefighter, a recognized firefighter in a local fire department.

There are certain rules on what kind of work you can perform at the scene of a fire, but you are a legitimate firefighter, and, therefore, you are eligible for Federal public safety officer benefits.

On May 4, 2002, Mr. Speaker, 14-year-old Christopher Kangas was killed responding to a fire in Brookhaven Borough, Delaware County, Pennsylvania. His bicycle was run over by a vehicle, and he was killed at the scene, one block from the firehouse. He was a regular firefighter. He had trained, he knew what he could do and what he could not do at the scene, and he was recognized by the Borough of Brookhaven and by the Commonwealth of Pennsylvania as a firefighter.

When he passed away, and they gave full honors to him, the Borough of Brookhaven provided the full benefits to his family as a fallen firefighter. The Commonwealth of Pennsylvania recognized Chris Kangas as a fallen firefighter and gave him full honors.

Mr. Speaker, the representative of the President of the United States to the Fire Service, the U.S. Fire Administrator Dave Paulison, sent a letter of condolence to the family, recognizing Chris Kangas as a firefighter. But the bureaucrats over at the Department of Justice who administer a program that Congress enacted ruled now for the second time that Chris Kangas was not a firefighter. The bureaucrats in Washington determined that he could not be a firefighter, even though the Commonwealth of Pennsylvania and the Brookhaven Fire Department legally maintained Chris Kangas on their rolls.

Mr. Speaker, this is outrageous. Regardless of age, Chris Kangas was a firefighter; and he was killed in the line of duty. No bureaucracy, no bureaucrat in the Department of Justice should be able to determine who is a firefighter. We have had firefighters who were in their 60s and 70s directing traffic at a fire scene and were killed and were recognized by the Federal Government's Department of Justice as a fallen firefighter. So a 70-year-old can be a firefighter but a 14-year-old recognized by a legitimate State authority cannot.

Mr. Speaker, this is outrageous. It is appalling. It is a disservice to every volunteer in America. Those one million volunteers out there are joining with me in demanding that Congress change this terrible action by the Department of Justice.

Therefore, today I have introduced legislation, H.R. 4472, cosponsored by all the cochairs of the Congressional Fire and EMS Caucus, the gentleman from Maryland (Mr. HOYER), the gentleman from New York (Mr. BOEHLERT), the gentleman from New Jersey (Mr. ANDREWS), the gentleman from New Jersey (Mr. PASCRELL), and the gentleman from Michigan (Mr. SMITH). We are calling for the immediate definitional change so that everyone understands a firefighter in a State, determined by that State's laws, is a fire-

fighter under the guidance of Federal regulations for death benefits.

No bureaucrat in Washington should be allowed to make that decision. It is a slap in the face to the Kangas family and to every firefighter across America. I urge the White House to join with us in asking for the courts to move in on this in an appeal, but I ask my colleagues to cosponsor H.R. 4472 to correct this gross action so that Chris Kangas' name can be added to the National Fallen Firefighters Memorial at Emmitsburg, to be recognized for the American hero that he was and that he is.

Mr. Speaker, I submit herewith for the RECORD an op-ed that I produced on this story.

On May 4, 2002, Christopher Kangas, a 14-year-old junior firefighter with the Brookhaven Fire Department, was struck by a car and killed while riding his bicycle in response to a fire emergency. Christopher's death struck a devastating blow to the Kangas family, the Brookhaven Fire Department and the local community. His death was a horrendous tragedy and marked the loss of a true local hero.

Make no mistake—regardless of his age Christopher Kangas was a firefighter killed in the line of duty. As a member of Congress with direct legislative oversight on homeland security and first responder issues for 18 years, founder of the Congressional Fire and EMS Caucus, a former junior member of my local department and former volunteer fire chief, it is my professional and expert opinion that Christopher Kangas met every conceivable definition of a firefighter. I am not alone in that opinion—The Brookhaven Fire Department, Brookhaven Fire Chief Rob Montella, Brookhaven Borough and the Commonwealth of Pennsylvania all agree. The Commonwealth of Pennsylvania and the Borough of Brookhaven awarded the deceased public safety officer benefits to the Kangas family, recognizing his death as occurring in the line of duty as an official member of the fire department.

This week, the Kangas family, the Brookhaven Fire Department, the local community and firefighters across the country suffered a second devastating blow when the Department of Justice (DOJ) announced its ruling denying Christopher Kangas full firefighter status under the Public Safety Officers' Benefits Act (PSOB). As a result, his family will not receive a \$267,000 line-of-duty benefit. Even more damaging than the loss of monetary benefit is the fact that Christopher will not take his rightful place at the National Fallen Firefighters Memorial in Emmitsburg, Maryland, along side his fellow fallen heroes. Inexplicably, the DOJ determined that Christopher was not a "public safety officer" under the PSOB Act. In so ruling, the DOJ not only ignored the facts, but also the letter and spirit of the law.

When Congress passed the PSOB Act, it intended to provide benefits to any firefighter serving as an officially recognized member of a legally organized fire department. There is no question that the Brookhaven Fire Department is a legally organized department and that they officially recognized Christopher as a firefighter. With its ruling, the DOJ is inappropriately rewriting the law and narrowing the definition of firefighter to exclude individuals based on age.

The Act does not contain a single requirement based on age or the type of activities that must be met to entitle an individual to benefits. The Act clearly and simply states that an officially recognized firefighter

killed in the line of duty is entitled to benefits. Whether a 30-year-old firefighter is killed manning a hose, a 60-year-old firefighter is killed directing traffic at the scene, or a 14 year-old firefighter is killed while mobilizing supplies, providing emergency medical supplies or performing many other duties necessary for the suppression of fire, he or she should be entitled to benefits. On May 4th, 2002, like thousands of Junior Firefighters across the country do every day, Christopher Kangas fulfilled his duty and answered the call to a fire emergency. Tragically, while answering that call, he was killed in the line of duty. As a result of DOJ's ruling an entire class of firefighters who serve, protect and die while responding to an emergency are now deemed inconsequential.

Congress never intended for the PSOB Act to make judgment calls about what roles a firefighter must perform to entitle them to benefits. Furthermore, Congress made no distinction with regards to the specific tasks that an officer must be able to perform at the scene of a fire to be considered a public safety officer. In fact, most firefighter fatalities arise from causes other than burns and asphyxiation. Every year, more public safety officers are injured or killed in motor vehicle and other incidents on the highway at the scene of an emergency or while en route or leaving the scene of an emergency than by fire or smoke. The DOJ's ruling completely ignores the every day risks that our first responders face when responding to emergencies. More disturbing, is the thoughtless message the ruling sends to Junior Firefighters across the country that they are somehow less important or meaningful to the fire service than adult firefighters.

Although not surprised by the DOJ's ruling, I am appalled by the lack of understanding displayed by the Department's myopic decision. In response, I will introduce the Christopher Kangas Fallen Firefighter Apprentice Act to retroactively prevent the DOJ from denying firefighter eligibility for PSOB status based on age. When passed, Christopher Kangas and all junior firefighters will be given the status they deserve.

Fighting fires requires preparation, dedication and above all else—teamwork. Each member of the team must perform his individual duty to the fullest extent of his or her ability and accept the inherent risk of their position. Only when each member of the team performs their assigned duty, can the entire team achieve success. The firefighter providing maintenance on the equipment, operating a hose, searching a building, providing first aid to the injured or directing traffic on the scene all assume a risk to their safety and play vital role in the team's success. Firefighters across the country understand the importance of teamwork and heroically accept the risk that their duty requires. Christopher Kangas understood this principle and bravely faced the risk of his position, let's hope his memory will force the DOJ to come to that same understanding and honor those like Christopher that have paid the ultimate sacrifice protecting our communities.

#### PRESCRIPTION DRUG DISCOUNT CARDS

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

Mr. BROWN of Ohio. Mr. Speaker, today is the first day America's seniors and disabled Americans can use the

new prescription drug discount cards created by last year's Republican Medicare law. The discount card program has not exactly been a smashing success. Nationwide, less than half a million seniors actually chose to enroll in the drug discount card program out of 40 million.

Little surprise, really, since seniors in my State of Ohio and throughout the country have found it confusing, have found it overwhelmingly bureaucratic, and have found it unreliable. With good reason. Under traditional Medicare, all benefits are accessible through just one card, but under this Rube-Goldberg, new Republican program, seniors have to choose literally from a whole deck of cards.

In my State, there are as many as 53 different cards available. One might cover blood pressure medicines but not heart medicine. Another might cover arthritis medicine but not diabetes medicine. Worse yet, the card costs \$30, and it must be kept for a whole year, but the discounts published in the brochure given out might be out of date even before an individual gets to the drugstore.

The Republican bill lets the drug companies change coverage and discounts as often as once a week without notifying the cardholder, who, as I say, has to keep the card for 12 months. That is not Medicare. Medicare, real traditional Medicare is simple, reliable and universal, not this confusing privatized Medicare that the Republicans have foisted on the American public.

The new program is having such problems that even one of its most widely accepted provisions is having trouble signing people up. The new law provides annual subsidies of up to \$600 on drug purchases for some low-income seniors. But that provision is not reaching its targeted audience. Secretary Thompson says he is somewhat concerned that low-income seniors are not signing up.

A lot of us here in the House are concerned, too; and we have offered a solution. The gentleman from Michigan (Mr. DINGELL), the gentleman from California (Mr. STARK), the gentleman from California (Mr. WAXMAN), and I have introduced a bill that will automatically enroll all eligible seniors in the new law's low-income subsidies program. Like Medicare itself, our proposal is simple, it is universal, and it is reliable.

□ 1945

But instead of actually fixing the program as they could, fixing the problem, the Bush administration has decided to spend more tax dollars on advertising. The Republican Medicare bill has always been more about image than substance. This bill written by and for the drug companies, written by and for the insurance companies, this Medicare privatization bill written by and for the HMOs has made America's seniors even more confused, and it simply is not working.

When HHS auditors said the Republican bill would cost \$134 billion more than the White House said, the Bush administration suppressed the estimate and gagged the auditor. When the initial reaction from seniors was less than enthusiastic, the Bush administration announced plans to spend \$80 million of taxpayer dollars to educate America's seniors on why the bill is not really as bad as seniors think it is.

When news coverage of the program was not favorable enough, the Bush administration, undaunted, spent more money on advertising. They rolled out their own news stories complete with fake anchor, phony interview and bogus reporter. It is not about substance; it is about image.

Let us do it right. The House Republican leadership should take up the Dingell bill this week which will help low-income seniors get access to the \$600 benefit. They should take up the Dingell bill this week, we could pass it and get it over to the other body in plenty of time to have it on the President's desk by next week. Just once, instead of our government always coming down on the side of the drug industry and on the side of the insurance companies, some of the President's biggest contributors, instead of the government always coming down on the side of the drug companies and the insurance companies and the HMOs, Congress just this once could do the right thing.

#### INTELLIGENCE GATHERING IN A CONFUSING WORLD

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

Mr. PEARCE. Mr. Speaker, Newsweek magazine this week had a cover story calling Mr. Chalabi of the Iraqi National Congress, the INC, our com man in Iraq. Newsweek claims the INC gave the U.S. poor information about Saddam Hussein's weapons programs despite millions in funds received from the U.S. Government, including the DIA and the Department of State. Stories say Chalabi is linked with Iran, and members of the INC have been engaged in fraud.

First of all, we need to understand some basic concepts that people who provide intelligence to the U.S. from tyrannies and dictatorships often risk their lives. They are what we would call tainted, probably unsavory. It is not as if a number of the members of the Governing Council in Iraq are not connected to Iran. The Supreme Council for the Islamic Revolution in Iraq gets \$1.2 million a month from the Iranian Revolutionary Guards whose head is Abdul Aziz al-Hakim, and he is on the Governing Council. The members of the Dawa Party and the Kurds also engage in commerce with Iran and are linked to the Iranian Revolutionary Guards.