

brand new and it gives the President and the United States the freedom, flexibility and ability to make good on the necessary long-term commitment to combat poverty in Africa.

This war cannot be won in a year and it cannot be held hostage to an annual budget process that may be blind to the ravages of hunger, deaf to the cries for help and immune from the scourge of disease.

Mr. Chairman, British Prime Minister Tony Blair's Commission on Africa proposed an agency to channel funds from the G-8 into programs proven effective at reducing poverty. The Commission's idea is a good one and a smart, multi-nation approach in Africa will pay huge dividends down the road.

The Answer Africa's Call Act recognizes America's role and responsibility, and accepts it by giving the President an arsenal of aid and humanitarian weapons to attack poverty in Africa as never before, once and for all.

Africa's poverty and economic desperation is the greatest tragedy of our time. By comparison, the world, and especially the United States, is wealthy on a scale never before been seen in human history.

We live in a world where new medicines and medical techniques have eradicated many diseases and ailments in rich countries, even as Africa weeps while some four million children under the age of five die each year, two-thirds of them from illnesses which can be treated or wiped out for almost nothing.

Malaria is the biggest single killer of Africa's children, and half those deaths could be avoided simply with access to diagnosis and drugs that cost about a \$1 per dose.

We live in a world where rich nations invested in successful research and development of drugs to combat and control one of the most devastating diseases ever seen, AIDS. Yet in Africa, where 25 million people are infected with AIDS, anti-retroviral drugs are not made generally available, meaning two million people will die of AIDS this year.

Mr. Chairman, we live in a world where rich nations spend a billion dollars a day subsidizing the unnecessary production of unwanted food, while in Africa a billion people starve trying to survive on a dollar a day. Hunger is responsible for more deaths in Africa than all the continent's infectious diseases put together.

Despite the rhetoric about how the United States has tripled aid for Africa, a Brookings Analysis shows that aid has roughly increased by only 50 percent since 2000. This is a good start, but we must do more. We contribute far less of our national income to foreign assistance than most developed nations. That is not meant as a slap against the President it is meant as a call to action. I am a medical doctor and bound by a sacred oath to act to save lives when I can.

The G-8 meeting provides President Bush an extraordinary opportunity to demonstrate our commitment and determination to reduce poverty in Africa. Next week he could make America proud by declaring our unwavering support for the recommendations of the Commission on Africa at the G-8 Summit.

Let America lead the world toward a common destiny: to end poverty across Africa. Let us act before another life is lost, before another child goes hungry, is born with HIV/AIDS, or is orphaned when parents die from hunger, disease or hopeless despair.

Let us walk together on a road that leads to Africa's destiny, a continent where people no

longer suffer and die from hunger and poverty. Let us resolve today to take the first of many steps, as one world, to end poverty in Africa, so that Africans may wake each day to a world where the sun shines on their hopes, dreams and future.

Surely, America's compassion can shine across Africa. Unquestionably, America can lead a global fight against poverty in sub-Saharan Africa. But we need the courage of our President. I implore him to act.

BRAZIL TO SEIZE AMERICAN PHARMACEUTICAL PATENTS

HON. TOM FEENEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 2005

Mr. FEENEY. Mr. Speaker, in recent days, The New York Times and some of our colleagues have publicly encouraged and endorsed the government of Brazil to seize American pharmaceutical patents, citing an urgent need to accommodate a public health crisis in that country.

These arguments are false. American drug companies sell life-saving antiretroviral therapies at an almost 90 percent discount in Brazil; furthermore, Brazil's rate of HIV infection is almost the same as it is in the U.S.—well below 1 percent. Brazil appears to be manufacturing reasons to support its intent to develop a generic export capacity.

The World Trade Organization's 1994 Agreement on Trade Related Aspects of Intellectual Property (TRIPS), in conjunction with the 2001 Doha Declaration, enables countries to temporarily suspend patents when there is a dire need and when those patents are precluding access to life-saving medicines.

In Brazil's case, there are serious concerns that it is willfully manipulating WTO rules for commercial gain. Consider the remarks by Brazil's health minister just this week in Geneva: "Brazil once again takes a new step forward in the struggle against AIDS . . . This stage may come to represent the first step for introducing a new phase in our local [antiretroviral] production. An additional target is to support our national manufacturing industry in this respect, as we are totally committed in maintaining high quality in the medicines available in the public health services."

The wholesale theft of American technology for another country's commercial gain was never the intent of the Doha Declaration or TRIPS. The United States should consider any and all retaliatory measures if Brazil proceeds with such blatant theft. The theft of these pharmaceutical patents will cost Americans billions of dollars and take away investment that could otherwise be spent on the development of new drugs ranging from epidemics to the common cold.

Please include the following editorials "Richman? Poorman? Beggarman? Thief? by James Pinkerton and Brazil Mulls Drug Patent Theft as an AIDS Antidote by Anastasia O'Grady.

[From the Tech Central Station, June 29, 2005]

RICHMAN? POORMAN? BEGGARMAN? THIEF?
(By James Pinkerton)

Will the real Brazil please stand up? Is Brazil a poor country that needs more for-

ign aid from the United States—even involuntary aid? Or is it an increasingly rich and powerful country that can seize foreign markets for itself? Indeed, is it so powerful that that it doesn't need to play by the rules?

One source not to look to for answers is the Brazilian government itself, as we shall see.

To an outside observer, it's apparent that the Brazilians clearly want to have it all three ways: being needy when it suits them, being export-y as they are able, being greedy when they think they can get away with it—and if that last stance hurts the U.S. economy, too bad. It's a little complicated, and a little bewildering. And yet Uncle Sam's answer to the "Brazil Bewilderment" will help determine America's own wealth, and health, in the 21st Century.

Two recent items show the sharp divergence in perspectives on Brazil. The New York Times' editorial page sees Brazil as a destitute place. Which means, of course, that Brazil is a wonderful place—for the Times to preach some politically correct "compassion." Using somebody else's money, of course. In a June 23 editorial, the paper sided with Brazil in its long-running argument with American owners of Intellectual Property (IP); in this case, the fight is with the biotech industry.

The Times noted that "Brazil's free universal treatment program, an indispensable weapon against the AIDS epidemic, locks Brazil's government into buying lifelong daily medicines for 170,000 people, and that number is rising." And so, the Times continued, "Brazil has the right to make sure it can continue to meet this burden by getting medicines at the cheapest possible price." And the cheapest possible price can be arrived at, quite often, through simple theft: the violation of IP property rights.

In other words, the Times is so in love with government-run "universal" health care that it wants the U.S.—or, more precisely, U.S. Pharma companies—to finance such health care in other countries. It would be one thing if the Times simply editorialized in favor of America subsidizing the Brazilian social insurance system. That is, the president and the Congress could simply vote to transfer a few billion dollars a year to Brazil. But of course, no elected officials would ever vote for such an overt wealth-transfer, so the Times finds it expedient to endorse a covert wealth-transfer, in the form of IP ripoff.

And obviously the Times couldn't be expected to worry much about anything so bourgeois as the rights of American companies, and their shareholders and stakeholders. As the Times sneeringly put it, "Rightwing groups in the United States and pharmaceutical manufacturers are calling this theft, and several members of Congress have asked the United States trade representative to apply trade sanctions." And yet, the Times advised, "The American trade representative should make a public statement that the United States will not retaliate against Brazil for exercising its right to save lives."

In the paper's pro-Brazil policy, we see how p.c. solicitude for AIDS victims joins up with an all-purpose entitlement mentality—to create a ruinous prescription for American well-being, as well as a dire prospect for future medical innovation in a property-rights-wrecking environment.

But another Times newspaper has a far different take on Brazil, a country which, after all, boasts the 9th-largest economy in the world today. According to a June 22 article in The Financial Times that ran the same day, under the headline, "Brazil is yielding farms that can feed the world," Brazil is on its way to becoming "a pivotal nation in the future of world trade. Brazil is to agriculture

what India is to business offshoring and China to manufacturing: a powerhouse whose size and efficiency few competitors can match."

As the FT details, Brazil now enjoys the largest agricultural trade surplus in the world, and the country's balance of trade is helped enormously by IP theft, which often goes by the more polite name of "compulsory licensing." But by any name, it's still theft, and theft is "zero sum." So if Brazil has more, the U.S. has less. From Brazil's narrow point of view, it's easy to see the logic of its current course. In the words of Ken Adelman, former deputy U.S. representative to the United Nations, Brazil's "earnest commitment to premeditated theft of American assets should prompt the administration to stop considering Brazil a good partner and its president a great friend until they demonstrate a stronger commitment to the Rule of Law and free trade." That was on May 9. On June 24, in an important Wall Street Journal column entitled "Brazil Mulls Drug Patent Theft as an AIDS Antidote," Mary Anastasia O'Grady wrote, "The possible compulsory licensing of AIDS drugs is only part of Brazil's wider assault on intellectual property rights. While China and India are promising to firm up protections and sucking in capital investment, Brazil seems bent on joining the likes of Cuba, Iran and Venezuela.

Like IP itself, IP theft is a somewhat obscure topic, but across the board, from movies to music to software to pharmaceutical patents, such theft costs the United States some 750,000 jobs and \$200 billion a year annually. Which is to say, it's a lotta money. Indeed, one might ask how The New York Times would feel if, in some alternative universe, the key to treating AIDS patients was discovered to be the breaking of all the Times' copyrights and trademarks.

So which Brazil is it? Poverty-stricken victim? Hyper-aggressive trader? Or rogue-nation with a national strategy of IP-pirating? I posed that exact three-part question to Roberto Abdenur, Brazil's ambassador to the U.S., at a June 24 meeting at the Council of the Americas Society in Manhattan.

And here's what he said to me in response: "It is absolutely not true that Brazil would have a national strategy [of IP theft]. Keeping a perfectly straight face, he added, "Of IP there is something like a revolution taking place in Brazil; . . . we are taking very decisive actions on piracy. Brazil is deeply committed to enforcing TRIPs [trade-related intellectual property rights]."

Well, those were nice and reassuring words. But there was one small problem: they weren't true. That very afternoon, on June 24, came the news that Abdenur's bureaucratic buddies back in Brasilia had announced that the country would impose "compulsory licensing" on Abbott laboratories' anti-HIV drug Kaletra if the company didn't surrender the license first. Sorry, Mr. Ambassador, but your own government has made you into a liar.

The irony is that for all Brazil's enthusiasm for IP-mulcting, such a policy is not actually in the country's overall long-term best interest. That was a useful perspective supplied at the same June 24 Council of the Americas discussion by Donna Hrinak, the former U.S. ambassador to Brazil. She reminded the audience, which included Abdenur, that for Brazil, "the whole issue of IP goes from AIDS treatment to the guy who is selling a pirated CD to the grey market in computers." Which is to say, Brazil's IP-lawlessness is endemic.

Then she added, "I never understood Brazil's IP position. It goes against its own interest." That is, Brazil would ultimately gain more by working within the world IP

system, where rights are respected for the long-term benefit of all property holders. Continuing, Hrinak added, "Recife would be like Bangalore if Brazil would look to its own interest, and implement its own [IP] laws." Better to be supportive of a thriving indigenous high-tech industry, she was saying, than to merely be stealing technology from others.

From an American point of view, it's nice to know that some U.S. diplomats see the importance of IP, for the well-being of this country, and also for the well-being of the world property-rights system—which will make all countries better off if it's allowed to work. But so far, at least, there's not much evidence that Brazil is looking to anybody's ultimate well-being, not even its own. However, it does have The New York Times in its corner. Maybe Brazilians can feast on that.

[From the Wall Street Journal]

BRAZIL MULLS DRUG PATENT THEFT AS AN AIDS ANTIDOTE

(By Mary Anastasia O'Grady)

When the Bush administration offered Brazil \$40 million for its anti-AIDS program earlier this year, Brasilia turned it down on principle. The terms of the deal required the government to condemn the sexual exploitation of women—otherwise known as prostitution. Calling the U.S. demand "theological, fundamentalist and Shiite," Brazil rejected the offer.

Turning down a \$40 million contribution seems like a luxury that a developing country with an estimated HIV-infected population of 600,000 couldn't afford. But as it happens, Brazil has a back-up plan. It is moving to force foreign drug makers to surrender their patents on anti-AIDS drugs at a price dictated by Brasilia, a tiny fraction of the medicine's value.

Brazil's lower house passed legislation abridging AIDS drug patent rights earlier this month. The bill specifically names drugs produced by Abbott Laboratories, Gilead Science and Merck. It is not clear whether the Senate will pass the law or Brazilian President Luiz Inácio "Lula" da Silva will uphold it or exercise his veto. But steamrolling the rights of patent holders is something that Brazil has been threatening since 2001.

The possible compulsory licensing of AIDS drugs is only part of Brazil's wider assault on intellectual property rights. While China and India are promising to firm up protections and sucking in capital investment, Brazil seems bent on joining the likes of Cuba, Iran and Venezuela in cutting its own throat by destroying those rights.

The effort pits the short-run benefits of grabbing at little cost today's best medicines—claiming "humanitarian" motives—against the long-run damage to research and development that weakened property rights are sure to inflict. Such policy positions could devastate Brazil's stated hopes of attracting a thriving biotech industry.

Brazil posits that the WTO's Trade-Related Aspects of Intellectual Property Rights (TRIPs) allows it to go after patents in a public health "crisis."

Yet more than half the drugs Brazil distributes through its anti-HIV/AIDS program can be copied legally. As to cutting-edge medicines that still have patent protection, Brazil receives sharp discounts from pharmaceutical companies, which try to recoup their research and development costs in wealthier countries like the U.S. To be sure, Brazil is not as rich as the U.S., but it's not among the poorest either, as evidenced by its space program and thriving aircraft industry.

One example of drug company generosity is the deal Merck has given Brazil on its anti-

retroviral drug Stocrin. According to Grey Warner, senior vice president for Latin America Human Health at the company, "Stocrin is sold to Brazil at the lowest price in the world outside of the least developed countries, such as sub-Saharan Africa, where we supply the product at no profit. In practical terms, this equates to a price that is about 90% lower than in the U.S., Canada and Western Europe." That seems like rather generous treatment of a large country well advanced toward industrialization.

Meanwhile, at the strategically critical World Intellectual Property Organization (WIPO) in Geneva, Brazil is leading the charge to weaken intellectual property rights within the World Trade Organization. This week, a second session on "a development agenda" for the WIPO was underway. This meeting is a follow-up to the April WIPO session in which the "Group of Friends of Development," led by Brazil, spelled out its objection to intellectual property rights as traditionally defined. The 14 countries in this euphemistically titled alliance include such paragons of sound economic development policy as Iran, Cuba, Argentina, Bolivia, Ecuador, Peru, Venezuela and Sierra Leone.

In its April document the group stated that it wants to examine the implications of intellectual property rights protection, "rather than seek to approach this highly controversial issue as if it were governed by absolute truths, loosely under the one dimensional perspective of the private rights holders, ignoring the broader public interest."

That's clearly code language for socializing property rights, a view that has dominated Brazilian thought over most of the 20th century and produced the current squalor that so many Brazilians live in. Few people want to invest in a country where legalized theft is government policy.

Another egregious attempt to destroy intellectual property rights is the effort by a group of developing nations—again led by Brazil—to include a bizarre amendment to the 1992 United Nations Convention on Biodiversity, which has been ratified by 188 countries, ostensibly to protect nations' biological resources. The change would give nations the ability to sue for patent rights to a successful biotechnical innovation if they could prove that a plant molecule, animal molecule or some "traditional knowledge" originating in their country was used in the development of the product.

According to Timothy Wolfe and Ben Zycher, who studied the law for the Pacific Research Institute, this would be "analytically equivalent to a long-run tax on biotechnological and pharmaceutical research and development investment." Their PRI study estimates the effects of such a tax on 27 countries including Brazil, Mexico, Peru and Colombia. By the year 2025, the law "would reduce the biotechnological and pharmaceutical research and development capital stock by about \$144 billion (in year 2004 dollars), or almost 27 percent, for the 27 nations," Messrs. Wolfe and Zycher write. "This implies a loss of 150-200 new drugs."

As Mr. Zycher points out this is similar to price controls, which have of course wreaked havoc in economies wherever they have been applied. "You can erode property rights in the short term without much effect, but the long-run effects are far more serious," he said.

Brazil's actions, ostensibly designed to help people with a terrible disease, will retard economic development and handicap all efforts to improve human health standards. Ailing AIDS patients will need new pharmaceutical developments as the virus mutates and becomes resistant to today's wonder

drugs. But what company will volunteer to produce drugs that politicians demand free of charge? Job-seeking Brazilians who would benefit from foreign investment in biotech will have to move to India. Brazil will sink ever lower into underdevelopment. Maybe soon it will legitimately qualify for the same charity as poverty-stricken sub-Saharan Africa.

TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

SPEECH OF

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3058) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes:

Ms. SOLIS. Mr. Speaker, I rise today to oppose to the Community Development Block Grant program. CDBG has served communities for over 30 years as a resource to help cities, counties, Native American communities and states meet their community development, affordable housing and economic development needs.

The proposed cuts would hurt my district's economically disadvantaged residents, who are the main beneficiaries of CDBG funded services. CDBG has helped to revitalize these neighborhoods. In my district, CDBG funds have been used for social service programs such as afterschool recreational activities for at-risk youth, health care treatment, senior services, and job training. Additionally, cities use the funds for capital improvement projects, including the development and rehabilitation of community centers, homeless shelters, parks, and neighborhood improvements, such as lead paint removal and traffic safety improvements. Also, CDBG funded services improve the quality of life and infrastructure of Native American communities.

The CDBG program allows communities to identify their own local needs and strategies to address them. I strongly believe that it is one of the most effective federal programs. It not only helps communities, but strengthens our nation's economy as a whole.

The need for these funds has never been greater as rising housing prices complicate efforts to expand affordable housing and stimulate economic development. Without the proper funding for CDBG, we risk undermining the social and economic well-being of our communities. I urge my colleagues to vote for sufficient funding for community development that helps the underserved neighborhoods throughout the country.

CONGRATULATING THE FLORIDA CITY OF LAUDERHILL FOR RECEIVING THE NATIONAL CIVIC LEAGUE'S "ALL-AMERICA CITY" AWARD

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 2005

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to offer my heartfelt congratulations to the City of Lauderhill for its recent honor as one of the National Civic League's ten All-America Cities for the year of 2005. This award, which is presented every year to the ten cities that most represent civic excellence, is a true tribute to the great residents of the City of Lauderhill and the State of Florida. I am proud to stand before this body and honor this great Florida city, which I am so privileged to represent.

Each year, the National Civic League crowns its winners of the coveted All-America Cities Award—the Nation's longest running and most prestigious civic recognition program. The National Civic League is a leading proponent of citizen democracy. Founded in 1894 by government reformers such as Theodore Roosevelt, the National Civic League is a nonprofit, nonpartisan organization dedicated to building community and promoting political reform at the local level.

The All-America City award recognizes American cities for their civic excellence. The award honors communities, such as the City of Lauderhill, in which citizens, government, businesses and nonprofit organizations demonstrate successful resolution of critical community issues. Since 1949, more than 4,000 communities have competed and only 500 have been designated All-America Cities. The cities honored by the National Civic League highlight the successes of communities across America and serve as examples of how to work together to overcome obstacles and achieve tangible results.

In order to be named an All-America City, finalists must present three innovative community programs to a nine-person jury. These presentations addressed a wide range of social and community issues, including youth, education, poverty, affordable housing, race relations, and others.

The All-America City award has been called "a Nobel prize for constructive citizenship."

Mr. Speaker, no city exemplifies the idea of constructive citizenship more than the City of Lauderhill. Now in its fourth decade of progress, Lauderhill is meeting the challenges of the future through planned development with a focus on quality of life.

The City of Lauderhill was first incorporated in 1959 with approximately 100 residents. Lauderhill grew by nearly 30,000 residents between 1970 and 1980 and now encompasses over seven square miles with a population of over 50,000 people. The business community is as diverse as its residents, with citizens from virtually every Caribbean nation from Haiti to Jamaica and every place in between. Lauderhill recognizes that its residents and business owners are key assets of the community. We are blessed to have informed, active and concerned members working for the betterment of the City and its residents.

The City of Lauderhill is well known for its innovative efforts to improve the quality of life,

including health and social services programs, recreational activities and events for the appreciation of culture and the arts. Lauderhill puts a premium on improving human and social services through strategic planning, expanding existing resources and creative financing techniques.

Mr. Speaker, the people of Lauderhill, Florida have brought credit and honor not only to themselves and their city but also to the people and State of Florida. The City of Lauderhill is worthy of the praises of the people of Florida as well as the Members of the House of Representatives. It is a city truly worthy of emulation and worthy of the title All-America City.

THE CLARIFICATION OF FEDERAL EMPLOYMENT PROTECTION ACT

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 2005

Mr. WAXMAN. Mr. Speaker, I am pleased to introduce legislation today to reaffirm that Federal employees are protected from discrimination on the basis of sexual orientation and to repudiate any assertion to the contrary.

At a time when our Federal employees are working tirelessly on behalf of the Nation, we should be doing our utmost to ensure that all are protected against discrimination. Unfortunately, the Bush administration appears to have abandoned a long-standing, bipartisan interpretation of the law which protects Federal employees from discrimination based on sexual orientation. I hope that Congress will act quickly to pass this legislation.

Until recently, the Bush administration followed a long-standing policy prohibiting job discrimination against gay Federal employees. However, Special Counsel Scott Bloch, head of the Office of Special Counsel, responsible for investigating workplace discrimination, testified that Federal workers are not protected against discrimination based on sexual orientation. This statement diverges from years of Federal policy that safeguards gay and lesbian employees.

The legislation being introduced today, the Clarification of Federal Employment Protection Act, would make clear the protection afforded by the Civil Service Reform Act of 1978, by explicitly making discrimination on the basis of sexual orientation a prohibited personnel practice under the act.

I commend my colleagues—Representatives CHRIS SHAYS, DANNY DAVIS, MARK FOLEY, BARNEY FRANK, JIM KOLBE, STENY HOYER, ELIOT ENGEL, TAMMY BALDWIN, CHRIS VAN HOLLEN, and Congresswoman ELEANOR HOLMES NORTON—for their leadership on this issue and look forward to working with them to obtain rapid approval of this bill in the House.

IN RECOGNITION OF THE RUSSELL COUNTY WARRIORS

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 30, 2005

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to pay tribute to the Russell County