

PRESCRIPTION DRUG FLEXIBILITY
ACT FOR SENIORS

Mr. LARSON of Connecticut. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

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

Mr. LARSON of Connecticut. Mr. Speaker, I rise this evening in strong support of the Prescription Drug Flexibility Act for seniors. You know, we ask an awful lot of our senior citizens, so many of whom, as Tom Brokaw has eloquently penned, are a part of the greatest generation ever.

After traveling home this past Thanksgiving for the break and having an opportunity to conduct hearings throughout my district and speak to seniors directly, they did not realize that what we have asked of them in signing up for the so-called prescription drug plan under Medicare part D, that they are now required to be accountants, attorneys and actuaries in order to be able to fill out this form. It is a travesty that for so many of our seniors they find this not only confusing and complicated, but very difficult as well, and are unsure as to whether or not they are going to receive any specific relief.

□ 1830

That is why I have introduced legislation that I believe is both pragmatic and provides the opportunity for seniors to seek relief from the burdensome task that faces them.

Specifically, this legislation would accomplish three things. First and foremost it would extend for 2 years the time period in which seniors have to sign up. I think it is incredible to think that we could get 42 million people to sign up for a program in 6 months where in the State of Connecticut they have 44 choices in options to choose from. In many States it is as many as 60, 65 choices that people have to pursue in order to make sure they are making the right decision. And, of course, if they have not signed up in time or they are given misinformation, they receive a penalty for that starting at 1 percent a month and accumulating forward. Just out of simple fairness to the people we are sworn to serve, we ought to make sure that we are extending the time period, and this legislation calls for a 2-year extension.

The legislation further goes on to look at a provision that is commonly referred to as the "lock-in provision." What that means for those that are struggling with this part D is that while the HMOs and insurance companies can opt out of their formularies or of their coverage, you are locked in for at least a period of a year. Well, common sense and fairness would say that

if a company is covering you and say you are on Lipitor and then they opt out of that coverage, you ought to have the same right without penalty to opt out and get the kind of coverage that you need and desire.

The third thing that this bill does is also recognize that in the State of Connecticut, more than 44 choices, unfortunately there will be some companies that give misinformation and, again, maybe intentionally, maybe not, but the only people who will pay a penalty in this circumstance are the elderly. We think it is only fair that if they give out misinformation, if they tell people that they have a credible plan and they do not, that they ought to be subject to a fine.

In fact, the troubling thing about this whole piece of legislation, which I was proud to vote against, is that there are no fines for the HMOs or the insurance companies or the people that mislead the elderly. The only fine that this legislation seeks is to fine the elderly if they do not sign up for a program. So this legislation seeks a \$10,000 fine per incidence for those who provide misinformation to the elderly.

Now, it is instructive, of course, as to how we got there. This vote, as many know, was passed on this House floor at 5:30 in the morning by one vote. The travesty of this legislation is that on page 59 of this 700-page document, it specifically excludes the Secretary of Health and Human Services from negotiating directly with the pharmaceutical companies. Now, that, by the way, is exactly what the VA Commissioner does on behalf of our veterans. In the State of Connecticut, our veterans pay a \$7 co-pay. When we look at our senior citizens and when we look at this bill and when we think of the cost that has been incurred without the creation of any new bureaucracy but simply by having the Secretary of Health and Human Services negotiate directly with pharmaceutical companies, not even having to travel outside to Canada and becoming refugees within their own health care system, Americans ought to be entitled to get the same kind of deep discounts that we provide our veterans.

That, in fact, is exactly what other nations of the world see fit to do for each one of their citizens, which is why, as Mr. EMANUEL pointed out earlier, in the United States we are paying on average 60 percent more for prescription drugs than our neighbors in Canada and Mexico and, in fact, in all the industrialized nations of the world. Why? Because they negotiate directly. And the pharmaceutical industry is not losing any money abroad. So I think it is morally incumbent upon this Congress to take up that legislation that will correct that process.

But what passed that fateful day is law; so we must advise our seniors to proceed cautiously and hopefully providing them a window in time where they can make the correct decision. There will be, as some of the advertise-

ments say that are paid for with Medicare and Social Security dollars, an opportunity for some to benefit; and I encourage them to do so.

URGING CONGRESS TO DEFEND
THE CONSTITUTIONAL RIGHT OF
MILITARY CHAPLAINS

The SPEAKER pro tempore (Mr. MCCAUL of Texas). Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, as I am on the floor tonight, I think about the great history of this country and the fact that this Nation was founded by people of faith; and yet in this great Nation today, our chaplains in the military are being told if they should be of the Christian faith that they cannot outside of their church pray in the name of Jesus Christ.

Mr. Speaker, to me this is very alarming when we have a President, President Bush, who is a man of faith, who went to China and criticized the Chinese, or at least encouraged the Chinese, to allow the Chinese to have more religious freedom.

This never seemed to be a problem until about 1998. For whatever reason, those in the leadership of the chaplain corps of the military decided that they needed to encourage those of faith, particularly the Christian faith, not to pray in the name of Jesus Christ outside of the church.

Mr. Speaker, I want to say I would be on the floor tonight if this were happening to the Jewish chaplains, to the Muslims chaplains in the military. I would be on the floor defending their first amendment right because that is exactly why our men and women in uniform are in Iraq and Afghanistan, to defend freedom; and yet within this country we are having our chaplains being denied their freedom to pray in the name of their faith.

Mr. Speaker, 72 of us have written a letter to the President of the United States, three Senators have joined us, and we have asked the President to please use his executive authority as Commander in Chief to say that as long as I am Commander in Chief that I will guarantee that the chaplains in this great military will have their first amendment rights protected, whether they be Muslim, Jewish, or Christian. Mr. Speaker, I include this letter for the RECORD.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 25, 2005.

President GEORGE W. BUSH,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We are disappointed and gravely concerned to learn that the Christian military chaplains are under direct attack and that their right to pray according to their faith is in jeopardy. As you may know, the Air Force leadership recently released proposed guidelines that will restrict

how Air Force chaplains can pray, and if approved, those guidelines may well be implemented throughout the entire DoD. We believe that the Air Force's suppression of religious freedom is a pervasive problem throughout our nation's Armed Forces, and it has come to our attention that in all branches of the military it is becoming increasingly difficult for Christian chaplains to use the name of Jesus when praying. There are currently no laws or regulations that prohibit chaplains from praying according to their respective denominations or different faiths, and we are deeply concerned that chaplains are now being instructed on what to say when they pray.

Throughout our nation's history, chaplains not only have remained an integral part of our military, but they also have always prayed according to their faith tradition; and Christian chaplains have always been able to pray using the name of Jesus. We believe that if Christian chaplains are chosen to pray before a professional setting, then they—as with the chaplain of any other faith—have a constitutional right to adhere to the religious expressions of their faith. Praying in the name of Jesus is a fundamental part of Christian belief and to suppress this form of expression would be a violation of religious freedom.

The current demand in the guidelines for so-called “no-sectarian” prayers is merely a euphemism declaring that prayers will be acceptable only so long as they censor Christian beliefs. Current surveys in the military indicate that upwards of 80 percent of soldiers identify themselves as Christians, and such censorship of Christian beliefs is a disservice not only to Christian chaplains, but also to the hundreds of thousands of Christian soldiers in the military who look to their chaplains for comfort, inspiration, and support, just as our military soldiers of other faiths look to the chaplains of their faith.

While some military members may find certain prayers to be offensive and wrongly claim that they are not non-pluralistic, we believe these restrictions raise constitutional issues involving the Establishment, Free Exercise and Free Speech Clauses of the First Amendment (There are numerous other offensive provisions throughout the proposed guidelines, including the onerous provision that chaplains can only speak of their faith with officers—the “peer to peer” provision). Officially inhibiting or defining what chaplains can and cannot say in effect establishes an official religion and burdens our military's chaplains' right of free speech.

We are requesting that you, as Commander and Chief, protect by Executive Order the constitutional right of military chaplains to pray according to their faith.

With deep concern,

Walter B. Jones, Sam Johnson, Joseph Pitts, John Hostettler, Trent Franks, Joel Hefley, Scott Garrett, Robert Aderholt, Virginia Foxx, Dave Weldon, J. Gresham Barrett, Randy Neugebauer, Jo Ann Davis, Michael Bilirakis, Frank R. Wolf, John Culberson, Henry Brown, Melissa Hart, Steve Chabot, Louie Gohmert.

Jeb Hensarling, Virgil H. Goode, Jr., Rob Bishop, Darrell Issa, Spencer Bachus, Michael E. Sodrel, Ron Lewis, Steve King, W. Todd Akin, Robin Hayes, Donald Manzullo, Marilyn Musgrave, Mark Souder, Mike McIntyre, K. Michael Conaway, Jim Ryun, Charles W. “Chip” Pickering, J. Randy Forbes, Todd Tiahrt, Ron Paul.

Katherine Harris, Tom Price, Sue Myrick, Bob Beauprez, Roger Wicker, Howard P. “Buck” McKeon, Jeff Miller, Gil Gutknecht, Rodney Alexander,

John Sullivan, Joe Wilson, John R. Carter, Mike Rogers, Bob Inglis, Luis Fortuño, Bobby Jindal, Michael Turner, Michael McCaul, Wally Herger, C. L. “Butch” Otter, Michael C. Burgess, Dan Burton, Phil Gingrey.

Mr. Speaker, a couple of other points and then I will start closing.

For 4 years I have heard from chaplains around this Nation in letter, meeting with them in person, by telephone, and they have told me just how concerned and disappointed they are that they do not have the freedom. Let me at this time read a letter from a marine major written to me in May of this year, getting ready to go to Iraq. He is in Iraq tonight, and I hope and pray that all of our men and women in uniform are safe.

He said: “Dear Congressman Jones, I am a member of the military, and there is something that I think you should know.

“Before my last change of command, my chaplain came to me and asked if I minded if he mentioned Jesus in his prayer given at the start of the ceremony. I was surprised by the question since the prayer was for me and my family and we are Christian and we specifically desired he do so. He alluded to the fact that he and other chaplains have been asked not to mention Jesus Christ. This startles and frightens me that one's faith is being infringed upon even within our own military. I strongly believe in religious freedom, and I hope you understand my grave concerns about forces that would try to limit it.

“I hope you can find support to stop this intolerance that is creeping into all walks of life. Sincerely.”

This, again, is a marine major who is in Iraq fighting for freedom for the Iraqis and for those in Afghanistan.

Mr. Speaker, the last letter I want to make reference to is from a chaplain in the United States Army, and he wrote: “Thank you for your interest in ending the religious persecution that exists in our military today. I am a chaplain in the United States Army, and I can tell you in all honesty that religious persecution is taking place in the Army on a daily basis. The persecution centers on Christian chaplains praying in the name of our Lord Jesus Christ. Additionally, I have personally been subject to heavy-handed intimidation by a senior chaplain.”

Mr. Speaker, there is story after story after story that I could share with the Members on the floor tonight, but because of time, I can only give those two situations. But this is a grave situation that we in Congress, like the young man tonight from California that was sworn in, Mr. CAMPBELL, hold up our hand to protect the constitutional rights of the people of this great Nation. Please, Mr. Speaker, as I close, I ask that we in this Congress defend the first amendment right of all of our chaplains.

And I close by asking God to please bless our men and women in uniform and God continue to bless America.

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

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

CONGRATULATING THE UNIVERSITY OF PORTLAND'S WOMEN'S SOCCER TEAM FOR WINNING THE NATIONAL CHAMPIONSHIP

Mr. BLUMENAUER. Mr. Speaker, I ask unanimous consent to take the Special Order time of the gentleman from Maryland (Mr. WYNN).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

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

Mr. BLUMENAUER. Mr. Speaker, we have had a great deal of give and take on the floor this evening, important issues that we have discussed throughout the day. But I am pleased this evening to rise to recognize the outstanding accomplishments of the women's soccer team for the University of Portland, which this last weekend won their second national championship in the last 3 years. The Lady Pilots finished the season undefeated. They set a single-season attendance record, or rather their rabid fans did, over 40,000, the first time this has ever happened.

Mr. Speaker, it is a very solid program that was built by the late Clive Charles, the legendary soccer coach, a solid foundation that has made a tremendous difference for women's soccer in our State of Oregon and around the country.

It is my pleasure to extend congratulations to President Bill Beauchamp, Coach Garrett Smith, and the players: the 2005 College Cup MVP for the offense, Christine Sinclair; the defensive MVP, Cori Alexander; and College Cup all tournament team members, Stephanie Lopez, Angie Woznuk, Megan Rapinow, and Lindsey Huie. They are truly a work of art to watch, the camaraderie, the spirit, the drive and determination of this team. It has performed at an outstanding level for over a dozen years now.

Somewhere in heaven I know the late Clive Charles is smiling, and in Portland the entire community is cheering.

POLITICAL PROGRESS IN IRAQ

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

Ms. ROSLEHTINEN. Mr. Speaker, 65 years ago today our Nation was attacked by enemies of freedom, and we heeded the call to action. The Greatest Generation battled tyranny and then led the effort to help Europe rebuild.

On September 11, 2001, another day that will live in infamy in our Nation's