

been extremely supportive of this initiative. Although the investment in the effort has been modest, I believe it has had extraordinary payoff for DoD and the Nation at large. If we can retain our strong technological lead, we can save billions in defense dollars later that would otherwise need to be spent on catch-up activities. Therefore, I hope, as we look toward conference on this bill, that the Congress is able to continue to fund the NDU Technology Pilot Program's important work by setting aside \$1,000,000 for the program in account PE 65104D8Z for fiscal year 2007.

TRIBUTE TO RIVERVIEW BIBLE  
BAPTIST CHRISTIAN SCHOOL  
BOYS BASKETBALL TEAM

**HON. JO ANN EMERSON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 22, 2006*

Mrs. EMERSON. Mr. Speaker, I rise today to congratulate the Riverview Bible Baptist Christian School Boys Basketball Team of Forsyth, MO, On March 18, 2006, the team won the National Championship of the National Association of Christian Athletes 2006 Boys Division V, an outstanding accomplishment.

Using the work ethic and good sportsmanship which are our core values in Southern Missouri, the young men of this team cooperated to accomplish an incredible goal. Their perseverance embodies a striking lesson for our Nation as an example of what can be done when all of the members of a team work as one. In an age where sports offers so many examples of selfish play and self-promotion, the Riverview Bible Baptist Christian School Boys Basketball Team shows what is right with sports in America. These young men and their coaches also serve as an example of how teamwork can result in remarkable success. The concept of team is perfectly illustrated by these young men.

I want to applaud the Riverview Bible Baptist Christian School Boys Basketball Team, their coaches and their many supporters on an outstanding season, ending in a great victory. I also want to recognize them for providing a meaningful lesson in the value of teamwork and thank them for representing the Eighth Congressional District so well through their play in the tournament.

FAMILIES USA STUDY EXPOSES  
THE WEAKNESSES OF PRIVATE  
PRESCRIPTION DRUG PLANS

**HON. JANICE D. SCHAKOWSKY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 22, 2006*

Ms. SCHAKOWSKY. Mr. Speaker, today I rise in order to bring to the attention of my colleagues a study released by Families USA on the new Plan D prescription drug plan, "Big Dollars Little Sense: Rising Medicare Prescription Drug Prices." This report, which was released earlier this month, describes how private prescription drug plans have failed to secure cheaper drug prices for Medicare enrollees and have done nothing to stem the tide of rising drug prices.

By comparing the prices under private Part D plans to the prices available to veterans through the Department of Veterans Affairs (VA) health system, the Families USA report shows that the private insurers are failing to provide needed cost savings to their customers. Between November 2005 and April 2006, private Part D insurers raised the prices on seventeen of the top twenty most frequently prescribed drugs to seniors significantly, while the same drugs under the VA plan experienced little or no increase at all. The median difference in price between the Part D and VA plans was 46 percent. In other words, seniors enrolled in Part D private plan are paying an average 46 percent more for those drugs than they would have if they had been able to receive VA negotiated prices.

As the study details:

For each of the top 20 drugs prescribed to seniors, the lowest price charged by any Part D plan was higher than the lowest price secured by the VA . . . For Zocor (20 mg), a drug used to prevent coronary heart disease, the lowest VA price for a year's treatment was \$127.44, while the lowest Part D plan price was \$1,275.36, a difference of \$1,147.92 or 901 percent. For Zocor (40 mg), the lowest VA price for a year's treatment was \$190.76, while the lowest Part D plan price was \$1,275.36, a difference of \$1,084.60 or 569 percent.

This difference is staggering, and it shows the difference between a publicly-accountable plan that is committed to helping its beneficiaries and private plans that are committed to helping their profit margins, "Big Dollars Little Sense," debunks the myth that the price difference between the VA and private Part D plans has to do with the number of drugs covered. As the study states, the VA plan covers just as many drugs as the plans in Part D but is able to obtain "large discounts simply by using the government's negotiating power." The VA utilizes the significant leverage it has in order to get cheaper drugs for its beneficiaries—an authority Medicare is explicitly prohibited from using under the current Medicare law.

Another discovery that the report made was that the private insurers have done almost nothing to protect seniors from rising drug prices. Over a six-month period between November 2005 to April 2006, drug prices for the top twenty drugs prescribed to seniors rose 3.8 percent. That increase was mirrored by the private drug plans, which raised their prices to their customers 3.7 percent. The plans were unable to moderate increases, unlike the VA, where prices either did not increase or increased at a far lesser rate. The drug prices continue to rise and the private insurers simply pass that increase on to the seniors enrolled in their plan, making little effort to negotiate fairer prices.

The Families USA report not only draws attention to the ineffectiveness of the private insurers but highlights the fact that there is no way to hold them accountable. Part D states that these plans are required to pass the discounts they receive on to Medicare beneficiaries but does not specify the proportion of the discount that must be passed on. The insurers could actually be getting huge discounts from the drug manufacturers and just keeping the difference, but we have no way of knowing. There is no disclosure and no accountability for the private providers who supply an essential benefit to the elderly in this

country. This is a serious problem for seniors. Prices are higher than necessary, can increase over the course of the year, and can vary among plans. It is also a serious problem for taxpayers, who pay 75 percent of the cost of Part D premiums. "Big Dollars Little Sense," reports, too, that the median difference between the highest and lowest prices that Part D plans charged for the same drug was 36 percent. This is not just a question of picking the right plan during the enrollment period—since plans can change prices throughout the year but seniors are locked in, even a smart shopper can end up paying much more for their drugs than enrollees in other plans.

This report concludes that seniors in this country would get a far better deal if they were able to benefit from Medicare price negotiation:

Price data from the Part D plans from November 2005 and April 2006 show that these plans are failing to deliver on the promise that competition would bring prices down. The use of "market power," lauded by Medicare officials and the Administration, has not resulted in drug prices that are comparable to the low prices negotiated by the Department of Veterans Affairs. Not only are Part D plan prices high, but these prices are increasing far more often than they are decreasing, and the plans are not containing drug price inflation. These disturbing price trends do not bode well for either Medicare consumers or taxpayers. The "market power" of the plans has not delivered the low prices promised to Medicare consumers.

The law that established the Medicare prescription drug benefit, in prohibiting Medicare from using the negotiating clout of 43 million seniors and others in Medicare to obtain low drug prices, has given seniors and taxpayers a benefit that costs more than it should. When negotiations are divided among a multitude of plans, none seems to do as well as a single negotiator might. When it comes to reducing and containing drug prices, the Medicare drug program is an opportunity that has been badly squandered.

A Medicare-administered plan with Medicare price negotiation would lower prices since the drug companies would be more likely to provide a good deal to an entity representing 43 million of their best customers. That is why I urge my colleagues to read this important report and to support H.R. 752, the Medicare Prescription Drug Savings and Choice Act, which would give seniors and persons with disabilities the ability to enroll in a Medicare-operated plan with lower prices.

THE ANNIVERSARY OF THE KELO  
V. CITY OF NEW LONDON DECISION

**HON. RICHARD W. POMBO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 22, 2006*

Mr. POMBO. Mr. Speaker, tomorrow marks the one year anniversary of one of the worst Supreme Court decisions in recent memory, *Kelo v. City of New London*. One year ago, the Court struck a blow against property owners everywhere and delivered the government's long-standing assault on property rights on farms and ranches in rural America right to the doorsteps of American suburbs.

The *Kelo* decision expanded the traditional understanding of "public benefit"—roads,

bridges, schools, etc.—to include more abstract benefits like tax revenue. If a local bureaucrat decides that your house, local church, or business would be more productive if it were torn down to make room for a shopping center, the Court now says this is ok.

The 5th Amendment guarantees that private property shall not be taken by the government for public use without just compensation. These safeguards have been under assault for decades and until this decision, the typical victims were family farmers and ranchers in the West. Now we know no one is safe. In the past year, more than 5,700 properties have been threatened or taken by eminent domain, not to build roads or schools, but for private development. This is unconscionable and goes against everything our Nation stands for.

This terrible ruling did have a silver lining—it brought great public attention and outrage to an issue some of us in Congress have been fighting for our entire careers. In the wake of the decision, the House of Representatives passed H.R. 4128, the Private Property Rights Protection Act. Using Congress' power of the purse, we made a strong, bipartisan statement to State and local governments that the abuse of eminent domain for private purposes would not be tolerated. Any use of eminent domain for private benefit would result in a two-year loss of federal economic development funds. Similar restrictions were placed on funds in the FY06 Transportation, Treasury, Housing and Urban Development and Related Agencies Appropriations bill.

The fight has also been taken up at the local level, with 25 states passing legislation aimed at curbing eminent domain abuse. This was a heartening response, but there is much more to be done. The Senate must act on similar legislation. And, we can further what we have started by introducing more legislation to protect private property. While the initial public outcry over this decision has died down, these abuses are still occurring every day, and we must keep up the fight.

Mr. Speaker, property rights are the heart of individual freedom and the foundation for all other civil rights guaranteed to Americans by the Constitution. Without the freedom to acquire, possess and defend property, all other guaranteed rights are merely words on a page. As we look back on one year of life under Kelo, we must never forget the simple truth. We must be steadfast in our defense of the rights of property owners.

DEPARTMENT OF DEFENSE  
APPROPRIATIONS ACT, 2007

SPEECH OF

**HON. JAMES R. LANGEVIN**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 20, 2006*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5631) making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes:

Mr. LANGEVIN. Mr. Chairman, on Tuesday night, the House passed H.R. 5631, the Defense Appropriations Act for FY2007. I commend Chairman YOUNG and Ranking Member MURTHA for crafting an important piece of leg-

islation that will provide our men and women in uniform with the resources they need to continue their excellent record of service to the Nation. I was proud to vote for that measure, which passed by an overwhelming vote of 407–19.

However, I am disappointed that the House did not pass a very important amendment offered by Congressman SCHIFF to block funding for any surveillance program that does not comply with the safeguards in the Foreign Intelligence Surveillance Act. I have been deeply disturbed by the President's decision to expand domestic surveillance of U.S. citizens beyond what is permitted under existing law. As a member of the House Armed Services and Homeland Security Committees, I am fully aware of the dangers posed by those who wish to harm Americans, and I have strongly supported efforts to make our Nation safer. However, President Bush has not yet explained to my satisfaction why powers available to him under existing law cannot meet the needs of the war on terrorism. For example, the Foreign Intelligence Service Act (FISA) already permits the warrantless surveillance of communications by U.S. citizens under certain limited circumstances. Nevertheless, the Bush Administration did not use those emergency powers and instead chose to expand the authority of the National Security Agency (NSA).

As I have said before, if President Bush believes that FISA needs to be altered or updated to address new threats, he should make his case to Congress and propose legislative changes. The President's decision to expand domestic surveillance while notifying only a handful of legislators does not constitute Congressional consent and is a danger to our established Constitutional system of checks and balances. While Americans may disagree about the merits of broadening the government's authority to combat terrorism, it is in all of our interests that such important decisions should be made publicly, as they affect the very values of freedom and liberty on which the Nation was founded.

Opponents of the Schiff amendment argued that we shouldn't be considering such a significant change in a spending bill. Under normal circumstances, I would agree with that assessment. However, because the House has neglected to consider any legislation to address the serious issue of domestic surveillance, we are left with no other choice.

We cannot continue to shirk our Constitutional responsibility to conduct oversight of the executive branch and its activities. We must hold hearings and consider legislation to ensure that our efforts to protect our nation are done consistent with the civil liberties that we hold dear and comply with the Constitution—the supreme law of the land.

LOWER THE THRESHOLD FOR  
BILINGUAL ELECTION ASSISTANCE

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 22, 2006*

Mr. RANGEL. Mr. Speaker, I rise today to address the House on the Voting Rights Reauthorization and Amendment Act of 2006, proposed by the esteemed gentleman from

Wisconsin. The bill calls for renewal of certain expiring provisions from the Voting Rights Act of 1965, including Section 203—the bilingual election assistance.

As a representative of one of the many multi-ethnic districts in New York, I fully realize the necessity of providing bilingual assistance to increase voting among language minorities and allow these Americans the chance to participate in the democratic process. According to the existing provisions of Section 203, the bilingual assistance is made available when the population of a language minority group in an electoral district is 10,000. This has facilitated voting for over 200,000 Asian Americans nationwide, and caused a 50 percent increase in the Hispanic electorate in the first decade of the adoption of this provision.

Mr. Speaker, the House has agreed to a bipartisan support of this vitally important reauthorization bill to ensure a clean passage. Had the opportunity allowed, I would have liked to propose an amendment to Section 203, lowering the current threshold to 7,500. The effect of lowering the numerical trigger to 7,500 would remove language barriers for at least 77,955 limited English proficient Asian American citizens to vote, including a significant increase in the electorate of New York City. In the last election, New York only offered bilingual election assistance in Spanish, Chinese and Korean. Keeping in mind the diversity and multiethnic communities in New York, it is vital that we ensure all our constituents have an easier access to the electoral process. I have been a firm supporter of integration and accepting immigrants into American society. What better way to make them comfortable in their American identity and assist in seamless assimilation?

On another note, under the current law, U.S. Census Bureau determines the Section 203 coverage every 10 years. Considering the rapid growth of immigrant communities, particularly in cities like New York, San Francisco (CA), Los Angeles (CA), Philadelphia (PA), Essex County (NJ), Cook County (IL), King County (WA), I believe we should make census determinations every 5 years to decide Section 203 coverage.

According to the 1990 census, the Korean American population in New York was short of 250 persons to gain coverage under Section 203. Although the community reached the numeric trigger by early 1990s, it did not gain coverage until after the 2000 census. More recently, the Vietnamese community in San Diego fell 85 persons short of the numeric trigger following the 2000 census. Surely, by now the community has already surpassed the trigger but will not receive bilingual election assistance until after the 2010 census report is completed.

The Voting Rights Act of 1965 with all its subsequent amendment has been immensely successful in expanding access and assistance to racial and ethnic minorities during election. It remains one of the most important civil rights laws in our country. Mr. Speaker, while coming to debate the reauthorization of the expiring provisions in this 109th Congress, we must keep in mind the limitations of the Voting Rights Reauthorization and Amendment Act of 2006, and how to make it more effective and allow our citizens access to one of their fundamental rights as guaranteed by the ideals of our nation.

Finally, Mr. Speaker, I must commend the bipartisan effort to renew this legislation and