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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. ADERHOLT).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 7, 2003.

I hereby appoint the Honorable ROBERT B. ADERHOLT to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill and a concurrent resolution of the House of the following titles:

H.R. 2152. An act to amend the Immigration and Nationality Act to extend for an additional 5 years the special immigrant religious worker program.

H. Con. Res. 282. Concurrent resolution honoring the life of Johnny Cash.

The message was announced that the Senate has passed a bill and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 1642. An act to extend the duration of the immigrant investor regional center pilot program for 5 additional years, and for other purposes.

S. Con. Res. 66. Concurrent resolution commending the National Endowment for Democracy for its contributions to democratic development around the world on the occasion of the 20th anniversary of the establishment of the National Endowment for Democracy.

The message also announced that pursuant to Public Law 103-296, the Chair, on behalf of the President pro tempore, and in consultation with the Chairman and the Ranking Minority Member of the Finance Committee, appoints Sylvester J. Schieber, of Mary-

land, as a member of the Social Security Advisory Board for a six-year term.

The message also announced that pursuant to Public Law 99-498, the Chair, on behalf of the President pro tempore, appoints Rene Drouin, of New Hampshire, vice Charles Terrell, of Massachusetts, to the Advisory Committee on Student Financial Assistance for a three-year term.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. PALLONE) for 5 minutes.

THE HARM OF MEANS TESTING THE MEDICARE PROGRAM

Mr. PALLONE. Mr. Speaker, I rise on the House floor to express my concern regarding an agreement that is being sought by the Medicare conference committee on means testing the Medicare program. Accepting a provision that will allow means testing of Medicare beneficiaries will in time only lead to the destruction of the Medicare program that seniors rely on and that we as Democrats have worked on preserving since its days of inception nearly 40 years ago.

The House Republican bill means tests the protection against high drug costs. Seniors who earn more than \$60,000, or \$120,000 for couples, will not have the \$4,900 catastrophic protection, and instead they will have to pay more out of pocket before they get cata-

strophic protection because of their income. Means testing the catastrophic protection will force many seniors to pay more for their drug coverage.

This provision in the House Republican Medicare legislation for the first time in the history of Medicare taxes middle class, or I should say the middle class seniors, twice for their benefits. Today Medicare is available to all who are eligible. Everyone pays the same percentage in payroll taxes and gets the same benefits out. Universality is the central theme of the Medicare program, and all Americans who contribute taxes during their working years are eligible for the full package of Medicare benefits when they retire.

The House Republicans, however, are taking the first steps to turning Medicare into what is essentially or what could become a welfare program, making higher-income seniors pay more for their Medicare benefits. What this amounts to is an additional Medicare tax on higher-income seniors who have already paid more money in Medicare taxes because of their higher earnings. Now they are getting hit again through this drug benefit and are being asked to pay another tax to pay more money for their drugs than other seniors. They basically are paying twice for their benefits. Keep in mind that in many localities a \$60,000 income does not make you wealthy, and that once the precedent is set, there will likely be a domino effect with the cutoff reaching lower and lower, affecting more and more middle class seniors. Right now the Republicans are talking \$60,000, but that could change to \$50,000 or \$40,000; and as it goes down, more middle income seniors will be impacted.

It is unclear how the provision in the House Republican bill is going to work, or whether it will even work. The Medicare administrator will send the names of seniors to the IRS, and the IRS will send back the senior's income for the previous year. Medicare will

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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then send this very private information to private health insurance companies, and seniors' confidential information will be sent all across the country, a situation ripe for abuse.

Medicare currently does not means test benefits, and it does not have staff to deal with this complicated matter. The Republican bill will increase government bureaucracy in both Medicare and the IRS to administer the provision. And under the Republican bill, Medicare is supposed to have a process for seniors who have seen their incomes decline to come in and get an adjustment; and because we know seniors' income declines as they age, Medicare would need to be able to deal with millions of people coming in every year to have their income information reevaluated.

Mr. Speaker, private plans will have a hard time administering this means test provision as well. They will have different catastrophic levels for every senior making above \$60,000 in income. More importantly, with this income information, the provision to allow means testing of catastrophic levels will also enable plans to risk-select and pick out other seniors to be in their plans. Private insurance companies will have incentives to seek out only higher-income seniors to make their premiums lower. Because higher-income seniors will have a higher catastrophic level, plan premiums will be lower because the plan will be paying less of beneficiaries' drug costs. And seniors living in low-income areas may find that plans do not want to come there because these seniors will make the plan premiums more expensive.

Mr. Speaker, all in all the provision in the House Republican bill is a bad idea for Medicare. It increases government bureaucracy, injects the IRS into Medicare, and it will be unworkable for plans and seniors. The approach taken in the Republican bill is wrong. We should not be taxing middle class seniors twice for Medicare benefits or because they have retiree coverage. This threatens the program's broad support and popularity, fragmenting public support and confidence in the Medicare program and making it easier to end the program once and for all.

I urge my colleagues on the conference committee to eliminate the means testing of catastrophic drug coverage and all Medicare benefits. Means testing will destroy the universality of Medicare and will destroy the Medicare program altogether.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 37 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HEFLEY) at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Blessed are You, Lord, God of mercy. Throughout the ages You have sustained and guided Your people. In the darkest hours You have come to our aid. In the bright shining moments of our history Your love and goodness have flourished.

Guide the Nation at this moment in history. Strengthen the Members of this, the people's House. May they be forthright and defiant against evil and accomplish what is best for Your people.

In time of need may they prove themselves Your servants.

This we pray, in this we trust, now and forever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

SUPPORTING ISRAEL'S FIGHT AGAINST TERRORISM

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I rise today in support of Israel's actions to destroy terrorist training camps in Syria, sending a message that terrorists cannot hide and will be destroyed wherever they are found. As the United States has defended itself against terrorism in Afghanistan and Iraq, Israel is defending itself against further attacks by the terrorist group Islamic Jihad. This violent group's latest attack came on Saturday, before Yom Kippur, at a Haifa restaurant, killing 19 innocent people and injuring 55.

As President Bush has said, "Israel's got a right to defend herself, that Israel must not feel constrained in

terms of defense of the homeland." No nation would sit by as their civilians are killed and terrorized, and Israel has a duty to protect its people. Palestinians that desire peace must work to dismantle the terror networks, and so must the people of Syria. As United States U.N. Ambassador John Negroponte said, "Syria is on the wrong side of the War on Terrorism." Syria has harbored and supported terrorists and this must end.

Israel is in the midst of a battle in the War on Terrorism and America stands with her.

In conclusion, God bless our troops.

IMMIGRANT WORKERS FREEDOM RIDE

(Mr. FILNER asked and was given permission to address the House for 1 minute.)

Mr. FILNER. Mr. Speaker, when I was a college student over 40 years ago, I was one of the first Freedom Riders in Mississippi. With fellow students, we went to jail to spotlight for Americans the injustice and inhumanity of racial segregation.

Last week as a Congressman, I was able to meet and make personal the historical connection with the Immigrant Workers Freedom Ride. Tens of thousands of immigrants rode across our great Nation to spotlight for Americans the injustices and inhumanity of our current immigration laws.

The Freedom Rides in the early 1960s did lead to the elimination of the laws of segregation. Let us work today to protect the rights of immigrants in the workplace, to ensure their civil liberties and civil rights, to reunite immigrant workers with their families, and to create a path to citizenship for those who work hard every day, pay their taxes, and support their families.

Let us truly salute the Immigrant Workers Freedom Ride with real congressional action.

IN MEMORY OF THE HONORABLE DONALD MITCHELL

(Mr. BOEHLERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Speaker, the Honorable Donald J. Mitchell passed away on Saturday, September 27, 2003. He is gone, but his life's work and patriotism will never be forgotten.

The life of Donald Mitchell is that of an all-American patriot. In times of war, he served his country as a carrier-based naval aviator in World War II and as a flight instructor during the Korean War.

In times of peace, he served his community. He was an optometrist by profession, but a public servant at heart as a Herkimer town councilman from 1954 to 1957, as mayor of the village from 1957 to 1960. From 1964 to 1972, during times of great change, he served as a New York State Assemblyman. Always