

fund. As a result, we are leaving millions of children behind every day.

It is all about priorities, Mr. Speaker. Creating more jobs, access to affordable health care and better education for our children, those are the priorities of America, and they should be our priorities here in Congress.

**HONORING U.S. ARMY NATIONAL GUARD SPECIALIST MICHAEL G. MIHALAKIS**

(Ms. LOFGREN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LOFGREN. Mr. Speaker, as I rise today, over 500 Americans have lost their lives in the war in Iraq. Each loss is a wrenching tragedy to a family somewhere in America, and this tragic loss has now come to the Mihalakis family in San Jose, California.

U.S. Army National Guard Specialist Michael G. Mihalakis of San Jose, California, was killed the day after Christmas when his Humvee overturned near the Baghdad International Airport. He was assigned to the 270th Military Police Company and was one of the youngest casualties of the Iraq conflict. Michael was proud to be a soldier, with a strong commitment to service, an unflinching bravery, a dedication to family, and a deep love of country.

America remains strong and free because, for generations, Americans like Michael have been willing to put the well-being of their community and country ahead of their personal comfort and safety. From towns and cities all over America, ordinary citizens have become transformed into heroes through their service.

There is aching loss and pain when such heroism means the hero is not coming home. This wrenching loss can never really be healed for the mothers and fathers who have given what is most precious to them for their country. We want to thank the Mihalakis family and let them know they are in our hearts and prayers and that his grateful country will always remember their son.

On behalf of the House of Representatives, I want to thank Michael for his service to the United States and offer heartfelt condolences to his parents and entire family.

**REAL IMMIGRATION REFORM**

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, the State of the Union will be an opportunity for the President to push his issues and to explain to the American people how we can work together.

I think there is no doubt that there are those of us who understand that this Nation was first built on the opportunities for immigrants to come and to seek, if you will, a better life.

We do need real immigration reform in this Nation, but I am disappointed and saddened by the offering of the President of which I have said this is not an amnesty plan, and so I defend him from the perspective that this is a first step of recognizing the needs for immigration reform, but we really need to focus on earned access to legalization for those millions of immigrants who are here paying taxes, working every day and wanting to provide for their family and to get in line to be able to earn their right to be a citizen of the United States of America.

What happens to a guest worker program? It literally disappears into the night because when the program ends after 3 years, there is some suggestion that these individuals will go home. They will not.

Mr. President, work with this Congress, work with the Democrats in a bipartisan way to lift up the values of this Nation, that we are a land of immigrants, to allow the immigrants that are here to get into the system of earned access to legalization.

**THE DRUG COVERAGE BILL**

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

Mr. BROWN of Ohio. Mr. Speaker, President Bush, in his State of the Union a year ago, said, "Medicare is the binding commitment of a caring society." He then promised a prescription drug/Medicare reform bill.

The gentleman from California (Mr. THOMAS), the Republican chairman of the House Committee on Ways and Means, one of the authors of the bill with the Bush administration, said, "to those who say this bill would end Medicare as we know it, our answer is we certainly hope so."

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I wish President Bush tonight would explain what happened to the Medicare bill that he signed in December. I wish he would explain that this legislation will mean \$139 billion, that is with a "B," \$139 billion additional profits for the drug industry. I wish he would explain tonight to the American people why this Medicare privatization bill means \$14 billion in extra payouts to the HMOs and to the insurance companies. And I wish he would explain to the American people why he let in to write this bill the drug industry and the insurance industry, which sat down with the administration, with Republican leadership and actually wrote the Medicare prescription drug privatization bill. We need answers tonight, Mr. Speaker.

**DISTRICT OF COLUMBIA VOTING RIGHTS RESTORATION ACT**

(Mr. ROHRABACHER asked and was given permission to address the House for 1 minute and to revise and extend

his remarks and include therein extraneous material.)

Mr. ROHRABACHER. Mr. Speaker, I have just introduced the District of Columbia Voting Rights Restoration Act, a bill to restore full and equal congressional voting rights, including representation in the United States Senate, for the residents of the District of Columbia.

My bill would restore the Federal rights of Maryland citizenship that were taken away from the District of Columbia residents over 200 years ago by an Act of Congress, the Organic Act of 1801. Enactment of my bill would mean that D.C. residents would once again have the full Federal voting rights they enjoyed as Maryland citizens prior to Congress' assumption of exclusive legislative authority over the District of Columbia. Those rights included the right to vote for and to be elected as and to serve as U.S. senators, U.S. representatives and presidential electors from Maryland.

Mr. Speaker, I ask my colleagues on both sides of the aisle not to let small national political considerations stop us from restoring these rights, and I would also insert the questions and answers about my bill that I am putting on the desk today as part of the RECORD.

Mr. Speaker, it is time for all Members of Congress, whether Republican or Democrat, conservative or liberal, to heed the legitimate complaints of "taxation without representation." We must correct this 200-year-old injustice to the U.S. citizens who live in our nation's capital. The debate must no longer be about whether D.C. residents should have full voting rights in Congress, but how to accomplish a goal that we all share.

*Question.* Since the VRRRA includes D.C. as part of the Maryland delegation in the U.S. House, what is to keep the Maryland legislature from splitting D.C. and joining it with two or more Maryland congressional districts?

*Answer.* The VRRRA would require that whenever D.C. has fewer people than the average Maryland congressional district, D.C. be kept intact in a single congressional district, with contiguous territory from adjacent Maryland counties added as necessary to produce a district equal in population to the other Maryland districts. The VRRRA also provides that whenever D.C.'s population is equal to or larger than the average Maryland district, then there must be at least one district that is 100% D.C.

The controlling Supreme Court opinion in *Oregon v. Mitchell* (the 18-year-old vote case) made clear that Congress has the power to regulate congressional redistricting by state legislatures. Congress has exercised this power in prohibiting at-large districts in states with more than one House member. In this case, Congress would protect D.C. from unfair treatment because D.C. residents would have no voice in the Maryland legislature.

*Question.* Does the Constitution allow D.C. residents who do not actually live in Maryland to choose the representatives of that state? If it were constitutional to treat D.C. residents as if they were residents of the state of Maryland for the purposes of voting, would D.C. residents be constitutionally precluded from representing the new Maryland district, given the language of Article I specifically requiring that representatives be

inhabitants of the state in which they are chosen?

Answer. In addition to restoring congressional voting rights, the VRRRA also restores Maryland citizenship rights to be a candidate for, and to serve as, U.S. Representative, U.S. Senator, and presidential elector from Maryland.

D.C. is one of several federal enclaves in which the residents were not considered to be "inhabitants" of the states that ceded such enclaves to the federal government. There is no reason why Congress is any more powerless to restore the right of D.C. residents to be considered inhabitants of Maryland for federal electoral purposes than it was powerless to restore the rights of residents of other federal enclaves to be considered an inhabitant of the states, including Maryland, that ceded their place of residence to the federal government.

*Question.* Because representation in the Electoral College is based on the number of Senators and Representatives in the states, wouldn't Maryland receive only one more electoral vote to correspond with the new district? If so, and the District's three reliably Democratic electoral votes were eliminated, wouldn't the result be to tilt the votes in the Electoral College in favor of a Republican presidential candidate?

Answer. The VRRRA add one electoral vote to Maryland's total, and would eliminate D.C.'s current three electoral votes to eliminate double counting. Depending on how Maryland and D.C. vote, that would result in either a net pickup of 8 or a net loss of 2 electoral votes for Democrats, with a small possibility of changing the result one way or the other. It's also possible that the D.C. votes for Members of Congress provided by VRRRA could swing control of the House and Senate to the Democrats. The small risks involved for each political party are a reasonable tradeoff for correcting the 200-year-old injustice of depriving D.C. residents of congressional representation.

*Question.* Shouldn't a bill creating two new House seats for D.C. and Utah have a clause that the bill is not severable, meaning if the D.C. portion of the bill were found to be unconstitutional, the Utah portion also would fall?

Answer. Yes; the VRRRA has such a non-severability clause.

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#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). The Chair will recognize Members for Special Orders until 5 p.m., at which time the Chair will declare the House in recess.

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#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

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

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#### JOBS AND ECONOMY

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, in April 2003, the Bush administration pledged that its jobs and growth package, its Leave No Millionaire Behind Tax Cut Plan, would create 1,836,000 new jobs by the end of 2003, last month. The administration pledged to create 5.5 million new jobs this year in 2004; but as the Bureau of Labor Statistics reported this month, the economy had a grand total of 1,000 jobs in December. To begin reversing unemployment trends, there would need to be 250,000 new jobs each month.

More than 2.3 million jobs have been lost since President Bush took office, Mr. Speaker. More than 2.3 million jobs. In my State of Ohio, one out of six manufacturing jobs has disappeared, one out of six, and most of them permanently. Despite recent good news for corporate profits and the trumpeting of the Bush administration on economic growth statistics, the labor market is still in crisis; and we have seen the worst job loss in a recovery since Herbert Hoover in the Great Depression. But for some reason, I guess political reasons, the administration calls the economy strong.

Long-term unemployment is close to a 20-year high. Currently, the average length of unemployment is 5 months. While the administration has touted macroeconomic GDP growth numbers, indicators most important to middle class Americans just simply are not so bright. Simply put, high-paying jobs, industrial, manufacturing jobs are being replaced by low-paying jobs like Wal-Mart. New jobs created are forecast to pay an average of \$35,000, much lower than the \$43,000 average pay of jobs lost in the last 3 years.

The Bush administration now is deploying an executive agency to short-change average workers, this time on overtime pay. The Department of Labor's publishing documents "suggest ways that employers can avoid paying overtime to some of the \$1.3 million low-income workers who would become eligible this year." Think about that, a Federal agency is giving advice to employers on how to avoid paying overtime to some of its lowest-paid workers. Think about that. Among the options for employers would be to cut workers' hourly wages and add the overtime to equal the original salary.

This is part of an emerging pattern of using U.S. taxpayer resources to help big business, to help them cut corners at the expense of American jobs and American workers. The Labor Department's corporate assistance documents, as we call them, come just as the administration plans to eliminate overtime pay protection to 8 million American workers. The overtime plan was opposed by both conservative and progressive lawmakers on Capitol Hill. The Department of Labor's mission statement describes itself as the primary agency to "promote the welfare of job seekers and wage earners."

The Department of Labor was established to represent the interest of average workers, not the interest of corporate contributors to the President. Not Enron. Not Halliburton. The Department of Labor is there to represent average everyday salaried and hourly workers. The Department of Labor now seems to represent corporations at the expense of American workers.

The consequences of the Bush administration's policies for hardworking Americans are clear: first, the greatest job loss in a recovery since the Great Depression; 2.5 million jobs have been lost in the past 2½ years. Second, massive deficits to pass on to our children. The administration came into office with a huge budget surplus. It has been squandered. We now have an annual deficit of \$500 billion. That means that every day of the year about \$1.5 billion more is paid out by the government than is brought in. The President has added \$1.5 billion every day to the national debt that our children will pay. This collapse of fiscal discipline will lead to a \$5 trillion debt over the next decade. That is \$5 trillion more for our children and our grandchildren to pay.

The third result of the Bush administration's policy for working Americans is the rising numbers of uninsured and increasing health care costs for working Americans. There are 43 million Americans lacking basic health insurance today, with 4 million more Americans who do not have health insurance than those that had it when he took office. There were 39 million uninsured when President Bush took office; now it is up to 43 million, and it is climbing as we lose more industrial jobs, jobs replaced by low-benefit, low-wage jobs instead.

This administration is steering the country down the path of fiscal ruin for the benefit of a wealthy few. It is time to right our course. When we see the statistics over Christmas that the high-end stores like Neiman Marcus stores did very well, and regular stores catering to ordinary average Americans did not do so very well, that tells the story. The wealthier in this country are getting wealthier and wealthier, while the middle class is shrinking. Poor people are doing worse than ever. It is time to redirect this country.

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#### HONORING AARON WEAVER, A FALLEN HERO IN IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) is recognized for 5 minutes.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, it is with a very heavy heart that I rise today to express the condolences of a grateful Nation. I rise today so that this Nation will not forget the service and sacrifice of those fallen heroes who fight to keep us free. I rise today because a Black Hawk helicopter was shot down over Iraq; and Chief Warrant Officer Aaron Weaver,