

Could the gentleman comment on the fact that the gentleman from New York (Mr. RANGEL) and the gentleman from Michigan (Mr. DINGELL) and the gentleman from Arkansas (Mr. BERRY) have not been in any of these meetings to which he has referred?

Mr. DELAY. Just any formal meeting of the conference that has been held, the gentlemen he has listed have been invited to those meetings. The other meetings, the informal meetings and group meetings that have been held around the Capitol, the gentleman knows are being held with people that actually want to get a bill.

We are working with those, both Democrats and Republicans, who actually want to get a bill and are serious about negotiating that bill. And it is such a complicated bill. Different parts are being negotiated by different people. The gentleman knows how a conference can work and how difficult it is to hold it together. So to the extent that people want to actually get a bill to the President's desk, they are having great and strong input in the negotiations that are going on.

Mr. HOYER. Reclaiming my time, very seriously I want to tell the gentleman that any implication that the gentleman from Michigan (Mr. DINGELL), who has fought for Medicare and health care legislation longer, harder, than any member on this floor from either party, and whose father preceded him in that fight, is somehow not interested in passing a bill is inaccurate, Mr. Speaker. The gentleman made a mistake if that is his premise. I want to advise him, respectfully, that he is wrong.

I also believe that Mr. BERRY and Mr. RANGEL are extraordinarily interested in passing a bill. Now, their perspective may be different. As far as we know, there have been no conference meetings in the sense of the conferees getting together and discussing differences and trying to iron those differences out in the last 2 months.

Mr. DELAY. There have been formal conference meetings, and the gentlemen that have been outlined have been invited to those meetings.

Mr. HOYER. Mr. Speaker, rather than go back and forth on it at this point in time, I will be glad to ask Mr. DINGELL and Mr. RANGEL when the last meeting was that they were invited to.

Mr. DELAY. Mr. Speaker, I was at the last meeting; and it was last week with the President of the United States.

Mr. HOYER. That was a meeting with the President. I agree with the gentleman. It was not a conference meeting, however. It may have been a meeting with the President.

We hope that we will proceed.

The FAA conference report, we were told that that was going to be on the floor last week and this week. We understood that we would consider it this week. The rule was not brought up. Can the gentleman illuminate for the Members where that bill stands? I know the

previous week we could not find the papers, as I recall. This week we understand the papers have been found, but we did not move ahead on that. Can the Majority Leader tell us why we have not proceeded on that and what he perceives to be the future of the FAA reauthorization bill?

Mr. DELAY. I appreciate the gentleman yielding.

As the gentleman knows, and people should take notice, that FAA activities are currently operating under the short-term continuing resolution that we passed last week. In the meantime, Chairman YOUNG and Chairman MICA are working with their Senate counterparts and the committee members on their conference committees to reach the necessary accommodations so that we can have the reauthorization signed into law before this current C.R. expires. So, work is ongoing. As soon as the agreements are made between the House and the Senate, I think we can proceed.

Mr. HOYER. I thank the gentleman for that information because I know we need to move ahead on that authorization. If the gentleman could answer the question, however, we understand there seems to be a disagreement. However, the House passed a provision that directed that there be no privatization of the air traffic controllers. The Senate passed a provision providing that there should be no privatization of air traffic controllers. But we understand there is a difference in the conference on this issue. Can you explain to me, Mr. Leader, when the House took a position on behalf of insuring on the continued public nature of the air traffic controllers and the Senate took the same position, why there might be a difference on that issue?

Mr. DELAY. Well, I have to admit to the gentleman that I am not privy to the intricate negotiations that are going on in this bill. We are leaving that up to the chairmen that are presiding over the conference committees. So I cannot answer the question because I do not know the machinations that have been going on in detail, and I certainly do not want to mislead the House.

Mr. HOYER. I thank the gentleman for his candor on that. Each of us finds ourselves in that position from time to time. I would urge the gentleman, however, because both Houses have taken the same position on that very critical issue, in my opinion, to the security of our Nation, if you might urge the conferees at least to take that item on which apparently the House and Senate both acted in concert off the table, it might facilitate the movement of the conference.

Mr. DELAY. I will certainly advise Chairman YOUNG and Chairman MICA of the gentleman's concern.

Mr. HOYER. Mr. Speaker, I thank the Majority Leader for the information.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2022

Mr. GEORGE MILLER of California. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2022.

The SPEAKER pro tempore (Mr. PUTNAM). Is there objection to the request of the gentleman from California?

There was no objection.

MOTION TO INSTRUCT CONFEREES ON H.R. 6, ENERGY POLICY ACT OF 2003, OFFERED BY MR. INSLEE

Mr. INSLEE. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. INSLEE moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 6 be instructed to confine themselves to the matters committed to conference in accordance with clause 9 of rule XXII of the Rules of the House of Representatives with regard to "high-level radioactive waste" as defined in the Nuclear Waste Policy Act of 1982 and other provisions of Federal law.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII the gentleman from Washington (Mr. INSLEE) and the gentleman from Texas (Mr. BARTON) each will control 30 minutes.

The Chair recognizes the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I advise other Members we do not intend to take our entire allotted time. We hope to go through this fairly expeditiously.

This is a motion brought to assure that nothing happens in the conference report that could jeopardize completion of our statutorily-mandated mission for the Department of Energy to complete the cleanup of about 100 million gallons of high-level radioactive waste now at various sites in the United States.

□ 1500

As Members know, we have created by an act of 1982, the obligation to complete a cleanup of those wastes that have been created by the Department of Defense activity, and this does refer to waste that is not commercial but rather through the Department of Defense.

In my State, for instance, there are 53 million gallons at Hanford, at Savannah River, there are several million gallons, in New York State, in Idaho, and we need to complete this cleanup. Unfortunately, for a variety of reasons the concern has been expressed that in the conference committee there could be an attempt to essentially give unfettered discretion to the Department of Energy to reclassify this waste, essentially give it a different name, rather than to complete with the certain rigor and completion of the type of cleanup that is now mandated in Federal law.

We think it is very important to clean up this waste rather than just to rename this waste. So we are bringing this motion to essentially move in that direction in this conference report.

I may note that we consider this a bipartisan effort. Attorneys general from the States of Washington, Oregon, Idaho and South Carolina, both Democrats and Republicans alike, have written to the Department of Defense urging that we work together with the States and the Federal Government to find a technological solution to these last remnants of the 100 million gallons, rather than try to end run through the conference committee.

So we look forward to working on a bipartisan basis. My friend, the gentleman from Washington (Mr. HASTINGS) certainly has knowledge of Hanford and others to work through this, but we want to make sure we do not go through the back door of the conference committee.

Mr. Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would indicate to my friend that there is no back room. We are doing everything in the front room.

Mr. Speaker, I yield such time as he may consume to the gentleman from Washington State (Mr. HASTINGS), from the Committee on Rules.

Mr. HASTINGS of Washington. Mr. Speaker, I appreciate the gentleman yielding me time. I thank the committee for their work on this and taking the position that they have had that they are simply not going to move forward on these delicate issues and extremely important issues with the States that are affected by this without the concurrence of those agencies within those States. I appreciate the gentleman taking that position.

Mr. Speaker, let me say very bluntly, as I can, that the Department of Energy language that was proposed and potentially proposed in this conference report was simply not acceptable to any of the States that were involved. I know they were not acceptable in my case because in the past I have been focused on trying to get these issues resolved with our State Department of Ecology who has jurisdiction in Washington State at Hanford. Because these things will not move forward, the acceleration that we have had success with at all of these sites, will not move forward unless you have the cooperation; and I have been focussed on getting that sort of cooperation enacted.

But I have to state what frustrates me in my case and specifically at Hanford is that I know, genuinely know, at that time Department of Energy and the Department of Ecology want to get this site cleaned up in a safe and timely manner. But I also have to say to be here on the floor and condemn the language that DOE had suggested does not solve this problem, and it will not resolve the long-term disputes that may

arise in the future. So I do not consider that. This passed and will pass, of course, unanimously. This is not really a victory for the States. It is not a victory for the DOE.

The reason I say that, once again, Mr. Speaker, is to reemphasize the States, in my case the State of Washington Department of Ecology and DOE have the shared responsibility to resolve these matters and to move forward and keeping the cleanup, the acceleration, timely and safe for the workers at all these sites.

Mr. Speaker, I intend to continue to work on this to try to resolve this because, in my view, the most important thing we can do for our constituents is to make sure that this acceleration and cleanup goes in a timely and safe manner.

Mr. Speaker, I once again want to thank the subcommittee chairman, the gentleman from Texas (Mr. BARTON) and the committee as a whole for their commitment to making sure that any legislation that is offered has the concurrence and the input of the States that are involved.

Mr. BARTON of Texas. Mr. Speaker, I reserve the balance of my time.

Mr. INSLEE. Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. SPRATT).

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, South Carolina is an unenviable host to one of the largest concentrations of military-generated radioactive waste in our country, if not in the world. There are over 37 million gallons of highly-radioactive waste stored in 49 single-lined tanks at the Savannah River site. This waste contains over 400 million curies of radioactivity and represents potentially the single most hazardous threat to the environment and to the people of South Carolina and Georgia, and for that matter, the whole region because it sits atop the Tuscaloosa aquifer.

There are millions more gallons of this kind of waste stored at DOE sites from upper New York State to Washington State.

Over the years, the Department of Energy has worked with these States, my own State of South Carolina, to develop plans to manage the waste by separating out the highly-radioactive contents, transform it into a glass waste solid, suitable for shipment to a national repository for ultimate disposal, and until then, store it on-site in a special interim storage facility. The remaining waste, the residue containing relatively small amounts of radioactivity, is supposed to be mixed with a special sort of concrete and disposed of on-site.

Recently, the Department of Energy proposed to dispose directly of approximately 20 million additional curies of this high-level radioactive waste right

there on-site, at the Savannah River site, which is a major change in plans. This amount of waste on-site will require about 300 years of oversight and maintenance.

The Department of Energy, DOE, however, ran into a problem with this approach. The Nuclear Waste Policy Act requires this type of high-level waste to be disposed of at a national repository. So to implement that proposal, the Department decided simply to reclassify the waste. They would not call it high-level waste anymore.

Well, they ran into another problem. The United States District Court ruled that the DOE order reclassifying this waste violated the statutory law, the Nuclear Waste Policy Act. The four affected States, Idaho, Washington, Oregon and South Carolina, all filed briefs in opposition to DOE's proposal and in effect they prevailed.

South Carolina, along with three other States involved in the district court action, has offered through a joint letter with the other States to the Secretary of Energy to work with the Department of Energy to develop a waste classification strategy that will ensure effective and cost effective and timely disposal of high-level waste in a matter that is consistent with the court decision. We are not trying to hold anybody up. I can assure you that the House Committee on Armed Services, on which I sit, is willing to work with the Department of Energy in next year's authorization process to address this matter in the proper form, with hearings, with questions and with the right kind of legislation.

But instead of engaging in earnest, the Department decided to appeal the district court decision but also to come to Congress with this proposal, to amend the Nuclear Waste Policy Act to allow DOE to determine how much high-level waste it can reclassify and directly dispose of it at several sites, including the Savannah River site. These provisions were not included in either bill, House or Senate. There were no hearings in either committee, House or Senate. This was to be added to the conference report as an out-of-scope provision.

If enacted, this proposal would allow DOE virtual carte blanche to reclassify high-level radioactive waste. This will create lower standards for storing, lower standards for treating, lower standards for processing these radioactive materials, making it all the more likely that some day a dreaded accident will occur, and we will have irreparable harm done to our ground water, our streams, the Tuscaloosa aquifer, affecting not just South Carolina but Georgia and much of the Southeast.

It should not come as any surprise, therefore, that the attorneys general of all four States have vigorously objected in writing to DOE's legislative proposal. In fact, these AGs have called the changes wholly unnecessary.

In conclusion, Mr. Speaker, to change a law as important as the Nuclear Waste Policy Act in this manner, at the 11th hour, without hearings, without a full discussion by all the stakeholders as an out-of-scope provision to a conference report, is inappropriate in this case, and is a precedent that we, as a Congress, should not create for future cases.

So I commend the gentleman from Washington (Mr. INSLEE) for his motion; and I urge every Member of the House on both sides of the aisle to vote to add this instruction to the conferees on the pending bill.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I yield to the gentleman from Washington (Mr. HASTINGS) for a question.

Mr. HASTINGS of Washington. Mr. Speaker, I just want to clarify the point, that it is your intent, as the subcommittee chairman and the chairman of the committee, that you will not proceed on this sort of legislation without the concurrence of the States that are affected, which, of course, are South Carolina, Idaho and Washington State.

Mr. BARTON of Texas. Mr. Speaker, that is not only my understanding, that is also the full committee chairman's understanding, and that is the understanding of the chairman of the conference, Senator DOMENICI.

Mr. HASTINGS of Washington. Mr. Speaker, I thank the gentleman for his commitment.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I will not be long-winded.

Let me simply say, we do not oppose the Inslee amendment on the motion to instruct the conferees. We are prepared to accept it. We think it is an amendment that has merit, obviously, as we have heard from the other gentleman from Washington (Mr. HASTINGS), the gentleman from South Carolina (Mr. SPRATT) who just spoke. These are issues that are serious and that need to be addressed.

We can say that we had no intention to put in any language on this issue in the conference report unless we did have concurrence and agreement of the States and the Department of Energy. It is an issue that we are working on seriously.

It is unlikely that there will be specific language on this issue in the conference report, but certainly, if we consider it, we will work with the gentleman who offered the motion to make sure that the States involved are consulted with.

Let me indicate at the outset that this side is prepared to accept the motion. As the gentleman knows, it is nonbinding.

Let me also inform the gentleman that this issue is not one that either the Chairman of the conference from the other body or I are actively seeking to put into the conference report.

Having said that, DOE's high level waste problem is a complex issue that deserves the attention of the Congress. The Energy and Commerce Committee held a hearing on this issue in the Oversight and Investigations Subcommittee in July. We heard testimony from the States of Washington, Idaho, and South Carolina, where much of DOE's radioactive wastes are located.

At the hearing, the GAO recommended that Congress clarify the high level waste definition, so that DOE can settle on a strategy and move forward with cleanup plans at Hanford, Savannah River, Idaho, and other sites. Due to a recent Federal district court decision, it is uncertain whether DOE can proceed with its cleanup plans at these sites.

It is important that DOE reach agreement with the affected States on the appropriate solution to this matter. Without clarification of DOE's authorities with respect to high level wastes, we may experience cleanup delays as DOE tries to settle this in the courts. DOE has recently estimated that if Congress does not address this matter, we may incur an additional \$60 billion in cleanup costs.

The gentleman from Washington should know that following the filing of his motion on Tuesday, we were informed by the Department of Energy that they are in advanced negotiations with affected governors on a solution. So while I have no objection to the motion today, I do want to put the House on notice that if the DOE and the affected States arrive at some kind of agreement, then I do anticipate that the administration will request that we include it in the conference report on H.R. 6. Not having seen the agreement, of course, I can't say with any certainty whether I will recommend honoring that request, but I intend to give it every consideration should it be transmitted.

THE SECRETARY OF ENERGY,
Washington, DC, October 2, 2003.

Hon. BILLY TAUZIN,
Chairman, House Energy and Commerce Committee, Washington, DC.

DEAR MR. CHAIRMAN: In early August, I transmitted to the Congress a legislative proposal designed to assure that the Department of Energy would remain able to exercise its longstanding authority to classify radioactive waste from reprocessing according to the risk it presents to human health and safety. This authority has been cast in doubt by a recent District Court decision. Failure to resolve this uncertainty could result in decades of delay in cleanup and increased risk to public health and safety.

In response to issues raised by stakeholders regarding this proposal, the Department has been in discussions with interested parties concerning revised language. These discussions remain ongoing. Legislation of this nature is a priority for the Department because it is critical to allowing us to pro-

ceed with confidence with our plans to accelerate cleanup at the sites where this material is located.

Contrary to some press reports, the Department is not seeking authority to "re-classify" high level waste so as to dispose of it anywhere other than at a repository for spent fuel. Rather, to repeat, all we are seeking is confirmation from Congress of our longstanding authority to classify various material from reprocessing according to the risk it presents so that it can be disposed of in a manner appropriate to those risks. Any waste classified as low-level waste would have to meet performance standards for disposal of low-level waste.

Our hope is that if a negotiated solution is reached, it can be included in the H.R. 6 Conference Report.

Sincerely,

SPENCER ABRAHAM.

Mr. Speaker, I reserve the balance of my time.

Mr. INSLEE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Nevada (Ms. BERKLEY), a great advocate for the State of Nevada.

Ms. BERKLEY. Mr. Speaker, I rise in support of the Inslee motion to instruct conferees.

As everybody in this body knows, the State of Nevada has been unfairly and inappropriately singled out as the Nation's only high-level nuclear waste dump. I am strongly opposed to tens of thousands of tons of radioactive waste being stored in a repository in Yucca Mountain less than 90 miles from Las Vegas, Nevada.

I am also concerned about other DOE actions that could jeopardize the safety of millions of Americans throughout the country.

The DOE is trying to arbitrarily re-define nuclear waste stored in tanks in Washington and South Carolina and Idaho, that have already been classified as high-level, as low-level waste to avoid dealing with the problems it faces in the cleanup and disposal of high-level nuclear waste. Some might claim that DOE's plan would stop more waste from going to Nevada. The truth is that Yucca Mountain is already projected to be full.

As Nevadans know all too well, the DOE never lets the facts stand in the way of its decision making. The residents of Washington and South Carolina and Idaho are now finding out what the people of Nevada have known for years. The Department of Energy makes up the rules as it goes along. If it confronts an obstacle that it is unable to overcome, it simply changes the rules.

Rather than working with the States and local residents and the EPA to find a solution based on sound science, DOE is trying to ramrod through Congress its decision to change the classification. The courts have told the DOE no. The States have told the DOE no. And now the DOE has turned to the Members of Congress in a last-ditch effort to get its way.

Congress should not enable the DOE to reclassify this waste without regard to human health or the environment.

I urge my colleagues to support the Inslee motion to instruct to send a message to the DOE that it must learn to live within the rules and within the law.

□ 1515

Mr. INSLEE. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. BAIRD) who represents the third district, which is down river in the Columbia River from the Hanford site.

Mr. BAIRD. Mr. Speaker, I thank my friend from Washington for yielding me the time, and I thank my colleague also from the other side of the Cascade Mountain.

The reason I am concerned about this, since I represent Vancouver, Washington, we call it America's Vancouver, it is on the banks of the Columbia River, and it is down river from Hanford. For years, DOE has assured us that they had the cleanup under control. We have thousands of gallons of liquid waste in unlined single-wall tanks, and we were assured that they would not leak into the aquifer for hundreds of years. In fact, we have discovered already that there is nuclear material in that aquifer and that aquifer connects directly to the Columbia River.

The solution to our problems of disposing of radioactive waste is not to redefine them and say the problem's gone away because we came up with a new definition. That is essentially what the Department of Energy is asking to do, and I applaud my colleague for this motion. I thank the Chair of the committee for rejecting that.

So I am glad we are going to support this, but I would say this is troubling to me that the Department of Energy has even made this request because I think it raises questions about their good faith, that they believe that the solution to cleaning something up is to define that it is already clean and we do not have a problem. I urge the chairman of this committee to insist that such language not be allowed to exist in a final conference report and would urge my fellow colleagues, should that language somehow get in, to reject it strongly.

Mr. INSLEE. Mr. Speaker, I yield myself such time as I may consume.

Just as a closing comment, Mr. Speaker, the one message we hope that comes out of today is that when we have 100 million gallons of material, that if we spread a coffee cup of it on this floor in the House, it would be a lethal dose for everyone here. This is material that our constituents on a bipartisan, bicoastal basis want to make sure gets cleaned up in reality, rather than just in rhetoric; and that is why I think this motion is very important.

I am very appreciative of my friend, the gentleman from Washington (Mr. HASTINGS), and his efforts to work with the Departments and the States to try to hammer out some solution to this. I know he has been personally involved

in trying to find that solution. I appreciate his efforts. We appreciate the gentleman from Texas (Mr. BARTON) in accepting this and moving this forward. He has also acted with honor and great wisdom, and I look forward to passage of this.

Mr. Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

We will not oppose the motion to instruct the conferees, and we thank the gentleman for offering it and the individuals who spoke in favor of it.

Mr. BLUMENAUER. Mr. Speaker, I support Representative INSLEE's Motion to Instruct Conferees on H.R. 6, the Energy Bill. This motion instructs the conference committee to not add a provision that would allow the Department of Energy to reclassify high-level waste. I oppose the provision because it jeopardizes the health of citizens in Oregon, Washington, South Carolina, and Idaho. Of particular concern to me is radioactive waste stored in Hanford, WA, that has already contaminated ground water near the Columbia River. I believe this is one of the greatest environmental threats we face in the Pacific Northwest.

I also oppose the provision because it circumvents a legal decision made last July by a Federal district judge in Idaho. We should not allow defendants unhappy with a court decision to run to Congress for a quick fix solution. Furthermore, Congress needs to resolve controversial issues through careful consideration and debate. The proposed provision was in neither the House nor Senate bills, and was not subject to debate or vote. Most importantly, Congress did not hold hearings to hear from experts on both sides of this contentious issue.

This issue is too important to play political games. The Department of Energy should focus efforts on being a better partner with States to devise an efficient and effective solution that is agreeable to the people who live and work near the contaminated sites. All four States oppose the provision indicating that the department has not yet found a common ground solution.

Mr. BARTON of Texas. Mr. Speaker, I yield back the balance of our time.

The SPEAKER pro tempore (Mr. PUTNAM). The gentleman from Washington (Mr. INSLEE) is entitled to close. Does he wish to do so?

Mr. INSLEE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Washington (Mr. INSLEE).

The motion was agreed to.

A motion to reconsider was laid on the table.

—————

MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

Mr. BISHOP of New York. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. BISHOP of New York moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1 be instructed to reject division B of the House Bill.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from New York (Mr. BISHOP) and the gentleman from Louisiana (Mr. MCCRERY) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Speaker, I yield myself such time as I may consume.

I rise today to offer a motion to instruct conferees on H.R. 1, the Medicare Prescription Drug and Modernization Act of 2003. In form, this motion instructs conferees to eliminate from the legislation the tax-free savings accounts for medical expenses. These accounts are estimated to cost the Federal Government \$174 billion over the next 10 years; and in my opinion, this funding would better serve seniors if it were used to close the enormous gap in coverage that exists in H.R. 1, as it currently is formulated, that leaves seniors without a dependable prescription drug plan.

Health savings security accounts are one of the many provisions in H.R. 1 that I find troubling. The health savings security accounts bill, like so many bills that this House has considered over the past few months, was brought to the floor in the middle of the night, in a last minute fashion, and was rammed through without debate. The bill passed largely along party lines and in the wee hours of the next morning was incorporated into the prescription drug bill through a rule. This Congress never had the opportunity to study such an enormous proposal.

Supporters of the tax-free savings accounts will tell my colleagues that these accounts are valuable tools to cover the uninsured; and clearly, we must prioritize providing health coverage to the greater number of the uninsured, especially since we learned recently that 2.4 million Americans joined the ranks of the now 43.6 million Americans who are uninsured in just the last year alone. However, these savings accounts will do very little to help the uninsured and are the wrong solution for several reasons.

The medical savings accounts are a bad idea because they will cost the States already struggling with deep financial difficulties \$20 to \$30 billion in revenues over the next 10 years and, as I indicated earlier, will cost the Federal Government \$174 billion over the next 10 years. The significant costs associated with these accounts will go towards providing benefits that I believe are merely illusory. These accounts are presented as a device that will help the uninsured. Yet 36 percent of the uninsured have incomes below the poverty