

Diaz-Balart, L. Kelly  
 Diaz-Balart, M. Kennedy (MN)  
 Dicks Kennedy (RI)  
 Dingell Kildee  
 Doggett Kilpatrick (MI)  
 Doolittle Kind  
 Doyle King (IA)  
 Drake King (NY)  
 Dreier Kingston  
 Duncan Kirk  
 Edwards Kline  
 Ehlers Knollenberg  
 Emanuel Kolbe  
 Emerson Kuhl (NY)  
 Engel LaHood  
 English (PA) Langevin  
 Etheridge Lantos  
 Evans Larsen (WA)  
 Everett Larson (CT)  
 Farr Latham  
 Ferguson LaTourrette  
 Filner Leach  
 Fitzpatrick (PA) Lee  
 Flake Levin  
 Foley Lewis (CA)  
 Forbes Lewis (GA)  
 Ford Lewis (KY)  
 Fortenberry Linder  
 Fossella Lipinski  
 Foxx LoBiondo  
 Frank (MA) Lofgren, Zoe  
 Franks (AZ) Lowey  
 Frelinghuysen Lucas  
 Gallegly Lungren, Daniel  
 Garrett (NJ) E.  
 Gerlach Lynch  
 Gibbons Mack  
 Gilchrest Maloney  
 Gillmor Manzullo  
 Gingrey Marchant  
 Gohmert Markey  
 Gonzalez Marshall  
 Goode Matheson  
 Goodlatte McCarthy  
 Gordon McCaul (TX)  
 Granger McCollum (MN)  
 Graves McCotter  
 Green (WI) McCrery  
 Green, Al McDermott  
 Green, Gene McGovern  
 Grijalva McHenry  
 Gutierrez McIntyre  
 Gutknecht McKeon  
 Hall McKinney  
 Harman McMorris  
 Harris McNulty  
 Hart Meehan  
 Hastings (FL) Meek (FL)  
 Hastings (WA) Meeks (NY)  
 Hayes Melancon  
 Hayworth Menendez  
 Hefley Mica  
 Hensarling Michaud  
 Herger Millender  
 Hersheth McDonald  
 Higgins Miller (FL)  
 Hobson Miller (MI)  
 Hoekstra Miller (NC)  
 Holden Miller, Gary  
 Holt Miller, George  
 Honda Mollohan  
 Hooley Moore (KS)  
 Hostettler Moore (WI)  
 Hoyer Moran (KS)  
 Hulshof Moran (VA)  
 Hunter Murphy  
 Hyde Murtha  
 Inglis (SC) Musgrave  
 Insee Myrick  
 Israel Nadler  
 Issa Napolitano  
 Istook Neal (MA)  
 Jackson (IL) Neugebauer  
 Jackson-Lee Ney  
 (TX) Northup  
 Jefferson Norwood  
 Jenkins Nunes  
 Jindal Nussle  
 Johnson (IL) Oberstar  
 Johnson, E. B. Obey  
 Johnson, Sam Oliver  
 Jones (NC) Ortiz  
 Jones (OH) Osborne  
 Kanjorski Otter  
 Kaptur Owens  
 Keller Oxley

Pallone  
 Pascrell  
 Pascrell  
 Paul  
 Payne  
 Pearce  
 Pelosi  
 Pence  
 Peterson (MN)  
 Peterson (PA)  
 Petri  
 Pickering  
 Pitts  
 Platts  
 Poe  
 Pombo  
 Pomeroy  
 Porter  
 Portman  
 Price (GA)  
 Price (NC)  
 Pryce (OH)  
 Putnam  
 Radanovich  
 Rahall  
 Ramstad  
 Rangel  
 Regula  
 Rehberg  
 Reichert  
 Renzi  
 Reyes  
 Reynolds  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Ross  
 Rothman  
 Roybal-Allard  
 Royce  
 Ruppersberger  
 Rush  
 Ryan (OH)  
 Ryan (WI)  
 Ryun (KS)  
 Sabo  
 Salazar  
 Sánchez, Linda  
 T.  
 Sanchez, Loretta  
 Sanders  
 Saxton  
 Schakowsky  
 Schiff  
 Schwartz (PA)  
 Schwarz (MI)  
 Scott (GA)  
 Scott (VA)  
 Sensenbrenner  
 Serrano  
 Sessions  
 Shadegg  
 Shaw  
 Shays  
 Sherman  
 Sherwood  
 Shimkus  
 Shuster  
 Simmons  
 Simpson  
 Skelton  
 Slaughter  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Sodrel  
 Solis  
 Souder  
 Spratt  
 Stark  
 Stearns  
 Strickland  
 Sullivan  
 Sweeney  
 Tanagerdo  
 Tanner  
 Tauscher  
 Taylor (MS)  
 Taylor (NC)  
 Terry  
 Thomas  
 Thompson (CA)  
 Thompson (MS)  
 Thornberry  
 Tiahrt

Wamp  
 Wasserman  
 Schultze  
 Waters  
 Watson  
 Watt  
 Waxman  
 Weiner  
 Weldon (FL)  
 Weldon (PA)  
 Weller  
 Westmoreland  
 Wexler  
 Whitfield  
 Wicker  
 Wilson (NM)  
 Wilson (SC)  
 Wolf  
 Woolsey  
 Wu  
 Wynn  
 Young (AK)  
 Young (FL)

NOT VOTING—11

Eshoo  
 Fattah  
 Feeney  
 Hinchey  
 Hinojosa  
 Johnson (CT)  
 Kucinich  
 McHugh  
 Ros-Lehtinen  
 Snyder  
 Stupak

□ 1730

So (two thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 418, REAL ID ACT OF 2005

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 109-4) on the resolution (H. Res. 75) providing for further consideration of the bill (H.R. 418) to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence, which was referred to the House Calendar and ordered to be printed.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. BOUSTANY). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

MERCK SAW VACCINE RISKS

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

Mr. BURTON of Indiana. Mr. Speaker, over the past 4 or 5 years, I have, as chairman of the Committee on Government Reform and chairman of the Subcommittee on Health and Human Rights, held a number of hearings regarding mercury in vaccines and what kind of an impact it had on children.

When we first started having the hearings, we were concerned that there was an epidemic of autism and other neurological disorders in children, and

we found from scientists who testified before the committee over the years that there was no doubt that one of the major contributing factors to neurological problems, including autism among children, was the mercury in vaccines under the title of Thimerosal, which is a preservative.

Thimerosal is a preservative which contains 50 percent ethyl mercury, and as children got more and more vaccinations, as many as 30 now before they start in the first grade, the incidence of neurological disorders, autism and other childhood mental problems, grew dramatically. It used to be 1 in 10,000 children were autistic, according to the Centers for Disease Control. Now it is 1 in 150. We have an absolute epidemic of autism.

The pharmaceutical companies for years have said that there is no correlation between the mercury in vaccines and the autism and other neurological childhood disorders, and things like Alzheimer's in adults. But this past week on the front page of the Los Angeles Times there was a very, very long article, and I want to read to you, Mr. Speaker, some of the things that were in that article.

The title of the article was "91 Memo Warned of Mercury in Vaccines and Shots." '91 was the year. The March 1991 memo, obtained by the Times, shows that nearly a decade before our Federal health agency first publicly disclosed the potential dangers of mercury in vaccines, senior executives from Merck & Company, a major pharmaceutical company, were already aware that infants were getting an elevated dose of mercury in vaccinations containing the widely used preservative Thimerosal, a preservative containing nearly 50 percent mercury by weight.

In fact, the memo clearly states, "If eight doses of Thimerosal-containing vaccine were given in the first 6 months of life, the mercury given, say to an average-size infant of 12 pounds, would be 87 times the daily allowance of mercury for a baby of that size." Eighty-seven times.

The memo further states, "It is reasonable to conclude that Thimerosal should be removed from single-dose vials when it can be removed, especially where use in infants and young children is anticipated."

At the time this memo was written, U.S. health authorities were recommending an aggressive expansion of the immunization schedule for children in their first 6 months of life, adding five new shots to the schedule. And many of these shots, as well as shots already included in the vaccine immunization schedule, contained mercury and Thimerosal.

What did the pharmaceutical company do after learning this? They did nothing. Absolutely nothing. It took 8 years before they started removing

Thimerosal from any of the children's vaccines.

It is criminal, it is criminal in my opinion, that this sort of thing takes place. Mercury in any vaccination, whether it is a child's vaccination or an adult vaccination, should be removed. Mercury is one of the most toxic substances on Earth. It is toxic to the neurological system of adults and, especially, infants, and yet children have been getting as many as 30 vaccinations before they start in the first grade of school; and we have an absolute epidemic of neurological problems, including autism.

Mr. Speaker, I will submit this article for the RECORD. I am going to send a "Dear Colleague" around to all of my colleagues, and I hope everybody, and my good friend the gentlewoman from California has been working with me on this for a long time, I hope that everybody will pay attention and talk to their pharmaceutical representatives and get mercury out of all vaccinations, but especially every childhood vaccination. The future of America depends on that, because these children are going to grow up, they are going to become dependent upon the taxpayer and it is going to cost all of us trillions of dollars if we do not deal with the problem now.

[From the Los Angeles Times, Feb. 8, 2005]

'91 MEMO WARNED OF MERCURY IN SHOTS  
(By Myron Levin)

A memo from Merck & Co. shows that, nearly a decade before the first public disclosure, senior executives were concerned that infants were getting an elevated dose of mercury in vaccinations containing a widely used sterilizing agent.

The March 1991 memo, obtained by The Times, said that 6-month-old children who received their shots on schedule would get a mercury dose up to 87 times higher than guidelines for the maximum daily consumption of mercury from fish.

"When viewed in this way, the mercury load appears rather large," said the memo from Dr. Maurice R. Hilleman, an internationally renowned vaccinologist. It was written to the president of Merck's vaccine division.

The memo was prepared at a time when U.S. health authorities was aggressively expanding their immunization schedule by adding five new shots for children in their first six months. Many of these shots, as well as some previously included on the vaccine schedule, contained thimerosal, an antibacterial compound that is nearly 50% ethyl mercury, a neurotoxin.

Federal health officials disclosed for the first time in 1999 that many infants were being exposed to mercury above health guidelines through routine vaccinations. The announcement followed a review by the U.S. Food and Drug Administration that was described at the time as a first effort to assess the cumulative mercury dose.

But the Merck memo shows that at least one major manufacturer was aware of the concern much earlier.

"The key issue is whether thimerosal, in the amount given with the vaccine, does or does not constitute a safety hazard," the memo said. "However, perception of hazard may be equally important."

Merck officials would not discuss the contents of the memo, citing pending litigation.

Separately, the drug giant is trying to fend off a legal onslaught over Vioxx, the popular painkiller it introduced in 1999. The company, based in Whitehouse Station, N.J., faces hundreds of lawsuits claiming that the drug caused heart problems and that Merck concealed the risks. Merck, which in September pulled Vioxx off the market, has denied the allegations.

The legacy of thimerosal, meanwhile, also is causing problems for Merck and other drug companies.

More than 4,200 claims have been filed in a special federal tribunal, the Vaccine Injury Compensation Program, by parents asserting that their children suffered autism or other neurodevelopmental disorders from mercury in vaccines. A handful of similar claims are awaiting trial in civil courts. The plaintiffs cite various scientific studies that they say prove the dangers of thimerosal, including at the levels found in vaccines.

Thimerosal has been largely removed from pediatric vaccines in recent years in what health officials have described as a precautionary measure. (This has been accomplished as drug makers have voluntarily switched from multi-dose vials of vaccine, which require a chemical preservative like thimerosal, to single-dose containers.)

In September, Gov. Arnold Schwarzenegger signed legislation prohibiting vaccines with more than trace amounts of thimerosal from being given to babies and pregnant women. Iowa has a similar ban.

For their part, Merck and other vaccine makers, along with many government health officials and scientists, say there is no credible evidence of harm from the amounts of mercury once widely present in kids' shots. They cite a report in May by a committee of the national Institute of Medicine concluding that the evidence "favors rejection of a causal relationship" between vaccines and autism.

The seven-page Merck memo was provided to The Times by James A. Moody, a Washington lawyer who works with parent groups on vaccine safety issues. He said he obtained it from a whistle-blower whom he would not name.

The memo provides the "first hard evidence that the companies knew—or at least Merck knew—that the children were getting significantly more mercury" than the generally accepted dose, the lawyer said.

He also provided a copy to attorneys for Vera Easter, a Texas woman who blames thimerosal for the condition of her 7-year-old son, Jordan, who is autistic and mentally retarded. The Easter lawsuit is pending in U.S. District Court for the Eastern District of Texas. The defendants include Merck; rival vaccine makers GlaxoSmithKline, Aventis Pasteur Inc. and Wyeth; and thimerosal developer Eli Lilly & Co.

Easter's lawyer, Andy Waters, described the memo as "incredibly damning and incredibly significant." After receiving it in the fall, he confronted Merck lawyers about why he hadn't seen it earlier.

In a letter to Waters in October, Merck attorneys said they had in fact made available 32 boxes of records, but that the copying service hired by the plaintiffs for some reason had failed to copy several of the boxes—including the one with the Hilleman memo.

"The memo," said company spokeswoman Mary Elizabeth Blake, "was produced voluntarily by Merck in the ordinary course of discovery proceedings."

Hilleman is a former senior vice president of Merck who developed numerous vaccines

for the company. A 1999 profile in the Philadelphia Inquirer said that "it is no exaggeration to assert, as many scientists do, that Maurice Hilleman has saved more lives than any other living scientist."

Hilleman, 85, currently director of the Merck Institute for Vaccinology, had officially retired and was a consultant to Merck when he wrote the '91 memo. He declined to be interviewed.

The memo was sent to Dr. Gordon Douglas, then head of Merck's vaccine division and now a consultant for the Vaccine Research Center at the National Institutes of Health. Douglas also declined to comment.

The memo stated that regulators in several countries had raised concerns about thimerosal, including in Sweden, where the chemical was being removed from vaccines.

"The public awareness has been raised by the sequential wave of experiences in Sweden including mercury exposure from additives, fish, contaminated air, bird deaths from eating mercury-treated seed grains, dental amalgam leakage, mercury allergy, etc.," the memo said.

It noted that Sweden had set a daily maximum allowance of mercury from fish of 30 micrograms for a 160-pound adult, roughly the same guideline used by the FDA. Adjusting for the body weight of infants, Hilleman calculated that babies who received their shots on schedule could get 87 times the mercury allowance.

The Swedish and FDA guidelines work out to about four-tenths of a microgram of mercury per kilogram of body weight. A stricter standard of one-tenth of a microgram per kilogram has been adopted by the Environmental Protection Agency and endorsed by the National Research Council.

These standards are based on methyl mercury, the type found in fish and airborne emissions from power plants. Though toxic, the ethyl mercury in thimerosal may be less hazardous than methyl mercury, some scientists say, because it is more quickly purged from the body.

"It appears essentially impossible, based on current information, to ascertain whether thimerosal in vaccines constitutes or does not constitute a significant addition to the normal daily input of mercury from diverse sources," the memo said.

"It is reasonable to conclude" that it should be eliminated where possible, he said, "especially where use in infants and young children is anticipated."

In the U.S., however, thimerosal continued to be added throughout the '90s to a number of widely used pediatric vaccines for hepatitis B, bacterial meningitis, diphtheria, whooping cough and tetanus.

It was added to multi-dose vials of vaccine to prevent contamination from repeated insertion of needles to extract the medicine. It was not needed in single-dose vials, but most doctors and clinic preferred to order vaccine in multi-dose containers because of the lower cost and easier storage.

The Hilleman memo said that unlike regulators in Sweden and some other countries, "the U.S. Food and Drug Administration . . . does not have this concern for thimerosal."

A turning point came in 1997 when Congress passed a bill ordering an FDA review of mercury ingredients in food and drugs.

Completed in 1999, the review revealed the high level of mercury exposure from pediatric vaccines and raised a furor. In e-mails later released at a congressional hearing, an FDA official said health authorities could be criticized for "being 'asleep at the switch' for decades by allowing a potentially hazardous compound to remain in many childhood vaccines, and not forcing manufacturers to exclude it from new products."

It would not have taken a rocket science" to add up the amount of exposure as the prescribed number of shots was increasing, one of the e-mails said.

While asserting that there was no proof of harm, the U.S. Public Health Service in July 1999 called on manufacturers to go mercury-free by switching to single-dose vials. Soon after, Merck introduced a mercury-free version of its hepatitis B vaccine, replacing the only thimerosal-containing vaccine it was still marketing at the time, a company spokesman said.

By 2002, thimerosal had been eliminated or reduced to trace levels in nearly all childhood vaccines. One exception is the pediatric flu vaccine made by Aventis and still sold mainly in multidose vials.

#### SMART SECURITY AND THE CASE FOR LEAVING IRAQ, PART 5

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

Ms. WOOLSEY. Mr. Speaker, people around the world were greatly moved by the courage of millions of Iraqis who braved death to cast a ballot on January 30, Iraq's first democratic elections in over 50 years. The Iraqi elections, however, did not justify this destructive war, neither the lies used to sell it nor the incompetence with which it has been managed.

The elections will not bring back the 1,500 American soldiers who have been killed or heal the over-10,000 American troops who have been wounded, and they certainly cannot bring back the untold thousands of Iraqis who have lost their lives. These elections will not reimburse the American taxpayers nearly \$200 billion spent over the last 3 years, and the elections will not stop the vicious insurgency that is terrorizing Iraqi communities.

But the elections do demonstrate that Iraqis are prepared to manage their own affairs. That is why I believe that now is the time to develop and implement a plan to bring our soldiers home and end the U.S. military presence in Iraq absolutely as soon as possible.

Together with 27 cosponsors, I have introduced H. Con. Res. 35, calling for a plan to end this military mishap. Earlier today I wrote to the gentleman from Illinois (Chairman HYDE) and the gentleman from California (Mr. LANTOS), the chairman and ranking member of the Committee on International Relations, asking them to hold hearings on this matter.

The Bush administration spared no superlative in talking about the significance of the Iraqi elections. Such a momentous watershed event, however, would seem to demand a shift in our thinking about Iraq. But not for President Bush. He actually has become more emboldened by the election. He sees this as a mandate to keep our soldiers in Iraq as long as he wants. He and his surrogates are even engaging in

provocative saber-rattling in the direction of Iran.

The Iraq elections did not vindicate the doctrine of preemptive war, and they do not undo all the death and destruction that has occurred as a result. They demonstrated that the Iraqis can and should take control of their own destinies. Leaving will not be sufficient to defeat the insurgency, but staying absolutely will intensify it.

What is fueling the insurgency and what gave rise to it in the first place is our continued military presence in Iraq. Our troops, whom the administration assured us would be embraced as liberators, are the focal point of anti-American extremism, making them sitting ducks.

Let me be clear: I am not advocating a cut-and-run strategy. It would be irresponsible for the United States to abandon the Iraqi people. What we must do is play a role in facilitating their transition to stable democracy. We ought to work with Iraq's elected officials, the United Nations and the Arab League to create an international peacekeeping force that will keep Iraq secure. Much of the money we are spending on this military campaign should be diverted to infrastructure projects that will improve Iraqis' lives, such as road construction, new schools, water processing plants and more.

Up to this point, Iraq's economic development has been scandalously mismanaged by the Bush administration, as billions of dollars appropriated by Congress have not actually been put to work on the ground. All future investments must be made with the needs of Iraqis being paramount, not the United States Government contractors and not other war profiteers.

Mr. Speaker, I believe a focus on developmental and humanitarian aid in Iraq would be a model for a radically new approach to national security. We need what I call SMART security, which is a Sensible, Multilateral, American Response to Terrorism.

Instead of resorting to the military option and spending needlessly on weapons systems, the SMART security plan that I propose calls for building multilateral partnerships, partnerships that enable us to foil terrorists and stop weapons of mass destruction proliferation.

A SMART security plan would address the conditions that led to terrorism in the first place: poverty, hopelessness, despair. Instead of troops, we should send scientists, educators, urban planners and constitutional experts to the troubled regions of the world.

It is time, Mr. Speaker, for the United States to play the role of Iraq's ally and partner, not its occupier. It is time to give Iraq back to its own people. It is time to truly support our troops by beginning to bring them home. The first step is for the chair-

man and ranking member of the Committee on International Relations to hold hearings on this matter now.

The Iraqi elections, however, will never justify the destructive war, and it will never stand up to the lies that we heard to sell it.

#### SETTING BACK AMERICA'S DEFENSE

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

Mr. GINGREY. Mr. Speaker, in Washington, officials commonly use studies and reports to legitimize various policies, and often the guidelines by which these studies are established can force a researcher into predetermined results. Traditionally, the Quadrennial Defense Review, or QDR, has been above this type of sincere process, as it is a serious exercise intended to produce a Pentagon strategic blueprint for defending our Nation from future threats. This year, however, I fear that the new QDR guidelines will overtly deemphasize conventional threats, which would result in long-term setbacks for our national defense.

I recognize the need to focus greater attention on the current asymmetric threat of terrorism and the need to drastically rein in Federal spending this year to decrease the budget deficit. However, it should not come at the expense of our ability to defeat well-established threats in the future.

Released on Monday, the Pentagon's 2006 budget would cut off the procurement of the F/A-22 Raptor after 2008. With these cuts, several high-tech sectors within our Nation's defense industrial base would be crippled, costing America good-paying jobs, future innovation and, most important, critical military capabilities.

Mr. Speaker, under the proposed budget, the Pentagon would buy just 179 F/A-22 Raptors, well short of the original 381 proposed by the Air Force. In exchange for nominal short-term savings, the move would significantly increase the cost of each aircraft at a time when production would otherwise be affordable through economy of scale. Investing nearly \$30 billion in research and development in the world's best fighter jet and then buying less than what the Air Force needs to guarantee future air dominance just does not make sense.

□ 1745

It is as if we discovered the cure for cancer and then we skimmed on the lifesaving drugs.

Remarkably, the proposed cuts appear to have been made against the advice of the war planners, because Pentagon bureaucrats are ignoring the Air Force wartime requirement of the 381 F/A-22s, a number that the Secretary