

patients the right to sue their HMO when their health suffers because they are denied the care that they need. Federal judges around the country are increasingly frustrated by the current law which prohibits patients from holding their HMOs accountable.

Take the case, for example, in Denver, where Judge John C. Porfillo of the United States Court of Appeals for the Tenth Circuit noted that current law gives the courts no choice in such cases. Judge Porfillo told the New York Times he was deeply moved by the tragic circumstances of a woman who died of leukemia after her HMO denied her care.

The right to sue, Mr. Speaker, is the enforcement mechanism for all the patient protections that we are advocating as Democrats. President Clinton summed it up best when he said a right without a remedy is not a right. The Democrats' Patients' Bill of Rights would hold HMOs accountable and give patients the right to sue when they are denied the care that they need. The Republican leadership should abandon its charade and stop pushing its sham proposal and get behind the Patients' Bill of Rights.

---

#### COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore (Mr. COLLINS) laid before the House the following communication from the chairman of the Committee on Transportation and Infrastructure, which was read and, without objection, referred to the Committee on Appropriations:

COMMITTEE ON TRANSPORTATION  
AND INFRASTRUCTURE,  
Washington, DC, July 2, 1998.

Hon. NEWT GINGRICH,  
Speaker, House of Representatives,  
Washington, DC.

DEAR NEWT: Enclosed please find copies of resolutions approved by the Committee on Transportation and Infrastructure on June 25, 1998, in accordance with 40 U.S.C. Sec. 606.

With warm regards, I remain  
Sincerely,

BUD SHUSTER,  
Chairman.

There was no objection.

---

#### PROVIDING FOR CONSIDERATION OF H.R. 4194, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1999

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 501 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 501

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4194) making

appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1999, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 306 of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: page 88, line 16, through page 91, line 3. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. The amendment printed in the Congressional Record and numbered 12 pursuant to clause 6 of rule XXIII may be offered only by Representative Leach of Iowa or his designee, shall be considered as read, shall be debatable for 40 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against that amendment are waived. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 501 is an open rule providing for consideration of H.R. 4194, the VA, HUD and Independent Agencies Appropriations bill for fiscal year 1999. The rule also

includes a customary waiver of section 306 of the Budget Act relating to the prohibition on including matters within the jurisdiction of the Committee on the Budget in a measure not reported by it.

H. Res. 501 provides for one hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations. The rule provides that the amendment printed in the Committee on Rules report accompanying the resolution shall be considered as adopted.

This amendment, offered by the gentleman from Mississippi (Mr. WICKER) will require studies on issues related to flame resistant standards and fire-related deaths.

The rule waives points of order against provisions in the bill for failure to comply with clause 2 and clause 6 of rule XXI, except as specified in the rule.

The rule also makes in order the amendment printed in the CONGRESSIONAL RECORD numbered 12 which may be offered only by the gentleman from Iowa (Mr. LEACH) or a designee, shall be considered as read, shall be debatable for 40 minutes equally divided and controlled by a proponent and an opponent, shall not be subject to amendment and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendment.

The rule also accords priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD and allows the chairman to postpone recorded votes and reduce to 5 minutes the voting time on any postponed question, provided voting time on any first in a series of questions is not less than 15 minutes.

These provisions will facilitate consideration of amendments and guarantee the timely completion of the appropriation bills.

House Resolution 501 also provides for one motion to recommit with or without instructions.

Mr. Speaker, House Resolution 501 is an open rule providing Members with every opportunity to amend this appropriations bill. As I stated earlier, the Committee on Rules has made in order an amendment to be offered by the gentleman from Iowa (Mr. LEACH) consisting of the text of H.R. 2, the United States Housing Act, which passed the House by an overwhelming 293 to 132 vote last year. This bill will reform failing public housing authorities, impose professional management standards on projects receiving Federal money, and impose a rational housing policy reforms.

While this legislation passed the House last year, we have allowed it to be offered on this bill because it is necessary to advance this important housing reform legislation before the end of the legislative session.

H.R. 4194 appropriates a total of \$70.89 billion for fiscal 1999. I want to