determinations about medical necessity or appropriateness will be required to be made by clinically qualified personnel. Also, final determination of coverage must be made within 24 hours.

The amendments would also update HMO plans in the area of access to emergency medical services. Specifically, plans could not require preauthorization for true emergency medical care and could not deny a claim for a beneficiary who uses the ''911'' system to access services. Also, plans must define ''emergency medical care'' in terms easily understood by the average person. An example of why this is needed is given by the Center for Health Care Rights which reports a case of a San Diego woman who went to her HMO's urgent care center for treatment of an injury. She was told that the center had many people waiting and only one doctor on duty. The beneficiary was instructed to go to the nearest emergency room. The HMO later denied her claim because the emergency room treatment was not authorized.

These requirements will also benefit physicians by mandating reimbursement by the plan to those physicians who provide emergency services in nonplan hospitals in order to fulfill the Federal antidumping law.

An important protection standard in this legislation would benefit those who seek out-of-plan treatment: Providers plans would be prohibited from charging more than Medicare would have paid under fee-for-service rules. Also, plans would be required to make arrangements for beneficiaries to have occasional dialysis service outside the plans area.

Recognizing the special needs of individuals with disabilities and chronic-illness, the amendments guarantee enrollees access to designated centers of excellence. The standard for the designation of a center of excellence will be established by the Secretary. Factors that would be included in the Secretary's designation would include specialized education and training, participation in peer-reviewed research, and treatment of patients from outside the facility's geographic area.

To improve due process for providers in networks, public notices would be required as to when applications by participating providers are to be accepted. Notification of a decision to terminate or not renew a contract would be required not later than 45 days before it is to take effect.

In order to ensure access to enrollees throughout a plan's service area, the Secretary may require plans to contract with certain clinics and other essential community providers in the service area. In general, the service area of a Medicare-contracting plan would be an entire metropolitan statistical area.

To comply with this plan, Federal regulators would be given authority to impose intermediate sanctions. Currently, the Secretary has the authority to bar participation in Medicare. Under this plan, the Secretary could prohibit plans from enrolling beneficiaries until it meets all Federal requirements. A new review process would allow HMO's to submit a corrective action plan for violations. A civil money penalty up to $25,000 for each violation that adversely affects an individual enrolled in the plan would be authorized.

The Medicare beneficiary protection amendments are a powerful step toward safeguarding the health of Medicare beneficiaries. Last year, an inspector general's survey found that 16 percent of enrollees planned to leave their HMO, but felt they could not. Even worse, 66 percent of disabled/ERSD enrollees wanted to leave their HMO's. These statistics and others indicate that HMO's are often failing to properly serve many Medicare beneficiaries. The remedies I propose will move us toward better quality and a fairer managed care system.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 159, CONSTITUTIONAL AMENDMENT RELATING TO TAXES

SPEECH OF

HON. WILLIAM J. MARTINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 15, 1996

Mr. MARTINI. Mr. Speaker, I rise today in support of the American taxpayer and in support of this historic amendment being considered by the House of Representatives.

House Joint Resolution 159, the tax limitation amendment, will require a two-thirds supermajority vote of the Congress to raise Federal taxes.

Mr. Speaker, this amendment is necessary because the average family of four pays about 38.2 percent of their income in Federal, State, and local taxes. More than 3 hours of every 8-hour workday are dedicated to the tax man.

To put it another way, the average American works from New Year's Day to May 6 just to pay off his or her tax burden.

We believe that Americans are taxed too much, not too little. We also believe that individuals and families can better decide how to spend their money than Uncle Sam.

Unfortunately, most Americans are scared, they are feeling squeezed by falling wages and mixed signals on status of the economy.

People are anxious about their economic future and job security. In New Jersey, we see corporations like AT&T laying off thousands of employees and the Thomas' English Muffins plant closing their doors in Totowa.

Unfortunately, millions of working families gather around the kitchen table each week and wonder why it is they can't seem to make ends meet. They work longer hours, they take second jobs, but they feel like they are running in place.

In his State of the Union speech, President Clinton stated ''our economy is the healthiest it has been in three decades.'' The President proudly pointed to statistics from the Department of the Treasury as well a robust year on Wall Street.

However, someone forgot to tell the President to check with middle-class America because he has failed to recognize the importance of what we refer to as the ''Clinton Crunch.''

Secretary of Labor, Robert Reich, likes to point out that real wages for the median worker have fallen 4.6 percent since 1979. What he doesn't tell the American people is that half the wage decline has occurred under the Clinton administration.

In fact, the only period of sustained wage growth in the last 17 years came during the Reagan administration. You may recall former President Reagan advocated a policy of smaller government, lower taxes, and less intrusion into the lives of Americans. Sound familiar?

Mr. Speaker, we don't blame workers for falling wages, we simply believe that they are not being given the necessary tools to compete in the high-technology economy of the 1990's.

Productivity is stagnant because the rate of investment in new equipment in only half of what it was a decade ago.

Investment has been curtailed because our savings rate is low.

American families are not saving as much because Federal taxes are at an all time high.

We must provide working families with tax relief, that is what today's amendment is all about. If Congress wants to raise taxes it is going to require a two-thirds vote of this legislative body.

One-third of the States currently have their own form of the tax limitation amendment and not surprisingly those States had lower taxes, more economic growth, and more job creation than States without a tax limitation law.

Mr. Speaker, the facts are clear, tax relief benefits working families and working Americans. In fact, 74 percent of the proposed $500-per-child family tax credit will go to families making less than $75,000 a year.

Put another way, the $500-per-child tax credit means families earning less than $25,000 will no longer pay Federal taxes, those earning $30,000 will have 48 percent of their Federal tax liability wiped out.

With regards to capital gains tax relief, an IRS analysis of 1993 tax returns found that 77 percent of the tax returns reporting capital gains were filed by taxpayers with adjusted gross incomes of less than $75,000; 60 percent had adjusted gross incomes of less than $50,000.

Lower taxes benefit all Americans, not just the wealthy.

Last year Congress passed a plan to relieve some of the burden on the middle class. We passed a $500-per-child income tax credit for middle-income families, we passed capital gains tax reform, and we passed IRA self-loan legislation.

This Congress wants you to earn more and keep more of what you earn. Had our balanced budget been signed into law, instead of being vetoed by President Clinton, families could look forward to doing more with the money they earn.

Today, as Americans go to the post office to mail their tax returns, we will vote on a constitutional amendment to require a two-thirds supermajority to raise taxes.

If the two-thirds rule had been in existence in 1993, we would have stopped President Clinton's tax hike, and American families would now be paying less for gasoline, small businesses would be creating more jobs, and our retired parents and neighbors would be paying less in taxes.

A tougher standard to raise taxes will ensure that taxes are raised only when there is a broad consensus and when it is absolutely necessary.

This safeguard will help keep spending in check because Congress won't be able to take the easy way out and raise Federal taxes.

Mr. Speaker, House Joint Resolution 159 is another example of how the new majority in Congress is fulfilling its promises and making a difference to the American taxpayer.

CELEBRATING TUFTONIA'S WEEK

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 1996

Mr. RICHARDSON. Mr. Speaker, in just a few short weeks, many of us will be attending college graduations watching as countless numbers of our constituents finish their college education, graduate, and become alumni.

As seasoned alumni know, you always maintain a special tie to your college. At my alma mater, Tufts University actively encouraged alumni to celebrate their college days by participating in annual ''Tuftonia's Week'' celebrations. It is a special time for more than 88,000 alumni of Tufts to turn their thoughts to Tufts and to get together with fellow Tuftonians, to reminisce with old friends.

Tuftonia Week also allows the university to focus attention on its enormously successful alumni program called, ''TuftServe.'' Last year, Tufts alumni contributed more than 19,000 volunteer hours of community service. This work enhance the quality of life in our local communities and enables alumni to maintain a close relationship with their alma mater.

As my colleagues address soon-to-be alumni at college graduation campuses around the country, may I suggest that we take with us a page from Tuftonia's Week and encourage college graduates to remember and honor their college years by offering and volunteering their knowledge and expertise in their communities. Such an endeavor by my colleagues would be a great tribute to the volunteer commitment of many Tufts University alumni as well as an outstanding celebration of Tuftonia's Week.

SAN FRANCISCO CHRONICLE COLUMNIST HERB CAEN RECEIVES PULITZER PRIZE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 1996

Mr. LANTOS. Mr. Speaker, Herb Caen, a truly extraordinary talent in the world of journalism, joined an elite group of journalists last week when he was awarded the Pulitzer Prize. He received a special Pulitzer Award that recognizes his unique and enormous contributions to the city that he loves with all his heart. For almost 58 years, Herb Caen has delighted residents of San Francisco and the surrounding communities with stories and thoughts on our unique and wonderful ''City by the Bay.''

Herb Caen fills his daily 1,000-word column with an incredible range of items, from political platforms to society gossip to humorous encounters with the many interesting individuals within the rich and diverse city of San Francisco. While there is almost always a laugh contained in Herb Caen's column, he did not shy away from expressing controversial opinions on issues concerning the city and the country. I am delighted that the Pulitzer board recognized these extraordinary qualities when they conferred this special prize, only the fifth in the history of the awards.

The only person who can adequately express the importance of this award to the San Francisco community is Herb Caen himself. So, Mr. Speaker, I invite my colleagues to read the column which appeared the day after the award was announced in order to get a good taste of the wit and elegance which earned Herb Caen this well-deserved honor.

HEY, LOOK ME OVER!

(By Herb Caen)

''Pulitzer Prizewinning columnist.'' Well, it does have a certain ring to it. And it will definitely add a touch of class to the obituary, which has been moldering away in the morgue for years. I'm not trying to be morbid in the Edgar Allan Poe mode. ''Morgue'' is what old newshounds call their paper's library, and it's somebody's job to keep the obits up to date. ''Pulitzer Prizewinning columnist'' will also juice up the resume if I ever have to start jobhunting again. Don't laugh. Downsizing is the order of the day. I command a large salary, several dollars a week over scale. I could well be on the short list for the gold-plated watch and farewell handshake, thereby making room on the payroll for the pitcher and running back we so desperately need.

I got the word that I'd won a Pulitzer late yesterday morning when Karyn Hunt of the local Associated Press bureau called and asked for a statment. I thought she was kidding because I happen to know she's a great kidder. How do I know? Because—and here's your item—Karyn once worked for me, manning the phones and checking stories. She got out as soon as she could and has colorful stories to tell about what a mizzerable person I am to work for, but I digress. Actually, I'm not that hard to work for. Ask Carole Vernier, who works for me now. On second thought, don't ask Carole. I do get a little difficult around deadline. I am no longer digressing, I am regressing. Say, can the Pulitzer board!—and thank you thank you thank you whoever your are—where was I? Oh yes, can the board take the prize back once it has been bestowed? This could well be a historic test.

Anyway, when Karyn of the AP called for a comment, I said ''A little late for April Fool jokes, isn't it?'' She finally convinced me this was for real, whereupon I fell back on the old barnyard joke whose punchline is ''What a pullet surprise,'' laying an egg in the process. ''Be serious,'' she said, sternly, ''I'm on deadline.'' ''You're on deadline?'' I snapped. ''Whaddya think I'm on, a Stairmaster? And you know how I get at deadline time,'' In truth, my thoughts were so scattered and my surprise, pullet or otherwise, so genuine that I had no statement to make beyond ''Duh, I'll get back to you.'' What I think happened is that I outlasted the Pulitzer board members. They kept waiting for me to pop off, so they wouldn't have to think about that West Coast noodnik any longer, and when I passed 80 they caved in.

About 25 years ago, Art Hoppe and I made a solemn pact, sealed in blood: If either or both of us ever won a Pulitzer, we'd refuse to accept it. That's because we felt that a lot of columnists who didn't deserve the prize were winning it. Besides, the years were rolling along without a nod from Olympus, which would make it easy for him or me to say coldly, ''Too late, ladies and gentlemen, too late.'' Well, when the word came through yesterday, I was in a quandary. A sacred vow sealed with a vile oath is not to be broken lightly. As I was tentatively rehearsing variations on ''I don't need no steenkin' prizes,'' Hoppe poked his head into my office and said ''Forget it. I release you.'' That is one of several reasons I think Art Hoppe deserved a Pulitzer a long time ago.

No, I never expected to win the gonfalon, the gong, the biggie. Year after year I studied the columns of prizewinners and discerned a pattern: To win a Pulitzer, it is necessary to be serious, ready to render learned opinions on matters of importance not only to the nation but to a waiting world. A three-dot columnist in a smallish city on the coast hardly seems worthy of a place in the pantheon. Walter Winchell, my original inspiration, never won anything of note, and he used even more dots than I, to excellent effect. It's true that satirical columns picked up a prize from time to time, as long as they weren't too funny. I will not deny that although I am not often funny, I am definitely silly and that seemed to me the kiss of death.

What I received yesterday, said the AP, was ''a special award for what the Pulitzer board described as 'his extraordinary and continuing contribution as a voice and a conscience of his city.'" I can be serious about that. I am as seriously touched—nay, overwhelmed—as I am seriously in love with ''my'' city. The Pulitzer, coming on the heels of my 80th birthday last week, with its attendant tributes and demonstrations of friendship, has rendered me limp with gratitude, speechless with swirling thoughts impossible to articulate. Mixed up somewhere in the award, I figure, is a streak of sentimental regard for an old party who has been grinding it out, year after year, and, at the same time, a salute to longevity, for which I thank my German mama and my French papa who had the good taste to come to this loveliest of cities so long ago.

This is also, of course, a victory for the mechanical typewriter over the burgeoning forces of cyberspace. I hereby hub my Royal, a brand name that is currently being dragged through the mud. The suspected Unabomber is said to have written his manifesto on a 40-year-old Royal, the same age as mine. As for the part about being ''the conscience of the city,'' this city had one—plus great style—long before I came down the river from Sacramento. The city's overriding sense of fair play always appealed to me and I have been delighted to get the chance to help keep it alive. About being ''the voice,'' I seem to have lost it at the moment, being speechless with surprise. All I can manage to croak is, ''For columns like this, they give a Pulitzer?''

IN TRIBUTE OF PROF. JAN KARSKI

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 16, 1996

Ms. PELOSI. Mr. Speaker, I rise today with the Holocaust Center of Northern California to honor Prof. Jan Karski, a member of the Polish underground during World War II who risked his life in an effort to stop the Holocaust.

Professor Karski, a devout Roman Catholic, was captured and savagely tortured by the Gestapo while working as a courier in 1940. Willing to sacrifice his life to protect the underground, Professor Karski escaped with the help of the Polish workers, and returned to his work as a courier.

In 1942, Professor Karski was smuggled into the Warsaw ghetto and death camp near Belzec, and then traveled secretly to Washington, DC, where he provided President Roosevelt, other top Government officials, journalists, and religious leaders with a terrifying eyewitness account of the extermination of thousands of helpless and innocent Jews. Professor Karski traveled extensively throughout the