

and sure leadership on this issue; Mr. DINGELL got involved early, pulled the key players together and produced an excellent bill which will, in fact, protect patients once enacted. I want to say a special word of thanks to Representative GREG GANSKE, with whom I have been working closely for some time on the Patient Right to Know Act (H.R. 586) which would ban gag clauses from managed care plans. His power of persuasion over some of his Republican colleagues to join him in co-sponsoring the Patients' Bill of Rights Act will be very helpful in passing a managed care reform bill this year.

Representative GANSKE and I have been involved for quite some time in putting together a bill which would prohibit managed care plans from restricting the medical communications between doctors and patients based on what the plan did and did not cover. Our bill was based on a very simple premise: when you're a patient, What you don't know can hurt you. And our anti-gag clause bill, which now has 300 co-sponsors, is included in the Patients' Bill of Rights Act.

The Patients' Bill of rights Act expands on that principle. It says: What you don't know and don't have access to and aren't protected from can hurt you.

That's why the Patients' Bill of Rights Act makes it possible for people to have some choice of plans, access to specialty and emergency care, and direct access to OB/GYN care and services for women.

That's why the Patients' Bill of Rights Act makes it possible for patients to get more information about their health plans, and have greater faith that the confidentiality of their medical records will be protected.

And that's why the Patients' Bill of Rights Act recognizes that patients are also health care consumers and establishes strong consumer protection standards, internal and external grievance procedures, and measures which respect and protect the provider-patient relationship.

When President Clinton delivered his State of the Union speech on January 27—99 days ago—one of the single most sustained waves of applause followed the president's call to action for Congress: to pass a consumer bill of rights and responsibilities for America's patients. Well, tomorrow, we will hit Day 100 of total inaction. The American people are demanding that Congress fill their managed care reform prescription—the Republican leadership should fill that prescription with the Patients' Bill of Rights Act.

Once again, I'd like to thank Congressman DINGELL, Senator KENNEDY, our Leaders and all of my colleagues who are working so hard to move this legislation forward.

**MEDICARE: THE NEED FOR ADMINISTRATIVE FUNDS**

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 6, 1998*

Mr. STARK. Mr. Speaker, members constantly decry the problem of fraud, waste, and abuse in Medicare—and constantly underfund the agency that is responsible for administering Medicare.

It is Congressional hypocrisy at its height. No one should criticize the administration of

Medicare who does not support more resources for the beleaguered Health Care Financing Administration.

Following is an excellent article by Julie Rovner of the National Journal's Congress Daily, entitled Congress v. HCFA: Bureaucracy Bashing 101.

I would just add to Ms. Rovner's article that when HCFA sought \$16 million this spring it paid for it by offering to slash \$16 million from another Medicare-related account—but even that was denied by the micro-managing Congress.

Medicare beneficiaries should know who to blame when they are unable to get their questions answered from HCFA: it is the Congress that should be blamed.

[From the National Journal's Congress Daily, Apr. 23, 1998]

CONGRESS V. HCFA: BUREAUCRACY BASHING 101

(By Julie Rovner)

Frustrated politicians like to point out how hard it can be to please constituents who simultaneously demand contradictory things—like those voters who all at once want increased spending, tax cuts, and no new additions to the deficit. But sometimes, the politicians themselves behave just as inconsistently.

Take the Health Care Financing Administration, known—and almost universally derided—as HCFA (pronounced Hickfa). The HHS subunit that oversees Medicare, Medicaid, and, since last year, the new children's health insurance program, HCFA is the agency politicians most love to hate. In 1992, when he was running for president, candidate Clinton in his "Putting People First" manifesto vowed to "scrap [HCFA] and replace it with a health standards board made up of consumers, providers, business, labor and government."

In short, anybody except bureaucrats.

During the heated Medicare debate of 1995, Speaker Gingrich claimed he never meant to suggest Medicare would "wither on the vine" under the GOP's budget plan, merely HCFA.

But Congress' second favorite pastime, after beating up on HCFA, seems to be giving the agency even more work to do. Since 1990, three different bills have increased HCFA's responsibilities exponentially.

"It's the greatest workload in the history of the agency," said Harvard Professor Joseph Newhouse, vice chairman of the Medicare Payment Advisory Commission.

And it is not like HCFA was a sleepy bureaucratic backwater: Running Medicare and Medicaid already required it to supervise the healthcare programs that will serve nearly 75 million Americans in 1998 and cost the federal government \$300 billion in 1997, 18 percent of the entire federal budget.

HCFA's latest onslaught began in 1996, with passage of the Health Insurance Portability and Accountability Act. Not only did HIPAA give the agency broad new responsibility to root out fraud and abuse in Medicare (the accountability part), it also made HCFA the fallback enforcement agency for states that failed to pass their own laws to implement the portability part. As of now, that includes five states: Rhode Island, Massachusetts, Missouri, Michigan, and California.

Later that fall, Congress ordered HCFA to implement provisions tacked onto the VA-HUD appropriations bill barring "drive through" baby deliveries and requiring limited parity for mental health coverage.

But that was only an appetizer. Last year's Balanced Budget Act, according to HCFA Administrator Nancy-Ann Min DeParle, gave the agency about 300 new tasks.

In Medicare alone, the agency is expected to devise new payment systems for home health, hospital outpatient, and nursing home care; a new "risk adjuster" and new payment methodologies for managed care plans; and rules for new "provider-sponsored organizations." And that is not to mention devising how to inform Medicare's 39 million beneficiaries about a vast array of new "choices" available to them this fall.

At the same time, HCFA is responsible for approving each state's new children's health insurance program, and for helping states locate and enroll the millions of children eligible but not yet signed up for Medicaid.

With that much more to do, you might think Congress would also give HCFA more money to do it with. But it is so easy to bash the bureaucracy that the Senate could not resist striking HCFA's request for an additional \$16 million for FY98 during consideration of the supplemental appropriations bill last month.

HCFA officials said \$6 million of that request was to hire workers to enforce HIPAA in states that have yet to pass their own legislation. The states in question contain a total of 54 million citizens. "The work requires knowledge and expertise in the area of health insurance regulation at the state level," said the agency in its supplemental request. "The nature of this work is totally unlike that performed by HCFA's workforce."

But that plea fell on deaf ears. "Do we want to turn that much additional bureaucracy over to HCFA, that much more money, or can't they borrow some more of those employees that they now have who are probably reading through reports that are obsolete and maybe not doing so much good?" asked Senate Majority Whip Nickles on the floor March 25.

Evidently they can, according to the Senate. Members adopted Nickles' amendment to strip the funding from the bill after defeating, 51-49, an attempt by Senate Labor and Human Resources ranking member Edward Kennedy, D-Mass., to keep only half the money.

The result of all this, says former CBO Director Reischauer, is "setting HCFA up" for failure. "It's classic Congress," he said. "There's no way HCFA can accomplish the changes Congress has asked [it] to do. Then [Congress] will be back in two years having oversight hearings about how HCFA failed to do its job."

Mark your calendars now.

CONGRATULATIONS TO PRESIDENT LEE-TENG-HUI OF CHINA ON TAIWAN

**HON. JIM McDERMOTT**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 6, 1998*

Mr. McDERMOTT. Mr. Speaker, I would like to congratulate and extend my best wishes to President Lee Teng-hui and Vice President Lien Chin of the Republic of China on Taiwan on their second anniversary in office on May 20, 1998.

In the last few years, Taiwan has continued to prosper, having survived the latest financial crisis. As the world's fourteenth largest economic entity, Taiwan plays a significant part in global trade and Asian economies. Taiwan's per capita income of \$13,000 U.S. dollars, one of the highest in Asia, provides a rich market for U.S. consumer goods.

Alongside its economic success, Taiwan has embarked upon a course of full democratization, including the free and direct election of the president, political pluralism, press liberalization, island-wide elections and a full constitutional reform.

The Republic of China on Taiwan is a showcase of free enterprise and democracy at work. Much of Taiwan's success is directly attributable to its leadership.

Congratulations to our friends in Taiwan.

#### PERSONAL EXPLANATION

### HON. VITO FOSSELLA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 6, 1998*

Mr. FOSSELLA. Mr. Speaker, I wanted to take this opportunity to inform you that I was unable to attend the session of the House of Representatives on May 5, 1998 and for a portion for May 6, 1998. My absence was due to the fact that my son Dylan Fossella was hospitalized and had to undergo surgery.

I would like the RECORD to reflect that I would have voted in favor of the passage of H.R. 1872, H. Res. 267 and H. Con. Res. 220.

#### 50TH WEDDING ANNIVERSARY OF MR. AND MRS. LUKIEWSKI

### HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 6, 1998*

Mr. BORSKI. Mr. Speaker, I rise today to congratulate and honor a truly remarkable couple from my Congressional district, Mr. and Mrs. Edward and Stella Lukiewski. On May 8th, the couple will celebrate their Golden Anniversary—fifty years of marriage. Their story begins when the young couple grew up just two blocks from one another in the Port Richmond section of Philadelphia. They even attended the same grade school, but would not meet until after their graduation. The couple first encountered one another when Mr. Lukiewski returned for a brief time during the second World War. Unfortunately, Mr. Lukiewski returned to the Pacific and would have to wait quite sometime before they would once again see each other.

Soon after Mr. Lukiewski's return the couple began to date and on May 8, 1948 they were wed in St. Adalbert's church in Philadelphia, Pennsylvania. It was the same church that they had both received all of their sacraments while growing up. Immediately after their marriage, Mr. and Mrs. Lukiewski moved into a humble apartment across from St. Adalbert. They would live here until it was time to start a family. The couple then moved to the Mayfair section of Northeast Philadelphia where they would spend the next twenty years. Mr. and Mrs. Lukiewski are the proud parents of seven children, and eleven grandchildren, three of them being a group of triplets.

Mr. Lukiewski has been a retired Army Reserve Colonel for the past ten years. He served in Europe and the Pacific during the World War II and is an actual veteran of the Normandy invasion. For the past three years he has also been actively retired after twenty-

five years of service as President and C.E.O. of the Polonia Bank, of Philadelphia. Mr. Lukiewski now spends one day a week working for the St. Joseph's Villa retirement home where he helps in the daily responsibilities of the home. Whether it is supplying the patients with ice water, supplies, or just friendly conversation, Mr. Lukiewski is always available for help.

Mrs. Lukiewski is the devout and yet easy going mother of the couple's seven children. She is quite active in their local church, St. James' Parish in Cheltenham, and in the Retired Officer's Association of the Willow Grove Naval Air Station. Mrs. Lukiewski was also the president of the Woman's Club, and still remains a member of that organization. The couple has been in their present Cheltenham home now for fifteen years.

On May 9th the couple is renewing their vows in the same church in which they were wed in, fifty years ago. Several members of the original wedding party will attend the celebration, as well as numerous friends and relatives. A number of the couple's grandchildren will be offering the gifts and performing the readings for the ceremony. Monsignor Francis Ferret will be officiating the mass, accompanied by Monsignor Lee Korda, and Reverend Raymond Himsworth.

Mr. Speaker, I am more than honored to congratulate this beautiful couple on their outstanding fifty years of marriage. I hope that the love shared between these two people is a model for us all, let us all share equal success and happiness that this couple has endured. I wish Mr. and Mrs. Edward and Stella Lukiewski fifty more years of utter happiness and marriage.

#### WELCOMING CLYDE DREXLER AS THE NEW BASKETBALL COACH FOR THE UNIVERSITY OF HOUSTON COUGARS

### HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 6, 1998*

Mr. GREEN. Mr. Speaker, I would like to welcome the new basketball coach for the Cougars at the University of Houston—Clyde Drexler.

Clyde Drexler is truly a coach who not only understands the game but understands basketball in Houston—both collegiate—the Houston Cougars and national—the Houston Rockets.

A perennial All-Star and a member of the 1992 Olympic Dream Team, Drexler twice led the Blazers to the NBA finals. It wasn't until he joined the Houston Rockets midway through his 12th campaign, however, that he finally earned a championship ring.

He has been a leading scorer at 18.5 points per game for the Rockets. The 10-time All-Star missed six games in January with an injured shoulder.

He spent the first 11½ seasons of his career with the Portland Trail Blazers before getting traded to the Rockets on February 14, 1995.

As a forward in college, Drexler along with fellow current Rocket teammate and All-Star Hakeem Olajuwon, formed a front line that took the University of Houston's "Phi Slama

Jama" team to two straight trips to the NCAA Final Four in the early 80s.

Drexler starred at the University of Houston from 1980–1983. He currently ranks 13th on the school's all-time scoring list with 1,383 points.

As a player in the NBA, Clyde has always been recognized for his character and poise in the public spotlight. Now he will have the opportunity to teach a new generation of basketball players how to conduct themselves with dignity and professionalism both on and off the court.

Drexler will provide young basketball players with the determination and guidance needed to succeed in basketball both at the collegiate and national level.

I am glad to welcome him as the coach for the Houston Cougars. But more importantly, I wish him and the team good luck on Drexler's first season as coach.

#### PAKISTANI ROLE IN NUCLEAR PROLIFERATION

### HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 6, 1998*

Mr. PALLONE. Mr. Speaker, I rise to bring to the attention of the members of this House, and of the American people, some recent, disturbing information about the continued role of Pakistan in the transfer and proliferation of nuclear weapons and delivery systems.

Last month, the U.S. State Department determined that sanctions should be imposed on Pakistan, pursuant to the Arms Export Control Act. This decision comes in the wake of the determination that entities in Pakistan and North Korea have engaged in missile technology proliferation activities. According to the notice published in the Federal Register of May 4, 1998, Khan Research Laboratories in Pakistan, and Changgwang Sinyong Corporation, also known as the North Korea Mining Development Trading Corporation, are subject to sanctions including denial of export licenses, a ban on United States Government contracts with these entities, and a ban on importation into the U.S. of products produced by these two entities. The sanctions are in effect for two years.

Although the sanctions seem relatively modest, I still want to applaud the Clinton Administration for imposing the sanctions on these companies. I hope that enforcement efforts against these and other firms involved in the proliferation of missile technology will remain strong.

As if this recent disclosure about Pakistani nuclear missile technology with North Korea were not shocking enough, there are reports this week that the International Atomic Energy Agency (IAEA) is investigating whether a leading Pakistani scientist offered Iraq plans for nuclear weapons. The information, first reported in Newsweek magazine, has been confirmed by the IAEA. According to the report, in October 1990, prior to the Persian Gulf War—but after the Iraqi invasion of Kuwait, while our troops were massing in Saudi Arabia under Operation Desert Shield—a memorandum from Iraq's intelligence service to its nuclear weapons directorate mentioned that Abdul Qadeer Khan, the Pakistani scientist, offered