rose to the rank of Sergeant and was awarded the Purple Heart and 3 Army Commendation Medals. After being discharged, he joined the Ramsey County Sheriffs Department in June of 1972. He has worked in Detention, patrol division and is currently working in the court security unit.

Jim McNeely is a self taught artist and member of the Vietnam Veterans Art Group. In the past, Jim's sculptures have recaptured the experiences of war and its effects upon humanity. In 1985, the 3rd Infantry Division at Fort Snelling, Minnesota commissioned McNeely to sculpt a bronze battle memorial of the Mexican American War to commemorate its bicentennial birthday. Currently, this celebrated bronze sculpture is on display at the Fort Snelling Museum in St. Paul, Minnesota.

His latest work, ''Hearts and Stars'' reminds us all that we must remember the suffering and agony endured by young men and women while engaged in war. The sculpture is a bronze sculpture of a soldier carrying another soldier on his back. The figures stand astride a creek bed with the silhouette of North and South Vietnam. A branch lays across the creek symbolizing the split between the North and South. On the front of the oak pedestal is a 10 inch bronze medallion of a bamboo grove and dragon with the words inscribed ''Republic of South Vietnam 1965–1975.'' The stone is polished and crafted from rough cut limestone. After being on display at the St. Paul City Hall/Ramsey County Courthouse the sculpture is going to the National Vietnam Veterans Art Museum in Chicago on August 11th. Vice President ALBERT GORE and seven United States Senators who served in the Armed Forces during the Vietnam War will be attending the event. This ceremony will open McNeely's work and bring to life the experience and memories of Vietnam that might educate and guide the understanding of our history and the American experience. ''Hearts and Stars'' is a honorable and captivating tribute to those young men and women who have courageously served in the Armed Forces.

PERSONAL EXPLANATION

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 1998

Mr. RADANOVICH. Mr. Speaker, I was unable to be present for rollcall votes 315, 319 and 320 last week. Let the RECORD state that I would have voted ''no'' on rollcall votes 315 and 320 and ''yes'' on 319.

PATIENT PROTECTION ACT OF 1998

SPEECH OF

HON. JOHN LINDER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 24, 1998

Mr. LINDER. Mr. Speaker, today the American people are feeling the pressure of rising health care costs paired with dwindling health care choices. They have called on us to do something that will make their lives better, to put health care decisions back in their hands.

Given that mandate, we have two choices. We can choose to task the government and lawyers with improving our health options. Or, we can choose to task the marketplace with offering us more health choices. My constituents have tasked me to do the latter.

For those who believe in the benevolence of lawyers, for those who believe in the wisdom of bureaucrats, the Dingell substitute is available to you today.

But for those who believe that the individual makes better choices about his family's health care than a government official does, you will share my excitement about the Patient Protection Act introduced by Speaker GINGRICH and Mr. HASTERT.

The Patient Protection Act protects the patient in three key ways. First, this legislation protects the patient's choice of doctors. For those patients in HMO's, the bill provides that they have a point-of-service option—so that patients can visit doctors outside of their HMO network. For those patients not in HMO's, the bill expands their access to Medical Savings Accounts—accounts that offer complete freedom of doctor and treatment. For all patients, the bill—for the first time—allows a woman to choose an OB/GYN as her primary care physician and allows a parent to choose a pediatrician as his child's primary care physician. These new choices assure patients that they will be able to choose the best doctor for their health care needs.

Second, the Patient Protection Act protects the individual's access to the care to which he is entitled. The bill moves the decision about access to care away from the insurance company and back to the patient and the doctor. For example, when a patient reasonably believes he or she is having a medical emergency, he or she should be able to seek care at a local emergency room and that care should be paid for by his or her insurance plan. Under the Patient Protection Act, the patient now has that freedom without being second-guessed by the insurance company. The Act also prohibits ''gag rules''—insurance company restrictions on what information a doctor can give a patient. With the prohibition, we restore the complete disclosure—the complete freedom of communication—that is so essential to the doctor patient relationship.

Finally, the Patient Protection Act protects the individual from arbitrary decisions from the insurance company to deny care. We are all aware of the too familiar pattern of a patient calling his or her insurance company to request care and having the untrained, nonmedical reviewer deny the care without even reviewing the patient's medical history. The Patient Protection Act ends that practice forever. Under this bill, if the patient and her doctor believe that a certain medical procedure is indicated—but the insurance company declines to cover the expense—the patient has the right to an immediate appeal to a panel of doctors—not bureaucrats—who will decide whether the medical care is necessary. This new right of appeal will ensure that only medical professionals will make decisions about a patient's need for health care.

We have heard so much in this debate about the patient's right to sue. I'm so tired of that red herring. Patients sue their doctors and sue their insurance companies every day. While I abhor the litigious nature of our society today, I certainly support the patient's right to be made whole when malpractice of breach of contract or any other misconduct occurs.

In all my years, however, I've never met a patient who really believes that the legal process makes them whole. When you lose some of your hearing, or part of your sight, or any of your abilities, money is no substitute. Unfortunately, after the harm has occurred, money is all that society has left to offer. After the harm has occurred, it's too late to be made whole.

This is why the Patient Protection Act focuses on preventing the harm from occurring. Why spend two years to win a lawsuit for your injury when you can spend 1 hour on an appeal to your doctor that will prevent the injury all together. Our bill is about patients and doctors and healing. We provide access to the doctors, assure choice for patient, and believe that gives us the best chance at healing.

My constituents and I thank all of my colleagues for the many months of hard work that went into this bill. With the very first patient that is healed by a doctor rather than frustrated by an insurance company, we can all be certain that we have succeeded in our efforts.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 1998

Mr. BECERRA. Mr. Speaker, on July 27, 1998, I was away from the House on official business during Monday's rollcall vote No. 340, on agreeing to the resolution honoring the memory of Detective John Gibson and Private First Class Jacob Chestnut of the United States Capitol Police. Had I been present for the vote, I would have voted ''yes.''

As the official designee of the House Minority Leader, I was present in Albuquerque, New Mexico on July 27 along with three of my Congressional colleagues representing the Speaker of the House, the Senate Majority Leader, and the Senate Minority Leader to join the President of the United States as participants in ''The Great Social Security Debate #3.'' May I note for the record that immediately prior to the commencement of this debate President Clinton asked all in attendance, in person and via television, to observe a moment of silence in memory of the two heroic officers.

I join with my colleagues in the House to express my deepest condolences to the families of Detective John Gibson and Private First Class Jacob Chestnut who sacrificed their lives for our nation. For their acts of courage, this country is forever grateful; their memory will never be forgotten.

PATIENT PROTECTION ACT OF 1998

SPEECH OF

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Fridday, July 24, 1998

Mr. SESSIONS. Mr. Speaker, I spoke with Congressman HARRIS FAWELL, Chairman of the House Subcommittee on Employer-Employee Relations of the Committee on Education and the Workforce, on the occasion of the passage of H.R. 4250, the Patient Protection Act. I told Chairman FAWELL that instead