

ADDITIONAL LEAVE TIME FOR FEDERAL EMPLOYEES WHO SERVE AS ORGAN DONORS

Mrs. MORELLA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2943) to amend title 5, United States Code, to increase the amount of leave time available to a Federal employee in any year in connection with serving as an organ donor, and for other purposes.

The Clerk read as follows:

H.R. 2943

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. INCREASED LEAVE TIME TO SERVE AS AN ORGAN DONOR.

(a) IN GENERAL.—Subsection (b) of the first section 6327 of title 5, United States Code (relating to absence in connection with serving as a bone-marrow or organ donor) is amended to read as follows:

“(b) An employee may, in any calendar year, use—

“(1) not to exceed 7 days of leave under this section to serve as a bone-marrow donor; and

“(2) not to exceed 30 days of leave under this section to serve as an organ donor.”.

(b) TECHNICAL AMENDMENTS.—(1) The second section 6327 of title 5, United States Code (relating to absence in connection with funerals of fellow Federal law enforcement officers) is redesignated as section 6328.

(2) The table of sections at the beginning of chapter 63 of title 5, United States Code, is amended by adding after the item relating to section 6327 the following:

“6328. Absence in connection with funerals of fellow Federal law enforcement officers.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Maryland (Mrs. MORELLA) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Maryland (Mrs. MORELLA).

GENERAL LEAVE

Mrs. MORELLA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 2943.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Maryland?

There was no objection.

Mrs. MORELLA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from Maryland (Mr. CUMMINGS), the ranking member on the Subcommittee on Civil Service, for introducing this very important bill.

I also want to include my thanks to the gentleman from Florida (Mr. MICA), chairman of the Subcommittee on Civil Service. I also want to thank the gentleman from Indiana (Mr. BURTON), chairman of the Committee on Government Reform and Oversight and the gentleman from California (Mr. WAXMAN), the ranking member, for helping us bring this bill to the floor today. It is a very important piece of legislation, and I am proud to be a cosponsor of it with the gentleman from Maryland (Mr. CUMMINGS) as lead sponsor.

Mr. Speaker, thousands of Americans die every year and thousands more suffer unnecessarily because of the cur-

rent shortage of transplantable organs and tissues. Kidneys are the most needed organs for transplantation, accounting for 69 percent of all organ waiting list registrations.

While the 7 days Federal law currently allows for recovery from bone marrow donation is adequate, recovery periods for kidney donations run much longer. We must avoid situations where our leave policies deter people from donating organs.

Through this legislation, the Federal Government will become a leader in encouraging individuals to perform the valuable public service of donating organs. Specifically, this legislation will enable those Federal employees who want to donate an organ to do so with the assurance that the Federal Government will give them an adequate amount of time to recuperate from the important life saving procedure they voluntarily undergo.

This legislation serves as a guide for other employees throughout our country to provide similar benefits to those individuals who undertake this important public service.

I want to encourage my colleagues to join me in wholeheartedly and enthusiastically supporting this legislation to help Federal employees and agencies meet this important health care need.

Mr. Speaker, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I first want to take a moment to thank the gentleman from Indiana (Mr. BURTON), the chairman of the committee, the gentleman from California (Mr. WAXMAN), our ranking member, and particularly the gentleman from Florida (Mr. MICA) who is our ranking subcommittee chairman for the cooperation they gave me in making sure that this bill came to the floor today. I really thank them.

I also thank our entire subcommittee which worked very cooperatively in a bipartisan spirit to make this bill happen.

Mr. Speaker, in the last 20 years, important medical breakthroughs such as tissue typing and new drug therapy have allowed for a larger number of successful organ transplants and a longer survival rate for transplant recipients. Certain organs such as single kidney, a lobe of a lung, a segment of the liver, or a portion of the pancreas can be transplanted from living donors, making it possible for them to save lives of family members, coworkers, and friends, and thus bring life to life.

I introduced H.R. 2943 because it supports Federal employees who make the life saving decision to become living organ or bone marrow donors by granting them additional time to recover from making a donation.

This bill also has the support of the American Society of Transplant Physicians, the largest professional transplant organization in the United States. In a letter expressing their support for the bill, the ASTP stated, and I quote, “A lack of leave time has served as a significant impediment and disincentive for individuals willing to share the gift of life.”

Currently, Federal employees make use of up to 7 days of leave in each calendar year to serve as an organ or bone marrow donor. Yet, experience has shown that an organ transplant operation and postoperative recovery for living donors may take as long as 6 to 8 weeks.

In order to address this disparity, I worked with the Office of Personnel Management and the Department of Health and Human Services in drafting this legislation to increase the amount of leave that may be used for organ donation to 30 days. The amount of leave that may be used for bone marrow donation will remain at 7 days because that is generally adequate for bone marrow donations.

Under this legislation, donors will not have to be concerned with using their personal sick or annual leave for these vital medical procedures because the leave granted is an addition to what they routinely earn.

Since the first kidney transplant in 1954, hundreds of patients have received successful transplants from living donors. Yet, each day, while 55 people receive an organ transplant, another 10 people on the waiting list die because not enough organs are available.

A new name is added to a waiting list every 18 minutes in the United States. Last year, only 15,000 people donated, leaving 35,000 people desperately in need. Currently, over 58,000 are waiting for a life saving organ transplant.

One lung can help another person breathe. One kidney can free someone from dialysis. A portion of a liver could save the life of a patient dying from disease. One's bone marrow could help repair another person's damaged joints. Every year, Federal employees donate one of these organs to save a life.

This legislation will give Federal employees who may consider becoming organ donors the assurance that they will be granted an adequate amount of time to recuperate from the life saving process they voluntarily undertake. It will also serve as a guide and encouragement to other employers, public and private, to provide a similar benefit to their employees.

Ultimately, this bill will benefit the 58,000 people who are on the organ transplant waiting list. As I said earlier, this is a piece of legislation which will bring life to life. I urge all Members to give it their support.

Mr. Speaker, I reserve the balance of my time.

Mrs. MORELLA. Mr. Speaker, I have no other requests for time, and I continue to reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield 4 minutes to the distinguished gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I very much thank the gentleman for yielding to me.

Mr. Speaker, I rise in strong support of the bill of the gentleman from Maryland (Mr. CUMMINGS), and I rise also to thank the gentleman for this innovative and important piece of legislation and to compliment him and the gentleman from Maryland on the third bill of this particular session of the House. It shows a very productive commitment to Federal employees.

We are now awash in life saving techniques, but we have not learned how to get maximum use out of them or to assure equality in their distribution. The bone marrow provision that allows 7 days' leave appears to be appropriate; but when it comes to an organ transplant, we are dealing with an operation that itself is a high risk operation.

If we really want to encourage people to donate organs such as kidneys, where the need is greatest, we are going to have to move to provide a greater incentive. One thing we ought to do is to assure persons generous enough to offer an organ that there would be the minimum risk to the person who has stepped forward.

If that person is a Federal employee, the last thing we would want the employee to think is that I do not have very much time that I should take, so I better rush back. The 30-day incentive is important to finally getting people to understand that offering these organs is a very important act of generosity.

In today's paper, it may have been yesterday's paper, is a story of a husband and a wife. The husband is donating the kidney to the wife, or vice versa. I forget which. It does not really matter. What does matter is that the odds are tremendously against, I think it is 1 in 25,000, that a husband and a wife would be married, these people are not kin, and would match in a vital organ.

The spouse that was receiving the organ did not want the other spouse to give the organ, and the reason simply is that there is a risk in undergoing a major operation to give a healthy organ to someone who has an unhealthy organ.

Anything we can do to encourage what is already a process underused is something we ought to move forward to do. It is astonishing how few organs are available given the number of organs that should be available.

The incentive that the bill of the gentleman from Maryland (Mr. CUMMINGS) offers today is akin to the leadership the Federal Government has always taken with respect to blood donations. Blood donations are allowed on the premises. We allow the Red Cross to set up on our premises. We allow employees to go down on government time because we recognize how important it is to donate blood.

Today we have moved from blood to other vital life giving substances and organs, sharing not only blood, but we now can share vital organs. This is a very small loss in productivity or time to the government. Particularly what it offers is life and hope.

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This is a model that I expect certainly large employers around the country to follow.

Mr. Speaker, I thank the gentleman for the important breakthrough that the Cummings bill provides.

(Mr. CUMMINGS asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, just today there was an article in the Washington Post about a woman named Nancy Nearing who, along with her husband, Steve, made a very critical decision, and that was to donate an organ to her boss, whose name is Art Helms. This took place back on September 10. I am very pleased to say that Ms. Nearing and Mr. Helms are doing fine.

These were two people that were contractors for the Federal Trade Commission. This is the kind of legislation that, if it were effective for contractors and these types of Federal agents, would truly benefit them.

I think that as we move forward with this legislation, as I know that the Members of the House will agree with me, it is so wonderful to know that out of the 3,665 living organ transplants taking place per year, there were only 153 who were not family members, and Mrs. Nearing and Mr. Helms participated as one of the 153.

So we say to them as a Congress as we discuss this legislation, we thank them for that spirit, and just as they had the spirit, as Mrs. Nearing and her husband Steve had that wonderful spirit to give life to life, that hopefully this legislation will cause others to look at the situation with regard to organ transplantation and do similar acts of courage.

Finally, I would like to take a moment to again thank the gentlewoman from Maryland (Mrs. MORELLA) and the gentleman from Florida (Mr. MICA), and all of those who have taken part in making sure that this legislation came to the floor.

I would also like to take a moment to thank former staffer John Alexander who worked very hard on this legislation; Ms. Tanya Shaff of my staff, and Kimberly Braves and Kimberly Miller, all working hard to try to make a difference in people's lives. I do believe, Mr. Speaker, that this legislation will touch the lives of many and make their lives better.

As I have often said, we only have one life to live. This is no dress rehearsal and this so happens to be that life.

Mr. Speaker, at this time I include for the RECORD a letter from John F. Neylan, President of the American Society of Transplant Physicians.

AMERICAN SOCIETY OF
TRANSPLANT PHYSICIANS,
Thorofare, NJ, October 1, 1998.

Hon. ELIJAH E. CUMMINGS,
House of Representatives, Washington, DC.
DEAR REPRESENTATIVE CUMMINGS: The American Society of Transplant Physicians

(ASTP) commends you for your continuing efforts to improve our nation's system for organ donation and transplantation. The ASTP is the largest professional transplant organization in the United States and represents over 1,200 physicians, surgeons and scientists. During the last few years, the Society has greatly appreciated the opportunity to work with you and your staff in addressing many important organ transplantation issues.

The ASTP applauds your most recent efforts to improve organ donation by introducing legislation, H.R. 2943, to increase the amount of leave time available to Federal employees serving as organ donors. In the past, a lack of leave time has served as a significant impediment and disincentive for individuals willing to share the gift-of-life. The provision in your legislation allowing for 30 days of paid leave following an organ donation is a very positive first-step in addressing this issue. We look forward to working with you in the 106th Congress to further expand upon this initial policy to provide appropriate leave times for living donors.

As we have discussed in the past, the problems that our nation faces in the allocation of organs and tissues for transplantation, a precious and scarce resource, are complex, and continue to evolve from both a medical and policy perspective. However, the real answer to dealing with the dilemma of allocating and distributing an inadequate supply of organs is through efforts such as yours to increase donation.

On behalf of the thousands of U.S. patients currently awaiting organ transplants, we commend you for your leadership in this area. In addition, we look forward to continuing to work with you in the future to improve the field of transplantation medicine.

Sincerely,

JOHN F. NEYLAN,
President.

Mr. Speaker, I urge all of the Members of the House to vote in favor of this legislation, and I yield back the balance of my time.

Mrs. MORELLA. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman for his eloquent statement, but even more than that, for introducing the bill which I am proud to support and cosponsor.

There is just no doubt that we hope that this bill will encourage Federal employees to recognize the importance of organ donation and will indeed give, as has been mentioned, a gift of life to the recipients. I urge strong passage by our colleagues of this bill.

Mr. STARK. Mr. Speaker, I am proud to join with my colleagues today in support of organ donations. As we all know, organs are a gift of life for too many people.

This bill today will give federal employees the extra time they need to be organ donors. It is an excellent idea and one that I hope we all will pass and support.

I would like to take a minute to discuss a bill that I have introduced to help increase the number of available organs for transplants. H.R. 1605, the Gift of Life Congressional Medal Act will provide recognition for those families who have chosen to make the ultimate gift.

The enactment of this legislation, which doesn't cost taxpayers a penny, will not only honor the individual organ donor and their loved ones, but will also heighten the awareness of the organ shortage—ultimately resulting in more organ donation.

There is a major under-supply of available and suitable organ donors.

Currently, there are 50,000 individuals waiting for an organ transplant in the United States. The number of people on the list has more than doubled since 1990 and a new name is added to the national patient waiting list approximately every 18 minutes. Despite the numerous problems that organ donation programs have faced and conquered over the years, a major problem still exists.

The demand for organs will continue to grow with the improvement of medical technologies. Without expanded efforts to increase the supply of organ donations, the supply of suitable organs will continue to lag behind the need.

For the many would-be organ recipients, the consequence of shortage is death. It is clear that expanded efforts are necessary in order to increase the number of organ donors.

According to some researchers, it may be possible to increase by 80 percent the number of organ donations in the United States through incentive programs and public education. A Congressional medal recognizing donors and their families can play a very important and effective role in our efforts to encourage such donation.

Our proposed Gift of Life Medal Program will be administered by the regional organ procurement organizations (OPOs) and managed by the entity administering the Organ Procurement and Transplantation Network. Once the decision to donate an organ has been made, the donor or the family member of the donor will be asked by the regional OPO whether participation in the Gift of Life Medal Program is desired.

The OPO will give each donor or family member the option of receiving a Gift of Life Medal, recognizing that some may not want to participate. If requested, a public presentation will be made to honor the donor. A presentation by a local official, community leader or Member of Congress would be a tremendous opportunity to increase the awareness concerning the desperate need for organ donation.

Every action has been taken to insure that the issuance of the Gift of Life Medals results in no net cost to the government. In addition, I am proud to report that the legislation has the strong support of the United Network for Organ Sharing (UNOS) and the Coalition on Donation.

Any one of us, or any member of our families, could need a life saving transplant tomorrow. We would then be placed on a waiting list to await our turn—or our death.

So, I ask that our colleagues help bring an end to waiting lists and recognize the enormous faith and courage displayed by organ donors and their families. Please join me as a cosponsor of The Gift of Life Congressional Medal Act. These donors offer others a second chance by providing the most precious gift imaginable—the gift of life.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Mrs. MORELLA) that the House suspend the rules and pass the bill, H.R. 2943.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONVEYANCE OF FEDERAL LAND IN NEW CASTLE, NEW HAMPSHIRE

Mr. HORN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4614) to provide for the conveyance of Federal land in New Castle, New Hampshire, to the town of New Castle, New Hampshire, and to require the release of certain restrictions with respect to land in such town, as amended.

The Clerk read as follows:

H.R. 4614

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LAND CONVEYANCE, FEDERAL LAND, NEW CASTLE, NEW HAMPSHIRE.

(a) CONVEYANCE REQUIRED.—Notwithstanding any provision of law (including the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)), the Administrator of General Services shall convey, by quitclaim deed and without consideration, to the town of New Castle, New Hampshire (in this section referred to as the "Town"), the interest of the United States in a parcel of real property consisting of approximately 2 acres located in New Castle, New Hampshire, and currently administered by the Secretary of Transportation and leased to the Town under United States Coast Guard license number DTCGZ51283-97-RP-011L.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined as set forth in the United States Coast Guard license described in such subsection.

(c) TERMS AND CONDITIONS.—The Administrator may require such terms and conditions, including the reservation of easements and other rights, in connection with the conveyance under subsection (a) as the Administrator, after consultation with the Commandant of the United States Coast Guard, considers appropriate to protect the interests of the United States.

(d) REPLACEMENT OF LAND.—Notwithstanding any provision of the Land and Water Conservation Fund Act of 1965 (Public Law 88-578; 16 U.S.C. 4601-4-4601-11) or any other law, the real property conveyed under subsection (a) may be used to replace Land and Water Conservation Fund-assisted land in New Castle, New Hampshire, under project number 33-00077. The real property conveyed under subsection (a) shall be of reasonably equivalent recreational usefulness and location. Such replacement shall occur not later than one year after the date of the enactment of this Act.

Amend the title so as to read: "To provide for the conveyance of Federal land in New Castle, New Hampshire, to the town of New Castle, New Hampshire, and to provide that such land be used to replace certain land for use as a cemetery."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HORN) and the gentleman from Ohio (Mr. KUCINICH) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HORN).

Mr. HORN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire (Mr. SUNUNU) be permitted to control the time on this side of the aisle.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Is there objection to the request of the gentleman from California?

There was no objection.

(Mr. SUNUNU asked and was given permission to revise and extend his remarks.)

Mr. SUNUNU. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, under New Hampshire State law, cities and towns are required to provide for public cemeteries within their own local boundaries. Since 1994, the town of New Castle, New Hampshire, has been working to acquire just 2 acres of surplus Federal property through the Federal Property and Administrative Services Act to meet this important public need. New Castle, however, is an island, a small community, a little bit more than 1 square mile, and there exists very limited land available for this purpose of cemetery expansion. Moreover, the town's present cemetery is filled to capacity, and the need for additional space has become urgent.

New Castle has identified a 2-acre parcel of land that would be appropriate and enable the town to meet the State's requirement. Although the town owns the identified parcel, it is presently dedicated to recreational use under a National Park Service land and water conservation program. In order to use this parcel for cemetery use, the town must replace it with 2 additional acres that would then be dedicated to recreational use.

The town had hoped to fulfill the Park Service replacement requirement with a 2-acre parcel that it currently leases from the United States Coast Guard right there on New Castle. However, after a 7-month delay, the town was finally informed by the Park Service that it would have to take ownership of that parcel it currently leases. In light of this, the town has been pursuing ownership of the land under the no-cost public benefit provisions of the Federal Property and Administrative Services Act.

The Coast Guard has stated in a letter to me their intention to declare this property that is currently under lease to the town as excess. That land would then be presented to the GSA, the General Services Administration, for disposal. Furthermore, the Park Service has indicated in a letter to the State of New Hampshire, that has been working with the town on this important issue, that it "has no objection" to the town's replacement approach for converting land under this program for cemetery use. Given the urgency of this particular situation, I think it appropriate that we consider a legislative approach through which this transfer could be expedited.

Therefore, in the interest of meeting this very real public need in as timely a fashion as possible, I have introduced this legislation, H.R. 4614, which directs the Administrator of General Services to convey to the town of New