

provide abortion coverage or services is unacceptable and contrary to public law.

Once again, we request your immediate written response to the concerns stated above. In addition, I invite your staff to meet with our staff as soon as possible to explain the legal basis for the interpretation presented to us in your October 14 letter. Thank you in advance for your cooperation.

Sincerely,

DON NICKLES,
Assistant Majority Leader.

DEPARTMENT OF
HEALTH AND HUMAN SERVICES,
Washington, DC, October 15, 1998.

Hon. DON NICKLES,
Assistant Majority Leader, U.S. Senate, Wash-
ington, DC.

DEAR SENATOR NICKLES: I wanted to provide further information with respect to issues discussed in our recent correspondence.

States are not required to provide coverage of abortion services, including abortion services for which coverage is permissible under Title XI of the Social Security Act, under any of the S-CHIP benefit package options in section 2103. No state will be denied approval of its S-CHIP plan because its benefit package under section 2103 does not include coverage of abortion services, including abortion services for which coverage is permissible under Title XXI.

Thank you for your interest in this matter. Sincerely,

DONNA E. SHALALA.

TRIBUTE TO SENATOR KEMPTHORNE

Mr. ABRAHAM. Mr. President, I rise to pay tribute to the Junior Senator from Idaho, Mr. KEMPTHORNE. My wife, Jane, and I got to know DIRK and his wife, Pat, soon after I came to Washington, and they have been good friends. Pat and DIRK are simply wonderful people, whose warmth and civility make the Senate a better place.

DIRK KEMPTHORNE has brought his energy and goodwill with him to the Senate every day, making it a better place in which to work and, I am sure, improving our ability to work together to pass constructive legislation. In addition, he has brought tremendous insight and common sense to the legislative process. I am proud to have worked with him in passing Unfunded Mandates legislation in 1995. This bill, which Senator KEMPTHORNE managed on the floor, is an important step forward for American small business and its passage could not have been secured without his able leadership.

Whether as a key member of the Small Business Committee, as Chairman of the Drinking Water, Fisheries, and Wildlife subcommittee of the Environment and Public Works Committee, or as Chairman of the Personnel Subcommittee of the Armed Services Committee, DIRK has brought strong leadership and reasoned argument to our public policy debates. He was instrumental in initiating the Congressional Commission on Military Training. He laid the groundwork for long overdue reforms to the Endangered Species Act; reforms that will protect our wildlife without unduly tampering with Amer-

ica's traditional commitment to private property rights.

DIRK has decided, in the interests of his family, to leave Washington and return to Idaho. While I am certain all of us here will miss him, he leaves a weighty record of achievement and will continue to serve as a model of Senatorial conduct for years to come. I know the people of Idaho will benefit greatly from his coming service as Governor and wish him, his wife and children, all the best in their return home.

ORGAN TRANSPLANT REGULATIONS

Mr. HATCH. Mr. President, I rise to speak on a patient care issue of enormous importance: regulations being promulgated by the Secretary of Health and Human Services (HHS) with respect to organ transplantation.

I have long championed the need for our country to bring the innovations of medical science to the forefront of patient treatment, be it through pharmaceutical development, gene mapping, or artificial organ development. Nowhere has this been more necessary than in the realm of organ transplantation.

Over 14 years ago, with the passage of the National Organ Transplant Act (NOTA), Congress intervened to advance medical science at a time when our health care system was not keeping pace with the tremendous advances medicine had to offer. As a result, we examined the role of the private sector and the Federal government in organ transplantation to formulate an equitable policy for individuals throughout this country to have access to organ transplantation when appropriate and necessary.

We needed a better system than that which existed at the time, and that is what NOTA established. As the author of the National Organ Transplant Act (NOTA) in 1984, which was cosponsored by our colleagues Senators NICKLES, THURMOND, GRASSLEY and ROTH, I am proud of our accomplishment, and I continue to maintain a very keen interest in our country establishing and operating a viable, effective organ transplant network.

There is no question that passage of NOTA has allowed us to save thousands of lives. The medical community has been transplanting over 4,000 livers each year. We have seen valuable transplant technology and services spread from only a handful of research institutions to hospitals in rural America.

In my home State of Utah, LDS Hospital has been able to increase its liver transplant volume over 15-fold since its inception only 13 years ago. We have aspired to promote a system which allows medical science to reach the people it was meant to serve, and I believe we are in large part achieving that goal, in great measure due to enactment of NOTA.

Today, I stand before the the Senate to urge that we not precipitously re-

verse that work by allowing implementation of a new system which could threaten to undermine many of the successful organ transplant centers who are doing so much good in this Nation. Utah's own successful transplant center comes to mind, although centers in several other States such as Alabama, Louisiana, and South Carolina would also be jeopardized if this regulation goes into effect.

While we in America are fortunate to enjoy the best health care in the world, we also have concerns about the availability of life saving care should an organ fail. Advances in medicine have made once rare transplants commonplace. Yet, there is a scarcity of organs, despite the hard work of local organ procurement agencies, transplant centers, and, indeed, developers of artificial technology such as the work being done on artificial hearts at the University of Utah.

Added to this concern about the availability of organs is a growing anxiety about the impact of HHS's proposed transplant allocation rules. A large source of this concern is within the hard-working transplant community. In fact, the Department of Health and Human Services has indicated that more than 85% of the almost 18,000 comments received oppose the organ procurement transplant network final rule.

In particular, we are seeing a rising concern about variations in the availability of organs from region to region. The HHS response, which is to, in effect, nationalize distribution, seems logical at first, but upon further reflection is a flawed policy with potentially devastating near-term effects on many transplant centers. By diverting resources from relatively "organ-rich" to relatively "organ-poor" regions, the HHS rules penalize communities which have worked to build up successful programs, including those which have done so much to improve the harvesting rates of much-needed organs.

I commend Secretary Shalala for bringing the need to further improve the organ transplant system to the forefront. One positive step is the recent rule requiring all 5,200 U.S. acute care hospitals to notify an organ procurement organization of every death as a condition of Medicare participation. Health Care Financing Administrator Nancy Ann Min-Deparle estimates that this step alone will increase organ donations by up to 20 percent.

While this was a widely supported step, the proposed rules governing the Organ Procurement and Transplant Network have not enjoyed the same enthusiasm.

In January, I joined 41 other Senators who wrote to Secretary Shalala expressing concern that the proposed final rule could be used as vehicle to turn organ allocation into a political process. Her response did not alleviate my concerns, nor those of the transplant community.

We cannot damage the public trust in the organ network, nor in the decisions

of health professionals who operate the transplant system. While it will never be an easy task to allocate such a critical scarce resource—organs—we cannot let this become nothing more than a turf war between large and small transplant centers.

Large centers play an important role by being at the heart of the innovations which have brought us the technical advances making current liver transplant possible. Smaller centers also make many contributions including making such technology more accessible to Americans. This allows the patient to be closer to family and loved ones during this stressful time.

We must find a way to increase the organs and reduce the perceived inequities in the current system. We need the facts to address the problem.

For this reason, I support the provision, which I understand will be contained in the omnibus appropriations bill, that will place a one-year moratorium on the implementation of the HHS rules. This moratorium will allow us to learn the facts necessary to improve the availability of transplantation.

Mr. President, what we have at stake is not just the amelioration of a flawed organ transplant procurement and allocation system, but the future of allocating scarce health care resources of all types. It behooves us to proceed carefully on this matter of utmost concern.

ADDRESS OF PRESIDENT MARY McALEESE OF IRELAND AT THE KENNEDY LIBRARY

Mr. KENNEDY. Mr. President, last Thursday, Mary McAleese, the President of Ireland, visited Boston and delivered an important address at President Kennedy's Library. In her address, she paid tribute to President Kennedy and to the long-standing ties between Ireland and the United States, and she spoke eloquently of the peace process in Northern Ireland and Ireland, and the people's hopes for lasting peace and a permanent end to the violence.

I believe that President McAleese's remarks will be of interest to all of us who care about these issues, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD as follows:

REMARKS BY THE PRESIDENT OF IRELAND, MARY McALEESE AT A DINNER HOSTED BY THE KENNEDY LIBRARY FOUNDATION AT THE JOHN F. KENNEDY PRESIDENTIAL LIBRARY BOSTON, MASSACHUSETTS, OCTOBER 15, 1998
 Senator and Mrs. KENNEDY, Mayor Menino and Distinguished Guests.

On behalf of Martin and myself, as well as our delegation, I want to thank you for your wonderful welcome and hospitality this evening. I would also like to acknowledge the presence here this evening of representatives of the Irish Times, who will be our co-hosts at the Institute of Politics at Harvard tomorrow.

It is truly a special moment for me to visit this remarkable Library and Museum, to

join the members of your family who are here, and to share this occasion with so many friends of Ireland who are present.

Since its foundation the Library has represented the ideals of President Kennedy through a range of research and activities which is truly admirable. I wish to pay tribute to that achievement to you, Senator, to the Library's President Caroline Kennedy Schlossberg, to all of your family, as well as the dedicated Board and Staff who have worked so effectively to achieve this and of course to honour also the memory of Senator Robert Kennedy, particularly this year.

Just two years ago, as a private citizen, I came to visit here. As for thousands of other Irish visitors to Boston, we feel this is instinctively where we want to come. I was profoundly moved. The Library and Museum must surely be the most outstanding living testimony of its kind. For my generation, growing up in the 1960's, we were of course irrevocably shaped and motivated by that extraordinary time. It means a great deal to me, at a personal level, that my first official event in Boston as President of Ireland should be at the Kennedy Library—I can think of nowhere more appropriate.

When we visit here, we are of course sharply reminded of what we lost, but I would prefer to reflect on what we found, on the legacy which we have and the ideals which we must protect. The Kennedy Library is as much about our future as our past.

President Kennedy's Irish roots have never been forgotten. His election in 1960 was, for Irish people everywhere, a source of inspiration and joy. None of us will forget the impact of his visit to Ireland at a time of dramatic change and challenge in our own country. As he said in his address to our Parliament in 1963, "our two nations, divided by distance, have been united by history." Those four days which President Kennedy spent in Ireland were unforgettable for all involved. His impact was total, for young and old alike. The words of Ralph Waldo Emerson, another son of New England, perhaps reflect the mood of that time.

He spoke and words more soft than rain
 Brought the age of gold again:
 His action won such reverence sweet
 As hid all measure of the feet.

I am pleased to think that in just a few months time, next May, the Dunbrody ship from the President's own County Wexford will sail into this harbour, offering a powerful symbol of the Irish emigrant story and reminding us in particular of the arrival of the Kennedy family in the United States. The emigrant story is part of us all—for many of you here in this room who bear Irish names and constantly acknowledge and celebrate your Irish heritage.

One of the great achievements of this Library is the fact that it has established such an important place in the lives of the children of Massachusetts and beyond. Our future is in their hands, as it is also in Northern Ireland.

When Mrs. Hillary Clinton visited Northern Ireland last month, she addressed the Vital Voices Conference. She observed then that in Belfast today, a playground is being built with the advice of children on both sides of the community. They will be, literally, architects of their own environment. Since the Good Friday agreement reached last April, and the subsequent elections held in Northern Ireland this summer, all the people living in Northern Ireland have the chance to design and shape their own future. I know that all of you here shared the great joy of that time.

The day of the Agreement, however Senator George Mitchell, who did so much to bring the Agreement about, noted that this

would not yet put an end to violence and unfortunately this proved to be true. However, despite the awful event in Omagh and other recent tragedies, the Agreement does represent the best opportunity yet for a new beginning, for new structures, for real democracy and equality and for lasting peace. The referendums of this summer have put beyond all doubt that the Agreement is the democratic mandate of the people to their political leaders. A great deal of progress has been made already in forging new partnerships at political, economic and social levels. Difficult work and challenges lie ahead in all of these areas, but, with your help, we are now firmly established on the road to a peaceful future.

Tomorrow morning, I look forward to paying tribute to an important and tragic part of that heritage when I visit the Famine Memorial in Boston with Mayor Menino and Tom Flatley. That Memorial, on your Freedom Trail, is a sombre and important reminder of the devastation of that time and of Boston's central place in that story.

But we know too that the story of the Irish in Massachusetts in this century is one of overcoming adversity, endeavour, courage and success. Few of us would have dared to dream of how far that success could eventually reach, in 1998, in terms of political achievement and economic prosperity. The United States, President Clinton, and outstanding leaders such as Senator Kennedy, have played a central role in both.

To Jean, I want to offer our gratitude, affection, and highest respect. Jean, to borrow the Senator's phrase, came back in the springtime. She not only made thousands of friends in Ireland, she became a pivotal figure in our quest for peace. We will miss her very much. She leaves, however, with the satisfaction of knowing that her legacy will remain and that her good work will continue at the American Embassy in Dublin.

The tour which we have just enjoyed serves as a powerful reminder both of President Kennedy's life and work but also of the challenges which face us all and particularly those dedicated to public service. This institution reminds us of the challenges of public service and of the obligation which we all share to improve the lives of all, while cherishing the ideals of equality, justice and mutual tolerance. The values inherent in good public service are eloquently represented in this Library. We all need to reinforce those principles constantly in our lives and above all through political leadership.

I want to particularly acknowledge the exceptional support from Massachusetts and the city of Boston for their sustained efforts over the years to promote economic development in Northern Ireland. Many of you will be familiar with the tireless work of John Hume, the SDLP leader, with Boston-Derry Ventures to bring much needed jobs to the Derry area. Northern Ireland today continues to rely on your economic assistance. In that regard, I too would like to pay tribute to the generosity and leadership shown by figures such as John Cullinane, present here tonight—and the "Friends of Belfast" who are supporting the economic regeneration there, which is so necessary to underpin the Agreement and the peace process. Indeed, I know that here in the Kennedy Library on Tuesday there was a major event to promote economic investment in Northern Ireland.

I would also like to acknowledge the tremendous support that John Cullinane is giving to the creation of a National Military