

EXTENSIONS OF REMARKS

CONGRATULATING MONTGOMERY JUNIOR COLLEGE ON ITS 50TH ANNIVERSARY

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mrs. MORELLA. Mr. Speaker, I would like to extend my sincere congratulations to Montgomery Junior College as you celebrate the 50th anniversary of the Takoma Park Campus. Since the summer of 1950, MC has continued to uphold its original purpose of providing a quality education to anyone with a desire to learn. MC has maintained this commitment to both its students and faculty for 50 years. For this, I applaud your institution.

The success of the Takoma Park campus is evident in the constantly expanding curricula. Some of the more notable programs include the one-year Bliss program designed for electricians, a medical technician curriculum, and the nursing program. Each of these allow the students of MC to be competitive and skilled in the workforce.

MC is a source of pride not only in Montgomery County but also in the surrounding community. Through projects such as the Spitz Company Planetarium and the currently developing community health clinic, MC provides unique experiences and services to all. The planetarium has introduced hundreds of school children and residents to the basics of astronomy, allowing imaginations to soar. The community health clinic, as part of a new Health Sciences Building, will give hands-on experience to students while providing a comfortable environment for residents in need of medical attention.

MC's commitment and vision are the backbone of your reputation. With more than 4,000 students of all ages and backgrounds and a dedicated faculty, there is no doubt that the next 50 years will be equally rewarding. Again, congratulations to everyone at Montgomery Junior College for your educational excellence. I wish you the best as you continue to expand and serve.

PROTECTION OF THE AMERICAN DREAM ACT

HON. JAMES V. HANSEN

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. HANSEN. Mr. Speaker, for far too long, the Federal Government has required FHA loan holders to pay millions in mortgage insurance even after the risk of loss to the the government had passed. The reason I introduced the Protection of the American Dream act is that insuring people for a risk they do not have is just wrong."

Since the passage of the Home Owners Protection Act two years ago, which provided

for the cancellation of private mortgage insurance once a conventional loan reached an 80% loan to value, many FHA borrowers began to ask why this law did not apply to their loans. After looking into the matter, I came to agree with these Americans, that like private lenders, there is no reason for FHA to charge mortgage insurance for the entire life of that loan. One of the reasons for this is that according to a Price Waterhouse Actuarial Review, less than one percent of consumers who reach an 80% loan to value default on their loan. Moreover, when a consumer with an 80% loan to value does default, in most cases no loss is incurred by the FHA or any other home loan lender.

The Protection of the American Dream Act is a pretty basic bill. I merely amends the Homeowners Protection Act to include loans made by HUD for single family homes. By doing this, FHA borrowers would not only be able to cancel their Mutual Mortgage Insurance once they reach an 80% loan to value, but HUD would also be required to disclose what mutual mortgage insurance was and whom it insures.

Mr. Speaker, insurance should only be required when the risk warrants its purchase. in the case of the FHA's Mutual Mortgage Insurance Program, FHA is forcing the people who can least afford it, to pay for insurance when there is almost no risk. The only thing we are risking is keeping people from grasping the American dream of home ownership.

PERSONAL EXPLANATION

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. RUSH. Mr. Speaker, on September 27, I was unavoidably detained in a Commerce Committee hearing. However, had I been present I would have voted "yes" on rollcall No. 496 (H.R. 4365) the Children's Health Act of 2000.

TRIBUTE TO STEVEN P. AUSTIN AND EILEEN DOYLE FOR THEIR SERVICE TO THE CITIZENS OF DELAWARE

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. CASTLE. Mr. Speaker, during my service as a Member of the House of Representatives, it has been my honor and privilege to rise and pay tribute to organizations and people who really make a difference in the Delaware community. Today, I rise to recognize Steve Austin, president of the Delaware Volunteer Firemen's Association (DVFA) and Eileen Doyle, president of the Ladies Auxiliary of the DVFA.

Mr. Speaker, on behalf of my fellow Delawareans I would like to honor these two outstanding individuals, not only for their tireless efforts on behalf of the citizens of the First State, but for their tremendous contributions to the DVFA and the Ladies Auxiliary of the DVFA.

Volunteer fire departments are the cornerstone of our Nation's emergency response capability. Each year, fire kills over 6,000 people, injures about 28,000 more, and destroys more than \$7 billion in property. Volunteer firefighters are among the most dedicated public servants. They are willing to put the safety and property of their neighbors ahead of their own on a daily basis. All too often, these brave men and women do not receive the recognition they deserve. Without the services of institutions, such as the DVFA and the Ladies Auxiliary, the number of fatalities would be even greater and the threat of fire and destruction to our communities could be even more devastating. In addition to battling fires, Delaware volunteer firefighters are involved in fire protection and safety as well as providing first aid and emergency resources in the event of major disasters. This type of dedication is rare.

Steve Austin is a life member of the Aetna Hose and Ladder Company in Newark, DE. As a fire service advisor of the Congressional Fire Services Institute, Steve has worked tirelessly in these very halls on legislative issues that would improve training and emergency medical services for volunteer fire organizations throughout our country. Through his leadership, fire and emergency medical services have remained a vital and integral part of our community. For all of these national and local accomplishments, I was not at all surprised that the Congressional Fire Service Institute chose him as the Fire Service Person of the Year in 1996.

Eileen Doyle has also played a critical role in keeping our communities safe. Whether it is as a member of the Brandywine Fire Company working on innovative and creative fundraising ventures or providing much needed assistance and comfort to those individuals devastated by the effects of Hurricane Floyd, Eileen Doyle's dedication to the fire service and our community shines as a bright beacon every day. The Ladies Auxiliary has a long and rich history and their dedication to the community is to be commended. I salute Steve Austin and Eileen Doyle for their efforts to keep the Volunteer Fire Association and Ladies Auxiliary a strong and vital part of Delaware.

This week, the DVFA and the Ladies Auxiliary of the DVFA will gather at their 2000 Annual Conference to celebrate the anniversaries of safety and first aid to the people of Delaware. As a former Governor, I know first hand the important role that these dedicated and vital organizations play in recruiting and retaining young men and women in the public service arena. Mr. Speaker, I am proud to have this privilege to extend my warmest wishes for a successful conference. I salute and thank

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

them for their unwavering commitment to excellence and the example they set for all of us. Their efforts are deeply appreciated.

A TRIBUTE TO REVEREND
VERTANES KALAYJIAN

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. PALLONE. Mr. Speaker, I am honored today to recognize the achievements and spiritual leadership of the Rev. Fr. Archpriest Vertanes Kalayjian, pastor of St. Mary's Armenian Church in Washington, DC. On October 1, the Washington-Baltimore Armenian community will be honoring this most outstanding religious and community leader among Armenian-Americans in the United States. On this date, parishioners and many others will recognize the 40th anniversary of Rev. Kalayjian's ordination into the priesthood.

Those who gather from across the country and the world on October 1 will also recognize the 25th anniversary of the service to St. Mary's of Rev. Kalayjian and Yeretzgin Anahid Kalayjian, his wife of 31 years.

Mr. Speaker, as the cochairman of the Congressional Caucus on Armenian Issues, I am acutely aware of the many extraordinary contributions Father Kalayjian and Mrs. Kalayjian have made to the Armenian community in the United States. Over the years, his outstanding missionary and humanitarian efforts have also been of immeasurable help to the struggling families and youth of Armenia, as well as Armenian families spread throughout Eastern Europe and the world.

In his important assignment as the head of the pastorate in Washington, DC, he has played a crucial role representing the diocese in the Congress, the State and Justice Departments and the Brookings Institute. Every year, Father Kalayjian briefs the Appeal of Conscience Conferences, the State Department's Foreign Service Institute, on the status of the Armenian communities in Eastern Europe and in the former Soviet Union republics.

Father Kalayjian was born in Aleppo, Syria, and was ordained on February 7, 1960, at the St. James Seminary of Jerusalem Armenian Patriarchate. He came to the United States in December 1964 and was assigned to the St. George Parish in Waukegan, IL. In addition to his pastoral work, he did Christian Education; Biblical Studies and Public Administration at Lake Forest, Carthage College and South-eastern University.

In subsequent years, he served the parishes of Holy Cross, Union City, NJ; and St. Mary's Church in Elberon, NJ (now St. Stephanos and in my congressional district.)

In 1976, he assumed the pastorate here in Washington, where he serves the St. Mary's community, including nearby Baltimore city and the neighboring towns.

During most of this career as a servant of God, Mrs. Kalayjian has been a partner, colleague and spiritual supporter to her husband's ministry. She has contributed invaluable to the growth and spiritual well-being of St. Mary's Parish. She has been surrogate mother, nurse, chaplain, Armenian Cultural Program director and advisor to successive camp directors and committees at the Arme-

nian General Benevolent Union's Camp Nubar in the Catskills in New York. The AGBU promotes philanthropy, human rights and education throughout the world.

Her services to the Armenian people have included numerous other missionary and humanitarian initiatives in Armenia, including missionary outreach in the aftermath of the earthquake. Her early training and work as a pediatric nurse and nursing supervisor only added to the invaluable contributions she has made to families in need here and in Armenia.

Mr. Speaker, I am proud to call these tireless and devoted humanitarians my friends. I wish them both a most deserved and joyous celebration on October 1.

DRUG PROFITS DISTORTING HOW
DOCTORS PRESCRIBE?

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. STARK. Mr. Speaker, in the September 19th CONGRESSIONAL RECORD, I provided some documentation of how profits from prescribing drugs may be causing some doctors to over-prescribe or change their prescribing patterns, not on the basis of medical need, but simply for the sake of money.

The enormous profits available to many doctors on the "spread" between what Medicare and other payers reimburse for a drug (the average wholesale price), and what that drug is really available for 'on the street' may be one of the most serious ethical issues in American medicine today.

I submit into the CONGRESSIONAL RECORD a letter I've sent to the Agency for Healthcare Research and Quality on why this is a problem which must be investigated as soon as possible and a memo in reference to physician prescribing practices in Japan.

The Justice Department and the HHS Inspector General have, I believe, documents which show how drug companies have manipulated the AWP to move doctors to prescribe various drugs. These documents raise the most serious questions about the integrity of health care delivery.

The letters follow:

COMMITTEE ON WAYS AND MEANS,
SUBCOMMITTEE ON HEALTH,
Washington, DC, August 18, 2000.

Dr. JOHN EISENBERG,
Administrator, Agency for Healthcare Research
and Quality, Washington, DC.

DEAR JOHN: Nice Norman Rockwell exhibit at the National Gallery—and nice paintings of doctors the way we want them to be: grandfatherly figures we can totally trust our lives with.

But the data in various areas of health care show that physicians are just like the rest of us mortals: they are economic animals; they respond to financial incentives. We see this economic influence in the fact that for-profit hospitals do more Caesarian sections than not-for-profit hospitals, because the fees and profits are higher for a C-section. We see this in the extensive literature that physicians who own or invest in a downstream service (such as a lab or MRI) tend to order many more tests (and more expensive tests) than doctors who do not invest in such facilities. We see this in foreign countries where physician income is much lower than it is in the United States on aver-

age, but physicians are allowed to make money on each prescription that they write. As a result in Japan (and in the past Italy) the patients get many more pills than Americans do. Doctors in those countries make money by pushing medicines on their unsuspecting patients.

I fear the same thing may be happening here in the United States on certain drugs, and I would like to request AHRQ's help in determining whether Medicare's Average Wholesale Price system of paying doctors for certain medicines may have caused some distortions in prescribing practice.

As you know, after years of work, the Justice Department and the HHS OIG have finally persuaded Medicare and Medicaid to use a more realistic set of data for purposes of paying doctors 95% of the AWP. The use of the more accurate AWP data will save taxpayers and patients hundreds of millions of dollars a year. Of course, the physicians the savings are coming from are lobbying furiously to block the cuts, saying that they have used the profits from the difference between 95% of the AWP and the real purchase price to run their offices. HCFA is investigating whether the practice expense (PE) payment to doctors needs to be adjusted to pay more accurately for the cost of administering the drugs. If the PE payment is inadequate, we certainly should adjust it.

But we should not, I believe, pay more for the drug than the cost to the doctor of purchasing the drug. Otherwise, if these other domestic and foreign examples apply, we will see a misuse of the drug.

To determine whether there has been misuse, would it be possible for AHRQ to examine the use of chemotherapy drugs in settings where there is no financial incentive to either over use or not use (e.g., Kaiser, VA, DoD, etc.) versus chemotherapy drug use in private, for profit, physician-run oncology practices? Adjusting for severity of illness, are the outcomes (remission, deaths, etc.) similar in these settings? Is more or less chemotherapy medicine used? For patients who die, is chemotherapy administered longer in one setting versus another? Is chemotherapy administered beyond a point where the patient might be considered terminal?

Thank you for your help in understanding whether there are different patterns of chemotherapy drug use, depending on whether one profits from the drugs' use, and if so, whether there is any better outcome and quality as a result of additional chemotherapy usage.

Sincerely,

PETE STARK,
Ranking Member.

In Japan, where physicians and hospitals are allowed to make money on each prescription they write, there are high levels of drug utilization and incentives for drug overprescribing. For example—

Health Affairs (Healthcare Reform in Japan), found that pharmaceutical dispensing is more profitable for doctors since physicians dispense drugs directly and profit by buying from wholesalers at a discount and selling at the fee-schedule price. Japan has the highest per capita drug consumption in the world.

According to Asahi News Service, the cost of prescription drugs represents 30% of all medical expenses in Japan. And according to Financial Times, this is the highest proportion in the OECD and far higher than the 11% in the US and 16% in the UK.

Like physicians, hospitals in Japan also can make a profit on the sale of medicines to their patients. The Asahi News Service found that "medications of dubious value are used carelessly because information about their

effects is not made public . . . and that the more prescriptions hospitals issue, the greater their profits will be, because of the huge gap between the government-designated base prices and the market price."

The *Nikkei Weekly* reported that in April of 1997, the Japanese government proposed revision of the . . . drug-payment system, which has been criticized for enabling doctors to line their pockets and causing over-prescription."

Based on these facts, it is highly likely that Medicare's Average Wholesale Price (AWP) system of paying doctors for certain medicines causes distortions in prescribing practices.

European countries, in contrast, have, in the last ten years, instituted practices to curb overutilization by eliminating some financial incentives. Italy, Germany, Sweden, Denmark and the Netherlands have introduced "reference pricing" as a financial disincentive for patients to accept and doctors to prescribe non-reference drugs. These countries are probably not the best examples of countries with overutilization. Japan is the best in this regard (we are still trying to find another clear cut case, like Japan).

It's interesting to note that, on the flip side, reimbursements for surgery are low in Japan and, as a consequence, one third as much surgery is done in Japan as the U.S.

COMMEMORATING THE THIRTIETH ANNIVERSARY OF AIR STATION CAPE COD

HON. WILLIAM D. DELAHUNT

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. DELAHUNT. Mr. Speaker, I rise today to recognize the thirtieth anniversary of U.S. Coast Guard Air Station Cape Cod. For all of us who go to the sea, for pleasure or by profession, the Air Station has been an enormously reassuring presence all these years.

Since its commissioning in 1970, Air Station Cape Cod has performed more than 10,000 search-and-rescue missions, saved 3,500 lives and saved more than \$450 million in property—all this while safeguarding our natural resources and seizing shipments of illegal drugs bound for our shores. It's all in a long day's work—and often a long night's work as well—for the personnel of the U.S. Coast Guard.

While the breathtaking heroics of the men and women of the Air Station have recently been made famous by recent feature films, perhaps the most fitting tribute comes from the grateful communities served by the men and women of the Air Station. I am pleased to enter in today's CONGRESSIONAL RECORD the following words of appreciation from a recent edition of the Cape Cod Times newspaper.

[From the Cape Cod Times, Aug. 30, 2000]

AIR STATION CAPE COD TURNS 30

(By Kevin Dennehy)

AIR STATION CAPE COD—Ed Greiner won't soon forget the week last summer he moved his family to Cape Cod to assume his duty as executive officer at the local Coast Guard installation.

That same weekend, John F. Kennedy Jr.'s airplane dove into the Atlantic Ocean. And within hours, the tragedy sparked one of the largest Coast Guard searches ever undertaken off Cape shores, and a media swarm that enveloped the Upper Cape air station for several days.

But then, it was not that much different than what the Coast Guard does on a regular basis, Greiner says.

"Sure, it was hectic," he said yesterday. "But it was a large version of what we're trained to do, and do everyday."

They've been doing what they do at Air Station Cape Cod since August 1970. Yesterday, the Coast Guard marked its 30th anniversary with a quiet ceremony at one of the station's hangars.

It's been a busy three decades. Since 1970, pilots and crews have responded to more than 9,500 calls—nearly one search-and-rescue mission per day during that time. As of yesterday, they'd saved 3,312 lives and prevented the loss of \$455 million worth of property.

"For recreational boaters and those who use the water to make a living, it adds a measure of safety," Greiner said. "If folks get into trouble, we're always standing ready to assist."

One of the busiest of America's 24 air stations, Air Station Cape Cod started operating when Air Station Salem and Air Detachment Quonset Point, R.I., were consolidated in 1970.

About 400 employees work at the station, including 250 active-duty members.

And with more than 2,000 people—including those from other military branches—living in the nearly 700 units of Coast Guard housing, it's the largest continuous presence on the base.

These days, the Coast Guard uses four Jayhawks and four HU-25 Falcon jets to conduct nearly 300 rescue missions each year.

The Coast Guard also assists in law enforcement and fishing zone enforcement; is involved in drug interdiction; and repairs navigational aids throughout the northern Atlantic.

"It's a great job," said Lt. Bill Bellatty, who flies a HH-60 Jayhawk helicopter at the station. "It's always great when you save lives. It's when it's nasty out that it's terrible. That's when we earn our money."

FIFTIETH BIRTHDAY OF LINDA FAYE SOFFER

HON. JAY DICKEY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. DICKEY. Mr. Speaker, I want to recognize one of my constituents, Linda Faye Soffer (nee Cook) of White Hall, Arkansas, who will be celebrating her 50th birthday on October 15, 2000. Linda was born on October 15, 1950 in Memphis, Tennessee to William Allen Cook and Dorothy Annice Cook (nee McGill) of Earle, Arkansas. I want to join Stu Soffer, her husband, in wishing her a Happy Birthday with best wishes for the upcoming year.

HONORING CHRIST LUTHERAN CHURCH FOR ITS 200TH YEAR OF SERVICE

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. GOODLING. Mr. Speaker, I rise today to honor Christ Lutheran Church, Filey's Parish, for its 200th year of service to the Gospel in their community.

Christ Lutheran Church is a small country church in a growing area of Dillsburg, Pennsylvania. It was founded in 1800 by the New German community, and in 1811 a building was erected for worship and it also served as a school. In 1938 Jacob Filey donated the land on which the church is presently located. Today, the congregation is made up of 90 people that attend weekly services. The church houses a daycare, with a nursery school located nearby, named Filey's Nursery School.

I ask my colleagues to join me in recognizing the congregation of the Christ Lutheran Church for their 200th year of outstanding service to the community. I wish them continued strength and unity as their parish continues to grow and thrive.

IN HONOR OF MICHAEL ZONE, MARY ZONE, AND THE ZONE FAMILY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. KUCINICH. Mr. Speaker, I rise today to acknowledge the Neighborhood Social Club and Archives' posthumous recognition of former City of Cleveland Councilman Michael Zone and his surviving wife, former City Councilwoman Mary Zone for their contributions to the Italian American neighborhood that is part of the Mount Carmel West neighborhood. The organization will present the Giuseppe T. Focca Award to the Zone family on October 1.

Michael Zone, whose family immigrated from the region of Campania near the City of Caserta, was among the early Italian families to settle in this westside neighborhood. Michael was instrumental in the early development of the current Our Lady of Mount Carmel Church and School and the development of Villa Mercedes, a senior citizen assisted high-rise.

As a councilman, Michael Zone worked hard for the Italian American residents he represented. He helped many gain meaningful employment and assisted them with immigration and government services. He put his constituents first, and demonstrated that public service is a higher calling.

The Neighborhood Social Club and Archives was founded by Rose A. Zitiello in 1993 to preserve the Italian American history of the neighborhood. Association President Sherri Scarpina DeLeva has presided over the last three annual award presentations to Joseph T. Fiocca, Yolanda Craciun, and Father Vincent Caruso, who served as the parish's first pastor in 1926.

Mr. Speaker, I ask my fellow colleagues in the U.S. House of Representatives to join me in honoring Michael Zone, Mary Zone, and the Zone family who have contributed so much to Cleveland's Mount Carmel West neighborhood and the city as a whole. Please also join me in acknowledging the contribution that the Neighborhood Social Club and Archives is making toward preserving the great heritage that the Zones and the Italian American community of Cleveland has made and continues to make.

DRUG COMPANY ABUSE OF AVERAGE WHOLESALE PRICE SYSTEM: PUBLIC DESERVES RETURN OF BILLIONS OF DOLLARS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. STARK. Mr. Speaker, I have today sent the following letter to the Pharmaceutical Research Manufacturers of America (PhRMA), the chief trade association representing U.S. pharmaceutical companies.

The letter details what I believe to be the bilking of the Medicare system by a number of large, powerful drug companies. The evidence I have been provided shows that certain drug companies are making enormous profits available to many doctors on the "spread" between what Medicare and other payers reimburse for a drug (the average wholesale price), and what that drug is really available for.

These companies have increased their sales by abusing the public trust and exploiting America's seniors and disabled. It is my firm belief that these practices must stop and that these companies must return the money to the public that is owed because of their abusive practices.

The letter follows:

COMMITTEE ON WAYS AND MEANS,
SUBCOMMITTEE ON HEALTH,
Washington, DC, September 28, 2000.

ALAN F. HOLMER,
President, Pharmaceutical Research and Manufacturers of America, Washington, DC.

DEAR MR. HOLMER. I am writing to share with you evidence and concerns I have, that certain PhRMA members, are employing false and fraudulent marketing schemes and other deceptive business practices in order to manipulate and inflate the prices of their drugs. Drug company deception costs federal and state governments, private insurers and others billions of dollars per year in excessive drug costs. This corruptive scheme is perverting the financial integrity of the Medicare program and harming beneficiaries who are required to pay 20% of Medicare's current limited drug benefit. Furthermore, these deceptive, unlawful practices have a devastating financial impact upon the states' Medicaid Program.

As you may be aware, some state Medicaid administrators have been placed in the unenviable position of having to ration needed health care services to the poor due to a lack of funds. For example, major newspapers such as the Washington Post reported that the Administration abandoned its effort to extend Medicaid coverage for AIDS therapies due to the high cost of drugs needed to treat HIV patients (December 5, 1997).

The national media continues to report on the staggering cost of prescription drugs in the United States. By way of example, the shared Federal/State cost of providing a California Medicaid prescription drug benefit alone is now approximately \$2.4 billion dollars a year and that cost has risen by approximately 100% in the past four years. Through a Congressional subpoena, I have recently obtained internal drug company documents, together with documents from an industry insider, that explicitly expose the deliberate fraud that some of your PhRMA members are perpetrating on our nation's health care delivery system.

The evidence I have obtained indicates that at least some of your members have knowingly and deliberately falsely inflated

their representations of the average wholesale price ("AWP"), wholesaler acquisition cost ("WAC") and direct price ("DP") which are utilized by the Medicare and Medicaid programs in establishing drug reimbursements to providers. The evidence clearly establishes and exposes the drug manufacturers themselves that were the direct and sometimes indirect sources of the fraudulent misrepresentation of prices. Moreover, this unscrupulous "cartel" of companies has gone to extreme lengths to "mask" their drugs' true prices and their fraudulent conduct from federal and state authorities. I have learned that the difference between the falsely inflated representations of AWP and WAC verses the true prices providers are paying is regularly referred to in your industry as "the spread". The fraudulently manipulated discrepancies are staggering—for example in 1997 Pharmacia & Upjohn reported an AWP for its chemotherapy drug Vincasar of \$741.50, when in truth, its list price was \$593.20 (Exhibit #1 PHARMACIA 000867).

Exhibit #2 is a chart provided by an industry insider that lists a number of Medicare covered drugs where the Medicare beneficiaries' 20% co-payment exceeds the entire costs of the drug. These rogue drug companies then market their drugs to physicians and pharmacies based on this windfall profit which in reality is nothing more than a government funded kick-back to the provider.

The evidence is overwhelming that this "spread" did not occur accidentally but is the product of conscious and fully informed business decisions by certain PhRMA members. The following examples excerpted from the subpoenaed documents clearly indicate the companies' fraudulent efforts to manipulate Medicare and Medicaid reimbursements as contained in Composite Exhibit #3.

Pharmacia: "Some of the drugs on the multi-source list offer you savings of over 75% below list price of the drug. For a drug like Adriamycin, the reduced pricing offers AOR a reimbursement of over \$8,000,000 profit when reimbursed at AWP. The spread from acquisition cost to reimbursement on the multisource products offered on the contract give AOR a wide margin for profit." (000025)

Bayer: "Chris, if Baxter has increased their AWP then we must do the same. Many of the Homecare companies are paid based on a discount from AWP. If we are lowed [sic] than Baxter then the return will be lower to the HHC. It is a very simple process to increase our AWP, and can be done overnight". (BAY003101)

Alpha: "Pharmacy billing and management services can bill for product based on the published AWP and thereby net incremental margin with Venoglobulin S usage. Margin for the pharmacy is the difference between AWP and acquisition cost. (\$76.15/g-\$30.00/g=\$46.15/g margin)." (AA000529)

Fujisawa: "Many thanks to Rick and Bruce for adjusting the AWP on the five gram Vanco. This should lead to more business . . . I would have liked to see us match Abbott's AWP for our complete Vanco, and Cefazolin line. I will settle for the five gram at \$1 below Abbott but that means that we will still have to compete at the other end of the equation. For example, if Abbott's AWP is \$163 and their contract is \$30 and if our AWP is 162 we will have to be at least \$29 to have the same spread. Follow?" (F13206 & F13207)

Baxter: "Increasing AWP's was a large part of our negotiations with the large homecare companies" (0003153)

And the implications of the fraudulent manipulation of prices were clearly recognized by your member manufacturers who participated in this false pricing scheme. A series of memos from a pricing committee concerned with Glaxo's antiemetic, Zofran, show the

committee's development of an enhanced spread for Zofran through increases in AWP and decreases in net purchase price (Exhibit #4).

Glaxo: "If Glaxo chooses to increase the NWP and AWP for Zofran in order to increase the amount of Medicaid reimbursement for clinical oncology practices, we must prepare for the potential of a negative reaction from a number of quarters. . . If we choose to explain the price increase by explaining the pricing strategy, which we have not done before, then we risk further charges that we are cost shifting to government in an attempt to retain market share. Congress has paid a good deal of attention to pharmaceutical industry pricing practices and is likely to continue doing so in the next session. How do we explain to Congress an 8% increase in the NWP between January and November of 1994, if this policy is implemented this year? How do we explain a single 9% increase in the AWP? What arguments can we make to explain to congressional watchdogs that we are cost-shifting at the expense of government? How will this new pricing structure compare with costs in other countries? Is the [pharmaceutical] industry helping to moderate healthcare costs when it implements policies that increase the cost of pharmaceuticals to government?" (GWIG/7:00014 & 00015)

Internal documents from a contractor of SmithKline, (Glaxo's competitor) likewise reveal its recognition of the inflationary effect on government reimbursement of these pricing practices and the potential for an adverse counter-offensive (Exhibit #5):

" . . . highlighting the difference between the actual acquisition cost and the published AWP may not only increase attention to Glaxo's pricing practices, but may provide the impetus for HCFA to implement a system that could impact not only reimbursement of anti-emetics, but all pharmaceutical and biological products. The ramifications could extend well past Medicare to include Medicaid programs . . ." (SB01915)

Perhaps the most striking example of the manufacturers' recognition of the spread and the companies' fraudulent abuse it represents is found in a revealing exchange of correspondence between corporate counsel from Glaxo and SmithKline Beecham in which each accuse the other's company of Medicaid fraud and abuse (Exhibit #6).

Glaxo: ". . . In addition, a significant number of these pieces (see Exhibits F-J) contain direct statements or make references as to how institutions can increase their "profits" from Medicare through the use of Kytril. Some even go so far as to recommend that the medical professional use one vial of Kytril for two patients (see Exhibit F) but charge Medicaid for three vials. This raises significant fraud and abuse issues which I am sure you will want to investigate." (SB04075)

And SmithKline's response was (Exhibit #7):

SmithKline: "In an apparent effort to increase reimbursement to physicians and clinics, effective 1/10/95, Glaxo increased AWP for Zofran by 8.5%, while simultaneously fully discounting this increase to physicians. The latter was accomplished by a 14% rebate . . . The net effect of these adjustments is to increase the amount of reimbursement available to physicians from Medicare and other third party payors whose reimbursement is based on AWP. Since the net price paid to Glaxo for the non-hospital sales of the Zofran multi-dose vial is actually lower, it does not appear that the increase in AWP was designed to increase revenue per unit to Glaxo. Absent any other tenable explanation, this adjustment appears to reflect an intent to induce physicians to purchase Zofran based on the opportunity to

receive increased reimbursement from Medicare and other third party payors." (SB044277) (In fact, we have had numerous verbal reports from the field concerning Glaxo representatives who are now selling Zofran based on the opportunity for physicians to receive a higher reimbursement from Medicare and other third-party payors while the cost to the physician of Zofran has not changed.)

Some drug companies have also utilized a large array of other impermissible inducements to stimulate sales of their drugs. These inducements, including bogus "educational grants", volume discounts, rebates or free goods, were designed to result in a lower net cost to the purchaser while concealing the actual cost price beneath a high invoice price. A product invoiced at \$100 for ten units of a drug item might really only cost the purchaser half that amount. Given, for instance, a subsequent shipment of an additional ten units at no charge, or a "grant", "rebate" or "credit memo" in the amount of \$50, the transaction would truly cost a net of only \$5.00 per unit. Through all these "off-invoice" means, drug purchasers were provided the substantial discounts that induced their patronage while maintaining the fiction of a higher invoice price—the price that corresponded to reported AWP's and inflated reimbursement from the government composite Exhibit #8.

Bayer: "I have been told that our present Kognate price, \$.66, is the highest price that Quantum is paying for recombinant factor VIII. In order to sell the additional 12mm/u we will need a lower price. I suggest a price of \$.60 to \$.62 to secure this volume. From Quantum's stand point, a price off invoice, is the most desirable. We could calculate our offer in the form of a marketing grant, a special educational grant, payment for specific data gathering regarding Hemophilia treatment, or anything else that will produce the same dollar benefit to Quantum Health Resources." (BAY005241)

Baxter: "The attached notice from Quantum Headquarters was sent on April 10th to all their centers regarding the reduction of Recombinate pricing. Please note that they want to continue to be invoiced at the \$.81 price. They have requested that we send them free product every quarter calculated by looking at the number of units purchased in that quarter and the \$.13 reduction in price . . . free product given to achieve overall price reduction." (0003632)

Gensia: "Hospital—Concentrate field reps on the top 40 AIDS hospitals using a \$54.00 price in conjunction with a 10% free goods program to mask the final price. Provides

the account with an effective price of \$48.60 per vial." (G00888)

Gensia: "FSS—Establish a price of \$52.00/ vial for Q1 and Q2."

The above document is particularly disturbing as it indicates that at least one purpose of "masking" the final price with free goods is so that it falsely appears that the Federal Supply Schedule ("FSS") is less than that of the Hospital Price.

This insidious behavior by some PhRMA members has a profound and dangerous additional effect by influencing some medical practitioners' judgements. This is acknowledged by Bristol-Myers Squibb ("BMS") who developed a second generation etoposide, namely, Etopophos (Composite Exhibit #9).

BMS: "The Etopophos product profile is significantly superior to that of etoposide for injection . . ." (BMS: 3: 000013)

"Currently, physician practices can take advantage of the growing disparity between VePesid's list price (and, subsequently, the Average Wholesale Price [AWP]) and the actual acquisition cost when obtaining reimbursement for etoposide purchase. If the acquisition price of Etopophos is close to the list price, the physicians' financial incentive for selecting the brand is largely diminished." (BMS: 3: 000014)

This influence is further demonstrated by SmithKline Beecham and TAP:

SmithKline: "In the clinic setting however, since Medicare reimbursement is based on AWP, product selection is largely based upon the spread between acquisition cost and AWP. . . . Therefore, the spread between the AWP and clinic cost represents a profit to the clinic of \$50.27 for the medication alone. . . . From this analysis, there seems to be no other reason, other than profitability, to explain uptake differentials between the hospital and clinic settings, therefore explaining why physicians are willing to use more expensive drug regimens." (SB00878)

TAP: "As we have also discussed, Northwest Iowa Urology is very upset about the allowable not going up. I personally met with the doctors to discuss the issue 4/17. The physicians have started using Zoladex but would stop if the allowable issue was taken care of. NWI Urology has 180 patients on Lupron". (TAP-BLI0036469)

The documents further expose the fact that certain of your members deliberately concealed and misrepresented the source of AWP's:

In a 1996 Barron's article entitled "Hooked On Drugs", the following quote from Immunex appeared (Composite Exhibit #11):

Immunex: "But Immunex, with a thriving generic cancer-drug business, says its aver-

age wholesale prices aren't its own" "The drug manufacturers have no control over the AWP's published . . ." says spokeswoman, Valerie Dowell. (IMNX003079)

However, Immunex's own internal documents indisputably establish the knowledge of the origin of their AWP's and their active concealment:

Letter from Red Book to Immunex:

"Kathleen Stamm, Immunex Corporation . . .

"Dear Kathleen: This letter is a confirmation letter that we have received and entered your latest AWP price changes in our system. The price changes that were effective January 3, 1996 were posted in our system on January 5, 1996. I have enclosed an updated copy of your Red Book listing for your files. If there is anything else I could help you with do not hesitate to call.

"Sincerely, Lisa Brandt, Red Book Data Analyst." (IMNX 002262)

These examples of deception appear to be "only the tip of the iceberg" as demonstrated by the evidence contained in Composite Exhibit #12. Exhibit #12 contains the following:

1. Copy of advertisement sent to the insider from Oncology Therapeutics Network ("OTN") representing the true wholesale prices to the industry insider for Anzemet.

2. A copy of a fax sent to a Florida Medicaid pharmacy official by Hoechst containing Hoechst representations of its prices.

The following chart represents a comparison of Hoechst's fraudulent price representations for its injectable form of the drug versus the truthful prices paid by the industry insider. It is also compares Hoechst's price representations for the tablet form of Anzemet and the insider's true prices. It is extremely interesting that Hoechst did not create a spread for its tablet form of Anzemet but only the injectable form. This is because Medicare reimburses Doctors for the injectable form of this drug and by giving them a profit, can influence prescribing. The tablet form is dispensed by pharmacists, who accept the Doctor's order. And this underscores the frustration that federal and state regulators have experienced in their attempts to estimate the truthful prices being paid by providers in the marketplace for prescription drugs and underscores the fact that, if we cannot rely upon the drug companies to make honest and truthful representations of their prices, Congress will be left with no alternative other than to legislate price controls.

	NDC NO.	Unit size/type	Quantity	Net price as represented to Florida Medicaid	True wholesale price	Variance
Price Representations for:						
Anzemet injection	0088-1206-32	100 mg/5ml injectable	1	\$124.90	\$70.00	Represented price 78% higher than true wholesale price.
Anzemet tablets	0088-1203-05	100 mg tablets	5	275.00	289.75	Represented price 5% less than true wholesale price.

Hoescht thus falsely inflated the reported price of its Anzemet to create an improper financial incentive and thus capture market share. The following excerpt from an internal Glaxo document reveals that Hoescht directly benefitted from this diversion of tax dollars:

(Exhibit #13) Glaxo: "There is a decline in Zofran usage at Louisiana Oncology in Baton Rouge, Louisiana. Kevin Turner (HIJCO2) has seen a drastic decline in Zofran usage at this clinic over the last few months. The reason for this decline is strictly a reimbursement issue. This clinic has started using Anzemet because it is more profitable. Kevin has learned that this clinic is buying Anzemet for \$58.00 for a 100mg vial, which

gives them a \$84.29 profit from Medicare. They are buying a 40mg vial of Zofran for \$145.28. If they use 32 mg of Zofran, which is \$3.63 per mg, this will net this clinic \$69.60 from Medicare reimbursement. Clearly Anzemet has a reimbursement advantage over Zofran. . . ." (GWZ 085003)

The above evidence leads to some shocking conclusions.

First—Certain drug manufacturers have abused their position of privilege in the United States by reporting falsely inflated drug prices in order to create a de facto improper kick-back for their customers.

Second—Certain drug manufacturers have routinely acted with impunity in arranging improper financial inducements for their

physician and other healthcare provider customers.

Third—Certain drug manufacturers engage in fraudulent price manipulation for the express purpose of causing federally funded healthcare programs to expend scarce tax dollars in order to arrange de facto kick-backs for the drug manufacturers' customers at a cost of billions of dollars.

Fourth—Certain drug manufacturers arrange kick-backs to improperly influence physicians' medical decisions and judgments notwithstanding the severely destructive affect upon the physician/patient relationship and the exercise of independent medical judgement.

Fifth—Certain drug manufacturers engage in illegal price manipulation in order to increase the utilization of their drugs beyond that which is necessary and appropriate based on the exercise of independent medical judgment not affected by improper financial incentives.

As the principal association representing the pharmaceutical manufacturing industry, I believe you owe it to the citizens of the United States to advise Congress as to whether the above evidence reflects the standards of the pharmaceutical industry in this country. If it does, then explicit price regulation will clearly be necessary to counter your industry's inability to report prices will integrity and its propensity to engage in price manipulation. If, on the other hand, the above evidence does not reflect the standards in the pharmaceutical industry, then your association owes it to the American people to support and assist with the efforts of the federal and state enforcement authorities, including the U.S. Department of Justice, to correct the actions of the drug manufacturers engaging in this conduct and to require them to compensate Medicare, Medicaid and other federally funded programs for the damages they have caused.

Sincerely,

PETE STARK,
Ranking Member,
Subcommittee on Health.

RECOGNIZING IRONWORKERS LOCAL #395

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. VISCLOSKY. Mr. Speaker, it is my distinct honor to congratulate some of the most dedicated and skilled workers in Northwest Indiana. On September 30, 2000, the Ironworkers Local #395, of Hammond, Indiana, will honor their newly retired members as well as their members with fifty, forty, thirty-five and twenty-five years of continued service. These individuals, in addition to the other Local #395 members who have served Northwest Indiana so diligently throughout the years, are a testament to the American worker: loyal, dedicated, and hardworking.

The men and women of Local #395 are a fine representation of America's working families. I am proud to represent such dedicated men and women in Congress. Those members who recently retired from Ironworkers #395 include: Anthony Bobrowski, Steve Bodak, Bruce Brown, Jack Bullard, Howard Cassidy, Jimmy Chandler, Nicholas Danko, Stanley Downs, LeRoy Garmany, Frank Hall, Richard Haynes, James Hendon, Harvey Hollifield, Peter Leon, Jr., Robert Morton, Harold Mowry, William Rathjen, Joe Rumble, Jacob Stoyakovich, Fred Strayer, George Ward, Dallas Woodall, and Austin Yale. The members who will be honored for fifty years of service include: Glen Bacon, Norman Barnhouse, Robert Bird, Alfred Bruce, Charles Coleman, Paul Condry, Joe Demo, Harold Eason, Floyd Evans, Herbert Goodrich, Wilbur Kissinger, Willard Lail, George Rosich, Russell Thomas, and Van Walker. Those members who will be recognized for their forty years of service include: Gerald Black, John Bowman, Howard Cassidy, Jimmy Chandler, Nicholas Danko, Jr., Donald Eagen, Arthur Erickson,

Jr., Wayne Fiscus, Lowell T. Hannah, James P. Harrison, Richard Haynes, Donald Hendrix, Robert Jackson, Edgar Johnson, Karl Langbein, Jerry Lee, William Libich, Roger Long, Gerald McBride, Robert C. McDonald, William McNorton, Richard Ogle, John Peyton, Joseph Quaglia, Ace Robertson, Richard Samplawski, Larry J. Sausman, Charles Schwartz, Louis D. Sewell, John Spicer, Larry M. Strayer, Joseph Sullivan, Robert D. Swanson, Ned Toneff, Gerald Trimble, Donald Vick, Lawrence D. Watson, Frank Wheeler, and Gerald Wilson. The members who will be honored for thirty-five years of service include: Thomas Anderson, Tony Bobrowski, Michael Cary, Ed Corrie, Joseph Dado, James E. Davis, James Eagen, Terry Evans, Arthur Gass, Jr., Arthur Gaynor, Franklin Gerwing, Donald E. Goodrich, Kenneth Hamilton, John Haugh, Dennis Hummel, Dennis Hutchens, Richard Jemenko, Barney Kerr, Michael Klaker, Kenneth Kollasch, Max Korte, Charles Langston, Robert Langston, Eugene Lemons, William Lundy, William Okeley, Jr., James Penix, Ronald Penix, Wilbert Risch, Terry D. Sausman, Tim Skertich, Daniel Stevens, Gerald Vasko, John Ward, William Weigus, Gerald Wheeler, David Wilmeth, Dallas Woodall. The members who will be honored for their twenty-five years of dedicated service include: Henry Abegg, Donald Barringer, Paul Beck, Robert Brunner, Jr., Lenard Campbell, Everett Cleveland, Jr., James A. Curry, Clint Denault, John Grube, James Guzikowski, John Hillier, Timothy Jones, Sr., Thomas Kintz, Gary Komacko, Jack Kramarzewski, Dennis Quinn, William Robertson, John Schuljak, Stanley Siwinski, Douglas Splitgerber, John Williams. I would also like to congratulate those individuals that graduated from the apprenticeship program. These individuals include: James Anderson, John Anderson, Eric Blevins, Robert Brazeal, Jeremy Camplan, Steven Elliott, Thomas Franciski, Jr., Geno George, Anthony Gutierrez, Michael Hamilton, Anthony Hammerstein, Benjamin Lauper, David Maday, George Martinez, Brian McClain, David Ross, John Sechrest, Brian Swisher, Robert Thomas, Timothy Tinsley, Corey Weiland, and James Wilkie.

Mr. Speaker, I ask that you and my distinguished colleagues join me in congratulating these admirable and outstanding members of the Ironworkers Local #395 for their efforts in fulfilling the American ideal of success through hard work and determination. I offer my heartfelt congratulations to these individuals, as they have worked arduously to make this dream possible for others. They have proven themselves to be distinguished advocates for the labor movement, and they have made Northwest Indiana a better place to live, work, and raise a family.

HONORING A DEDICATED HUSBAND, FATHER, GRANDFATHER, VETERAN AND PHYSICIAN—JOHN CHARLES LUNGREN, M.D. (APRIL 27, 1916—FEBRUARY 28, 2000)

HON. JAMES E. ROGAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. ROGAN. Mr. Speaker, today, it is my distinct honor to pay tribute to an American

who gave of himself during his 83 years of life—John Charles Lungren, M.D.

Dr. Lungren was born in Sioux City, Iowa on April 27, 1916. He attended the University of Notre Dame, graduating with a Bachelor's Degree in Science in 1938. Dr. Lungren subsequently received his Medical Degree in 1942 from the University of Pennsylvania.

During World War II, Dr. Lungren served with the United States as a Battalion Surgeon and Captain, 30th Infantry Division receiving four Battle Stars and a Purple Heart. This included participating in the pivotal battles of St. Lo and Mortain and in the Normandy Invasion in June of 1944.

After World War II, Dr. Lungren returned to his wife, Lorain Kathleen Lungren and, at that time, their first child. He settled in Long Beach, California specializing in internal medicine and cardiology which included various positions in the medical profession, including chief of staff for Long Beach Memorial Medical Center, member of the California State Board of Medical Quality Assurance and an emeritus associate clinical professor of medicine, UCLA School of Medicine, 1960–1977.

Dr. Lungren's dedication with and contributions to the University of Notre Dame were many. From 1966–1973, Dr. Lungren served as a member of the National Alumni Association's Board of Directors and President of the Alumni Association. In 1971, he was honored as "Man of the Year."

In 1969, President Nixon appointed Dr. Lungren as the medical consultant to the President of the United States; a member of the National Advisory Committee, Selective Service System and the National Health Resources Advisory Committee.

After President Nixon's resignation over Watergate in August of 1974, Dr. Lungren is credited with saving Nixon's life. Nixon had developed phlebitis, a swelling of the leg that threatened the former President's life with blood clots. After surgery to prevent a blood clot from traveling to his lung and brain, Nixon suffered post-traumatic shock and nearly died. During the last few years of his life, Dr. Lungren completed a manuscript on his more than 40-year relationship with President Nixon, titled *Anguish and Redemption: The Final Peace of Richard Nixon*.

Dr. Lungren is survived by his wife, Lorain Kathleen Lungren, their seven children, John, Jr., Daniel, Christine, Loretta, Brian, Patricia and Elizabeth and 16 grandchildren.

Mr. Speaker, as his eldest son, John, Jr. offered during his eulogy for his father, Dad is blessed for moral honor, spiritual dignity and purity of heart which leads us on the royal road that El Camino Real of a life committed in Christ, I ask my colleagues here today to join me in honoring an American who gave of himself to his country, family, medicine and community at large. Dr. Lungren spoke little of his heroic acts, albeit during World War II, raising his children or consoling a patient, hence, Dr. Lungren was a humble man. It seems that unknown to Dr. Lungren, as one of his physicians who cared for him expressed to John, Jr., Your dad is in a special class, his reputation precedes him.

Lastly, my fellow colleagues, as we gather together today, allow me to paraphrase Dr. Lungren's personal physician, colleague and dear friend, Dr. Winnie Waider, who whispered, as Dr. Lungren drew his last breath, How often do you see a complete life completed, a consummate life consummated?

How poignant and thought provoking as we pay our deepest respects to an honorable man, Dr. John Charles Lungren.

HONORING THE SURVIVORS OF
THE BATTLE OF MALMADY

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. GEKAS. Mr. Speaker, today I rise to honor a group of men that survived a massacre over 50 years ago. It was a cold December day when the gentlemen we honor today were caught up in the confusion that would eventually be called the Battle of the Bulge. They were members of Battery B, 285th Field Artillery Observation Battalion, a unit with many Central Pennsylvanians in its ranks.

Attacked by an SS Panzer Division, nearly half the battery was compelled to surrender. Although dazed and depressed about the prospect of spending Christmas as prisoners of war, few expected the nightmare about to be unleashed by their Nazi captors.

Completely unprovoked, the guards fired systematically into the group of defenseless prisoners, killing or wounding most of them. Many of those still living, suffering from exposure and wounds, were murdered by prowling SS guards.

A handful of soldiers escaped by either playing dead or hiding in buildings close by. They lived to tell the tale of one of the most brutal crimes inflicted on U.S. troops during the war in Europe. Some were given aid by friendly Belgians, others were rescued by Colonel Pegrin, commander of the 291st Engineer Battalion. Some were lucky enough to limp back to American lines.

The story of these men is a story of valor and sacrifice. Each of them gave selflessly of themselves to liberate a continent from Nazi tyranny. When their nation called, they went, regardless of danger and personal loss. They saw their friends die at the hands of SS thugs and wondered helplessly whether they were next. By escaping that bloody field, these men gave their comrades and their families at home a rallying cry which helped carry America to final victory over Hitler's Nazi empire.

I know that the entire United States House of Representatives joins me in saluting the survivors and the fallen for their courage and perseverance that overcame the greatest menace to freedom the world has ever known. Their sacrifice remains an inspiration to our entire nation.

ON PRESIDENT CLINTON'S CHINA
LEGACY

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. WOLF. Mr. Speaker, in reference to President Clinton's foreign policy towards China, last Wednesday's front page of the Washington Post Business section had the headline: "Score One for the Legacy" because of passage in the Senate of Permanent Normal Trade Relations (PNTR) with China.

While it lies in the future to determine the success or failure of PNTR upon improving China's horrible human rights record or in bringing about effective change in China's communist regime, we do know certain facts that have to be calculated into the picture that will be President Clinton's legacy on China.

We know that on this Administration's watch, more people are in prison because of their faith than at any time in recent memory.

There are thousands of Muslim Uighurs in prison because of their faith.

The Chinese government is pillaging Tibet, while the Clinton Administration remains silent and obsequious. Thousands of Tibetan Buddhist monks, nuns, and believers are in Chinese prisons because of their faith. The Chinese government has repressed, oppressed, and persecuted the Tibetans with impunity. There is no doubt, things have gotten worse in Tibet during the Clinton years. With certainty, President Clinton's actions and lack of action have to be figured into a formulation of his legacy on China.

The 1999 State Department Human Rights Report on China states numerous aspects of how the situation in China has deteriorated during President Clinton's tenure and ought to be included in determining his legacy on China:

Government interference in daily personal and family life continues to decline for the average person;

The Government increased monitoring of the Internet during the year, and placed restrictions on information available on the Internet;

The Government continued to implement comprehensive and often intrusive family planning policies;

The [Communist] Party and Government continue to control many—and, on occasion, all—print and broadcast media tightly and use them to propagate the current ideological line; and

The Government intensified efforts to suppress dissent, particularly organized dissent. By years end, almost all of the key leaders of the China Democracy Party were serving long prison terms or were in custody without formal charges, and only a handful of dissidents nationwide dared to remain active publicly.

We know that the State Department's 2000 Report on International Religious Freedom says that the Chinese ". . . Government's respect for religious freedom deteriorated markedly . . ."

We know from this report that ". . . unregistered groups, including Protestant and Catholic groups, continued to experience varying degrees of official interference, harassment, and repression." We know from this report that "The Government's efforts to maintain a strong degree of control over religion, and its crackdown on groups that it perceived to pose a threat, continued."

We know that the Chinese regime continues to persecute, arrest, and imprison 80 year-old Roman Catholic bishops and priests. According to an article in the September 18, 2000 New York Times, while the Senate was preparing to vote on passage of PNTR, the Chinese government was busy sending back to prison 81 year-old Roman Catholic Bishop Zeng Jingmu. Bishop Zeng had already spent close to 30 years in Chinese prisons and prison labor camps, just because of his faith.

There are some 13 Roman Catholic Bishops suffering in Chinese prisons and prison

through labor camps because of their faith. Their languishing in prison is part of President Clinton's China legacy. That President Clinton was silent, that he bent over backwards to placate a regime that persecutes old and frail people of faith—this has to be factored into compiling President Clinton's China legacy.

That there are hundreds of Protestant House Church leaders in prison or prison through labor camps because of their faith has to be included in assessing President Clinton's legacy.

President Clinton used tough words about China to help get himself elected in 1992, criticizing President Bush's policy of engagement with China. It is too bad that President Clinton did not live up to his campaign rhetoric and campaign promises about China. Now with the passing of PNTR, with all of this talk about Clinton's China legacy being shaped by the passage of PNTR, it is imperative to focus on the truth and history.

History will show, that Clinton's China legacy is that the U.S. government kowtowed to a Chinese regime that worsened in its persecution and oppression of its own people. Clinton's China legacy will be that more people of faith and lovers of freedom in China languish in forced labor camps and bear the scars of torture and imprisonment because of their beliefs.

TRIBUTE TO MR. DONALD
HAMILTON

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. VISCLOSKY. Mr. Speaker, it gives me great pleasure to pay tribute to an outstanding resident of Indiana's First Congressional District, Mr. Donald Hamilton. On September 29, 2000, Mr. Hamilton, along with his friends and family, will be honored for his 32 years of dedicated service to the Laborer's International Union Local #41, at a dinner to be held at the International Union of Operating Engineers Local #150, in Merrillville, Indiana. Mr. Hamilton's distinguished career in the labor movement has contributed to the safety and security of workers in his community and improved the quality of life for laborers throughout Northwest Indiana.

Mr. Hamilton has devoted his entire working career toward the expansion of labor ideals and fair standards for all working people. For more than 30 years, Mr. Hamilton has been a member of Local #41, and has held several positions throughout his tenure. His peers were sorry to see him retire from perhaps his most important role at Local #41, that of Business Agent, on August 1, 2000. Don served admirably as Business Agent for Local #41 since his election 18 years ago. While this was his longest held position, and the one for which his co-workers at Local #41 will always remember him, he never limited his dedication to that one position. Mr. Hamilton served as vice-president of the Indiana State District Council of Laborers and HOD Carriers for eight years, sat on the executive board for six years, and served as auditor for three years. For five years, Don served as president of the Northwest Indiana Building and Construction Trades Council, two years as its vice president and three years as its secretary-treasurer.

Don's contributions are not limited to labor causes. He regularly finds time to serve his community as well. He is the past president of the Lake County Planning Commission and was a board member for eight years. He has also spent two years as a board member of the Lake County Association for Retarded of Northwest Indiana. Don Hamilton has dedicated much of his life to efforts that benefit his fellow union members and advance the prosperity and strength of his community of Northwest Indiana and the entire state.

On this special day, I offer my heartfelt congratulations to Don Hamilton. His large circle of family and friends can be proud of the contributions this prominent individual has made. His work in the labor movement provided union workers in Northwest Indiana with opportunities they certainly would not have otherwise enjoyed. Mr. Hamilton's leadership kept the region's labor force strong and helped keep Americans working. Those who have worked with him in the labor movement and in his community will surely miss Mr. Hamilton's dedication and sincerity. I hope my distinguished colleagues will join me in wishing Don Hamilton a long, happy, and productive retirement.

HONORING GRANDMASTER DAE
WOONG CHUNG

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. GARY MILLER of California. Mr. Speaker, it is with great pleasure that I honor Grandmaster Dae Woong Chung, who has been teaching the traditions of Taekwondo to the citizens of Pomona and the surrounding area for over 35 years. Grandmaster Chung has a 9th degree black belt.

Eighteen years ago, Grandmaster Chung started a program of teaching high school students at Pomona Unified School District at no cost to them. He also has instructors teaching at many local churches and service organizations, such as Boys' and Girls' Clubs and YMCA's.

Grandmaster Chung is currently the Director of the Saehan Bank, which has four locations in the counties of Los Angeles and Orange. In fact, the newest location opens today, in the my district, in the city of Rowland Heights.

Grandmaster Chung was the first Taekwondo master to teach Taekwondo in California, starting back in 1965, and has since dedicated his life to teaching the martial art of his mother country to the citizens in the Pomona Valley.

Mr. Speaker, I ask that this House please join me in recognizing, honoring and commending Grandmaster Chung for his 35 years of commitment and outstanding service to our community.

HONORING OLYMPIAN GARRETT
LOWNEY

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. GREEN of Wisconsin. Mr. Speaker, today I offer a brief tribute to a young man

from my district, Garrett Lowney, who this week was awarded the Bronze Medal at the Summer Olympic Games in Sydney, Australia.

Garrett, a U.S. Olympian competing in Greco-Roman wrestling, overcame injury and adversity to bring the Bronze Medal home to the United States in a sport typically dominated by other nations. I know all of us back in northeastern Wisconsin are very proud of his achievements, and folks across America should share that pride. For Garrett's medal is as much an achievement for our nation as it is for Garrett himself.

To win his victory, Garrett defeated a two-time champion Silver Medal winner, a five-time world champion, and another two-time world champion, among others. Despite a neck injury and being forced to battle through overtime in four of his matches, Garrett managed to win every match except one—and became the youngest American ever to win a wrestling medal in the Olympic games.

So today, I say thank you, Garrett Lowney. Thank you for making us proud. Thank you for devoting so much of yourself, your time, and your talents to excellence and to our Nation.

PERSONAL EXPLANATION

HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. EWING. Mr. Speaker, on September 26 and 27, 2000, I was attending to business in my district, and as a result, missed 6 rollcall votes. The votes I missed are rollcalls: Nos. 494, 495, 496, 497, 498, and 499. Had I been present, I would have voted "aye" on all six rollcall votes.

CONGRATULATING PURDUE
UNIVERSITY CALUMET

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure that I rise before you to congratulate Purdue University Calumet as it holds its Chancellor's Gala and Hall of Fame Reception tonight, September 28, 2000, at the Center for Visual and Performing Arts in Munster, Indiana.

Part of the internationally renowned Purdue University system, Purdue University Calumet, located in Hammond, Indiana, is a comprehensive regional university with some 9,300 students and 80 academic programs focused on the educational needs of the people in Northwest Indiana. Tonight's dinner will be in recognition of the people who helped make Purdue Calumet what it is today. As part of the gala event, Purdue Calumet Chancellor James Yackel and new Purdue University President Martin Jischke have the honor and privilege to induct this year's honorees into Purdue Calumet's Hall of Fame. The Purdue University Calumet Hall of Fame was founded in 1996 in honor of Purdue Calumet's 50th Anniversary. It is awarded to alumni and friends of Purdue Calumet who have made significant

accomplishments and have displayed a life-long dedication to the university, the community, and the world. This year's honorees include Steven C. Beering, the recently retired Purdue University President, Adam Benjamin, Jr., the late Northwest Indiana Congressman, and the Northern Indiana Public Service Company.

Steven C. Beering, Purdue University President Emeritus, will receive the Chancellor's Award for Dedication to Higher Education and Extraordinary Public Service, and will be inducted into the Purdue University Calumet Hall of Fame for his long-time support of the Purdue Calumet campus. He served as president of Purdue University for 17 years before his retirement last month. During his tenure, the Purdue system experienced significant growth in both enrollment and facilities. Clear examples of his commitment to expanding facilities and services at Purdue Calumet can be seen in the development of the Donald S. Powers Computer Education Building, the Classroom Office Building, the Charlotte R. Riley Child Center, the Challenger Learning Center of Northwest Indiana, and Purdue Calumet's newest facility, the Center at Purdue University Calumet, a conference and special events facility. His colleagues at Purdue Calumet will sincerely miss President Beering and his commitment to educational and administrative excellence.

The Chancellor's Award for Extraordinary Public Service will be presented posthumously to Congressman Adam Benjamin, Jr. Congressman Benjamin represented Indiana's First Congressional District from 1976 until his death in 1982. Prior to his election to Congress, Benjamin served as the zoning administrator and the executive secretary to the mayor in Gary, Indiana. He was elected to the Indiana State House in 1966 and to the Indiana State Senate in 1970. The late Congressman Benjamin tirelessly devoted himself to advancing the interests of his constituents in Northwest Indiana. He was characterized by many as a dedicated and effective public servant, sharing the hopes and dreams of the people he served and the community he represented.

Northern Indiana Public Service Company (NIPSCO) will receive the Carl H. Elliott Award for exceptional Philanthropy for its extensive support of non-profit organizations in Northwest Indiana. Notably, NIPSCO has established an endowed scholarship at Purdue Calumet, and has provided start-up funding for the University's Resource Center and Entrepreneurship Center. The company's investment in the educational opportunities of those in its community has earned it the acclaim of students, educators, and administrators at Purdue Calumet.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in congratulating Purdue University Calumet and this year's Hall of Fame inductees for their lifetime dedication not only to the university, but to all of Northwest Indiana.

A TRIBUTE TO COMMANDER
TEMPLE L. ALLEN

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. HUNTER. Mr. Speaker, today I rise to recognize the outstanding service and dedication of my friend from San Diego, Lieutenant Commander Temple L. Allen. His career in the United States Navy spans three decades and has earned many awards and recognitions, including Navy Commendation Medal presented to him by the Secretary of the Navy. I would like to take a moment to commend Temple's exceptional service to our country.

Temple began half a century ago in Ontario, California where he enlisted, and upon finishing submarine school was assigned to the U.S.S. *Catfish*. Since then, Temple went on to provide expert organizational guidance and leadership that was required to effectively repair many submarines at the NEREUS facility. He was recognized by his peers for his outstanding responsiveness in the NEREUS repair department and the high quality of work that was directly attributed to him. Throughout his tenure in the Navy, Temple inspired leadership, professionalism, and devotion to duty to those he served with and has continually conducted himself with the highest traditions of the United States Navy.

Mr. Speaker, in an era when the U.S. military is often not given sufficient recognition, outstanding leaders, such as Temple, exemplify the commitment our armed forces has to superior performance. As a veteran and Chairman of the House Subcommittee on Military Procurement, I would like to commend Commander Temple L. Allen for all of his efforts and years of service and to the United States Navy and our country.

TRIBUTE TO "ANGELS IN ADOPTION"
KEVIN AND EILEEN
GILLIGAN

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. WALSH. Mr. Speaker, each year in an effort to improve adoption policy and practice, the Congressional Coalition on Adoption holds a national award ceremony honoring "Angels in Adoption." The purpose of the "Angels in Adoption" campaign is to help raise public awareness of the many different ways committed individuals in our country can help children and families through adoption. This crusade is an opportunity to recognize these unsung heroes who make a difference for needy children all across the world.

Today, I would like to recognize two of this year's "Angels in Adoption" from my congressional district, Kevin and Eileen Gilligan of LaFayette, New York. As a couple, the Gilligans epitomize the loving, caring commitment found in all adoptive parents. In June of 1999, Kevin Gilligan wrote a journal for his new and youngest son, Louis, chronicling their trip to the Russia Republic to adopt him, which became front-page stories in the Syracuse Newspapers. Previously, the Gilligans adopted their

daughter, Addie, who is now 13 years old, and their son, Min, who is 11 years old, from Korea.

I want to commend the Gilligans for the warmth and compassion they have extended to children in need. When Kevin and Eileen met Louis for the first time, he did not even know how to express the most simple of affections, a kiss. As a family, they welcomed him and their two other children into their home and showed them how to love and be loved.

I use this opportunity to recognize Central New York's "Angels in Adoption," Kevin and Eileen Gilligan, and salute all adopted families in our nation.

IN RECOGNITION OF STATE SENATOR
M. ADELA "DELL" EADS'
OUTSTANDING SERVICE TO THE
PEOPLE OF CONNECTICUT

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise today to mark the end of an era in the government of my home state of Connecticut. With the retirement of State Senator M. Adela "Dell" Eads, the Connecticut Legislature is losing more than just a valued and respected member, it is losing a woman who represents the best that Connecticut has to offer, the epitome of the finest tradition of public service.

With over 24 years of service in the Connecticut State Legislature, Dell has left her mark on countless pieces of landmark legislation. From her work to establish the Connecticut Office of the Child Advocate to her leadership on welfare reform, Dell always championed the cause of Connecticut's children and families and acted to protect their interests.

But while Dell's legislative accomplishments are too numerous to mention, the one quality she will be remembered for is clear: leadership. Whether it was as leader of the Republican caucus or as President Pro Tem of the Senate, Dell commanded the respect of adversaries and allies alike. Her career in the legislature is a testament to the fact that civility, intelligence, integrity and strength are qualities that can be found in one individual. Such a public servant is a gift to be treasured in a democracy.

Connecticut and our country are the beneficiaries of the outstanding service provided by M. Adela Eads. I have been privileged to serve with her and to enjoy her friendship as well. I wish her all the best for a happy, healthy and productive retirement.

TRIBUTE TO THE HISPANIC
PARADE COMMITTEE, INC.

HON. JOSE E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. SERRANO. Mr. Speaker, it is with great joy that I today pay tribute to the Hispanic Parade Committee, Inc. on its 36th Grand Parade. The parade will be held on October 8, 2000, in New York City.

In 1965 the Hispanic Societies met in New York for the purpose of celebrating the discovery of America by Christopher Columbus on October 12, 1492. This was to be accomplished through a parade, which would celebrate the heritage and spirit of the children of the Hispanic American union with a message from Spain and the Latin American nations, representing each country's culture, traditions and folklore.

Mr. Speaker, this project came to fruition in August of 1965 when the Hispanic Societies agreed to celebrate with a true Fiesta in the Latin American spirit that every year in the city of New York on the Sunday closest to the 12th of October. From that year on, the Hispanic Parade Committee has organized the memorable annual event now known as "Desfile de la Hispanidad" with the participation of Spain and all Hispanic American nations, to commemorate and celebrate Hispanic culture, races, language, religion, and traditions through colorful presentations of each country's costumes, folklore, and music, marching up Fifth Avenue from 44th Street to 72nd Street.

The Hispanic Parade Committee is made up of 50 organizations and a board of 27 representatives who spend a whole year preparing and organizing this complex multinational public event, with numerous cultural and entertainment activities. Among the many activities are the Spring Dance in honor of the reigning Queen of the Parade and her Court of Honor; the Salute to the Americas, which are series of conferences and lectures given by important authorities of the Hispanic world; the Art Exhibits where Latin American artists are invited to exhibit their art; the Sports Championships, which include soccer and softball competitions; the election of the Queen of the Hispanic Parade; a Catholic Mass of the Hispanic Parade, which is celebrated in St. Patrick's Cathedral and dedicated to a Patron Saint of a participating country; and the Great Gala Banquet to celebrate and recognize outstanding individuals of the Hispanic world.

The Hispanic Parade Committee has been growing every year. Fifty organizations belonging to the twenty-one Hispanic-American countries are now affiliated in the Parade, there will be a band, 40 allegorical carriages, and 30 folkloric groups representing these organizations.

Mr. Speaker, it is with great pride that I ask my colleagues to join me in recognizing the Hispanic Parade Committee, Inc. and in wishing them continued success on October 8 and in the future.

HONORING THE 50TH ANNIVERSARY
OF THE RAVENNA CHURCH
OF THE NAZARENE

HON. ERNIE FLETCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. FLETCHER. Mr. Speaker, it is my honor to recognize the Ravenna Church of the Nazarene during its 50th Anniversary celebration. This quaint church, nestled in Central Kentucky, has served the community and its members in many different ways over the past 50 years—now they come together to reflect on the many memories and years of fellowship.

Located on Main Street in Ravenna, Kentucky, the Church of the Nazarene holds services in the same building that was dedicated in November of 1956. Now, 50 years later, the Church still stands on a strong foundation, rich with faith and a strong desire to serve its congregation and the surrounding community. It's an active congregation, with weekly services and children's groups. Each year, the congregation comes together for the annual homecoming, where stories are shared and many past years are revisited with joy.

It is a pleasure to recognize the Ravenna Church of the Nazarene on the House floor today, during its 50th Anniversary celebration. I wish this church and its members the very best for many, many years to come.

THE COLORADO COALITION FOR
NEW ENERGY TECHNOLOGIES

HON. MATT SALMON

OF ARIZONA

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. SALMON. Mr. Speaker, though my colleague, Mr. UDALL of Colorado, and I are from different states and opposite political parties, we join together today in saluting the Colorado Coalition for New Energy Technologies. This coalition, established early this year, brings together Colorado businesses and non-profit groups in support of environmentally responsible economic growth through the efficient use of Colorado's abundant and clean sources of energy.

This new coalition has already accomplished several successes in its short tenure, but perhaps one of the most notable was to help key members of the Colorado state legislature establish the Colorado Renewables and Energy Efficiency Caucus. Modeled on the U.S. House Renewables and Energy Efficiency Caucus, of which we are co-chairs, this state caucus was founded in March 2000 by seven state Senators and Representatives of both parties. Within two months of its founding, this caucus more than doubled in size to 17 state legislators before the 2000 Colorado General Assembly adjourned. Like the U.S. House Caucus, the primary goal of the Colorado caucus is to educate legislators about cutting-edge advances in renewable energy and efficiency technologies, many of which are developed in Colorado at the National Renewable Energy Laboratory in Golden.

Throughout its activities, the Colorado Coalition for New Energy Technologies seeks to emphasize how investment in new energy technologies helps sustain the economic prosperity of Colorado and of the United States. In its short existence, it has proven to be a resource for its members, as well as to Colorado state legislators seeking timely and accurate information on new energy technologies.

We salute the Colorado Coalition for New Energy Technologies, its members and its leadership for the valuable contribution it is making to the formation of energy policy in Colorado.

ANNUAL BANKING FEE SURVEY
EXTENSION ACT

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. LaFALCE. Mr. Speaker, I am today introducing legislation to extend and expand provisions in current law that require the Federal Reserve Board to report annually to Congress on the cost and availability of retail banking services. These annual bank fee studies have been an invaluable source of information about banking costs and trends that have benefitted consumers and assisted the Banking Committee's oversight of financial activities. The Federal Reserve Board acted last year, under existing law, to terminate all future bank fee reporting. My legislation would amend current law to continue these reports and expand them to reflect broader market activity. The House has passed broader legislation reauthorizing a number of important consumer reports, including the bank fee report in its current form, but that bill is currently awaiting Senate action.

In 1989, Congress directed the Federal Reserve Board, as part of the Financial Institutions Reform, Recovery and Enforcement Act (FIRREA), to study and report annually on discernible changes in the cost and availability of certain retail banking services. The purpose was to determine whether banks would pass on the expense of higher deposit insurance costs resulting from the savings and loan crisis to consumers. These annual studies were expanded, under the Riegle-Neal Interstate Banking and Branching Efficiency Act of 1994, to include more detailed state-by-state reporting on discernible changes in the cost and availability of retail banking services resulting from the lifting of bank interstate branching restrictions.

Last year, the Federal Reserve Board determined that its annual banking fee surveys and reports were no longer needed. Responding to provisions of the 1995 Federal Reports Elimination and Sunset Act that permit federal agencies to eliminate outdated or unnecessary reports, the Board included the annual bank fees surveys among a number of Congressionally mandated reports that it proposed to eliminate. The Board's rationale was that the original intent of the reports, determining whether the added costs of deposit insurance were being passed on to consumers, was no longer relevant since banks are now paying minimal premiums for FDIC deposit insurance, and consumers now have broader access to bank fee information over the Internet.

While concerns with higher banking costs arising from the S&L crisis have certainly subsided, the annual service fee reports have taken on increased importance in recent years with the passage of interstate branching and increased consolidation within the banking industry. Passage of the landmark Financial Service Modernization Act last year also creates a continuing imperative to understand how increased integration and cross marketing of services among banks, investment firms and insurance companies will affect the cost and availability of basic financial services. Consumer groups have raised very credible arguments that the annual bank fee reports are more necessary now than at any time in

the past to determine what effect more rapid consolidation among financial services providers is having on consumers—whether the costs of mergers and acquisition are being passed on to consumers and whether consumers realize any of the promised cost benefits of financial modernization.

I have also found the Federal Reserve's annual fee reports to be the only official source of information documenting several extremely important changes within the retail banking sector. In recent years, non-interest income from fees and services has replaced interest income as the major contributor to the record levels of bank profits. In the past three years alone, bank non-interest income has increased on average by 18 percent, with interest income growing by roughly 4 percent annually. Non-interest income has quickly replaced traditional interest charges as the major contributor to bank earnings. As a result, banks of all sizes have sought out new sources of fee income to maintain earnings as greater competition among lenders has shrunk bank lending margins.

These changes have prompted banks and thrift institutions to institute a pay-for-service approach to basic banking and a "penalty pricing" approach to credit cards and ATMs that have generated significant new revenue for banks while antagonizing increasing numbers of consumers. The Federal Reserve Board's annual reports have documented these changes, showing significant and steady growth in over 20 categories of banking service fees. The report has also shown substantially higher average growth in fees among larger multi-state banks and thrifts than among smaller local institutions. This has provided important comparison shopping information for consumers and may help explain why many of the nation's largest banking institutions support the Board's decision to eliminate these reports.

Given the changing financial marketplace and the marked changes in retail banking services, the information provided in the bank fee reports is more important now than at any time in the past decade. It should be Congress, not the Federal Reserve Board, that determines when the information provided in these annual reports is no longer needed by Congress or relevant to consumers.

My legislation, the "Annual Banking Fee Survey Extension Act," proposes two changes in current law to assure that the Federal Reserve Board continues reporting annually to Congress on the cost and availability of retail banking services until such time that Congress determines it is no longer relevant or necessary. First, it amends the Federal Reports Elimination and Sunset Act of 1995 to exempt the annual bank fee reports from the discretionary authority provided the Federal Reserve Board to discontinue outdated or unnecessary reporting requirements. Second, it amends the 1994 Riegle-Neal Interstate Branching Act to repeal a provision that would sunset aspects of the fee study requirement in late 2001.

In addition, the bill expands the mandate for annual fee reporting to include the fees for retail services charged by credit unions. Past surveys and reports have included only the fees charged by bank and thrift institutions. A large and growing segment of our population currently obtains checking and other financial services from credit unions. Inclusion of credit

union fees would make the annual reports more broadly representative of the broader consumer marketplace. It would also document differences in costs between banks, thrifts and credit unions that will enhance competition and benefit consumers.

My legislation also expands the focus of the annual fee studies to include various fees and charges associated with credit cards. Past fee reports have included data only on basic checking and savings account services and only those additional fees specifically requested by statute, such as fees associated with ATM transactions. Institutions that offer credit cards now impose a large and growing array of charges and penalties, such as late payment fees, annual fees, over-the-limit fees, cash advance fees, convenience check fees, foreign currency conversion fees, and many more. I have received more complaints from my constituents about credit card fees than all other banking fees combined. Credit cards, in general, are one of the foremost concerns among consumers in my district and, I believe, among consumers in all parts of the country. The fees and penalties charged in connection with credit cards clearly should be incorporated in any future study of retail banking costs.

Mr. Speaker, the financial marketplace has changed dramatically over the past half decade and will continue to change in response to the landmark financial modernization legislation we enacted last year. It is imperative that Congress have all the information necessary to assess whether these changes will enhance the services available to consumers or only benefits financial institutions at the expense of consumers. My legislation merely extends Congress' prior request for annual reporting on banking fees and costs. This is reasonable and responsible legislation that Congress should enact before adjournment this year.

HONG KONG TRANSITION TASK FORCE

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. BEREUTER. Mr. Speaker, following his visit to Hong Kong in April 1997, Speaker Gingrich tasked this Member with the responsibility of creating the Speaker's Task Force on the Hong Kong Transition and of observing and reporting on Hong Kong's status following its return to the People's Republic of China. The Task Force is bipartisan in nature and all members of it have been drawn from the Subcommittee on Asia and the Pacific, of which this Member is the Chairman.

On behalf of the Task Force, this Member would like to inform his colleagues that the eighth report of the Speaker's Task Force on the Hong Kong Transition has been filed. In summary, the Task Force continues to believe that the transition has progressed satisfactorily, although concerns remain in areas such as press self-censorship and controls, export controls and most notably, rule of law. The recent controversial remarks by Chinese officials warning against press coverage of issues regarding Taiwan and of business support for Taiwan independence have been a concern, as has the issue of judicial independence and

the rule of law as a result of the "right of abode" case. These issues will need to be watched closely.

Hong Kong's political system continues to evolve, although progress towards further democratization has not been as rapid as many would like. The Hong Kong press remains free and continues to comment critically on the People's Republic of China (PRC), although threatening remarks by PRC officials in reference to press coverage related to Taiwan is worrisome. Public demonstrations continue to be held. Indeed, there is a vigorous public debate on the issues of democracy and law. The legislature and free press have used their roles to increase government accountability and transparency.

Mr. Speaker, a copy of the Task Force's eighth report is available on the internet website of the Subcommittee on Asia and the Pacific: www.house.gov/international_relations/ap/ap.htm. It is also available in hard-copy from the Subcommittee office.

REPUBLIC OF CHINA'S NATIONAL DAY

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. KING. Mr. Speaker, as President Chen Shui-bian, Vice President Annette Lu and the people of the Republic of China prepare to celebrate their National Day on October 10, 2000, I wish to extend to them my congratulations.

The Republic of China on Taiwan has a lot to be proud of. Taiwan's economy is very strong. For instance, export orders reached US \$74 billion from January to June, up 21 percent from the same period last year. In June of this year, exports and imports enjoyed almost 25 percent growth from the year-earlier period. It is the government's policy to continue to develop Taiwan's new economy based on information and high technologies. Furthermore, Taiwan's citizens enjoy one of the highest living standards in the world. Politically, Taiwan is a true democracy with free island-wide elections, press independence and political pluralism.

Mr. Speaker, Taiwan is a model of success for many countries in the world, and we need to give Taiwan our approbation and support.

ADDRESSING ALCOHOL AND THE COLLEGE CAMPUS

HON. DEBORAH PRYCE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Ms. PRYCE of Ohio. Mr. Speaker, I rise today to discuss a serious problem facing our society today—the misuse of beverage alcohol on our nation's college and university campuses. This problem negatively impacts students, universities and industry as well as our communities. Therefore, it is essential that these entities work together to solve this national problem. Mr. Speaker I would like to draw the attention of my colleagues to the cre-

ative solutions being pursued by community-based partnerships across America.

On October 23rd to 25th in Washington, D.C., a number of colleges and universities, along with the Distilled Spirits Council of the United States, will convene a national conference to discuss best practices, create new partnerships and share information on solutions to this complex problem. During this weekend, students, retailers, community leaders, manufacturers, university administrators, law enforcement officials and parents will come together in partnership to discuss solutions to this challenge.

I commend these institutions of higher education and the distilled spirits industry for their leadership on this issue. As is the case with many societal problems, solutions are most effective when everyone works together.

Mr. Speaker, I know I speak for many of my colleagues in saying we eagerly await the action-oriented plans this conference will produce. I wish all the participants, supporters and planning partners the best as they work together toward a common goal.

92ND DIVISION REUNION

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. COYNE. Mr. Speaker, I rise today to call the House's attention to a reunion that will take place in my congressional district on October 6th through 8th. The U.S. Army's 92nd Infantry Division, the "Buffalo Division," will be holding a reunion at the Wyndham Garden Hotel in Pittsburgh.

The 92nd Infantry Division was an Army division composed of African American soldiers which saw action in both World War I and World War II. The 92nd Infantry Division served in the Meuse-Argonne region and Lorraine in World War I, and it participated in the hard fighting up the Italian peninsula during World War II. The Division saw action in World War II in the North Apennines and the Po Valley. It participated in the crossing of the Arno River, the occupation of Lucca, and the penetration of the Gothic Line, as well as an advance north along the Ligurian coast. The 92nd Division's actions demonstrated the bravery and dedication of African Americans to their country.

Until this year, the 92nd Infantry Division's annual reunions had always been held in Washington, D.C., but thanks to the initiative of the Reverend James Tillman, a veteran of the 92nd Infantry Division, the unit's 58th reunion will be held in Pittsburgh. Reverend Tillman and retired Army Lieutenant Colonel Patricia Tucker are co-chairing this reunion. The decision to hold this reunion in Pittsburgh reflects the fact that Alleghany County is home to roughly 100 of these "Buffalo Soldiers," but it also provides an excellent opportunity for raising the awareness of the region's residents about the combat service of patriotic African Americans in the U.S. Army at a time when it was operating under the shadow of racism, segregation, and discrimination. Mr. Speaker, I am proud that the veterans of the 92nd Infantry Division have chosen Pittsburgh for their annual reunion. I want to thank them for their heroic service to their country, and I want to

extend a warm welcome to all of the reunion participants on behalf of the people of Pennsylvania's 14th Congressional District.

VIOLENCE AGAINST WOMEN ACT

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Ms. LEE. Mr. Speaker, I am pleased that the House passed H.R. 1248, the Violence Against Women Act (VAWA) of 1999 by a vote of 415–3. H.R. 1248 will reauthorize the act for 5 years and expand preventive measures against violence against women.

This measure will maintain and expand battered women's shelter programs, rape prevention programs as well as provide assistance to the growing number of victims.

While I was a state senator in California, I introduced similar legislation because I believed then, as I do now, that this issue is extremely important to the lives of women and their children. It has been ignored for too long.

In the past, domestic violence was not considered a crime. Today, however, police officers are getting trained to understand these crimes as well improve their ability to enforce the law.

VAWA has provided critical services to thousands of battered women. Since VAWA passed, the Department of Justice and Health and Human Services have awarded over \$1.6 billion in grants nationwide to support the work of prosecutors, law enforcement officials, the courts, victims' advocates, health care and social service professionals, and intervention and prevention programs.

In addition, VAWA established a domestic violence hotline, which has received over half a million calls.

Unfortunately, domestic violence still devastates the lives of many women and children. Nearly 900,000 women experience violence at the hands of an intimate partner every year. Close to one-third of women murdered each year are killed by their husbands or significant other; and domestic violence accounts for over 20% of all violent crimes against women.

Children should not have to watch their mothers get beaten. Unfortunately, some of these children grow up to continue the cycle of abuse. And, they end up in prison.

Again, I am pleased with the passage of the VAWA because it has helped to save numerous lives of women and their children. This law has provided battered women and their children, a safe haven, and the support necessary for their physical and emotional security.

VAWA has given a second chance to these women as well as saved many of their lives.

Violence against women should not be tolerated. This legislation provides greater protections to all the women who have been victimized and abused.

AMERICAN INTERESTS IN THE MIDDLE EAST PEACE PROCESS

SPEECH OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. DINGELL. Mr. Speaker, yesterday, the House passed H.R. 5272, the inappropriately named "Peace Through Negotiations Act of 2000." This legislation is unnecessary, ill timed and not in the best interest of our country or the Middle East peace process. I believe, like the Administration, that the Palestinian Authority should not unilaterally declare statehood outside the framework of a negotiated peace settlement. Unilateral actions by either the Palestinians or Israelis can erode, disrupt, and possibly derail a peace process that we all support and want to see to conclusion in order for future generations to be able to live a normal and stable life.

For starters, this legislation was wholly unnecessary given President Arafat's recent decision not to unilaterally declare a state because it would jeopardize the peace process. Instead of acknowledging the fact that the Palestinian Authority acted with considerable restraint in making this decision, which I will note was not popular among the Palestinian people, we have unfairly and unnecessarily condemned the Palestinian Authority at the very time discussion between Arafat and Prime Minister Barak were underway.

I ask my colleagues, have you read this legislation known as the "Peace Through Negotiations Act?" I have and that is why I am concerned, because while the message sent by H.R. 5272 was bad, its substance is worse.

In particular, I am concerned that Section 4a(1) of the legislation supercedes a portion of the Middle East Peace Facilitation Act and reverses a presidential determination on the national security of the United States. Reversing a standing law that has successfully guided our policy in the Middle East peace process should only be done after serious deliberations. Reversing a Presidential action that he determines is in the national security of the United States is even more serious. Both these actions are done by this legislation without a single hearing or public request for the President's views. Members of the International Relations Committee were given less than twenty-four hours notice of the mark-up of this legislation. The bill passed the Committee on Tuesday with barely half the Members present and voting. The full House passed it on Wednesday under restrictive procedures denying anyone the opportunity to amend it. This legislation is too important to be acted upon in such a rushed fashion. To have done so does not speak highly of the Republican leadership of the House of Representatives.

Moreover, the legislation is flawed because it does not address unilateral actions of all parties. In my view, the unwillingness of the legislation to address unilateral actions of both sides puts our Middle East peace process negotiators in a terrible position. We in Congress should not take actions that make the efforts of American peacemakers more difficult.

My hope is that our colleagues in the Senate do not follow the House's sad example and rush to action without sufficient consider-

ation of all of the ramifications of this legislation.

HONORING U.S. REPRESENTATIVE SOLOMON P. ORTIZ IN RECOGNITION OF THE PORT OF CORPUS CHRISTI'S DEDICATION OF ITS WATERFRONT DEVELOPMENT AS THE CONGRESSMAN SOLOMON P. ORTIZ INTERNATIONAL CENTER

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mrs. NAPOLITANO. Mr. Speaker, the Members of the Congressional Hispanic Caucus rise today to honor a respected colleague, an extraordinary Texan and effective public servant, Congressman SOLOMON P. ORTIZ. Since 1982, Congressman ORTIZ has served as a strong advocate for his constituents in the 27th Congressional District of Texas. During his 18 years of service, he has fought tirelessly to bring jobs and enhance the quality of life for residents of the Bay of Corpus Christi to the international border with Mexico.

In recognition of Congressman ORTIZ's lifetime of remarkable leadership and his work on behalf of the Port of Corpus Christi in the area of economic development and trade, Members from the Congressional Hispanic Caucus will join South Texans in Corpus Christi on September 29, 2000 to dedicate the Port of Corpus Christi's new international meeting facility and cruise terminal as "The Congressman Solomon P. Ortiz International Center."

According to William Dodge III, Port Commission Chairman, Congressman ORTIZ ". . . is a strong advocate for the Port of Corpus Christi. He continues to be a leader on international trade issues that significantly impact the Port and the South Texas region. The Congressman recognizes the importance of the Port to the region and always works to ensure that the Port has the necessary resources to help fulfill the mission of diversification. Naming the waterfront development in his honor is a tribute to his contributions and support of the Port."

Working with Congressman ORTIZ in the U.S. House of Representatives, and knowing first-hand of his endless passion and dedication to public service, we, the Members of the Congressional Hispanic Caucus applaud and endorse the actions of the citizens of South Texas in naming the International Center in his honor. Congressman ORTIZ will continue his significant work to support and strengthen the Port of Corpus Christi, promote international commerce, and ensure that global trade benefits his constituents and the people of the United States.

We urge all our colleagues to join us today in recognition of his 18 remarkable years of service and offer our personal congratulations on the occasion of the dedication of the Port of Corpus Christi's waterfront development as "The Congressman Solomon P. Ortiz International Center."

INTRODUCTION OF THE HOME HEALTH CARE PROTECTION ACT OF 2000

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. MARKEY. Mr. Speaker, this week I introduced the Home Health Care Protection Act of 2000, H.R. 5303, the companion bill to the Senate version introduced by Senator JEFFORDS. This bill will clarify the definition of "homebound" and improve the lives of millions of Americans who are confined to the home as well as their caregivers.

In my own family, my mother who was afflicted with Alzheimer's Disease was confined to the home for over eight years. My father was her caregiver. I was awed by his utter devotion and dedication to her care, day in and day out. Taking care of an Alzheimer's patient is grueling. It's a 24 hour a day job, 7 days a week. For many caregivers the only break in attending to the needs of the Alzheimer's patient is through adult day care services. Adult day care not only provides therapy for the Alzheimer's patient but a desperately needed break for the caregiver.

But, Mr. Speaker, the unfortunate truth is that Medicare beneficiaries are unable to attend adult day care without losing their home health benefits because of a narrow interpretation of the Medicare law. Alzheimer's patients may not attend adult day care without losing their home health benefits even though we know that adult day care services are a complement to home health benefits, relieve caregiver burdens and delay nursing home placement—all at zero cost to the Medicare program.

However, yesterday in the Commerce Committee we took a step toward correcting this situation—a victory was won for Alzheimer's patients and their caregivers. The BBA give-back package which was passed out of Committee unanimously by voice vote included language clarifying the "homebound" definition in the law allowing for Medicare beneficiaries with Alzheimer's disease who are confined to the home to attend adult day care services without losing their home health benefits.

While we took a step in addressing this important issue with respect to Alzheimer's patient's broader language to encompass ALL beneficiaries who are confined to the home was not included by the Chairman's mark. Furthermore, this language will not allow any beneficiaries who are confined to the home to attend religious services, or to take a slow, arduous walk around the block, or to attend once in a lifetime events like a granddaughter's graduation, or a grandson's wedding.

Mr. Speaker, this isn't right.

However, H.R. 5303, The Home Health Care Protection Act of 2000, is designed to correct this flaw. H.R. 5303, is the companion bill to the Senate version introduced by Senator JEFFORDS. It further clarifies the "homebound" definition to allow for those who have had the misfortune of an illness which confines them to the home, to attend a graduation, to go to their place of worship and to attend adult day care services.

It's time we clarify the definition of "homebound" in the Medicare law. Homebound beneficiaries should be free to leave the home under special circumstances without fear of losing their home health benefits. It's only right, Mr. Speaker. Americans who are confined to their homes deserve better. We can and should do more for them. Making the Home Health Care Protection Act of 2000 the law of the land will do just that.

COLLEAGUES PRAISE CHAIRMAN SHUSTER'S LEADERSHIP AT TRANSPORTATION COMMITTEE HELM

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2000

Mr. DUNCAN. Mr. Speaker, I rise today to pay tribute to one of the greatest committee chairmen we have seen during the past few years in the House. He has served in the House of Representatives for 28 years, 6 of those as Chairman of the Transportation and Infrastructure Committee, the largest and most productive committee in the Congress.

Following the committee's final full committee meeting Wednesday of this week, my colleagues and I surprised Chairman SHUSTER with the presentation of a plaque to him commemorating his achievements as Chairman.

During that presentation and speaking on behalf of Committee Democrats, Ranking Member JIM OBERSTAR (D-MN) said:

Mr. Chairman, a few short moments ago we passed a bill designating a courthouse for President Theodore Roosevelt.

I quote Roosevelt's "The Man in the Arena" speech:

"It is not the critic who counts, not the man who points out how other strong men stumbled or how the doer of deeds could have done better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood, who strives valiantly, who errs and comes up short again, and again, because there is no effort without some error or shortcoming, but who knows the great enthusiasm, the great devotion, who, spends himself for a worthy cause; who at best, knows in the end the triumph of the high achievement, and who, at the worst, if he fails, at least he fails while daring greatly so that his place shall never be with those cold and timid souls who know neither victory nor defeat."

Mr. Chairman, you are a man in the arena—and your achievements as Chairman speak for themselves. Everyone in this room knows the enormous accomplishments of TEA 21, AIR 21, and trust fund firewalls. Some may not know the "smaller" accomplishments that do not get the headlines—such as reauthorization of the Economic Development Administration and the Appalachian Regional Commission—"little" programs that make a real difference in the lives of our people. We all serve on this Committee because we believe that its transportation, infrastructure, and environmental programs make a real difference in our constituents', and all American's lives.

Mr. Chairman, part of the joy of serving on this Committee is the way in which we work together to develop bipartisan bills. In this Congress, the Committee has: Held 114 hear-

ings; reported 98 bills, 30 percent of bills reported by all Committees in the House (325); passed 92 bills, 22 percent of all bills passed by the House (427); and 30 Transportation Committee bills have become law, 11 percent of all public laws enacted in the 106th Congress (269).

And that is the record only so far—I can say with confidence that many more Transportation Committee bills will become law before the 106th Congress adjourns.

Mr. Chairman, we, as a Committee, have worked extraordinarily well over the last 6 years under your leadership. We do not know what the elections hold this November and I am not here to predict. However, under current House Rules, you will be unable to chair the Committee in the 107th Congress. I did not want this opportunity to pass without recognizing your effective bipartisan leadership of this Committee.

On behalf of our Committee's Democrats and particularly myself, I present you with a plaque to commemorate your chairmanship. For the 104th and 105th Congresses, it lists the number of hearings held, Committee bills passed by the House of Representatives, and bills that have become law. It has a spot for the 106th Congress; we will fill that in when we have completed our work.

It also has a gavel—a gavel that you have wielded so well for these 6 years. Congratulations, Mr. Chairman.

In addition to Mr. OBERSTAR, Mr. THOMAS PETRI (R-WI), Chairman of the Ground Transportation Subcommittee, said, "Chairman SHUSTER's historic leadership deservedly has been recognized by the prestigious Congressional Quarterly which named him one of the five top 'Legislative Drivers' in the Congress, (the other four being U.S. Senators), and the National Journal recently reported that 'SHUSTER has chalked up a remarkable record. Not surprisingly, his colleagues regard him as one of the last great chairmen on Capitol Hill.' We all salute Chairman SHUSTER for his extraordinary accomplishments. This has been the 6 most productive years in the Committee's history."

I have said many times that if a young Member of Congress wanted to see how to get things accomplished in the Congress, he should follow Chairman BUD SHUSTER for awhile.

Chairman SHUSTER is respected by everyone, on both sides of the aisle, and staff as well as Members.

Chairman SHUSTER has spent his career building America. The fruits of his work can be seen all over this Nation, and improvements that he started will be going on for many years.

Our economy is much stronger, and, more importantly, lives are being saved because of projects which owe their genesis in major part to BUD SHUSTER.

I personally appreciate the kindness shown to me by Chairman SHUSTER. I could not have been the Chairman of the Aviation Subcommittee, the highlight of my service in the Congress, if it had not been for BUD SHUSTER.

I owe him a great personal debt, but I believe our country does as well. I believe that this Nation is a much better place today because of Chairman BUD SHUSTER, and I am very proud to call him my friend and my leader.