INTRODUCTION OF SENIORS ACCESS TO HEALTH CARE ACT OF 2002

HON. DAVE WELDON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 24, 2002

Mr. WELDON of Florida. Mr. Speaker, today I am introducing the Seniors Access to Health Care Act of 2002 in order to guarantee that senior citizens continue to have access to health care providers under the Medicare program. This bill includes most of the provisions of a bill (H.R. 4954) that was approved earlier this year to restore payments to health care providers, ensuring that they continue to see seniors.

I am introducing this bill, today because the Senate has failed to approve legislation establishing a prescription drug plan for seniors and a restoration of payments to providers. I am fully committed to enacting a prescription drug plan for senior citizens, but given the failure of Democrat Majority Leader TOM DASCHLE to secure Senate passage of a prescription drug bill, I believe it would be doubly harmful to seniors if we allowed additional provider cuts to go into effect. It is for this reason that I believe it is important that we at least ensure that these additional cuts are averted. We should plug this hole while we continue to work together to address the need for a prescription drug plan for seniors.

Last year physicians saw a 5 percent reduction in their reimbursement rates from Medicare. This year, without the changes proposed in my legislation, they will see another 5.7 percent reduction. This cut comes at a time when providers are facing an unprecedented rise in medical malpractice premiums, and a dramatic increase in the costs of health insurance premiums for their own employees. A second year of reductions in Medicare reimbursements will lead more providers to drop out of the Medicare program or to leave medical practice altogether. It is important for seniors that we not allow this to happen.

The other significant change from the House-passed bill is the removal of the requirement for nationwide competitive bidding in durable medical equipment. I believe additional work needs to be done in this arena to fully understand its impacts on savings and quality of care.

IN RECOGNITION OF BART'S 30TH ANNIVERSARY

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 24, 2002

Ms. PELOSI. Mr. Speaker, I rise today to pay tribute to the San Francisco Bay Area Rapid Transit District, known as BART, as it celebrates its 30th anniversary this month. BART is the San Francisco Bay Area's premier mode of public transit and has carried nearly 2 billion passengers quickly and efficiently since it opened in 1972.

Established in 1957 by the California State Legislature to relieve the unbearable traffic congestion on Bay Area roads, the BART concept was popular with the public from the very beginning. BART service began on September 11, 1972, an event that signaled a renaissance in rail transit in the United States. It was the first new rail rapid transit system built in the U.S. in more than 60 years and the first fully automated transit system in the world. The American Public Works Association named BART one of the ''Top Ten Public Works Projects of the 20th Century,'' an honor it shares with the Golden Gate Bridge, the Panama Canal, and the Hoover Dam.

The BART District includes the counties of Alameda, Contra Costa and San Francisco, with service to San Mateo County. On an average weekday, BART carries about 310,000 passengers. The system consists of 95 miles of double track and 39 stations. With nearly 3,500 employees throughout the system, a $420 million operating budget and $561 million capital budget, BART is an important part of the Bay Area's economy.

BART continues to grow and thrive. Four new stations and 8.7 additional miles of double track are set to open in early 2003 with service to the San Francisco International Airport and the Peninsula. BART will connect with Caltrain, a 77-mile commuter rail service, at the Millbrae station to create a 180-mile combined regional rail network. Continued regional transportation needs are spurring several BART extensions, now in the planning stages. These extensions would take BART to Warm Springs, to San Jose, to the Oakland International Airport, and possibly other heavily traveled corridors in the East Bay.

Mr. Speaker, BART has consistently provided safe, fast, and reliable transportation to Bay Area residents and visitors. BART has served the San Francisco Bay Area well for 30 years, and we look forward to an even more extensive and more efficient rail system 30 years from now. I urge my colleagues to Join me in wishing BART a Happy 30th Birthday.

ARTICLE BY PROFESSOR DAVID YAMADA

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 24, 2002

Mr. McDERMOTT. Mr. Speaker, as Congress grapples with how to best create a Department of Homeland Security that will meet our nation's security needs, I'd like to include in the CONGRESSIONAL RECORD comments that Professor David Yamada made regarding this issue. Mr. Yamada is a co-founder of the Workers' Rights Committee of Americans for Democratic Action and a professor of law at Suffolk University Law School in Boston. I share many of Mr. Yamada's concerns.

(By Professor David Yamada)

In the hours and weeks that followed the September 11 attacks, thousands of unionized police officers and firefighters representing the diversity of America secured the damaged sites and sifted through the horrible destruction. Few events in American history have more strongly attested to the value of having dedicated public employees on the front lines of our civil defense network.

Nevertheless, the Bush Administration's proposed Homeland Security legislation threatens to make second class citizens of federal airport security workers who are hired to screen passengers and to inspect packages and baggage. If Congress approves the bill in its current form, newly hired airport screening personnel could be denied all basic labor protections. These include the rights to join a union, to negotiate over wages and working conditions, to be free from discrimination and harassment, and to be protected against retaliation for whistle blowing.

This very real possibility is rooted in a little-known loophole in the recently enacted Aviation and Transportation Security Act. The loophole allows the Department of Transportation, ''notwithstanding any other provision of law,'' to ''employ, appoint, discipline, terminate, and fix the compensation, terms, and conditions of employment'' for all federal airport screening personnel. Read literally, this allows the DOT to fix summarily all terms of employment for airport security workers, without regard to any existing federal labor law protections.

The recently proposed Homeland Security bill would transfer the airport screening functions specified in the Aviation and Transportation Security Act to the new Department of Homeland Security. The bill further provides that the Secretary of Homeland Security will be granted all powers previously accorded to the federal agencies absorbed into the new Department. This means that the Secretary will inherit the same alarming carte blanche authority originally granted to the DOT to unconditionally mandate all terms of employment for airport security screeners.

This short, seemingly insignificant provision carries huge implications. First, it obviously means that thousands of new federal employees could be denied their basic labor rights at the whim of a single Cabinet member. In addition, it would send an unprecedented message that fundamental worker protections, by their very existence, are inconsistent with the goal of national security. Indeed, if airport baggage screeners can be required to give up these civil rights under the guise of national security, can police officers, firefighters, and even privately employed transportation workers be far behind?

Finally, stripping these employees of their labor protections would defeat the goal of hiring a skilled and motivated workforce for this important security function. Recall that one of the original concerns in light of September 11 was that, because airport screening workers were so poorly paid, the security companies had trouble attracting qualified personnel, and that many of these workers reported for duty exhausted from working other jobs to pay their bills. How many qualified, trustworthy individuals will apply for and remain in a job in which giving up virtually all basic legal protections is a condition of employment?

Hard-won legal protections for workers should not be sacrificed in the name of national security without valid, convincing reasons for doing so. In this case, the manner in which airport security workers have been put at risk of losing their rights smacks of an insidious attempt to ''sneak one through'' Congress, taking undue advantage of the public's understandable fears about the safety of air travel. Because the Aviation and Transportation Security Act already spells out in detail the necessary skill levels and security clearances for airport screeners, there is no principled reason also to require a wholesale removal of their labor safeguards.

Consideration of the Homeland Security bill now provides Congress with an opportunity to undo the hidden damage of the Aviation and Transportation Security Act. In the aftermath of September 11, President Bush stood in solidarity with police officers