

THE "SENATOR PAUL WELLSTONE MENTAL HEALTH EQUITABLE TREATMENT ACT OF 2003"

**HON. PATRICK J. KENNEDY**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 2003*

Mr. KENNEDY of Rhode Island. Mr. Speaker, despite the will of the American people, despite the will of bipartisan majorities in Congress, despite the insistence of the President of the United States and the maxims of decency, and fairness, a mental health parity bill has yet to be enacted.

That is why, today, with Senators DOMENICI and KENNEDY, and Congressman Jim RAMSTAD, I am again introducing the Senator Paul Wellstone Mental Health Equitable Treatment Act of 2003. This bill has been named in honor of the late Senator Paul Wellstone who fought hard for the cause of equal opportunity for all Americans.

The Wellstone Parity Act is, at its core, a civil rights bill. It recognizes that the right to basic healthcare for millions of Americans continues to be violated due to lingering bigotry. It reflects the values on which this country was built, principles of inclusion and opportunity for all Americans.

This bill will help tens of millions of our fellow countrymen and women who suffer from mental illnesses gain needed access to treatment. Treatment, which they currently are denied and have been for quite some time. This bill is based on parity provisions in the Federal Employee Health Benefit Plan (FEHBP), which Members of Congress, other federal employees, and their families already have.

Specifically, it requires that group health plans, which choose to provide mental health benefits not impose any treatment limits or financial requirements for mental health care unless comparable treatment limits or financial requirements are imposed for physical health benefits.

With that said, there has, unfortunately, been a lot of misinformation circulated with regards to this bill. Therefore, it is important that I clarify what this bill does not do.

It does not require health plans to cover treatment of mental illnesses. It only applies if they choose to include mental health benefits.

It does not prevent group health plans from managing benefits as a means to contain costs, and to monitor and improve the quality of care. In fact, it specifically protects insurers' right to apply management techniques.

It does not mandate coverage of specific mental health services, nor does it allow endless "Woody Allen-like" psychoanalysis for every beneficiary. This bill unambiguously allows plans to make medical necessity determinations so that care can be provided judiciously.

It does not require parity between two or more employer-sponsored benefits plans. It only requires parity within each individual plan.

It does not require parity for out-of-network benefits, as long as in-network benefits are provided at parity and the plan provides reasonable access to in-network providers and facilities.

Opponents of this bill will say it is too expensive and drives up the cost of healthcare.

The data, however, show otherwise. The Congressional Budget Office (CBO) has projected that enactment of a parity bill of this kind would result in premium increases of only 0.9%. The collective experience of many states that have passed parity laws, as well as the FEHBP, closely mirrors the CBO projections.

In fact, the CBO estimate may be too high. The CBO projections did not take into account the billions of dollars of savings employers will gain with reduced absenteeism, fewer disability claims, and lower general health services associated with untreated mental illnesses.

The Senator Paul Wellstone Mental Health Equitable Treatment Act of 2003 is not just an instrument to repeal the prohibition on Americans to gain access to affordable and needed mental health care; it is also a bill that addresses an ever-increasing public health crisis in our nation.

Mental illness is our nation's second leading cause of morbidity and mortality. In the United States, severe mental illnesses are more common than cancer, diabetes or heart disease; one in four Americans will suffer from a serious mental disorder in their lifetime; more than 51 million Americans suffer from a mental disorder in a year; 67% of elderly nursing home residents have a diagnosable mental illness; 67% of the population with AIDS will develop a neuropsychiatric disorder; more than ten million children suffer from a serious emotional disorder and more than 30,000 people commit suicide every year.

Each of these statistics has a human face associated with it. Anna Westin of Chaska, Minnesota suffered from a serious eating disorder that required inpatient hospitalization. When her insurance company told her hospital that her mental health benefits had been exhausted, she was prematurely discharged and sent home. One month later, after receiving this inadequate medical care, she committed suicide. Anna is just one of many Americans victimized by the cruelty of medical discrimination.

Discrimination is a discarded idea from the past. Yet, in certain sectors of our society it continues to thrive like a malignant cancer infecting and feeding off the soul of our nation. For the sake of our parents, our grandparents, our children, our neighbors, and ourselves, we must finally excise this cancer from our society.

In the 19th century, famed novelist and poet Victor Hugo wrote: "There's one thing stronger than all the armies of the world: And that is an idea whose time has come."

The time for mental health parity has arrived. I want to thank my colleagues for the strong bipartisan support this legislation has received, and I look forward to finally removing this dreadful stain of discrimination that defiles the spirit of America.

RECOGNITION OF MATTHEW ISADORE REYES

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 2003*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Matthew Isadore Reyes, a very

special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Matthew has been very active with his troop, participating in summer camp at H. Roe Bartle Scout Reservation and earning the status of Brave in the tribe of Mic-O-Say. During the six years he has been involved in scouting, he has earned 38 merit badges and is Brotherhood Member of The Order of the Arrow. Matthew also has been honored for his numerous scouting achievements, earning the rank of Patrol Leader of the Panther Patrol and Runner at Camp Naish.

For his Eagle Scout project, Matthew built two cedar benches and planted a tree for the Rolling Hills Community Church. He was able to get all of the materials for his project donated.

Mr. Speaker, I proudly ask you to join me in commending Matthew Isadore Reyes for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO IRVIN WHITTAKER

**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 2003*

Mr. THOMPSON of Mississippi. Mr. Speaker, in commemoration of Black History Month, I would like to take this opportunity to recognize the many accomplishments of distinguished African-Americans in Mississippi's Second Congressional District.

Irvin Whittaker is a native of Carrollton County. Although many close to Mr. Whittaker felt that education should not be his primary focus, he had a strong desire to complete high school. With money that he saved from sharecropping, Mr. Whittaker moved to Jackson, Mississippi. It was here that he decided to enter Lanier High School. During High School, Mr. Whittaker became part of the active reserves and spent six months in the Army. In 1959, he re-entered high school at Marshall High School where he started to play basketball. While playing he was noticed by a coach and was offered a scholarship to Mississippi Industrial College.

Upon graduating, Mr. Whittaker's professional career in education began. In 1963, he was appointed as a teacher at Old Salem High School in Ashland, Mississippi. Mr. Whittaker was then appointed as principal of Marshall High School where he served until 1968. In 1968, Mr. Whittaker became assistant principal at Amanda Elzy High School. After serving for two years, Mr. Whittaker later became the principal. In 1983, he was asked by the Superintendent of Leflore County Schools to serve as Assistant Superintendent. In 1991, Mr. Whittaker was elected to the office of the County Superintendent, an office which he held until his retirement in 2000.

REMEMBERING REV. EDWARD  
VICTOR HILL SR.

**HON. DIANE E. WATSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 2003*

Mr. WATSON. Mr. Speaker, I rise today to express my sadness in the passing of a great community and civic leader, Dr. Edward Victor Hill Sr.

He was known throughout the United States and the world for his compassionate sermons and teaching. He will be dearly missed.

For the past 42 years, Rev. E.V. Hill has been the pastor of the Mount Zion Missionary Baptist Church in Los Angeles. He grew up in poverty in a Texas log cabin. By the age of 21 he became pastor of the Mount Corinth Missionary Baptist Church in Houston, where he was one of seven black pastors who joined Dr. Martin Luther King in forming the Southern Christian Leadership Conference. Rev. Hill soon became a confidant of Dr. King and a central leader to the civil rights struggle.

Rev. Hill came to Los Angeles in 1961 to become the pastor of Mount Zion. By 1972, he was elected as the youngest president of the California State Baptist Convention. Under Rev. Hill's leadership, his congregation became a center of political and social activism in Los Angeles. He fought for government programs that would bring housing and economic development to his communities. He also started a number of church-based programs, among them the creation of senior citizen housing, a credit union, and a service for the hungry called the "Lord's Kitchen."

I send my heartfelt condolences to the Hill family. My thoughts and prayers are with them.

PERSONAL EXPLANATION

**HON. CHRISTOPHER COX**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 2003*

Mr. COX. Mr. Speaker, had I been present on February 26, 2003, I would have voted "yes" on H. Con. Res. 36 to celebrate the 140th Anniversary of the Emancipation Proclamation and commend President Abraham Lincoln's efforts to end slavery.

INTRODUCTION OF THE RECREATIONAL WATERS PROTECTION ACT

**HON. JIM SAXTON**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 2003*

Mr. SAXTON. Mr. Speaker, I rise today to introduce the Recreational Waters Protection Act.

I have been working on this issue for some time, and introduced this bill in the last session of Congress because its passage would reduce pollution from recreational boats by encouraging boaters to use and purchase new Type I marine sanitation devices (MSD) instead of discharging their waste into the water

because pumpout stations are either unavailable, inoperative or inconvenient to use.

This legislation would harness new technology and establish new standards for Type I marine sanitation devices that are 100 times more stringent than current standards, which have not been revised in over twenty years.

This bill would grant an exemption allowing those who have such Coast Guard certified devices to use them in any state-declared no discharge zones that are designated after the enactment of this bill into law. It would not impact any existing state-declared no discharge zones.

The available evidence shows that the existing NDZ approach does not work to the benefit of the environment. It is highly unlikely that law enforcement efforts will ever be sufficient to make the NDZ approach work, even if sufficient pump-out stations were accessible and operational.

Giving boat owners the opportunity to improve the operation of their vessels and at the same time contribute to improving the aquatic environment through their voluntary installation and use of the new Type I MSDs is clearly preferable to today's situation.

When the Federal Water Pollution Control Act was signed into law, this type of technology did not exist and therefore simply prohibiting dumping via NDZs seemed like the best solution at the time. However, with the overall poor performance with pumpout stations and non-compliance with NDZs, I believe it is time to revisit this bill and these issues and recognize if there is a better, more environmentally conscious way to fight pollution, we ought to be using it, period.

I encourage other members to join me in support of this important piece of conservation legislation.

RECOGNITION OF SARAH DOTY

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 2003*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Sarah Doty, a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of America, Troop 300, and in earning the most prestigious honor of the gold award.

The Girl Scout Gold Award is the highest achievement attainable in girl scouting. To earn the Gold Award, a scout must complete five requirements, all of which promote community service, personal and spiritual growth, positive values, and leadership skills. The requirements include: 1. earning four interest project patches, each of which requires seven activities that center on skill building, technology, service projects, and career exploration; 2. earning the Career Exploration Pin, which involves researching careers, writing resumes, and planning a career fair or trip; 3. earning the Senior Girl Scout Leadership Award, which requires a minimum of 30 hours of work using leadership skills; 4. designing a self-development plan that requires assessment of ability to interact with others and prioritize values, participation for a minimum of 15 hours in a community service project, and development of a plan to promote girl scouting; and 5. spending a minimum of 50 hours planning and implementing a Girl Scout Gold Award project

that has a positive lasting impact on the community.

For her Gold Award project, Sarah organized a golf clinic for middle and high school girls.

Mr. Speaker, I proudly ask you to join me in commending Sarah Doty for her accomplishments with the Girl Scouts of America and for her efforts put forth in achieving the highest distinction of the Gold Award.

TRIBUTE TO JAMES E. GRAVES,  
JR.

**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 2003*

Mr. THOMPSON of Mississippi. Mr. Speaker, in commemoration of Black History Month, I would like to take this opportunity to recognize the many accomplishments of distinguished African-Americans in Mississippi's Second Congressional District.

Justice Graves began his distinguished career as the valedictorian of his high school graduating class. He then went on to earn a Bachelor's Degree in Sociology from Millsaps College. Justice Graves then decided to enroll at Syracuse University where he earned his law degree. He also received a Master's of Public Administration from Syracuse University.

Upon finishing law school Justice Graves worked as a staff attorney at Central Mississippi Legal Services. Just prior to being appointed Circuit Justice Judge he was director of the Division of Child Support Enforcement for the Mississippi Department of Human Services. Justice Graves then engaged in private practice of law for more than three years.

His teaching experience includes serving as an instructor at Harvard Law School where he taught for four years. Justice Graves has also served as adjunct professor at Jackson State University where he taught both media law and civil rights law.

Justice Graves is also active in public school activities. He teaches the youth about the legal system as well as coaches mock trial teams which have reached state mock trial finals every year since 1991.

Justice Graves has been the recipient of numerous awards. Some of his recognitions include Humanized Education Award, Parent of the Year, Parent of the entire State of Mississippi, Innovation Award, Distinguished Jurist Award, and the Judge of the Year Award.

TIMBER TAX SIMPLIFICATION ACT

**HON. MAC COLLINS**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 2003*

Mr. COLLINS. Mr. Speaker, I rise today to introduce legislation which corrects an inequity in the Internal Revenue Code which affects the sale of certain assets.

Under current law, landowners who are occasional sellers of timber are often classified by the Internal Revenue Service as "dealers." As a result, the seller is forced to choose between a "lump sum" payment method or a