

health services for our rapidly growing population of older Americans. While we have made great strides in extending the life span, we continue to face the challenge of improving the quality of life for America's senior citizens. This legislation is designed to integrate mental health services with other primary care services in community settings that are easily accessible to the elderly.

We can effectively treat many of the mental disorders common in older Americans, but in far too many instances we are not making such treatments available. Unrecognized and untreated mental illness among elderly adults can be traced to gaps in training of health professionals, and in our failure to fully integrate mental illness identification and treatment with other health services. Mental illnesses are poorly recognized in many care settings and knowledge about effective interventions is simply not reaching primary care practitioners. Research has shown that treatment of mental illnesses can reduce the need for other health services and can improve health outcomes for those with other chronic diseases. These missed opportunities to diagnose and treat mental diseases are taking a huge toll on the elderly and increasing the burden on their families and our health care system.

Mr. Speaker, I recognize that the stigma associated with mental illness, the lack of Medicare coverage for prescription medicines, and Medicare benefit discrimination related to mental health services also limit appropriate care for the elderly. I am committed to address these broader problems through Medicare reform legislation as soon as possible. In the meantime, we can and we must take other steps. We must increase opportunities for effective diagnosis and treatment of mental illness among the elderly. This legislation is intended to do just that.

Mr. Speaker, I strongly believe there are immediate opportunities to improve mental health care for older Americans. This legislation can help to target our resources on identifying and treating a population at high risk for disability and dependence. We have an obligation to take what is known about effective treatments and improve the quality of life and overall health of millions of seniors. It's not only the right thing to do; it's also an investment that will return enormous dividends in terms of more economical use of health resources, improved patient outcomes, a better quality of life for older Americans.

I am grateful for the support of my colleagues who have joined me in introducing this bill, particularly the gentleman from Maryland, and for the many advocates out in our communities across the country who are leading the way with strong initiatives and good examples. I particularly would like to recognize the American Association for Geriatric Psychiatry for their tireless leadership in the area of mental health for seniors.

I hope that this House will join me in honoring the citizens who have built this great country by ensuring that they get the full range of health services they need.

INTRODUCING THE NATIONAL
AMUSEMENT PARK RIDE SAFETY
ACT OF 2003

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 2003

Mr. MARKEY. Mr. Speaker, Memorial Day is the beginning of the season when American families take their children to our amusement parks for a day of fun and sun. Unfortunately, it is also the case that over 75 percent of the serious injuries suffered on these rides occur between the months of May and September. Most of America thinks that the rides at these parks are subject to oversight by the nation's top consumer safety watchdog—the Consumer Product Safety Commission (CPSC.). But this is not true. The industry used to be subject to federal safety regulation, but in 1981 it succeeded in carving out a special-interest political exemption in the law—the so-called Roller Coaster Loophole.

It is time to put the safety of our children first—it is time to close the Roller Coaster Loophole.

Today I am introducing the NATIONAL AMUSEMENT PARK RIDE SAFETY ACT, to restore safety oversight to a largely unregulated industry. I am joined in this effort by Representatives GEORGE MILLER, BILL PASCRELL, BARNEY FRANK, FRANK PALLONE, RICHARD NEAL, JAN SCHAKOWSKY, JIM MCGOVERN, CAROLYN MALONEY and JOHN TIERNEY.

SUPPORT FOR THE BILL

We are supported in this endeavor by the nation's leading consumer-protection advocates, including Consumer's Union, the Consumer Federation of America, the National SAFE KIDS Campaign, Saferparks.org, and the U.S. Public Interest Research Group.

Moreover, the nation's pediatricians—the doctors who treat the injuries suffered by children on amusement park rides—have endorsed our bill. According to the American Academy of Pediatrics, “a first step to prevention of these injuries is adopting stronger safety regulations that allow for better inspection and oversight of the fixed-rides.”

THE PROBLEM WITH STATE-ONLY REGULATION

“Fixed” or “fixed-site” rides are found predominantly in destination theme parks. When an accident occurs on such rides, the law actually prevents the CPSC from even setting foot in the park to find out what happened. In some states, an investigation may occur, but in many, there is literally no regulatory oversight at all. And no matter how diligent a particular state might be, there is no substitute for federal oversight of an industry where park visitors often come from out-of-state; a single manufacturer will sell versions of the same ride to park operators in many different states; no state has the jurisdiction, resources or mission to ensure that the safety lessons learned within its borders are shared systematically with every other state.

RIDES CAN KILL, NOT JUST THRILL

Although the overall risk of death on an amusement park ride is very small, it is not zero. Fifty-five fatalities have occurred on amusement park rides in the last 15 years, and over two-thirds occur on “fixed-site” rides in our theme parks. In August 1999, 4 deaths occurred on roller coasters in just one week,

“one of the most calamitous weeks in the history of America's amusement parks,” according to U.S. News and World Report:

August 22—a 12-year-old boy fell to his death after slipping through a harness on the Drop Zone ride at Paramount's Great America Theme Park in Santa Clara, California;

August 23—a 20-year-old man died on the Shockwave roller coaster at Paramount King's Dominion theme park near Richmond, Virginia;

August 28—a 39-year-old woman and her 8-year-old daughter were killed when their car slid backward down a 30-foot ascent and crashed into another car, injuring two others on the Wild Wonder roller coaster at Gillian's Wonderland Pier in Ocean City, New Jersey.)

Since that week, there have been six more fatalities on amusement park rides, including an 11-year-old girl just over two weeks ago at Six Flags Great America in Gurnee, Illinois.

Every one of these is an unspeakable horror for the families. It is simply inexcusable that when a loved one dies or is seriously injured on these rides, there is no system in place to ensure that the ride is investigated, the causes determined, and the flaws fixed, not just on that ride, but on every similar ride in every other state. The reason this system does not exist is the Roller Coaster Loophole.

Every other consumer product affecting interstate commerce—a bicycle or a baby carriage, for example—endures CPSC oversight. But the theme park industry acts as if its commercial success depends on remaining exempt from CPSC oversight. As a result, when a child is injured on a defective bicycle, the CPSC can prevent similar accidents by ensuring that the defect is repaired. If that same child has an accident on a faulty roller coaster, no CPSC investigation is allowed. That's just plain wrong.

FATALITIES PER MILE COMPARED TO TRAINS, PLANES,
BUSES AND AUTOS

The industry attempts to justify its special-interest exemption by pretending that there is no risk in riding machines that carry human beings 70, 80 or 90 miles an hour. The rides are very short, and most people are not injured. But in fact, the number of fatalities per passenger mile on roller coasters is higher than on passenger trains, passenger buses, and passenger planes. The National Safety Council uses a standard method of comparing risk of injury per distance traveled. As can be seen from the following table, riding on a roller coaster is generally safer than driving a car, but is not generally safer than riding a passenger bus, train or airplane:

	Fatalities				Fatalities per 100 mil miles
	1997	1998	1999	2000	
Automobiles	21,920	21,099	20,763	20,444	0.86
Roller Coasters	3	4	6	1	0.70
Railroad Passenger					
Trains	6	4	14	4	0.05
Scheduled Airlines ..	42	1	17	87	0.01
Buses	4	26	39	3	0.04

Fatalities are just the tip of problem, however. Broken bones, gashes, and other serious injuries have been rising much faster than attendance. Neither the CPSC is prohibited from requiring the submission of injury data directly from ride operators, so it is forced to fall back on an indirect method, the National Electronic Injury Surveillance System (NEISS), which gathers information from a statistical sample of hospital emergency rooms and then estimates national numbers. Nevertheless,

NEISS has been gathering these statistics systematically over many years, so that trends become clear over time.

SOARING INJURY RATES IN OUR PARKS

Beginning in 1996, a sharp upward trend can be seen in hospital emergency room visits by passengers on "fixed" rides—the category of rides exempt from CPSC regulation under the Roller Coaster Loophole. These injuries soared 96 percent over the next five years. Meanwhile, such emergency room visits were falling for passengers on rides that the CPSC still regulates.

Here are the year-by-year estimates of non-occupational amusement ride injuries, 1996–2001, from the CPSC:

Year	Fixed ("unregulated")	Mobile ("regulated")
1996	3419	2963
1997	5353	2562
1998	6523	2751
1999	7629	2788
2000	6595	3985
2001	6704	1609

The theme park industry likes to tell the public that its rides are safer than the mobile rides because they are overseen by a permanent park staff, but according to this independent government safety agency report, the mobile parks have less of an injury problem than the theme parks.

Why has this startling increase in amusement park rides occurred recently? No one knows for sure. If the facts were known to the CPSC, it could do its job. But the facts are kept from the CPSC, so we are left to speculate.

We know, for example, that new steel technology and the roller coaster building boom of the 1990s resulted in an increase in the speed almost as dramatic as the increase in serious injuries. All of the nation's 15 fastest coasters have been built in the last 10 years.

In 1980, the top speed hit 60 mph. In 1990, it hit 70 mph. The top speed today is 120 mph.

For the most part, these rides are designed, operated and ridden safely. But clearly, the margin for error is much narrower for a child on a ride traveling at 100 mph than on a ride traveling 50 mph. Children often do foolish things, and the operators themselves are often teenagers. People make mistakes. The design of these rides must anticipate that their patrons will act like children, because they often are children.

THE BILL RESTORES BASIC SAFETY OVERSIGHT TO THE CPSC

The bill we are introducing today will close the special-interest loophole that prevents effective federal safety oversight of amusement park rides. It would, therefore, restore to the CPSC the standard safety jurisdiction over "fixed-site" amusement park rides that it used to have before the Roller Coaster Loophole was adopted. There would no longer be an artificial and unjustifiable split between unregulated "fixed-site" rides and regulated "mobile" rides. When a family traveled to a park anywhere in the United States, a mother or father

would know that their children were being placed on a ride that was subject to basic safety regulations by the CPSC.

It would restore CPSC's authority to:

1. Investigate accidents,
2. Develop an enforce action plans to correct defects, and
3. Act as a national clearinghouse for accident and defect data.

The bill would also authorize appropriations of \$500 thousand annually to enable the CPSC to carry out the purposes of the Act.

I urge my colleagues to join us in this effort to make this the safest summer ever in our theme parks. Let's pass the National Amusement Park Ride Safety Act.

IN MEMORY OF LANCE CORPORAL MATTHEW SMITH

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 2003

Mr. PENCE. Mr. Speaker, it is with equal amounts of profound pride and sympathy that I come to the floor this morning. I rise to honor a noble American, Lance Corporal Matthew R. Smith, a Marine Corps reservist from Anderson, IN, killed Saturday, May 10, while serving his country in Kuwait. Lance Corporal Smith lost his life in a vehicle collision while running supply missions between Iraq and Kuwait. Lance Cpl. Smith was just 20 years old. He is survived by his father David, his mother Patricia, and by his brother Mason.

Lance Corporal Smith was assigned to Detachment 1, Communications Company, Headquarters and Service Battalion, 4th Force Service Support Group based in Peru, IN, an outfit he had served selflessly and courageously since enlisting in June of 2001.

Lance Corporal Smith's father David said that his son had an intense love for the Corps, and his fellow Marines. Mr. Smith told the Indianapolis Star, "How many people on this Earth die doing the job they know they were put here to do." His Aunt Vicki added, "He died doing what he believed in."

Lance Corporal Smith was a student of history—he was enrolled at Indiana University before he was called to active duty—an interest he vigorously embraced in his free time, in the classroom, and as a member of the Social Studies Academic Team. His school teachers recall a young man often expressing blunt, straight-forward and in-your-face viewpoints which they always found to be well researched and sophisticated for his age. He was also an accomplished athlete; he spent time during high school playing rugby and was active in other outdoor activities.

Mr. Speaker, Lance Corporal Smith joins the 137 other proud and distinguished Americans who have made the ultimate sacrifice—these wonderful men and women gave their lives in defense of freedom, a freedom we all too often take for granted.

May God bless the family of Lance Corporal Smith during this difficult time, and may they experience the prayers and thanks of a grateful nation. May they rest upon the promise of Jeremiah 31:13, "I will turn their mourning into gladness. I will give them comfort and joy instead of sorrow."

A TRIBUTE TO PRESIDENT CHEN SHUI-BIAN

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 2003

Mr. LANTOS. Mr. Speaker, it is my distinct honor and a true privilege as the ranking Member in the House International Relations Committee, to congratulate President Chen Shui-bian and the people of Taiwan upon the third anniversary of his election.

President Chen has been an instrumental component as Taiwan moves along the path of democratization and wide economic reform. Moreover, President Chen deserves recognition for repeatedly demonstrating his commitment to human rights and rule of law. These are no small accomplishments, and are but one of the litany of achievements that that President Chen has scored while in office. In this regard, I would like to share with my colleagues a small sample of the highlights of President Chen's first three years in office.

First, President Chen has shown a continued commitment to the long-standing economic and cultural relationship that exists between the United States and Taiwan. Today, Taiwan remains a top ten trading partner and the strength of our cultural ties can be clearly seen by the number of Taiwanese students, currently at more than 30,000, who attend U.S. colleges and universities.

Second, President Chen has been a quiet yet fiercely determined leader in bringing Taiwan greater exposure and admittance to the global community nations. His success in this area is evident by the recent entrance of Taiwan into the World Trade Organization (WTO). Mr. Speaker, future goals include seeking membership in the World Health Organization and the International Civic Aviation Organization.

Third, President Chen has exhibited great diplomacy with his cautious and measured comments and actions toward the People's Republic of China. Mr. Speaker, I personally believe that President Chen demonstrated great courage when he promised that Taiwan would not seek independence as long as Beijing refrains from using force against Taiwan.

Mr. Speaker, this short list is but illustrative of President Chen's achievements to date. I strongly urge all of my colleagues to join me in congratulating President Chen Shui-ban on the first three years of his presidency, and wish him continued success on all of his future endeavors.