

Faleomavaega, Sam Farr, Michael Forbes, Bart Gordon, Gene Greene, Ralph Hall, Earl Hilliard, Maurice Hinchey, Darlene Hooley, Steny Hoyer, Paul Kanjorski, Carolyn Kilpatrick, Ron Klink, Dennis J. Kucinich, John LaFalce, Tom Lantos.

Barbara Lee, Sandy Levin, John Lewis, Nita M. Lowey, Bill Luther, Karen McCarthy, Jim McDermott, Jim McGovern, Mike McNulty, Carolyn B. Maloney, Jim Maloney, Ed Markey, Matthew Martinez, Robert T. Matsui, Carrie Meek, Robert Menendez, George Miller, Joe Moakley, Jerry Nadler, Richard Neal, Eleanor Holmes Norton, Jim Oberstar, John Olver, Major Owens.

Frank Pallone, Donald Payne, Nancy Pelosi, David Phelps, Earl Pomeroy, Nick Rahall, Charles Rangel, Lynn Rivers, Ciro Rodriguez, Carols Romero-Barcello, Lucille Roybal-Allard, Bobby Rush, Martin Sabo, Bernie Sanders, Tom Sawyer, Jan Schakowsky, Louise Slaughter, Vic Snyder.

Debbie Stabenow, Peter Stark, Ted Strickland, Bart Stupak, Ellen Tauscher.

Mike Thompson, Karen Thurman, John Tierney, Edolphus Towns, Jim Traficant, Peter Visclosky, Maxine Waters, Melvin Watt, Henry Waxman, Robert Wexler, Robert Weygand, Bob Wise, Lynn Woolsey, Al Wynn.

#### Issue Area:

In addition to HR 3075, a \$2.4 billion paid-for package [dollars expressed as additions to costs in HR 3075]

#### Hospitals:

Freeze indirect medical education cut for 1 year more than HR 3075 (\$0.2); Freeze disproportionate share hospital cuts for 1 year more than HR 3075 (\$0); Carve out DSH payments from payments to M+C plans. Moves about \$1 billion per year to the nation's safety net hospitals; is not in HR 3075 (\$0).

#### Rural hospitals:

Tanner Amendment to protect rural and cancer hospitals against outpatient department PPS cuts (HR 3075 phases in cuts to these hospitals, still leaving huge payment reductions) (\$0.2).

#### \$1500 therapy caps:

Strike HR 3075 limits by suspending caps for 2 years while a new, more rational system is developed (net \$0).

#### Community health centers & rural CHCs:

Establish a PPS system which protects CHCs against State Medicaid cuts (\$0.2).

#### Nursing homes:

Raise HR 3075's payment to high acuity cases from 10% to 30% (\$0.1); Raise HR 3075's nursing home inflation adjustment from 0.8% in FY01 to 1% (\$0.1) and authorize extra payments for hi cost of living in Hawaii and Alaska.

#### Physicians:

Study of why payment rates in certain States and Puerto Rico are low.

#### Home health:

Provide \$250 million "outlier" pool for home health agencies that treat tough cases (\$0.3) HR 1917, by Rep. Jim McGovern and 102 cosponsors.

#### Hospice:

Eliminate 1% cut in FY 01 and 02 (\$0.2).

#### Medicaid:

Help for Medicaid DSH formula errors in NM, DC, MN, and WY (\$0.2) Permanent fix for CA Medicaid DSH problem \$0; Help families not lose Medicaid coverage as a result of delinking of welfare and Medicaid eligibility (\$0.2).

#### CHIPs:

Increase CHIPs amount for Possessions and provide technical fix to CHIPs formula (\$0.1).

#### Beneficiary improvements:

Immuno-suppressive drugs, cover without a time limit (\$0.3); Allow States to require M+C plans to cover certain benefits (like MA used to do with Rx (\$0); Allow people abandoned by M+C plans to buy a medi-gap policy which covers Rx (\$0); Coverage of cancer treatment for low-income women (\$0.3) HR 1070, by Rep Eshoo and Lazio and 271 cosponsors.

#### Pay-fors:

3 Medicare items from President's budget: mental health partial hospitalization reform, Medicare Secondary Payer data match, and pay for outpatient drugs at 83% of average wholesale price. (\$2.4).

### CONGRATULATING JOSEPH MOFFETT ON HIS BEING SELECTED TO COMPETE IN THE NATIONAL BIRDING COMPETITION

#### HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1999

Mr. NEAL of Massachusetts. Mr. Speaker, I rise today to congratulate Joseph Moffett for being selected to the ABA/Leica Tropicbirds Team of 1999. Joseph, along with three other youths, has been chosen to compete in The Florida Space Coast Flyway Festival birdathon. This is a national birding competition which will be held on November 13, 1999.

Joseph, who is fifteen years old, lives in Mendon, Massachusetts and is a member of the ABA and the Massachusetts Audubon Society. Joe is also a member of many other birding clubs including; the Brookline Bird Club, the Forbush Bird Club, and the Stony Brook Bird Club. Joe works at the Stony Brook Audubon Sanctuary as a volunteer naturalist and a councilor in training. Joe also takes part in the Christmas Bird Count and Massachusetts Audubon Birdathon fund-raiser. Joe keeps lists of the birds he sees on various birding outings and submits them to the Bird Observer, a birding journal.

In addition to Joe's birding skills, he is also a proponent of environmental protection. Joe has started a rainforest club in his school and has raised money to save acreage of a rainforest. Most of the birding events that Joe participates in are also fund-raisers, which raise money for the protection of new bird species that are found during the events and for the protection of birds in general.

Mr. Speaker, it is my great pleasure to congratulate Joseph Moffett on his accomplishments and commend him for being a model citizen and a great influence to his community.

### CONFERENCE REPORT ON S. 900, GRAMM-LEACH-BLILEY ACT

SPEECH OF

#### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 4, 1999

Ms. LEE. Madam Speaker, I rise to express my concern as well as that of my constituents

regarding the Senate version, the Gramm version, of the Financial Services Modernization Act.

The initial report by the media that the conference report met the expectations of consumer advocates raised hopes that the Senate would meet the House's commitment to two major aspects of this critically important bill: the Community Reinvestment Act provisions and the necessary protection of the privacy of consumer, customer information, and records. I continue to want to vote for a Financial Services Modernization bill.

I want to address the importance of the Community Reinvestment Act which is also known as CRA. This act was passed almost 30 years ago to say that banks should also lend to low-income customers and neighborhoods in their areas of operation. In the 23 years of bank practices to meet CRA provisions, an impressive \$1 trillion has been generated as loans to low-income customers; the clear majority of banks recognize the value of CRA as a powerful tool to build community trust and respect for the otherwise cold marble and steel of stone-hearted bankers.

Let me share a success story of CRA in my community, affecting my constituents in Oakland and adjoining cities. The success story is about an old, crumbling, and once-beloved vegetable and meat market known as Swan's Marketplace.

In the last two decades, as residents and businesses flowed out of downtown, Swan's found it more and more difficult to survive. It finally had to close. Stories were written about its demise. It took years, but the city government and the people of Oakland and community agencies knowledgeable about CRA, our community heroes, the very same people that Senator GRAMM so recklessly labels as "extortionists," pulled together, in a magnificent civil effort to create a wonderful center combining almost every aspect of community development into one square city block. The heroes and heroes who put this together say: "We have a market, affordable housing, services to special populations and community revitalization. On top of that, we've included use of the arts for economic development and restored and preserved a city historic landmark."

I hardly have to add that the housing is a wonderful plus in an area with severe housing shortages, and that jobs have been created, and that an essential community success has added to the revitalization of a declining downtown not only during the day but also at night.

Swan's was complex from a banking perspective. "There's nothing commonplace about it" said a representative from a large local bank that provided a \$7.8 million construction loan. CRA had encouraged banks to look at financing difficult projects that benefit communities. Before CRA, banks may have dismissed the project as too difficult, but CRA has provided the needed motivation which has prompted banks to successfully invest in communities.

The story of CRA's important role in the reformation of Swan's Marketplace is not a rare occurrence. Community after community have called on members of the Banking Committee and the Commerce Committee to protect, and to include the CRA provisions in any banking modernization bill. I have worked since I

joined Congress over a year ago, to include the basic elements of CRA in H.R. 10.

The House-passed version of the Financial Modernization bill, to my mind, had fairly weak CRA provisions by excluding securities and insurance functions. But the Gramm version weakens these protections even further by requiring banks to report every 5 years.

Senator GRAMM added a wickedly ironical provision that he describes as a "sunshine" regulation. In California sunshine provisions protect citizens by requiring that the legislative bodies act with proper and timely notice being given to the public on time of meeting and publication of issues to be discussed.

This sunshine provision in Senator GRAMM's bill is a terrible perversion of that protection. This provision mandates that community organizations working with banks to produce more affordable housing have to report on their functions, and their contracts. These reporting requirements are not made of financial institutions, only community organizations. Instead of treating these groups as heroes for their life-saving, community-saving work, they must report like criminals.

Presently, banks have to meet a satisfactory rating, and then maintain it in order to be favorable considered for expansion or mergers. S. 900 allows these banks to meet the "satisfactory" standard only once and frees them from further obligation to maintain it. Do it once and you are free of obligations thereafter. This is a terrible travesty of present CRA practices.

The other major weakness in S. 900 has to do with the easy access to customer's private information that is available. Presently, each one of the three functions: banking, insurance, and securities, cannot share their customers' information with each other. With the passage of S. 900 the walls are down.

Insurance companies have records on a customer's health. This record will now be available to the bank, or the insurance company that can now offer banking services, when you apply for a loan. Is this information that should be so easily available. Is this what our constituents would allow? I don't think so.

However, should customers want to know how the bank, or the insurance company, or the securities sales office is handling their account and ask for a record, and possibly make the necessary corrections, they will not be able to do so. We are considering legislation that could really produce nightmare situations for our constituents.

S. 900 only asks that banks report their plan to protect privacy without any obligation to any one, or any institution to implement it, to modify it, or to improve it. This is a hollow requirement, devoid of substance.

These are two of the major flaws of S. 900. But I have to raise the objections that I raised in the Banking Committee about the consequences of financial services modernization without appropriate safeguards.

S. 900 will allow for further mergers and conglomeratization. It will once again expose us to the congressional, national liability for the \$500 billion bailout of the savings and loan industry of the 1980's.

The conglomerates will be too big to regulate and too big to fail and the taxpayer will be stuck with the consequences.

Additionally, along with my colleagues, Representatives WATERS, FRANKS, SANDERS, JONES of Ohio, and SCHAKOWSKY, we have tried to introduce the most basic of consumer protections as we give the financial services what they want. We have tried to protect fair housing by prohibiting insurance companies from discriminating, and we have tried to establish limited basic banking accounts for low-income customers, but without success.

This financial modernization bill, S. 900, or H.R. 10, is the product of 20 years of effort. It saddens me to see 20 years of work dissolve into this miserable bill. I ask my colleagues to vote against it.

#### GROUNDBREAKING OF THE AUSCHWITZ JEWISH CENTER

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, November 8, 1999*

Mr. LANTOS. Mr. Speaker, today I invite my colleagues to join me in commemorating the official ground-breaking for the Auschwitz Jewish Center a tribute to the Jews who perished in this century's most senseless tragedy. The Center, located in the last remaining synagogue in the town of Oswiecim (the Polish name for Auschwitz), will offer visitors to the site of the Auschwitz-Birkenau death camp an opportunity for reflection, education, and understanding of the enormous loss inflicted by the Holocaust.

The groundbreaking for the Auschwitz Jewish Center takes place on the eve of the sixty-first anniversary of Kristallnacht ("The Night of Broken Glass"), the 1938 Nazi pogrom that foreshadowed the Holocaust and marked the beginning of the Nazi effort to exterminate the Jews. Ninety-one German and Austrian Jews were murdered during Kristallnacht, and 26,000 more were arrested and deported to concentration camps. Nazi thugs set fire to 101 synagogues and destroyed almost 7,500 Jewish-owned businesses. This evening of terror and brutality marked the beginning of the end of German Jewry. Kristallnacht, which was orchestrated by Nazi Propaganda Minister Joseph Goebbels, was an attempt permanently to wreck the cultural and civic infrastructure of the Jewish people in the hope that Jews would never again find comfort in Germany.

Mr. Speaker, the anniversary of Kristallnacht reminds us yet again why the establishment of the Auschwitz Jewish Center holds such great significance. The Center will offer visitors seminar rooms, a library, a memorial wall to victims of the Holocaust, genealogy records, and a screening room for viewing testimonials from Holocaust survivors which will be made available through an agreement with Steven Spielberg's Shoah Foundation. It will allow guests to learn about Oswiecim's rich Jewish history, which dates back to medieval times, and it will permit them to ponder over the destruction of this community and thousands like it across Europe. Most of all, the Center will offer Jews and non-Jews alike the opportunity to mourn and remember.

I urge my colleagues to join me in praising the accomplishments of the Auschwitz Jewish

Center Foundation, Inc., a New York based tax-exempt organization created in 1995 to support the Center's creation, and its founder and president, noted philanthropist Fred Schwartz. Mr. Schwartz and his lovely wife, Allyne, visited Auschwitz in 1993 and shortly after began the process of creating an institution that would help to "attach human characteristics to the people who perished there." Fred set up the Auschwitz Jewish Center Foundation and, aided by the devoted efforts of executive director/vice president Daniel Eisenstadt and a wealth of other talented individuals, and the Center has contributed immeasurably to the memory of the victims of Auschwitz and the Holocaust.

Mr. Speaker, Fred and Allyne Schwartz and all of their associates involved in the establishment of the Auschwitz Jewish Center merit the appreciation of every Member of the House. As a Holocaust survivor, I am grateful to them for paying tribute to the most horrendous legacy of the twentieth century. As a grandfather, I am even more indebted to them for keeping this memory alive for the twenty-first century and beyond.

#### MEDICARE, MEDICAID, AND SCHIP BALANCED BUDGET REFINEMENT ACT OF 1999

SPEECH OF

**HON. BILL ARCHER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, November 5, 1999*

Mr. ARCHER. Mr. Speaker, I would like to submit for the RECORD the attached letters which I and the Chairman of the Committee on Commerce have exchanged regarding H.R. 3075, the Medicare Balanced Budget Refinement Act of 1999.

HOUSE OF REPRESENTATIVES,

COMMITTEE ON WAYS AND MEANS,

*Washington, DC, November 5, 1999.*

Hon. THOMAS J. BLILLEY, JR.

*Chairman, House Committee on Commerce,  
Washington, DC.*

DEAR CHAIRMAN BLILLEY: This is in response to your letter regarding further consideration of H.R. 3075, the Medicare Balanced Budget Refinement Act of 1999.

I understand that, in order to expedite consideration of this legislation, the Committee on Commerce will not be marking up the bill. The Commerce Committee will take this action based on the understanding that it will be treated without prejudice as to its jurisdictional prerogatives on this measure or any other similar legislation. Further, I have no objection to your request for conferees with respect to matters in the Commerce Committee's jurisdiction if a House-Senate conference is convened on this or similar legislation.

Finally, I will seek to include in the Record a copy of our exchange of letters on this matter. Thank you for your assistance and cooperation in this matter.

With best personal regards,  
Sincerely,

BILL ARCHER,  
*Chairman.*