

they'd rather stick to themselves than build relationships only to sever them. "I would like to have friends," says Rosa. "But it's hard to make them. And I can't do the kinds of things you do with friends because I don't have money."

Rosa hopes to graduate high school and become a nurse, but those gaps in her education mean she has missed out on more than a full social life. The director of her school's migrant program thinks Rosa will have a tough time making it to nursing school. Even so, it's not impossible for migrant teens to succeed. In spite of her stop-and-go schooling, Janie has managed to kick serious academic butt, acing her honors classes. After an essay that she'd written about being a migrant caught the eye of people at AFOP, Janie was selected to attend an International Labor Organization conference in Switzerland in June. Last spring she graduated from high school with a 4.0 GPA. She was set to go to Ohio State University—and then her scholarship fell through. Anxious to get on with her education, Janie enlisted in the army rather than wait to reapply for scholarships.

MONEY DOESN'T GROW ON TREES

If Janey is a success story among migrant teens, she's also an exception. A near majority of migrants—45 to 55 percent, says Mull—don't graduate from high school. "There are all these incentives for the kids not to stay in school," says Mull. "They have the disruption in the flow of education. Some parents want older kids to work full-time. [In Mexico, where many migrant families are from, it's not uncommon for kids to leave school at 15.] Once they [these kids] start earning money, the motivation is to make more money."

Cash was definitely on Rosalino's mind when he dropped out of school. Up until eighth grade, Rosalino, 18, lived and went to school in Mexico. After he and his family moved to Florida when he was 13, Rosalino quit school so he could help his family earn money. "During the winter I work in strawberry fields in Florida," he explains, sitting under a weeping willow tree at a migrant camp in Michigan. "In June my father and brothers and sisters drive two days to Michigan, where we pick until October." At the height of the season, Rosalino clears \$200 a week—most of which goes to his family. That money must tide them over during the slow winter months, when jobs are sparse. The average migrant farmer works only 26 weeks a year, and many can't collect unemployment during the off-season.

When Rosalino ponders his future, he hopes he'll be able to shake the mud off his boots and leave the fields. "I don't want to work on farms all my life," he says. In his pursuit of a better career, however, he's hindered by a host of handicaps. He doesn't speak English, though he's lived in the United States for six years, and he doesn't have too many skills under his belt other than fieldwork.

It's kids like Rosalino who worry children's advocates like California Representative Tom Lantos. The migrant life is usually a prison of poverty, Lantos says, and education is the key to unlocking that jail. "These children won't have any future 10, 20, 30 years from now if they are deprived of their education, if their total work experience is farm labor," says Lantos. "We must provide them with an education and an opportunity to develop their potential."

LABOR AGAINST LABOR

Unlike a lot of countries that turn a blind eye to child labor, the United States has

been cracking down on farmers who employ underage kids. But, say advocates like Lantos, to really keep children out of the fields, we must change the laws so that it's no longer legal for them to be there. Lantos recently proposed a Young American Workers' Bill of Rights, which aims to close the loopholes in child labor laws that make it legal for kids and young teens to work long hours in agriculture. Secretary of Labor Alexis M. Herman says she's also trying "to see how [current child labor laws] can be strengthened."

But banning child labor and actually stopping it from happening are two very different things. "We find children working in the fields in this country for many reasons besides a disregard for the law," says Secretary Herman. "We have to address the root causes—chronic poverty, lack of child care, underemployment." And the government is trying. The federal government funds Migrant Head Start and other education programs that give kids a place to go during the day while their parents pick, and provide them with a school away from school, so they can continue their studies when their families are on the road. President Clinton has allocated more cash for education programs as well as job training projects that give kids (and adults) alternatives to the fields. There have also been efforts to make parents aware of the dangers of farmwork and the importance of keeping kids in school.

Ultimately, though, migrant teens and their families will find it a rough road to hoe, says Mull. Major improvement in conditions would mean, among other things, paying adult pickers more so there would be less pressure to make kids work. But increasing wages could raise produce prices—and few consumers relish the idea of shelling out more money for a head of lettuce. Maybe if people understood the plight of migrant teens, they'd be willing to pay a few extra bucks a year to help, but, as Janie says, migrants are pretty much invisible to many Americans. "I've met people who are running the country who don't know about the migrant life," says Janie. "Most people don't even know we exist."

PERSONAL EXPLANATION

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1999

Mr. UDALL of Colorado. Mr. Speaker, on November 4th, I was unavoidably detained from casting rollcall vote 569.

Had I been present, I would have voted "no" on rollcall vote 569.

HONORING OUR NATION'S VETERANS ON VETERANS' DAY

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1999

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to the millions of Americans who served and sacrificed for our country in wars all over the world. This week we celebrate Veterans' Day in thousands of ceremonies

across America, including several in the 1st Congressional District of Arkansas which I was so proud to represent.

November 11 was originally the day commemorating the 1918 armistice that ended World War I. The original Armistice Day celebrated the signing of the armistice between the Allies and the Central Powers at the 11th hour of the 11th day of the 11th month. The first commemorative ceremony was held when an American soldier was buried in the Arlington National Cemetery at the same time as a British soldier was buried in Westminster Abbey and a French soldier was buried at the Arc de Triomphe. In 1954, following World War II and the Korean Conflict, Armistice Day became known as Veterans Day. Realizing that peace was equally preserved by veterans of WW II and Korea, Congress was requested to make this day an occasion to honor those who have served America in all wars.

Many times we have asked our veterans to put their lives on hold, to leave their families to serve their country and protect our freedoms. Because of their strength and courage, all Americans enjoy the ideals of democracy.

On Veterans Day, it is important to remember that our Nation owes a commitment to our veterans every day of the year. We salute the millions of Americans who, because of their courage, have given us the freedom that we all enjoy. These heroes sacrificed for love of country, not only answering the call of our flag, but also honoring its meaning. Veterans' Day is a time for all Americans to remember their extraordinary commitment that has made our country the greatest nation that has ever been.

On this Veterans Day, we should all express our sincere thanks to our fellow Americans who valiantly served abroad in the U.S. Armed Forces. We should all reflect on the pride we share in the men and women who have kept our Nation free and strong.

DECEPTIVE MAIL PREVENTION AND ENFORCEMENT ACT

SPEECH OF

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 2, 1999

Mr. DAVIS of Illinois. Mr. Speaker, I am proud to have played a part in the House consideration and markup of the Honesty in Sweepstakes Act of 1999. Last month, the Subcommittee on the Postal Service marked up H.R. 170, and unanimously approved an amendment in the nature of a substitute offered by the ranking minority member congressman FATTAH and chairman MCHUGH. Our bill which closely mirrors sweepstakes legislation passed by the Senate in August would:

Impose disclosure requirements relating to sweepstakes mailings and skills contests (contests in which a prize is awarded based on skill, and a purchase, payment, or donation is required) concerning rules, terms, conditions, sponsor, place of business of sponsor, odds of winning, and other information to help ensure the consumer has complete information about the contest;

Prohibit mailings that suggest a connection to the federal government, or that contain false representations implying that federal government benefits or services will be affected by participation or nonparticipation in the contest;

Require that copies of checks sent in any mailing must include a statement on the check itself stating that it is nonnegotiable and has no cash value;

Require certain disclosures to be clearly and conspicuously displayed in certain parts of the sweepstakes and skill contest promotions;

Require sweepstakes companies to maintain individual do-not-mail lists;

Give the Postal Service additional environment tools to investigate and stop deceptive mailings, including the authority to impose civil penalties and subpoena authority;

Require that companies adopt reasonable practices and procedures to prevent the mailing of materials on sweepstakes or skills contests to individuals who have written to the companies requesting not to receive such mailings;

Establish a private right of action in state court for consumers who receive follow-up mailings despite having requested removal from a mailer's list; and

Establish a federal floor above which states could enact more restrictive requirements.

H.R. 170 adds two very important and critical provisions consumer protection provisions. First, we provided the Postal Service with subpoena authority to combat sweepstakes fraud. In addition, we have limited the scope of subpoena authority to only those provisions of law addressing deceptive mailings, and required the Postal Service to develop procedures for the issuance of subpoenas.

The second provision contains language authored by the ranking minority member, Congressman FATTAH which added a private right of action to sweepstakes legislation. This provision now a part of H.R. 170, would allow consumers to file suit in state court if a sweepstakes promoter continues to send mailings despite having requested removal from a mailer's list. This important enforcement tool, contained in section 8 of H.R. 170, is supported by the National Consumers League, the American Association of Retired Persons and the Direct Marketing Association.

The issue of consumer protection, whether it relates to telemarketing fraud or sweepstakes deception is finally receiving the attention it deserves and I am pleased we have provided additional consumer protection along this line.

I would be remiss if I did not thank my colleagues who have sponsored honesty in sweepstakes legislation in the House. Special recognition deserves to go to the authors of H.R. 170, Congressmen LOBIONDO and CONDIT. Their diligence has ensured a bipartisan bill. I would also like to acknowledge the support of Congressman BLAGOJEVICH, himself the sponsor of sweepstakes legislation, H.R. 2731, the Consumer Choice and Sweepstakes Control Act.

Special recognition goes to the State of New York, Office of the Attorney General, the National Association of Attorneys General, the Federal Trade Commission, National Consumers League, the American Association of Retired Persons, Direct Marketing Association,

the Postal Service Inspector General, and Courtney Cook, of the minority staff. Your hard work, input and support have been appreciated.

Mr. Speaker, I thank you for being gracious and working with us to achieve a bipartisan bill.

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

SPEECH OF

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 5, 1999

Mr. RUSH. Mr. Speaker, I rise to express my opposition to the process by which we are considering some of the most important legislation that this House will debate during this session of Congress—the Medicare, Medicaid and Schip Balanced Budget Refinement Act of 1999. As a member of the Commerce Committee, I would have liked to have had the opportunity to fully debate the Medicare, Medicaid and SCHIP changes that this legislation makes. Particularly, in light of the impact the Balanced Budget Act has had on Illinois hospitals.

Illinois hospitals are experiencing severe financial hardship as a result of the Balanced Budget Act of 1977 (P.L. 105-33). The cuts mandated by the BBA were supposed to simply slow the growth in the Medicare program. However, the Act "overcorrected" the growth in Medicare spending and severely reduced Medicare reimbursements to hospitals and health service providers for five years beginning in 1997. In Illinois alone, it is estimated that hospitals will lose \$2.8 billion in Medicare payments over a five year period. The financial burden of the BBA cuts is particularly acute for the teaching hospitals in my state. Because Illinois ranks fifth in the nation in the number of teaching hospitals, and these facilities are expected to lose more than \$1.6 billion over the five-year period, of the BBA's life. These cuts have a devastating effect on the communities that they serve.

I opposed the Balanced Budget Act when it was debated by the House of Representatives in 1997. I believed that it was bad policy then, and believe that it is bad policy now.

In order to provide relief for the teaching hospitals and other health service providers that were so adversely impacted by the BBA, I introduced legislation, Health Care Preservation and Accessibility Act of 1999, H.R. 3145, to restore some of the Medicare reimbursements that the BBA reduced. The legislation was intended to accomplish this in a number of ways:

(1) H.R. 3415 would freeze the cuts in indirect medical payments (IME) to teaching hospitals at 1999 levels. It also freezes cuts in the disproportionate share payments (DSH payments) at 2% and provides payments directly to those serving a large share of low-income patients;

(2) directs the Secretary of Health and Human Services to make payments for Graduate Medical Education (GME) to children's

hospitals for the Medicare FY 2000 and 2001 cost reporting periods for the direct and indirect expenses associated with operating approved medical residency training programs;

(3) sets a floor on outpatient hospital payments so that rural hospitals do not fall below 1999 levels and establishes a new payment system for rural health centers;

(4) revises the payment system for community health centers so that it more adequately reimburses for the costs of care and allows safety net providers that provide health coverage to low-income Americans to be directly compensated for their services;

(5) eliminates the \$1,500 per beneficiary cap imposed by the BBA and replaces it with a payment system that is based on the severity of illness;

(6) revises the BBA's new prospective payment system for skilled nursing facilities by increasing reimbursements for patients needing a high level of services to more accurately reflect the cost of their care;

(7) delays a scheduled 15% reduction in the home health interim payment system if the Secretary of Health and Human Services misses the deadline for instituting the new prospective system. H.R. 3415 also allows for interest free recoupment of overpayments due to HCFA's underestimation of the interim payment rates for certain agencies. Finally, H.R. 3415 provides additional protections for seniors citizens and persons with disabilities and strengthens protections and sanctions for Medicare fraud and abuse.

Mr. Speaker, I introduced the Health Care Preservation and Accessibility Act of 1999 when it looked as if we could not reach agreement on even the minimal BBA relief that the legislation before us provides to Illinois hospitals, and hospitals across the nation. I am reluctantly supporting the legislation before us today, because it is the only option that has been presented to us. But it is my hope that we will have the courage to revisit this issue in the next session, and complete the job that we have only begun with H.R. 3075.

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

SPEECH OF

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 4, 1999

Mr. COSTELLO. Madam Speaker, I rise today in strong opposition to the Financial Services Modernization Act. This bill was brokered by the Republican leadership, in a partnership with the large financial services lobbyists, to the benefit of enormous corporations at the ultimate expense of the American consumer.

This bill will expedite the creation of megabucks malls—the one-stop shopping of the financial world. This will hurt consumers because as financial services providers consolidate, competition will decline and consolidate decision-making and services among fewer service providers. Should one of these enormous institutions suffer a financial decline, we could see calls for a bailout that will recall the