

## HOUSE OF REPRESENTATIVES—Tuesday, March 9, 1999

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Mr. BLILEY).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
March 9, 1999.

I hereby appoint the Honorable TOM BLILEY to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,  
Speaker of the House of Representatives.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a bill and a concurrent resolution of the House of the following titles:

H.R. 882. An act to nullify any reservation of funds during fiscal year 1999 for guaranteed loans under the Consolidated Farm and Rural Development Act for qualified farmers or ranchers, and for other purposes.

H. Con. Res. 40. Concurrent resolution honoring Morris Udall, former United States Representative from Arizona, and extending the condolences of the Congress on his death.

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 15. Concurrent resolution honoring Morris King Udall, former United States Representative from Arizona, and extending the condolences of the Congress on his death.

The message also announced that pursuant to Public Law 105-220, the Chair, on behalf of the Majority Leader, announces the appointment of the following individuals to serve as members of the Twenty-first Century Workforce Commission—

Susan Auld, of Vermont;  
Katherine K. Clark, of Virginia;  
Bobby S. Garvin, of Mississippi; and  
Randel K. Johnson, of Maryland.

The message also announced that pursuant to Public Law 105-277, the Chair, on behalf of the Democratic Leader, announces the appointment of the following individuals to serve as members of the Commission on Online Child Protection—

Jerry Berman, of Washington, D.C.—Representative of a business making content available over the Internet;

Srinija Srinivasan, of California—Representative of a business providing Internet portal or search services; and

Donald N. Telage, of Massachusetts—Representative of a business providing domain name registration services.

The message also announced that pursuant to section 194(a) of title 14, United States Code, as amended by Public Law 101-595, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the United States Coast Guard Academy—

the Senator from Arizona (Mr. MCCAIN), ex officio, as Chairman of the Committee on Commerce, Science, and Transportation; and

the Senator from Missouri (Mr. ASHCROFT), Committee on Commerce, Science, and Transportation.

The message also announced that pursuant to section 1295(b) of title 46, United States Code, as amended by Public Law 101-595, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the United States Merchant Marine Academy—

the Senator from Arizona (Mr. MCCAIN), ex officio, as Chairman of the Committee on Commerce, Science, and Transportation; and

the Senator from Maine (Ms. SNOWE), Committee on Commerce, Science, and Transportation.

### MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BROWN) for 5 minutes.

### WE MUST NOT PRIVATIZE MEDICARE

Mr. BROWN of Ohio. Mr. Speaker, the National Commission on the Future of Medicare is poised to recommend to the President and to Congress that Medicare be privatized. They are soon likely to propose that Medicare, perhaps the Nation's best government program, be delivered to the private insurance market.

There is nothing new here. Conservative newspapers, like the Wall Street Journal and the Washington Times, for

years have been attempting to privatize Medicare. Privatize it, they say, in order to save it.

This is a critical time for Medicare. The program faces significant financial difficulty in part because of the impending retirement of the baby boomers and the fact that people are living longer. The Republican answer has been to privatize Medicare by moving Medicare beneficiaries into managed care and creating Medicare medical savings accounts.

These efforts to undermine the universal risk pool that has long supported Medicare will lead to one private system for the healthy and wealthy and a government-run welfare program for the sick and the less well off.

The managed care industry illustrates this point. HMOs understand that providing health insurance to Medicare beneficiaries who need little health care is far more profitable than providing it to those who need expensive care.

This is not a theoretical example. HMOs act according to the rules. Their primary purpose is the pursuit of profit, as it should be. Anyone who thinks we can ask the private sector to put qualitative values ahead of their shareholders' expectations of profitability did not take the same economics classes that I did.

Medicare is a fundamental part of the fabric of our society. Thirty-three years ago, before Medicare, fewer than 50 percent of America's elderly even had health insurance. Today, almost everyone over 65 is part of Medicare. It has helped people live better, it has helped people live longer. Medicare is such an important part of our lives and our society that it is almost taken for granted.

Two things about HMOs: They like profitable enrollees, and they do not stick around when things do not go their way. Last year, Medicare HMOs took it upon themselves to dispel the myth that privatization works. After enduring 1 whole year of reduced profits, more than one-fourth of the HMOs participating in Medicare, 96 plans total, quit. They left behind some 450,000 Medicare beneficiaries.

In my home city of Lorain, Ohio, United Health Care of Ohio dropped 2,000 Medicare patients from its plan because Lorain County seniors simply were not profitable enough for them. Yet United Health Care's CEO was paid a 1997 compensation of \$8 million and \$61 million in stock options.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Insurance that may not be there when we need it is not insurance. HMOs that bail out after 1 year are not serving anyone but their shareholders.

Clearly, the market deserves its very important place in our society. It is a dynamic engine of job growth in our State and across the country. The market creates wealth and raises our standard of living. There are many things the market does very well. But the purpose of publicly-owned national parks is to protect open space and preserve our Nation's heritage; the purpose of privatized national parks is to maximize profit through development and commercialization; the purpose of public prisons is to protect the public, to punish and to rehabilitate; the purpose of privatized prisons is to maximize profit by reducing staff and possibly cutting back on security; and the purpose of public medical systems is to provide the best health care possible to help people, especially children and the elderly, live healthier and longer lives; and the purpose of privatized medical systems is to maximize profit through private insurance companies denying benefits and introducing incentives to withhold care.

Our Nation has a compelling interest to maintain a steady, mutually beneficial balance between the public and private sectors. Private companies are important. Public programs are important. Government regulation is important.

We are in danger of becoming a land of two societies: One society for the more affluent and another for the less well off. The problem is that a Nation that produces the wealth that ours does should not leave 43 million of its citizens without health insurance. The private insurance market simply cannot provide for the common good by itself.

Let us remember how our country achieved its greatness. We are a Nation that taps the best effort and commitment from its citizens to build the world's strongest economy and the strongest Nation. We are a Nation that marshaled its military might to stop Hitler and protect freedom. We are a Nation that launched the GI bill, Social Security, Medicare, public education and the interstate highway system. We are a Nation that joins the resources of the private and public sectors to help people pursue a decent quality of life. It is a balance that works.

Let us keep Medicare the successful public program that it is.

#### WAR POWER AUTHORITY SHOULD BE RETURNED TO CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Texas (Mr. PAUL) is recognized during morning hour debates for 5 minutes.

Mr. PAUL. Mr. Speaker, the President has stated that should a peace treaty be signed between Serbia and Kosovo he plans to send in at least 4,000 American soldiers as part of a NATO peacekeeping force.

We, the Congress, have been informed through a public statement by the President that troops will be sent. We have not been asked to act in a constitutional fashion to grant the President permission to act. He is not coming to us to fully explain his intentions. The President is making a public statement as to his intentions and we are expected to acquiesce, to go along with the funding, and not even debate the issue, just as we are doing in Iraq.

That is not a proper constitutional procedure and it should be condemned. Silence in the past, while accommodating our Presidents in all forms of foreign adventurism from Korea and Vietnam to Iraq and Bosnia, should not be the standard the Congress follows.

The Constitution is clear: Our Presidents, from Washington to Roosevelt, all knew that initiating war was clearly the prerogative of the Congress, but our memories are flawed and our reading of the law is careless. The President should not be telling us what he plans to do, he should be giving us information and asking our advice. We are responsible for the safety of our troops, how taxpayers' dollars are spent, the security of our Nation, and especially the process whereby our Nation commits itself to war.

Citing NATO agreements or U.N. resolutions as authority for moving troops into war zones should alert us all to the degree to which the rule of law has been undermined. The President has no war power, only the Congress has that. When one person can initiate war, by its definition, a republic no longer exists.

The war power, taken from the Congress 50 years ago, must be restored. If not, the conclusion must be that the Constitution of the United States can and has been amended by presidential fiat or treaty, both excluding the House of Representatives from performing its duty to the American people in preventing casual and illegal wars.

Some claim that the Kosovo involvement must be clarified as to where the money will come to finance it, the surplus or Social Security. This misses the point. We have and should exert the power of the purse, but a political argument over surpluses versus Social Security is hardly the issue.

Others have said that support should be withheld until an exit strategy is clearly laid out. But the debate should not be over the exit strategy. It is the entry process that counts.

The war powers process was set early on by our Presidents in dealing with the North African pirates in the early 19th century. Jefferson and Madison,

on no less than 10 occasions, got Congress to pass legislation endorsing each military step taken. It has clearly been since World War II that our Presidents have assumed power not granted to them by the Constitution, and Congress has been negligent in doing little to stop this usurpation.

In the case of Kosovo, no troops should be sent without the consent of Congress. Vague discussion about whether or not the money will come out of Social Security or the budget surplus or call for an exit strategy will not suffice. If the war power is taken from the President and returned to the Congress, we would then automatically know the funds would have to be appropriated and the exit strategy would be easy: when we win the war.

Vague police actions authorized by the United Nations or NATO, and implemented by the President without congressional approval, invites disasters with perpetual foreign military entanglements. The concept of national sovereignty and the rule of law must be respected or there is no purpose for the Constitution.

#### AMERICA MUST STAND AS ONE NATION IN THE NEW MILLENIUM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) is recognized during morning hour debates for 5 minutes.

Mr. ROMERO-BARCELÓ. Mr. Speaker, as I stand before the House today, America enjoys a period of unparalleled prosperity and peace. Our country is strong, and life is good for most Americans. Unemployment is at one of the lowest rates ever. Education is a reality for everyone, and the possibility of higher education is more achievable than ever. For once, in our halls, we are debating how to spend a surplus instead of cutting and retrenching Federal programs.

These are heady times, and we stand at the eve of the millennium with hopeful hearts. As the new century approaches, we realize that divisions are blurring and that there is more that brings us together as Americans and even as citizens of the world. The principles proclaimed by the Declaration of Independence and our Constitution continue to shine forth through the test of time, and our democracy is a shining beacon throughout the world. It is now the perfect time to reflect deeply into our future and ponder where do we want our Nation to go and what do we want our Nation to become in the years ahead.

There is immense potential for our Nation to grow and boundless opportunities for each of us to reach our potential. We are blessed with peace and stand as citizens of the most powerful, most advanced Nation in the world. It