

on the administration's initiative to curb anti-trust violations by some companies. We can do better, Mr. Speaker.

Some of my colleagues have already emphasized that the U.S. Department of Justice cannot bring antitrust action against these corporations giants because federal law reserves that responsibility for the Department of Agriculture. At the same time, no one has ever given the Agriculture Department adequate resources to meet its antitrust responsibilities.

In addition, the bill rejects the administration's request for FDA's tobacco program. Unfortunately, some still oppose the FDA's valid jurisdiction to include the regulation of tobacco. This is regrettable and ill-advised at this time. At times, there are those who seek to entangle controversial issues that should not be contained in an appropriations measure. This is one of those times.

Mr. Speaker, I urge my colleagues to oppose the legislation.

VETERANS' HEALTH CARE

SPEECH OF

HON. ROBIN HAYES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 20, 2000

Mr. HAYES. Mr. Chairman, I rise today to urge my colleagues to oppose this amendment. This amendment jeopardizes the appropriations authority granted to Congress by the Constitution and will set a precedent that the administration and the President will determine spending instead of the U.S. Congress. I ask my colleagues to consider the precedent that this amendment will set with respect to our authority in Congress to determine spending levels for our country. This amendment is not about tobacco companies, it's about protecting funds for veterans' health care and whether or not you believe in the rule of law. Don't take \$20 million from veterans' health care or any other agency to pay for a lawsuit that history and legal precedent say you will not win. That would be a tremendous disservice to our veterans and our taxpayers. In today's Washington Times, Professor Michael Krauss argued the very same thing. "In 1997, Miss Reno herself testified before the Senate that the Federal Government had no legal basis to recover health care expenditures from tobacco companies." The Master Settlement Agreement between the states and the companies was supposed to remedy this situation. Mr. Krauss continues, the "White House had failed to enact its desired 55-cent-per-pack federal cigarette, Miss Reno shamelessly filed the very same lawsuit she had explicitly admitted was groundless."

As Mr. Krauss continues to argue, "the tobacco manufacturers never duped the Federal Government. Washington has known for decades that smoking is dangerous. Since 1964, every pack of cigarettes sold in the United States has carried a federally mandated warning of the health risks of smoking. So Washington has no direct fraud suit against Big Tobacco." In 1997 the Department of Veterans Affairs rejected former soldiers' allegations that they were sickened by cigarettes which

were given to them by the government at no cost until 1974; a full ten years after Washington required health warnings. Krauss asserts that the Federal Government cannot assume the rights of individual smokers to sue for damages.

In 1947, the United States Supreme Court, in *U.S. v. Standard Oil*, concluded that the Federal Government may not, unless it has expressed statutory to do so, sue third parties to recover health care costs. Following the ruling, Congress passed the Medical Care Recovery Act (MCRA), which allows the Government to recover the medical treatment costs given to individual military and federal employees injured by a third party's negligence. MARA, however, does not allow the recovery of general Medicare costs. Since its passage, not once has Washington made claims for costs incurred by Medicare.

The Secondary Payer provisions added to MARA in 1980 and 1984 give the Federal Government authority to recover Medicare costs previously promised to be paid by insurance companies. However, as noted by Krauss, the Secondary Payer provision has never been interpreted to allow the Federal Government to sue alleged wrongdoers, only insurers are allowed. To make recoveries under the Secondary Payer provisions, the Government must be able to prove the sales of tobacco, alone, are responsible for wrongdoing. Considering that Washington has played an active part in regulating, subsidizing, promoting and profiting from tobacco products while completely aware of its health risks, such proof of autonomous wrongdoing is difficult to find. Krauss concludes his article, describing the federal tobacco lawsuit as a "thinly veiled quest for billions in federal revenue," unobtainable through the U.S.'s constitutional taxing process.

For my friends on the other side who bemoan any kind of reduction in government spending, it's almost amazing they are working to cut funding for veteran health care and for military families, just to advance the political agenda of the administration. I strongly urge my colleagues to vote against this amendment.

COMMEMORATING THE HEROISM OF STANLEY T. ADAMS, RECIPIENT OF THE CONGRESSIONAL MEDAL OF HONOR

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. WALDEN of Oregon. Mr. Speaker, it is not necessary for me to explain the significance of the Congressional Medal of Honor. Its storied history, and the legend of the heroes who have won it, is well known to most Americans. With this decoration, the nation pays tribute to the bravest among its warriors, the men whose courage serves as a timeless inspiration to their comrades and a reminder of the fierceness of the American people to our enemies.

Among its winners is Stanley T. Adams, a veteran of the Korean war. Serving as a mem-

ber of Company A, 19th Infantry Regiment, then-Sergeant First Class Adams distinguished himself above and beyond the call of duty in action against an overwhelming hostile force. On February 4, 1951, Adams and his company came under intense attack by an estimated 250 enemy troops. Against this daunting force, Adams led a valiant bayonet charge, supported by only a handful of his own men. Despite sustaining painful wounds, he charged the enemy position and engaged in vicious hand-to-hand combat for more than an hour without rest. Due to the determination of Adams and the men under his charge, the surviving enemy retreated in confusion, removing the threat to the larger American force in the area.

Perhaps no greater testament to his gallant service exists than the freedom Adams and his fellow soldiers bequeathed to the people of South Korea. They remain a free people today because men of courage and principle would not yield to the forces of tyranny.

I will share the pride of his family, his community, and his nation on this Fourth of July, when Stan Adams' widow presents his Medal of Honor to the Oregon Veterans Home in The Dalles, Oregon. There it will remain for posterity, a permanent tribute to the bravery and dedication of one of America's greatest heroes.

THE FAMILY HEALTH TAX CUT ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. PAUL. Mr. Speaker, today I attempted to help working Americans provide for their children's health care needs by introducing the Family Health Tax Cut Act. The Family Health Tax Cut Act provides parents with a tax credit of up to \$500 for health care expenses of dependent children. Parents caring for a child with a disability, terminal disease, cancer, or any other health condition requiring specialized care would receive a tax credit of up to \$3,000 to help cover their child's health care expenses. The tax credit would be available to all citizens regardless of whether or not they itemize their deductions.

The tax credits provided in this bill will be especially helpful to those Americans whose employers cannot afford to provide their employees health insurance. These workers must struggle to meet the medical bills of themselves and their families. This burden is especially heavy on parents whose children have a medical condition, such as cancer or a physical disability, which requires long-term or specialized health care.

As an OB-GYN who has had the privilege of delivering more than four thousand babies, I know how important it is that parents have the resources to provide adequate health care for their children. The inability of many working Americans to provide health care for their children is rooted in one of the great inequities of the tax code: Congress' failure to allow individuals the same ability to deduct health care costs that it grants to businesses. As a direct

result of Congress' refusal to provide individuals with health care related tax credits, parents whose employers do not provide health insurance have to struggle to provide health care for their children. Many of these parents work in low-income jobs; oftentimes their only recourse to health care is the local emergency room.

Sometimes parents are forced to delay seeking care for their children until minor health concerns that could have been easily treated become serious problems requiring expensive treatment! If these parents had access to the type of tax credits provided in the Family Health Tax Cut Act they would be better able to provide care for their children and our nation's already overcrowded emergency room facilities would be relieved of the burden of having to provide routine care for people who otherwise cannot afford any other alternative.

According to research on the effects of this bill done by my staff and legislative counsel, the benefit of these tax credits would begin to be felt by joint filers with incomes slightly above 18,000 dollars a year or single income filers with incomes slightly above 15,000 dollars per year. Clearly this bill will be of the most benefit to low-income Americans balancing the demands of taxation with the needs of their children.

Under the Family Health Tax Cut Act, a struggle single mother with an asthmatic child would at last be able to provide for her child's needs; while a working-class family will not have to worry about how they will pay the bills if one of their children requires lengthy hospitalization or some other form of specialized care.

Mr. Speaker, this Congress has a moral responsibility to provide low-income parents struggling to care for a sick child tax relief in order to help them better meet their child's medical expenses. I would ask any of my colleagues who would say that we cannot enact the Family Tax Cut Act because it would cause the government to lose too much revenue, who is more deserving of this money, Congress or the working-class parents of a sick child?

The Family Health Tax Cut Act takes a major step toward helping working Americans meet their health care needs by providing them with generous health care related tax cuts and tax credits. I urge my colleagues to support the pro-family, pro-health care tax cuts contained in the Family Health Tax Cut Act.

INTRODUCTION OF A BILL TO AMEND THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AUTHORIZATION ACT OF 1992

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. CARDIN. Mr. Speaker, the legislation which I am introducing, which is a companion bill to the one introduced by Senator SARBANES, would provide NOAA with additional resources and authority necessary to ensure its

continued full participation in the Bay's restoration and in meeting with goals and objectives of the recently signed Chesapeake 2000. First, this measure would move administration and oversight of the NOAA Bay Office from the National Marine Fisheries Service (NMFS) to the Office of the Undersecretary to help facilitate the pooling of all of NOAA's talents and take better advantage of NOAA's multiple capabilities. In addition to NMFS there are four other line offices within NOAA with programs and responsibilities critical to the Bay restoration effort—the Office of Oceanic and Atmospheric Research, National Ocean Service, National Weather Service, and National Environmental Satellite, Data and Information Service. Getting these different line offices to pool their resources and coordinate their activities is a serious challenge when they do not have a direct stake or clear line of responsibility to the Chesapeake Bay Program. Placing the NOAA Bay office within the Under Secretary's Office will help assure the coordination of activities across all line organizations of NOAA.

Second, the legislation authorizes and directs NOAA to undertake a special five-year study, in cooperation with the scientific community of the Chesapeake Bay and appropriate other federal agencies, to develop the knowledge base required for understanding multi-species interactions and developing multi-species management plans. To date, fisheries management in Chesapeake Bay and other waters, has been largely based upon single-species plans that often ignore the critical relationships between water and habitat quality, ecosystem health and the food webs that support the Bay's living resources. There is a growing consensus between scientific leaders and managers alike that we must move beyond the single species approach toward a wider, multi-species and ecosystem perspective. Chesapeake 2000 calls for developing multi-species management plans for targeted species by the year 2005 and implementing the plans by 2007. In order to achieve these goals, NOAA must take a leadership role and support a sustained research and monitoring program. The Chesapeake Bay NOAA multi-species plans can, in fact, provide important information to other fisheries programs throughout the United States.

Third, the legislation authorizes NOAA to carry out a small-scale fishery and habitat restoration grant and technical assistance program to help citizens organizations and local governments in the Chesapeake Bay watershed undertake habitat, fish and shellfish restoration projects. Experience has shown that, with the proper tools and training, citizens' groups and local communities can play a tremendous role in fisheries and habitat protection and restoration efforts. The new Bay Agreement has identified a critical need to not only expand and promote community-based programs but to restore historic levels of oyster production, restore living resource habitat and submerged aquatic vegetation. The NOAA small-grants program, which this bill would authorize, would complement EPA's Chesapeake Bay small watershed program, and make "seed" grants available on a competitive, cost-sharing basis to local governments and non-profit organizations to implement hands-on projects such as improvement of fish passage

ways, creating artificial or natural reefs, restoring wetlands and sea-grass beds, and producing oysters for restoration projects.

Fourth, the legislation would establish an internet-based Coastal Predictions Center for the Chesapeake Bay. Resource managers and scientists alike agree that we must make better use of the various modeling and monitoring systems and new technologies to improve prediction capabilities and response to physical and chemical events within the Bay and tributary rivers. There are substantial amounts of data collected and compiled by Federal, state and local government agencies and academic institutions including information on weather, tides, currents, circulation, climate, land use, coastal environmental quality, aquatic living resources and habitat conditions. Unfortunately, little of this data is coordinated and organized in a manner that is useful to the wide range of potential users. The Coastal Predictions Center would serve as a knowledge bank for assembling monitoring and modeling data from relevant government agencies and academic institutions, interpreting that data, and organizing it into products that are useful to resource managers, scientists and the public.

Finally, the legislation would increase the authorization for the NOAA Bay Program from the current level of \$2.5 million to \$6 million per year to enhance current activities and to carry out these new initiatives. For more than a decade, funding for NOAA's Bay Program has remained static at an annual average of \$1.9 million. If we are to achieve the ultimate, long-term goal of the Bay Program—protecting, restoring and maintaining the health of the living resources of the Bay—additional financial resources must be provided.

The Chesapeake Bay Program, with the important participation of the NOAA Bay Office, has exhibited leadership utilizing the marine sciences to provide guidance for decision makers in the restoration and protection of this unique natural resource. This bill will not only continue that leadership but will significantly advance the knowledge generated from the additional functions called for in the reauthorization. This bill is supported by a number of Bay organizations and members of the scientific community.

HONORING THE LATE BOB
MURDOCH OF TYLER, TX

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. HALL of Texas. Mr. Speaker, it is my privilege today to recognize an exceptional individual, Bob Murdoch, of Tyler, TX, who passed away on May 27 of this year at the age of 81. Bob was well-known throughout Smith County and will be remembered for his leadership and tireless dedication to his community.

In 1951 Bob became general manager of the annual East Texas State Fair and held the position of manager from 1953 to 1995. As a tribute to his phenomenal forty-four years of leadership with the Fair, the office building at