

Bryant	Hinchey	Pryce (OH)
Burr	Hinojosa	Putnam
Burton	Hobson	Quinn
Buyer	Hoefel	Radanovich
Callahan	Hoekstra	Ramstad
Calvert	Holden	Regula
Camp	Horn	Rehberg
Cannon	Hostettler	Reyes
Cantor	Houghton	Reynolds
Capito	Hoyer	Riley
Cardin	Hulshof	Rivers
Carson (OK)	Hunter	Rodriguez
Castle	Hutchinson	Roemer
Chabot	Hyde	Rogers (KY)
Chambliss	Inslee	Rogers (MI)
Clement	Isakson	Rohrabacher
Clyburn	Issa	Ros-Lehtinen
Coble	Istook	Rothman
Collins	Jefferson	Roukema
Combest	Jenkins	Royce
Condit	John	Rush
Cooksey	Johnson (CT)	Ryan (WI)
Costello	Johnson (IL)	Ryun (KS)
Cox	Johnson, E. B.	Sanchez
Cramer	Johnson, Sam	Saxton
Crane	Jones (NC)	Scarborough
Crenshaw	Keller	Schiff
Culberson	Kelly	Schrock
Cunningham	Kennedy (MN)	Sensenbrenner
Davis (FL)	Kerns	Sessions
Davis, Jo Ann	Kildee	Shadegg
Davis, Tom	Kind (WI)	Shaw
Deal	King (NY)	Shays
DeGette	Kingston	Sherwood
DeLay	Kirk	Shimkus
DeMint	Knollenberg	Shows
Diaz-Balart	Kolbe	Shuster
Dicks	LaHood	Simmons
Dingell	Largent	Simpson
Doggett	Larsen (WA)	Skeen
Dooley	Latham	Skelton
Doolittle	LaTourette	Slaughter
Doyle	Leach	Smith (MI)
Dreier	Lewis (CA)	Smith (NJ)
Duncan	Lewis (KY)	Smith (TX)
Dunn	LoBiondo	Snyder
Edwards	Lucas (OK)	Souder
Ehlers	Maloney (CT)	Spratt
Ehrlich	Manzullo	Stearns
Emerson	Mascara	Stenholm
English	McCarthy (MO)	Stump
Eshoo	McCreary	Stupak
Everett	McHugh	Sununu
Ferguson	McInnis	Sweeney
Flake	McKeon	Tancredo
Fletcher	Meek (FL)	Tanner
Foley	Meeke (NY)	Tauscher
Forbes	Menendez	Tauzin
Ford	Mica	Taylor (MS)
Fossella	Millender-	Taylor (NC)
Frelinghuysen	McDonald	Terry
Gallegly	Miller, Gary	Thomas
Ganske	Mink	Thompson (MS)
Gekas	Moore	Thornberry
Gibbons	Moran (KS)	Thune
Gilchrest	Moran (VA)	Thurman
Gillmor	Morella	Tiahrt
Gilman	Murtha	Tiberi
Gonzalez	Myrick	Toomey
Goode	Napolitano	Towns
Goodlatte	Ney	Trafficant
Goss	Northup	Turner
Graham	Norwood	Upton
Granger	Nussle	Vitter
Graves	Ortiz	Walden
Green (WI)	Osborne	Walsh
Greenwood	Ose	Wamp
Grucci	Otter	Watkins (OK)
Gutknecht	Oxley	Watts (OK)
Hall (TX)	Pallone	Weldon (FL)
Hansen	Paul	Weldon (PA)
Harman	Pence	Weller
Hart	Peterson (MN)	Whitfield
Hastings (FL)	Peterson (PA)	Wicker
Hastings (WA)	Petri	Wilson
Hayes	Phelps	Wolf
Hayworth	Pickering	Woolsey
Hefley	Pitts	Wynn
Herger	Platts	Young (AK)
Hill	Pombo	Young (FL)
Hilleary	Pomeroy	
Hilliard	Portman	

NOT VOTING—9

Blumenauer	Linder	Nethercutt
Cubin	Lipinski	Spence
Hall (OH)	Miller (FL)	Stark

□ 2247

Mrs. NAPOLITANO changed her vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. ARMEY. Mr. Chairman, I ask unanimous consent that there be no more procedural votes this evening; that the committee be allowed to work with the Members in question on title II of the bill, without interruption; and as they complete that work this evening, any votes that are ordered on amendments be postponed until 9 a.m. tomorrow morning.

The CHAIRMAN. The Chair already has the authority to postpone votes on amendments but not on procedural motions.

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that there be no more procedural votes this evening and that the committee be allowed to continue its work on title II.

The CHAIRMAN. The Committee of the Whole cannot entertain that request.

Mr. ARMEY. Mr. Chairman, I ask unanimous consent that title II be considered as read and open for amendment at any time.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. FRANK. I object.

Mr. ARMEY. Mr. Chairman, it is clear and obvious to me that the Members of this body cannot work tonight effectively and make progress on this bill. That is unfortunate. Obviously, it will delay our departure tomorrow. But in consideration of the mood that we find on the floor this evening,

Mr. Chairman, I move that the Committee do now rise.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LATOURETTE) having assumed the chair, Mr. SHIMKUS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes, had come to no resolution thereon.

PLAN COLOMBIA SEMI-ANNUAL OBLIGATION REPORT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message

from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and the Committee on Appropriations and ordered to be printed.

To the Congress of the United States:

Pursuant to section 3204(e) of Public Law 106-246, I hereby transmit a report detailing the progress of spending by the executive branch during the first two quarters of Fiscal Year 2001 in support of Plan Colombia.

GEORGE W. BUSH.
THE WHITE HOUSE, July 26, 2001.

REPORT ON H.R. 2647, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2002

Mr. TAYLOR of North Carolina, from the Committee on Appropriations, submitted a privileged report (Rept. No. 107-169) on the bill (H.R. 2647) making appropriations for the legislative branch for the fiscal year 2002, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. All points of order are reserved on the bill.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2172

Mr. LANGEVIN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2172.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

REVISIONS TO ALLOCATION FOR HOUSE COMMITTEE ON APPROPRIATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. NUSSLE) is recognized for 5 minutes.

Mr. NUSSLE. Mr. Speaker, Pursuant to Sec. 314 of the Congressional Budget Act and Sec. 221(c) of H. Con. Res. 83, the concurrent resolution on the budget for fiscal year 2002, I submit for printing in the Congressional Record revisions to the allocations for the House Committee on Appropriations.

Adoption of the conference report on H.R. 2216, the bill making supplemental appropriations for fiscal year 2001, reverses the \$184,000,000 outlay adjustment for fiscal year 2002 that was required upon the reporting of that bill by the Appropriations Committee. The conference report on the supplemental did not

include any emergency-designated appropriations, which necessitated the earlier adjustment.

As reported to the House, H.R. 2620, the bill making appropriations for Veterans Affairs, Housing and Urban Development, and Independent Agencies for fiscal year 2002, includes an emergency-designated appropriations providing \$1,300,000,000 in new budget authority to the Federal Emergency Management Agency. No outlays are expected to flow from that budget authority in fiscal year 2002. Under the provisions of both the Budget Act and the budget resolution, I must adjust the 302(a) allocations and budgetary aggregates upon the reporting of a bill containing emergency appropriations.

As passed by the House, H.R. 2590, the bill making appropriations for the Department of Treasury, the Postal Service, and General Government for fiscal year 2002, included \$146,000,000 in new budget authority and \$143,000,000 in outlays for an earned income tax credit compliance initiative. I also must adjust the 302(a) allocations and budgetary aggregates upon the reporting of a bill containing appropriations for that purpose, up to the limits specified in the Budget Act (which are the same as the amounts shown above).

To reflect these required adjustments, I hereby increase the 302(a) allocation to the House Committee on Appropriations to \$662,746,000,000 for budget authority and \$682,919,000,000 for outlays. The increase in the allocation also requires an increase in the budgetary aggregates to \$1,627,934,000,000 for budget authority and \$1,590,617,000,000 for outlays.

These adjustments apply while the relevant legislation is under consideration and take effect upon final enactment of such legislation. Questions may be directed to Dan Kowalski at 67270.

HMO REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Iowa (Mr. GANSKE) is recognized for half the time between now and midnight as the designee of the majority leader.

Mr. GANSKE. Mr. Speaker, we have some important issues coming up in this next week, I hope. One of those, I hope, will be a full debate with a fair rule on a patient's bill of rights.

We have been working on this legislation for about 5 years, and when we had this debate here on this floor 2 years ago, a young man and his mother came up from Atlanta, Georgia, to see how the debate would go. This little boy's name was James Adams.

When James was 6 months old, one night about 3 in the morning, he had a temperature of about 105 degrees. He was a pretty sick little baby. His mother phoned the 1-800-HMO number and she said, my little baby is really sick and has a temperature of over 104, and I think he needs to go to the emergency room. She was following the rules to get an authorization.

The HMO reviewer at the end of that telephone line said, well, I guess that

would be all right. I will authorize you to go to this one particular emergency room because that is where we have our contract. But if you go to another one, you are on your own. So Jimmy's mother said, well, where is it? And the voice at the end of the telephone line said, I do not know, find a map.

Well, it turned out that this authorized hospital was clear on the other side of Atlanta, Georgia, at least 50 miles away. So, with an infant who was critically ill, a mom and dad who were not health professionals put little Jimmy in the car, they wrapped him up, and started their trek to the hospital. En route they passed three emergency rooms, but they did not have authorization to stop at those emergency rooms, and they knew if they did they would be left with the bill.

They were not medical professionals. They did not know how sick little Jimmy was.

□ 2300

So they pushed on. But before they made it to the authorized emergency room, little James Adams had a cardiac arrest.

Imagine yourself as the mother of this little baby, trying to keep him alive, or as the father driving this car when your wife is holding your son. He is not breathing, and you are trying to find the authorized emergency room.

Finally, he pulled into the driveway. His mother, Lamona, leaped out of the car screaming, "Save my baby. Save my baby."

The nurse came running out and started resuscitation. They put in an IV. They gave him drugs. They got his heart going, and they managed to save his life. But you know what? They did not save all of Jimmy.

Because of that arrest and the loss of circulation to his hands and to his feet he developed gangrene. Both hands and both feet had to be amputated. That was a medical decision that that HMO made. That reviewer could have said, your baby is sick. Take him to the closest emergency room. No. Dollars came over good sense. We have a contract with that distant emergency room. So we are only going to authorize care there.

Mr. Speaker, I suspect that we are going to have some people on this floor next week or maybe in September when we debate this bill, and they are going to get up here and they are going to say we should not legislate on the basis of anecdotes. That is just an anecdote.

I would say to those folks, that little boy is never going to touch the cheek of the woman that he loves with his hand. He is never going to play basketball. He is able to pull on his leg prostheses with the stumps of his arm. But to get on his bilateral arm prostheses he needs help. He has hooks.

I will tell you, that little anecdote, he is now about eight. He is a pretty

good kid. He is doing all right. I think he will be a productive member of society. But that little anecdote, as some would call that little boy, if he had a finger and you pricked it, it would bleed.

So I talk to my friends here on both sides of the aisle and I ask, why has it taken 5 years to rectify that? Do you know why that HMO did not take the proper care and precaution? Why they "cut the corners," as a judge who looked at the case said. That HMO's margin of error was razor thin, razor thin that judge said about that HMO's margin of safety. Probably about as razor thin as the scalpel that had to cut off both hands and both feet.

Do you know why that HMO did that? Because they passed here in Congress a law 25 years ago that said that the HMO is responsible for nothing but the cost of care denied. If they deny care to somebody who is dying and the patient dies, then they are not responsible for anything. In the case of this little boy, the only thing that HMO was responsible for was the cost of his amputation.

That child was in an employer plan protected under a law that was passed here in Congress 25 years ago, never meant to be applied to the health system. It was a pension law meant to benefit the people who were to get the pensions. It was not supposed to be a protection for health plans.

Mr. Speaker, how did this come about? Well, there has been a change in the health care system. It used to be the insurance companies, back 25 years ago, they did not make those kinds of decisions. They did not manage the care like they do now. You had a fee-for-service system, but the system has changed. We have seen time and time again HMOs consider the bottom line to be better or more important than the care of their beneficiaries.

That is why it is very important that we address this situation. I can tell one story after another, but those would just be anecdotes.

I can tell about a woman in Des Moines, Iowa, who just a week or two ago came up to me with tears in her eyes. She said, Congressman, I have had breast cancer. I have been on chemotherapy. My doctor told me that I needed a test to see whether the cancer had come back. But my HMO would not authorize it. They said it was not, quote, medically necessary. And HMOs can define medical necessity any way that they want. Some define medically as the cheapest, least expensive care, quote/unquote.

She said, I had to ask my husband to do something I had never asked him to do before. She said, I told my husband, Bill, you are going to have to fight and battle that HMO for me because they have worn me out. I am fighting my cancer. I need a test. All of my doctors say I do. There is no specific exclusion