

Health and Human Services submit to Congress a report on the project conducted and include in the report the amount of cost-savings resulting from the project and such recommendations for legislation or administrative action as the Secretary determines appropriate. There is no funding authorized for this amendment.

Both Ms. McMorris and Mr. Smith are leaders among our Pacific Northwest delegation on the topic of HIT. Their bipartisan collaboration on this measure speaks to the common-sense approach of the amendment itself. I urge your support and the House's adoption of this important legislation.

Sincerely,

PATRICIA C. BRIGGS,  
*Chief Executive Officer,*  
*Northwest Physicians Network.*

**HEALTH INFORMATION TECHNOLOGY PROMOTION ACT OF 2006**

SPEECH OF

**HON. RUSS CARNAHAN**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4157) to amend the Social Security Act to encourage the dissemination, security, confidentiality, and usefulness of health information technology:

Mr. CARNAHAN. Mr. Chairman, I rise today in support of this amendment, which is being offered by Congressman SMITH and Congresswoman McMORRIS.

This amendment, which establishes a 2-year project to demonstrate the impact of HIT on chronic disease management within the Medicaid population, will add a vital component to the underlying bill.

I applaud Congressman SMITH and Congresswoman McMORRIS for their leadership on this issue.

I also rise today in strong support of forward movement on the implementation of health information technology, which has the potential to save the United States billions of dollars in health care costs each year.

The bill before us today is not perfect, but it's a start. I look forward to continuing the debate on this issue and improving this bill in conference.

**HEALTH INFORMATION TECHNOLOGY PROMOTION ACT OF 2006**

SPEECH OF

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2006

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4157) to amend the Social Security Act to encourage the dissemination, security, confidentiality, and usefulness of health information technology:

Mr. PAUL. Mr. Chairman, as an OB-GYN with over 40 years experience in medical practice, I understand the need to improve the health care system's efficiency by increasing the use of electronic medical records. However, H.R. 4157 is neither a constitutional nor a wise means of achieving this worthy goal.

Creating a new federal department to develop a "national strategic plan" for the use of electronic health care records will inevitably lead to the imposition of a "one-size-fits all" standard and will discourage private parties from exploring other more innovative means of storing medical records electronically. By stifling private sector innovation, H.R. 4157 guarantees that the American people will have an inferior health information technology system. Mr. Chairman, I ask my colleagues: when has a government system ever performed as well as a system developed by the private sector? In fact, Mr. Chairman, based on my 40 years of experience, I would say a major reason the health profession lags behind other professions in using information technology is the excessive government intervention in, and control of, America's health care system!

Those who are concerned with the increasing erosion of medical privacy should also oppose H.R. 4157. H.R. 4157 facilitates the invasion of medical privacy by explicitly making electronic medical records subject to the misnamed federal "medical privacy" regulation. Mr. Chairman, many things in Washington are misnamed, however this regulation may be the most blatant case of false advertising I have come across in all my years in Congress. Rather than protect an individual right to medical privacy, these regulations empower government officials to determine how much medical privacy an individual needs.

The so-called "medical privacy" regulation not only reduce individuals' ability to determine who has access to their personal medical information, but actually threatens medical privacy and constitutionally protected liberties. For example, these regulations allow law enforcement and other government officials' access to a citizen's private medical record without having to obtain a search warrant.

Allowing government officials to access a private person's medical records without a warrant is a violation of the Fourth Amendment to the United States Constitution, which protects American citizens from warrantless searches by government officials. The requirement that law enforcement officials obtain a warrant from a judge before searching private documents is one of the fundamental protections against abuse of the government's power to seize an individual's private documents. While the Fourth Amendment has been interpreted to allow warrantless searches in emergency situations, it is hard to conceive of a situation where law enforcement officials would be unable to obtain a warrant before electronic medical records would be destroyed.

By creating a new federal bureaucracy to establish a "national strategic plan" for the adoption of electronic health care records, H.R. 4157 discourages private sector innovation and expands government control of the medical profession. H.R. 4157 also facilitates the violation of medical privacy. Therefore, I urge my colleagues to reject this bill.

INTRODUCTION OF THE TEAM (TO ENCOURAGE ALTERNATIVELY-FUELED VEHICLE MANUFACTURING) UP FOR ENERGY INDEPENDENCE ACT

**HON. ZOE LOFGREN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2006

Ms. ZOE LOFGREN of California. Mr. Speaker, climate change threatens the security and stability of our planet. The temperature of the earth is increasing at a rate unseen in modern times. Climate forecasters predict that if greenhouse gases continue to accumulate in the atmosphere at the current rate, temperatures may rise dramatically, weather patterns sharply shift, ice sheets shrink, and seas rise.

Rising gas prices and instability in oil producing regions have reinforced the need for the United States to secure our energy independence. We can make progress by developing and distributing alternatively fueled vehicles. Through innovation as well as existing technology, we can reduce our dependence on foreign oil, and promote energy efficiency and conservation to secure a safer future for our country and the environment.

Alternatively fueled vehicles, such as those that use E85 ethanol fuel, could reduce our use of petroleum fuels by up to 40 percent, helping our country move towards sustainable energy independence. E85 ethanol fuel can be produced from agricultural products grown here in the United States, so that money spent on fuel supports farmers in the Midwest, not countries in the Middle East.

Congress must do more to make alternative fueled vehicles practical and accessible to every American. There are currently only six million E85-capable vehicles on U.S. roads, compared to approximately 230 million gasoline- and diesel-fueled vehicles, according to the National Ethanol Vehicle Coalition. Only 556 fuel stations in the entire country currently provide E85 fuel, with only four of these located in California.

That is why I am introducing this bill to encourage manufacturers to provide a flex fuel opportunity to American consumers and to develop the infrastructure necessary for a cleaner energy future. We must do more to make alternatively fueled vehicles practical and accessible to everyone. The cost of producing flex fuel capable vehicles is minimal at the time of manufacture, but there are currently few incentives for the production of flex fuel vehicles and a lack of infrastructure to service them.

My bill will encourage the production of more alternatively fueled vehicles by phasing in a tax penalty on the manufacture or import of new, non-flex fuel vehicles. However, since the cost to manufacture fleets that are flex fuel capable as compared to gasoline powered vehicles is nearly nil, it will be easy for manufacturers or importers to avoid these costs completely. Any revenues generated would be used to help independent gas station owners install alternative fuel equipment. This bill is a good first step towards securing our energy independence, and I hope that Congress will move quickly to pass this important legislation and help America move towards a more secure and sustainable future.