

high deductible catastrophic insurance coverage is not the solution to our nation's health system problems because:

MSAs do not address the need for insurance by millions of working Americans whose employers will not contribute to the cost of health insurance; and

MSAs do not address the need for insurance by millions of low-income individuals who are self-employed or unemployed and who cannot afford to buy health insurance.

#### THE ADVANCED MEDICAL DEVICE ASSURANCE ACT OF 1995

**HON. WILLIAM M. THOMAS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 1995*

Mr. THOMAS. Mr. Speaker, I am pleased today to introduce the Advanced Medical Device Assurance Act of 1995 in order to clarify the scope of coverage and amount of payment under the Medicare Program of items and services associated with the use of certain medical devices approved for investigational use.

Questions have been raised as to whether Medicare should reimburse for hospital and physician services when procedures involving a medical device approved for use by the Federal Drug Administration [FDA] under the Investigational Drug Device [IDE] is used. Our Nation's leading clinical researchers and doctors, and the patients who depend on these improved medical technologies are losing because of this confusion. Additionally, the use of these advanced devices is dramatically declining around the country. Many of the medical technology companies are moving all of their research out of the United States to Europe, Canada, and Japan where payment policy is not an issue.

These advanced medical devices reduce length of surgical procedure, hospitalization, patient mortality, and the need for repeat procedures. All of these patients, whether they get an advanced device or not, would be in the hospital anyway receiving medically indicated care. Clarifying the policy to provide coverage for newer devices would not increase costs because the DRG pays a set rate for set therapies regardless of whether there is a clinical trial involved.

The American Academy of Orthopedic Surgeons, American College of Cardiology, American Hospital Association, American Medical Association, Association of American Medical Colleges, Association of Professors of Medicine, California Health Institute, Catholic Health Association, Cleveland Clinic, Coalition of Boston Teaching Hospitals, Federation of American Health Systems, Greater New York Hospital Association, Health Industry Manufacturers Association, Mayo Clinic, North American Society of Pacing and Electrophysiology, and the Society of Thoracic Surgeons all believe we need to clarify this policy. These are all well-respected health care organizations and I believe this bill brings about the clarity that is needed.

I strongly encourage my colleagues to co-sponsor this important, cost-neutral legislation and to work for its prompt enactment so that Medicare beneficiaries will have access to safe and high-quality medical care.

#### STATEMENT IN RECOGNITION OF 2D LT. REBECCA E. MARIER

**HON. SUE W. KELLY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 1995*

Mrs. KELLY. Mr. Speaker I rise to acknowledge and salute the outstanding achievements of 2d Lt. Rebecca E. Marier. This impressive young woman recently graduated from the U.S. Military Academy in West Point, NY at the top of her class—top of her class academically, physically, and militarily.

Second Lieutenant Marier opted to forgo an education at prestigious Harvard University, in order to pursue her dream of a degree from an institution which has a proud tradition of molding our Nation's leaders. Marier is unquestionably a role model for all of our Nation's young people, men and women alike.

Mr. Speaker, I ask that you and all my colleagues join me in not only commending Second Lieutenant Marier's achievements, but more importantly her spirit of selfless dedication to the service of our country. I would also ask, Mr. Speaker, that the New York Times's article which appeared this past Sunday, noting Second Lieutenant Marier's achievements, be inserted at this point in the CONGRESSIONAL RECORD.

[From the New York Times, June 4, 1995]

WOMAN IS NO. 1 IN WEST POINT CLASS

WEST POINT, NY—For the first time in the United States Military Academy's 193-year old history, a woman took the No. 1 class rank as the Academy graduated 988 new members of the Army officer corps today.

The woman, Second Lieut. Rebecca E. Marier, 21, of New Orleans, was the head of her class in the school's three programs—military, academic and physical.

"It was the greatest feeling in the world, throwing up that white hat," Lieutenant Marier said after the ceremony. "I'm just glad to be part of the progress women are making all over the country."

Four years ago, she startled her family and friends by choosing the Academy over Harvard University for her undergraduate work because she wanted the "all-around challenge" and leadership training West Point offered.

But she plans to get to Harvard, after all, becoming the second cadet in West Point history to go on to medical school there, said Andrea Hamburger, an Academy spokeswoman.

Women began attending West Point in 1976, and with today's class, more than 1,400 women will have been commissioned second lieutenants.

At the ceremonies, the Army Chief of Staff, Gen. Gordon Sullivan, addressed graduates, telling them that in an age of changing circumstances, there was no way to predict where they might serve.

General Sullivan omitted remarks about a possible United States role in Bosnia, which had appeared in an advance version of his address received by reporters.

In the prepared text, General Sullivan reviewed the American role as a member of NATO and said the United States was "prepared to act with NATO should the need arise."

Pressed afterward for an explanation of the omission in his speech, he replied: "I felt I had made the point of the uncertainty of the world. I didn't think I needed to go into the details."

General Sullivan's advance text read:

"In response to the appalling Bosnian Serb behavior over the past week, we have been meeting with our NATO allies to consider the next steps to keep the U.N. protection force in place, because it remains our best insurance against an even worse humanitarian disaster there.

"Although our policy remains that we will not become combatants in the conflict, we are prepared to act with NATO should the need arise."

#### ACDA IS ESSENTIAL FOR OUR NATIONAL SECURITY

**HON. JAMES P. MORAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 1995*

Mr. MORAN. Mr. Speaker, I rise to express my support for the Arms Control and Disarmament Agency as an independent agency and to urge that we consider how important arms control continues to be for our national security. This is also the conclusion of a recent editorial from the News & Observer, from Raleigh, NC. H.R. 1561 would abolish this small federal agency which has proven itself to be an economic bargain. Not only does the operation of the agency come with a modest price tag of under \$50 million, its efforts have saved the Government millions, if not billions, of dollars in defense outlays over its 30-plus years of existence.

I urge a "no" vote on final passage of H.R. 1561. We should not merge ACDA and the other separate foreign service agencies with separate missions into the State Department. The U.S. ACDA is pursuing the biggest and broadest arms control and nonproliferation agenda in history. As the following article makes clear, now is not the time to be dismantling the agency that is charged with getting these agreements negotiated, implemented and verified.

[From the News & Observer, May 30, 1995]

FOREIGN POLICY MEDDLING

A proposal to reorganize foreign affairs agencies has consequences beyond mere streamlining. Some in Congress would like excessive control over foreign policy, a bad idea in today's unstable world.

Overhauling the nation's foreign policy agencies, as proposed by Senator Helms, seems on first glance to make sense. Separate organizations tend to be inefficient, and as long as the rest of government is being "reinvested," foreign affairs shouldn't be exempt.

But a closer look unveils flaws in the proposal, which is advanced in pending legislation in both the Senate and the House.

For one thing, the assorted foreign services agencies don't all have the same mission; merging them into the State Department risks diluting their influence in the sea of a single mighty bureaucracy. In a recent visit to The N&O, John Holum, director of the Arms Control and Disarmament Agency, made a strong argument along this line for preserving his office as a separate expert voice.

As Holum pointed out, the agency's advocacy of arms control and nonproliferation is crucial in the face of new threats from the spread of weapons. His worry, and it comes across as legitimate, is that the arms-control quest could become secondary to the State Department's concerns for smooth diplomacy and maintaining good relations with other countries.

His reasoning tracks the case others have put forward for retaining the independence of the two other agencies that Helms wants to consolidate: the U.S. Information Agency, which uses cultural, educational and broadcast means to explain the United States to people overseas; and the Agency for International Development, which distributes foreign aid.

Another cause for skepticism is that the proposed reorganization is bound up with an attempt by Helms and his like-minded colleagues to limit greatly the president's discretion in foreign policy.

While Congress of course should have a say, carried too far this becomes a dangerous proposition that baffles the country's friends and foes alike. Yet some members of Congress have gone haywire lately in trying to impose a host of foreign policy directives on the Clinton administration, all the while seriously cutting foreign affairs budgets.

These measures are especially dubious when they originate with lawmakers who, like Helms, yearn to dismantle the multinational, cooperative efforts that are crucial to international stability. For the sake of peace in the world, Congress in this instance needs to step back.

#### SOUTHEAST ASIA BOAT PEOPLE: RETURN IS THE ONLY OPTION

**HON. DOUG BEREUTER**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 1995*

Mr. BEREUTER. Mr. Speaker, recently this body voted in section 2104 of H.R. 1561 to withdraw its support from the Comprehensive Plan of Action, the international agreement on the Indochinese boat people in Southeast Asian refugee camps. This Member's effort, along with Mr. OBEY of Wisconsin and Mr. LAMAR SMITH of Texas, to strike this dangerous and irresponsible provision was unsuccessful.

While this Member fully understands and shares the desire to provide fair and humane treatment to those in the refugee camps, the action of this body could well have the opposite effect. By giving these asylum seekers false hope of resettlement in the United States, this legislation presents the following dangers. It will likely encourage another wave of boat departures from Vietnam, putting people at risk on the high seas and swelling the refugee camp population at a time when the first asylum countries are attempting to close the camps.

The legislation also increases the chance for violence in the refugee camps by causing discontent among the camp residents when their hopes of resettlement in the West are not realized. Finally, the bill has caused the collapse of voluntary repatriation, through which 72,000 Indochinese have already returned home without evidence of persecution, according to U.N. and American nongovernment monitors in Vietnam. Already there have been riots and violence in the camps of Hong Kong and several hundred camp residents have changed their minds and are refusing to return to Vietnam.

For these reasons, this Member believes that, for the 40,000 camp residents whom the United Nations has determined to be economic migrants rather than political refugees, voluntary return to their countries of origin is

not only the sole option available, it is also the most humane option.

Mr. Speaker, this Member would ask to insert into the RECORD an article from the May 24, 1995 edition of the New York Times, entitled, "U.N. Links G.O.P. to Boat People's Riots," and an excellent letter analyzing the problems in section 2104 from the Refugee Policy Group, a nongovernment organization with much experience dealing with Indochinese refugees.

U.N. LINKS G.O.P. TO BOAT PEOPLE'S RIOTS  
(By Philip Shenon)

BANGKOK, THAILAND, May 23.—United Nations officials asserted today that a Republican-sponsored proposal to offer asylum to thousands of Vietnamese boat people in the United States set off riots last weekend that left more than 200 wounded in Hong Kong.

They also warned that the bill could lead to a new exodus from Vietnam.

Refugee officials say the riots last Saturday began when 1,500 Vietnamese, many of them carrying handmade metal spears, refused to be transferred from one detention camp in Hong Kong to another in preparation for their deportation to Vietnam. It was the most violent clash in years between the boat people and the Hong Kong police.

The Office of the United Nations High Commissioner for Refugees, which oversees the detention camps in Hong Kong, said the Vietnamese were emboldened to riot by the recent move by Republicans in the House of Representatives to offer asylum to as many as half of the 40,000 Vietnamese still held in detention camps in Asia.

"Absolutely," said Jahanshah Assadi, head of mission for the United Nations High Commissioner for Refugees, when asked if there was a connection between the legislation and the riots. During the riots, he said, "you saw U.S. flags all over the place, you saw portraits of President Clinton all over the place."

At least 180 Hong Kong firemen, police and corrections officers were hurt in the clashes on Saturday in the Whitehead detention center, the largest of the Hong Kong camps used to detain the Vietnamese. Dozens of Vietnamese were also hurt in battles in which the camp was blanketed by thick clouds of tear gas.

Representative Chris H. Smith, a New Jersey Republican who is a key sponsor of the legislation, said in a statement today in Washington that there was no evidence of a connection between the legislation and the violence in Hong Kong. It is "grossly unfair to blame resistance to forced repatriation on the very people who are trying to come up with a peaceful and gentle solution to the problem of these refugees," he declared.

Mr. Smith said that many of the Vietnamese residents of the camps, including Buddhist monks and former soldiers of the American-backed South Vietnamese Government, are legitimate political refugees who could be persecuted by Vietnam's Communist Government if sent home.

While the Republican-drafted legislation is opposed by the Clinton Administration and faces an uncertain fate in Congress, word of the Republican plan is already circulating in the camps in Hong Kong, where nearly 21,000 Vietnamese are now detained. Mr. Assadi said in a telephone interview that the Vietnamese who joined in the riots "have the false hope of going to the United States."

Even if the bill is defeated in Congress or vetoed by President Clinton, he said, "the damage has been done," since many Vietnamese now believe that they can resist deportation because "they have strong support from influential members of Congress."

Mr. Assadi said the American asylum proposal could also lead to a new exodus of Viet-

namese, taking to rickety boats and pushing off into the dangerous waters of the South China Sea in the hope of becoming one of the lucky 20,000 who might be offered resettlement in the United States.

"That risk is definitely there now," he said. The \$30 million asylum plan is part of a foreign affairs appropriations bill now before the full House of Representatives. The bill, opposed by the Clinton Administration, has already been approved by the House International Relations Committee.

While some of the Vietnamese rioters waved photographs of President Clinton last weekend, the Clinton Administration is in fact a strong advocate of a United Nations-backed plan to send virtually all of them home to Vietnam.

While the United States granted asylum to most of the more than one million Vietnamese who fled their homeland after the Vietnam War, sympathy for the boat people has mostly run out. The State Department says that virtually all of the Vietnamese who remain in Asian detention camps are economic migrants who have no legitimate fear of persecution in Vietnam and are not entitled to asylum.

The deportation program, known as the Comprehensive Plan of Action, was supposed to empty most of the detention camps around Asia—there are also large camps in Indonesia, Malaysia, the Philippines and Thailand—by the end of the year.

The Hong Kong Government is clearly outraged that the moves in Congress may have contributed to the violence in the camps.

[From The New York Times]

REBUKE BY WHITE HOUSE

WASHINGTON, May 23.—Administration officials said today that they had predicted that the proposed Republican measure would encourage thousands of boat people who were not qualified for refugee status to refuse to be returned to Vietnam.

"We are opposed to the proposed legislation which, at the 11th hour, seeks to abrogate an international undertaking," said one State Department official. "The proposed legislation would reopen large-scale screening of those already found to be ineligible for refugee status."

Administration officials predicted the bill would encourage further riots like the one that occurred on Saturday in Hong Kong.

"The proposed legislation will end voluntary return to Vietnam and create new levels of false hope and result in further disturbances," a State Department official said.

Administration officials assert that the \$30 million the bill sets aside to handle the Vietnamese migrants would mean less money would be available to handle those found to be legitimate refugees from Vietnam, Cuba, Bosnia and Russia.

REFUGEE POLICY GROUP,  
May 26, 1995.

Hon. DOUG BEREUTER,  
Chair, Asia Subcommittee, International Relations Committee, Washington, DC.

DEAR CONGRESSMAN BEREUTER: Your office contacted me, asking for my views on Section 2104(4) of HR 1561 entitled, "Resettlement of Vietnamese, Laotians and Cambodians." This provision essentially turns the clock back undermining the agreements that were reached with great effort and have been reflected in the comprehensive plan of action.

I can only speculate on the basis for this proposal which would be tantamount to a significant and far reaching policy reversal. Politically it's a step back toward an ideological divide that has possible implications for how movements of people from places such as Cuba and China would be addressed.