

this ball game, where we take on the gentleman from Ohio [Mr. OXLEY] and his mighty group of dunkers over there on the Republican side of the aisle.

CONCERNS ABOUT MEDICARE LOBBYING

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, two groups came to Washington this week with concerns about the GOP Medicare cuts. One group got a private meeting with Speaker GINGRICH. The other group got arrested.

When the American Medical Association sent its high priced lobbyists up to Capitol Hill, they got a closed-door meeting with Speaker GINGRICH and a billion dollar deal. But, the National Council of Senior Citizens didn't get the same reception. Its members got no meeting with the Speaker and no special deals. Instead, they got arrested.

That's right. Fifteen senior citizens were arrested, handcuffed, and led away in a paddy wagon. What was their crime? Asking questions about the Republican Medicare cuts. Here's a photo of 67-year-old Roberta Saxton being handcuffed for asking a question about her health care plan. Welcome to the Gingrich revolution.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THE ISTOOK PROPOSAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mr. SKAGGS] is recognized for 5 minutes.

Mr. SKAGGS. Mr. Speaker, I want to talk this morning about one of the many, many provisions, hidden, dirty little secrets to use the phrase of the gentleman from Indiana [Mr. MCINTOSH], the gentleman from Oklahoma [Mr. ISTOOK], and the gentleman from Maryland [Mr. EHRLICH], who are proposing this legislation, buried in their proposal designed to shut down a large part of a cherished American tradition of open and free political speech and political debate. That part of their proposal has to do with compliance and enforcement.

Mr. Speaker, one of the revered principles of American law is the presumption of innocence. One of the bizarre aspects of my colleagues' proposal is that it would create a presumption of guilt. How would it do that? I will tell my colleagues how. In order to be able to be in compliance with these draconian provisions restricting the ability of Americans and American organizations to engage in the political life of

this country, everyone covered by this proposal would be put to the burden of proving compliance, that is, proving their innocence.

Most times when we might be accused or challenged for an alleged violation of law, civil or criminal, it is the burden on those making that allegation, bringing the charges, to prove a violation, but not here. Here the tables are turned and anyone that is challenged on their compliance with the Istook proposal would have to prove compliance, prove their innocence.

Mr. Speaker, that is bad enough, but I want to tell Members something more, another dirty little secret hidden in this proposal. That is not only would each of us have to prove our innocence, our compliance, that we are not speaking too much in this country, that we are not too fully engaged in the political life of America, but we would have to sustain a burden of proving that by what the lawyers call clear and convincing evidence.

Most times in civil cases, if you have the burden of proof, all that you have to do is show that your side is right by what is called a preponderance of evidence. You might think of that as 51 percent. But not here. Here you would have to demonstrate your compliance by clear and convincing evidence and, again to give it a kind of quantitative feel, most lawyers would say that is 70, 75, 80 percent.

So that is the kind of really bizarre provision buried in this proposal. Again, that would be bad enough if we were dealing with some normal kinds of enforcement issue, have we violated an environmental law or done something else that has to do with the normal course of business in this country. But this is a regulation designed, intended, constructed to curtail political expression.

I know, Mr. Speaker, you are saying this cannot be true. How can anyone in a freedom loving country like ours write a law intended to constrain, to regulate political expression? But that is what this does.

It would limit what we can do to a percentage of our income, almost all Americans are likely to be covered because of the way this thing is written, and, again, we would be put to the task of proving that we have not overdone it, that we have not been hyperactive politically, and if we cannot prove our compliance, not just by 51 percent but by this clear and convincing evidence standard, what happens? Well, we could be subject to treble damages, to have to pay three times the value of what we might have gotten in value from the Federal Government in any number of different ways of having exceeded our political expression limits for the year.

Mr. Speaker, can my colleagues imagine anything more unfair, more un-American than this kind of intrusion on the hallowed, hallowed principles of freedom of expression, freedom of association guaranteed to each

of us by the Constitution of the United States?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

[Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia [Mr. WISE] is recognized for 5 minutes.

[Mr. WISE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

[Mr. SMITH of Michigan addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

GET ON WITH AMERICA'S PRIORITIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mrs. SCHROEDER] is recognized for 5 minutes.

Mrs. SCHROEDER. Mr. Speaker, I must say that it has been a very rough week for those of us who believe that this is the people's House, and, indeed, the people should be able to come here and ask questions. We found we have not even been allowed to ask questions or even see the Medicare reform. We are told trust us, you are in the hands of your mother. Oh, really? Well, mother is turning into a terror, it seems, as we see what some of these changes are.

This was a very hard week for me, Mr. Speaker, as I watched these people being handcuffed just for coming to ask questions. I have never seen that happen before. This person does not look like a physical threat to anyone, to me, people in wheelchairs, everyone else, and we are supposed to be grateful because they were not put in jail, they were just taken down and booked and then they let them all go.

Today I see in the paper even more of a shock, and I am sure these people will be even more angry, because today's headlines say "Gingrich places low priority on Medicare crooks." Well, now, that makes us feel real good, does it not? It goes on to say that in the area of self-referrals and kickbacks, they have taken all of that out because the doctors did not want it, and that the Congressional Budget Office, remember the Director of the Congressional Budget Office is appointed by the Speaker in his leadership, so part of their team, the Congressional Budget Office estimates that this is going to cost you \$1.1 billion.

My guess, Mr. Speaker, is that is very low. But at a time we are trying to ask people, or they are asking people to put in more and to trust them and that these are not really cuts, and we have heard it all, in the interim their very own office says they are winking at waste, fraud, and abuse. It will come back in even a bigger form. Rather than trying to take out what we know is in there, they are winking and letting it come back in. I find that really very, very surprising. I think most Americans would find that surprising.

I am sure to people at home it sounds like we are a bunch of 5-year-olds in a fight out on a playground, but this is a very important fight. It is a fight about the future of Medicare and Medicaid and what it is going to look like for future generations.

You have a trustees report that says we need to save about \$90 to \$100 billion. We have put out a plan that would do that, that the trustees say would get us there, and that is very important. You see the other side waiving the trustees report, but then they come up with \$270 billion. They do not take it to the trustees to say is this the right way to go, they do not have hearings where the trustees come, and day after day we see a constant trickle of more shocking news about what is in their reform program. I do not know how you can call putting a low priority on Medicare crooks reform. That does not sound like reform at all. That sounds very retro.

Mr. Speaker, I think that is why some of us on this side get very impatient and our voices go up and maybe we get too shrill about this, but these types of issues are very serious. People are entitled to hearings. The people who came here and got arrested, I think that is one of the largest affronts to American citizens I have ever seen, and I wish the leadership would apologize to them and say that they are welcome here and this is the people's House and they can come ask these questions.

We on our side of the aisle, we want to ask some questions, too. Since when is a low priority on Medicare crooks the priority of this House? It certainly is not on this side of the aisle. We do not approve of Medicare crooks, we do not approve of defense fraud, we do not approve of fraud wherever it is. Money is money and people should be treated with dignity. But to see this type of thing constantly trickling out in the press without the openness and without the discussion that we need, I think is very tragic, and that is why people get cynical about government, and that is why I think people are really beginning to wonder and wake up. What is going on on Medicare and Medicaid?

I am also concerned, Mr. Speaker, that we have done away with what we called spousal impoverishment, but you may as well call take-your-house-away bill, because a couple, if one gets sick, is going to have to put all their

assets on the line to take care of that one person before they will qualify for Medicaid.

Boy, that is not a family value as far as I am concerned. In 1988, this Congress said no to that type of thing. We said that the family's assets should be split and we should not do that. I hope people find out Medicare fraud is not my priority. Putting families in the poor house is not my priority, and I hope we get on to America's priorities.

PROVIDING CHOICES IN HEALTH CARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. WELDON] is recognized for 5 minutes.

Mr. WELDON of Florida. Mr. Speaker, when I was a kid growing up, one of my favorite TV shows was *Dragnet*. There was a fellow on that show, Officer Friday, and one of his expressions that I liked, if he was getting a lot of extraneous information he would just say just "The facts, ma'am. We need the facts."

I would like to get into a little bit of the facts surrounding the so-called arrest of these innocent senior citizens at the Committee on Commerce meeting yesterday. When I heard about this, I was indeed myself concerned, and I asked some of the members of the Committee on Commerce what went on, and the Committee on Commerce hearing was disrupted by a group of seniors who just happened to be a group of seniors affiliated with a group called the National Council of Senior Citizens, which is a very liberal left wing organization which this previous Democratic-led Congress had been giving about \$75 million a year to for the express purpose of lobbying the Congress to spend more and more and more money.

Yes, you the taxpayers were having your tax dollars given to an organization that was devoting its efforts full time to lobbying the Government to engage in more deficit spending. This group, this innocent group of seniors, who came in were quietly and politely asked to leave, not once, not twice, not three times, not four times, not five times, but six times they were asked to leave the Committee on Commerce meeting because they were interrupting the hearing.

Finally, it became quite apparent to all those there that the purpose of those people being in that room who were working with this liberal left wing organization, the purpose was to make sure that they got arrested so that they could get some photographs, so that those photographs could be used in newspapers, in magazines, and in this body. This is a staged event.

Mr. Speaker, I have been talking to the senior citizens in my district and they understand that we have a problem. Indeed, the nature of the problem was established credibly by three Democrats working in the White

House, Robert Rubin, Robert Reich, and Donna Shalala, who said the fund is projected to be exhausted. What did we do, Mr. Speaker? When we got this information, we sat down with AARP. No, we did not talk to the National Council of Senior Citizens, because their only answer is to raise taxes and increase spending and borrow more money. We talked to responsible groups. We talked to the senior citizens. We talked to the hospital providers and we talked to the physician providers as well.

We have come up with a plan that I think is reasonable and credible. It provides choices for senior citizens. If a senior likes the plan that they are in right now and likes their physician, they can select traditional Medicare and they can stay in it. If they want to opt for some different options, we have a new program called Medicare Plus, which will allow senior citizens to select a variety of different options. Those include if they are getting near retirement and they like the coverage that they have with their current employer, if that employer's insurance provider has a senior option, they can actually select to stay with that company if they want to.

If they want to, they can select a vehicle called a Medical Savings Account, which allows them to really control their dollars and determine exactly how it is going to be spent. There is another option in there for the establishment of provider-sponsored networks. Why is that in there? It is in there for this reason. Managed care has been shown to be, in many ways, a better way to deliver care that is of very, very good quality, and it is also a way to help control escalating and spiraling costs in the managed care environment. There are many communities that do not have managed care vehicles available to the people in those communities.

We have allowed hospitals and physicians to form networks together. They are called provider-sponsored networks, so that they can offer managed care vehicles, managed care systems for the seniors in those communities.

Now, in the process of doing that, we did have to repeal a lot of provisions in previous law that prohibited physicians from getting together. We have to repeal those provisions or they cannot get together.

Mr. Speaker, I think we clearly received a definite message that our plan was credible and it was workable. The Washington Post, of all publications, a publication that has a long tradition, a long record of supporting Democrats and attacking Republicans in this city, came out with an editorial where they said the Democrats campaign, the MediScare campaign, they called it crummy stuff, demagoguery big time, they called it scare talk, expostulation, they said it was irresponsible.

What did the Washington Post, the traditional voice for liberal Democratic policies, say about our plan?