

for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Georgia. Madam Speaker, the day you have longed for is here. You have brought the U.S. Government to a halt and the verge of default. I hope you are happy.

And why has it come to this. Why are our national parks closed, why can't senior citizens or veterans apply for Social Security or veteran benefits, why can not people get their passports? Because you have not done your work. You have been so busy pursuing your extremist ideological agenda that you have ignored the business of the people. And now you want to blame the President.

Well, the President is right and the American people agree. The President will not give in to your drastic proposals: Your extremist plans to cut Medicare, destroy our environment, defund education and give tax breaks to the rich while raising taxes on working families.

Stop playing the blame game, Madam Speaker. Stop blackmailing the President. Show some leadership. Send the President a clean bill and he will sign it, and let us get on with the business of governing.

The American people are watching and waiting.

PUTTING OUR FINANCIAL HOUSE IN ORDER

(Mr. GUTKNECHT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUTKNECHT. Madam Speaker, in the last several months we were warned repeatedly by the administration that if the train wreck happened, financial markets would collapse. Well, let us look at the facts; Financial markets hit a record high yesterday, and they are up again this morning.

Why? Because Americans are expressing confidence in this Congress. We are serious about controlling entitlements and putting our financial house in order.

It is unfortunate that we have been forced to send 800,000 nonessential Federal employees home. But it would be a tragedy of historic proportions if we backed down now on our commitment to balance this budget.

LET US GET ABOUT THE PEOPLE'S BUSINESS

(Mr. FRAZER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FRAZER. Madam Speaker, we are elected to represent our constituents before this body. But in my district there is an expression we use. It is called poppy show. It means unnecessary rhetoric and deliberate foolishness.

Today the U.S. Government is about to shut down because my colleagues on

the other side of the aisle are set; they are set in forcing the President and the minority Members of this body to accept their ideology of how the Government should be run.

This is not about balanced budgets. We all agree we need a balanced budget, but not on the backs of those who can least defend themselves, such as senior citizens and students.

I support the President and the Members of this body who believe that we cannot cut programs such as Medicare, student loans, and the Clean Air Act; that we should not cut these programs only to fulfill a promise to the wealthy in this country who make over \$100,000.

We are in a crisis. We call for leadership, bipartisan leadership, leadership where all parties come together for the good of the American people. Now it is time to act. Let us be responsible and pass the budget. Let us pass the resolution without riders. Let us get about the people's business.

PRESERVING AND PROTECTING MEDICARE

(Mr. GANSKE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GANSKE. Madam Speaker, the President is shutting down Government because he wants to decrease Medicare premiums.

Madam Speaker, does the President not read his own Medicare report? These are his own appointees who are telling him that Medicare is going bankrupt. Is there any American in this country who pays health care premiums that has not seen an increase in premiums?

Everyone has to contribute something to save this system: Doctors, hospitals and, yes, Madam Speaker, recipients, too.

This plan does not increase deductibles. It does not increase copayments. But it only asks seniors to maintain the current share of their premium. Is that too much?

Madam Speaker, most of the senior citizens that I talk to understand that we must save the system, that they are willing to contribute, and that by doing so we can preserve and protect the system for future Medicare recipients.

PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING 5-MINUTE RULE

Mr. TIAHRT. Madam Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole House under the 5-minute rule.

Committee on Banking and Financial Services, Committee on Commerce, Committee on Government Reform and Oversight, Committee on International

Relations, Committee on National Security, and Committee on Resources.

It is my understanding that the minority has been consulted and that there is no objection to these requests.

The SPEAKER pro tempore (Mrs. MYRICK). Is there objection to the request of the gentleman from Kansas?

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Tim Sanders, one of his secretaries.

CORRECTIONS CALENDAR

The SPEAKER pro tempore. This is the day for the call of the Corrections Calendar.

The Clerk will call the first bill on the Corrections Calendar.

REPEALING AN UNNECESSARY MEDICAL DEVICE REPORTING REQUIREMENT

The Clerk called the bill (H.R. 2366), to repeal an unnecessary medical device reporting requirement.

The Clerk read the bill, as follows:

H.R. 2366

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEAL.

Section 1862 of the Social Security Act (42 U.S.C. 1395y) is amended by striking subsection (h).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida [Mr. BILIRAKIS] will be recognized for 30 minutes, and the gentleman from Ohio [Mr. BROWN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. BILIRAKIS].

Mr. BILIRAKIS. Madam Speaker, I yield myself such time as I may consume.

(Mr. BILIRAKIS asked and was given permission to revise and extend his remarks.)

Mr. BILIRAKIS. Madam Speaker, I rise in strong support of H.R. 2366, legislation to repeal the unnecessary regulatory burden of the cardiac pacemaker registry imposed by the Social Security Act.

Section 1862(h) of the Social Security Act requires doctors and hospitals receiving Medicare funds to provide information to the Federal Government upon the implementation, removal, or replacement of pacemaker devices and pacemaker leads. However, in 1990 the Congress amended the Federal Food, Drug and Cosmetics Act to establish comprehensive reporting requirements that make the registry requirement in the Social Security Act duplicative and unnecessary. Removal of this unnecessary reporting requirement will be welcomed by the health care community and by manufacturers as well

as by the Federal agencies charged with complying with this requirement.

□ 1045

I want to emphasize that repeal of the requirement will have no impact on the public health, because it is redundant of a newer and more comprehensive requirement.

Madam Speaker, I want to commend my colleagues, the gentlewoman from Nevada [Mrs. VUCANOVICH], a Republican, and the gentleman from California [Mr. WAXMAN], a Democrat, for recognizing the need for this legislation and working for its quick consideration. During these times it is nice to have a little bit of bipartisanship.

I also want to commend the Speaker for instituting the Corrections Calendar. I believe this bill is a perfect example of the type of legislation for which the new Corrections Calendar is intended.

Madam Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this is the sort of bill that is appropriate for a corrections day calendar.

It truly corrects a legislative oversight, and does nothing more or less.

This bill was introduced by my colleague, Mr. WAXMAN, with Representative VUCANOVICH, in response to concerns of both the administration and the pacemaker industry about duplicative reporting requirements.

When section 1862(h) was added to the Social Security Act about 10 years ago, there was a need to identify and keep track of defective pacemakers. In particular, there was a need to identify circumstances in which a defective pacemaker was surgically implanted in a patient, and then surgically removed, with both procedures being paid for by Medicare.

One of the main reasons for this early pacemaker registry was that there was no good way, in 1984, to track defective implantable medical devices, and no viable way for HCFA to recover costs in those circumstances where a defective product was used. At that time, it made both fiscal and public health sense to require health care providers to report information about pacemakers and pacemaker leads, including information about device defects and costs recovered from manufacturers.

Since enactment of this provision, HCFA has collected the required data and provided the information to FDA, which maintained the pacemaker registry.

However, in 1990, Congress passed the safe medical device amendments, which included broad requirements for medical device tracking and reporting. These more comprehensive provisions superseded the requirements of section 1862(h), but did not repeal those requirements. However, without repeal of section 1862(h), FDA still must main-

tain a separate pacemaker registry. Further, providers and manufacturers must report essentially the same information to both HCFA and FDA, for two separate registries.

This duplication of effort is not necessary either for budget reasons or for public safety. HCFA does not need the separate registry to assist in recovering costs, and FDA maintains a master registry of all implantable medical devices, which can be used in cases where there are health concerns about particular products.

Both HCFA and FDA have suggested this repeal. I am pleased to support it, and urge my colleagues to do likewise.

Madam Speaker, I yield such time as he may consume to the gentleman from California [Mr. STARK].

Mr. STARK. Madam Speaker, I thank the gentleman for yielding. I would say at the very outset that the gentlewoman from Nevada [Mrs. VUCANOVICH], the gentleman from California [Mr. WAXMAN], and the gentleman from Florida [Mr. BILIRAKIS], are to be congratulated, as well as the gentleman from Ohio [Mr. BROWN], for a bill that fixes a problem that we should have attended to some time ago.

Madam Speaker, today is corrections day, part of a new dawning, part of a revolution here in this Chamber. And I do not disagree with any item that my Republican colleagues have brought to the floor today. But, boy, do we need corrections.

If one wants to talk about errors that need fixing, the Republicans have created or are about to create errors that boggle the mind; errors, I might suggest, that are going to destroy the Medicare system and leave senior citizens without any health care.

So I would just like to talk about errors that the Republicans are ignoring and errors that they are creating. This is a whole game of errors. There are not any hits or any runs. As a matter of fact, there are not any players on the field. I do not notice a Republican member of the Committee on Ways and Means on the floor, and they have jurisdiction over some of this. They did not even bother to come here today.

Now, on corrections day, let us talk about a major error in the making in the Republican plan for Medicare and Medicaid. Last month the Republican majority rammed through their Medicare and Medicaid bills, and, despite repeated calls from Democrats, only one hearing was held. Today we understand why they had to ram those plans through in the dead of night, with secret meetings in the Speaker's office with major lobbyists from the American Medical Association. The number of uninsured Americans will increase 50 percent, from 40 million to 66 million, by the year 2002.

There is an error that the Republicans ought to think about correcting before they even get out of the gate.

Let me say that once again. As a result of the Republican plans to slash Medicare and Medicaid spending by

\$450 billion over the next 7 years, the number of uninsured Americans will rise by 50 percent; 26 million more Americans will be uninsured.

Now, this is the finding of the Council on Economic Impact of Health Care Reform, a nonpartisan group with membership of leading Republican and Democrat health care experts. There, Madam Speaker, is an error that must be corrected before it is enacted into law. Where are the Republicans? Where are you on corrections day to correct your own heinous mistakes?

Now, a second item, according to press reports, is that in your budget, your Republican budget, you Republicans are planning to extend the health insurance deduction for self-employed to 50 percent. Now, is that not nice? But did you not also mean to include individual employees who buy their own health insurance as well?

It seems to be a significant oversight that we would extend this tax subsidy for health insurance to self-employed lawyers, doctors, CPA's, but not their secretaries and nurses. Could it be that the doctors and the lawyers are all rich Republicans, and the hard working secretaries and nurses who allow them to function are Democrats, and you do not care about low-income people?

So if you are giving away all this money to rich self-employed, why not a little worry about the average working person in the small business who is denied health insurance by their less than munificent boss, who is probably a Republican, and why not extend this to the lower paid workers?

Now, that is not enough. We have got corrections? Boy, have we got corrections. I understand that the Republicans agreed last night to leave the disabled out of the Medicaid plan. Now, is that not fine? What are you going to do for all the people who are disabled? You are going to kick them out of the Medicaid plan. There is no guarantee that all the disabled people who get Medicaid coverage today will be covered under the Republican plan.

Now, that needs correction. That is heartless. That is cruel. What are you going to do, break up their crutches and give them to the rich for their fireplaces?

Come on. Can you not find, when you are cutting \$450 billion out of a budget to pay for tax cuts to the rich, can you not find enough to maintain or require that Governors under these block grants keep disabled people in the Medicaid plan?

That is not enough. You want corrections? You want egregious errors? You want problems that the Republicans are creating that have to be corrected?

Another item in the Medicare is the copayment. Beneficiaries today pay up to 53 percent in copayments when they have an outpatient procedure. These are Medicare beneficiaries who are not supposed to pay those kinds of copayments. Why, a beneficiary could pay, say, \$3,000 out-of-pocket for an outpatient procedure. How do you fix

it? You give the hospital back the money, but you make the beneficiary keep paying the \$3,000.

So much for your fixing Medicare. You are sticking it to the seniors and making them pay these outrageous charges. Should that not be corrected? Where are you? Where are these great correctors of the errors they are creating? They are probably in the back room right now trying to give away more money to the rich, to the doctors, to the hospitals.

Currently, a provision in the law referred to as COBRA was written in 1986. Forty-one million Americans are extending their health care insurance when they become disabled or laid off or have been divorced at no cost to the Federal Government, not a penny to the Federal Government. And today there are 3.5 million people abroad in the land who are about to have their COBRA benefits expire.

And, yo, Republicans voted not to extend that. In the Committee on Ways and Means, every Republican voted not to extend COBRA benefits, at no cost to the Federal Government. Here is a correction that does not cost a penny to anyone. All it takes is a little concern. All you got to do is care about people who have lost their jobs and are losing their health care insurance, and you would not even let them pay for it out of their own pocket.

Talk about heartless, cruel, awful people. The people who would turn their backs on the disabled, on the unemployed, certainly do not deserve to be in here saying they are going to correct errors. They are creating errors faster than we could correct them if we met all week.

In other Medicare and Medicaid plans, Republicans plan to turn nursing home regulations over to States. Now, there is an error in the making that you want to look for. Why, you may not be aware that States do an awful job monitoring the quality of nursing home care. As studies come to light that find when States monitor nursing homes, they find about 5 percent of the nursing homes are in violation. When Federal regulators inspect these nursing homes, they find almost 14 percent in violation.

Should not we have decent nursing home standards, so that we do not handcuff poor, old people to their beds, let them die of bed sores, so we do not give them tranquilizers to make vegetables out of them? Where is your compassion? Why are you destroying Medicare and Medicaid nursing home regulations to the detriment of the seniors? You want an error you are creating? You can fix it right now.

Finally, in your Medicare reform plan you only catch 1 percent of the fraud estimated to take place currently. Now, surely you all want to be tough on crime. I have heard that from your side. You want to build jails. You do not want to have any welfare to prevent people from going to jail, but you are sure going to build jails.

Well, let me tell you, what you are doing allows 1 percent of finding Medicare fraud and reforming it. One percent? Come on, a blind pig could find a pearl rooting in the barnyard faster than you all can find fraud the way you are going about this.

So, Madam Speaker, as we talk about corrections, a corrections day, how about a corrections week, or a corrections month? And for the Republicans, I might suggest a corrections institution, because you are destroying the institutions of this country that the seniors have counted on, that the poor and children have counted on, for over 30 years.

With one ill-thought-out bill, with one ill-thought-out budget reconciliation, you are destroying the health care of the seniors. You are taking away the support system for the disabled. You are cutting back on children's education and school lunches. Surely, that needs correction.

So if you are closing hospitals and pumping up the fees that we pay to doctors, how about dealing with some of the errors that you are creating and that you are doing nothing to correct.

Yes, sir, this is a bill worth voting for, but it is such a piddling splatter on the platter that needs correcting. Would you please think about the people you are harming, the disabled, the senior citizens, the 26 million you are going to add to the uninsured, the children who will be denied medical care, the crippled, halt and lame you are kicking off the rolls? What are you going to do to collect your Speaker's bill that none of you have had any impact in?

There are the corrections that really need correcting. There are the errors the Republicans are creating. There is humanity that is lacking. There is an indifference to the problems of the people in this world. That is what this institution should be doing.

Mr. BILIRAKIS. Madam Speaker, I yield such time as she may consume to the gentlewoman from Nevada [Mrs. VUCANOVICH] to get back to the point here, and that is to the legislation to repeal the unnecessary regulatory burden of the cardiac pacemaker registry imposed by the Social Security Act.

Mrs. VUCANOVICH. Madam Speaker, I thank the gentleman for yielding me time.

Madam Speaker, it is a shame that some Members of this body cannot put aside their disagreements, even when we are trying to do something positive. I do not think this is very constructive and serves only further to enforce the cynicism of the voters. But I would first like to thank the gentleman from Florida [Mr. BILIRAKIS] and the gentleman from Virginia [Mr. BLILEY] and the Committee on Commerce for their hard work to report this bill out of committee so quickly.

□ 1100

For corrections day to fulfill its mandate, we have to be able to act quickly,

and the Committee on Commerce has gone the extra mile to see that the process is successful.

The problem of the duplicate heart pacemaker registry was brought to my attention by the gentleman from California [Mr. WAXMAN]. The gentleman and I decided to cosponsor this legislation to eliminate the redundant reporting requirement. I think this might just be the first bill ever cosponsored by both the gentleman from California [Mr. WAXMAN] and myself.

Madam Speaker, the fact that the two of us can agree on the foolishness of this requirement shows how ridiculous it really is, but more importantly, it demonstrates the corrections day has become a truly bipartisan process. Our corrections day advisory group has been working together now for nearly 5 months with little acrimony and a real spirit of cooperation.

I especially want to thank the gentleman from California [Mr. WAXMAN] for his cooperation on this bill and the others we have passed and are working to pass in the coming weeks. I think it is important to point out that we as a group have been able to resolve some regulatory problems by simply proposing to put matters on the corrections calendar. This approach has been bipartisan and has resulted in regulatory relief for thousands of small businesses.

Madam Speaker, I hope before the end of the year to give the House a comprehensive review of the corrections day process and the good we have been able to accomplish. While we are tied up in the midst of major policy disagreements over the direction of the Federal budget, it is important for our constituents to know that real work is getting done. So much focus is put on what is not working, it is nice to see that our system can work and does work every day.

Mr. BROWN of Ohio. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am glad we are having this debate today. I think it is important certainly to pass this bill, as we talked about, because I think it is an unnecessary regulation, and that makes sense for every standpoint, from a government standpoint, from industry standpoint for Medicare, for consumers, for Medicare beneficiaries. I am glad we are having this discussion about Medicare and Medicaid because we have had so few chances, Madam Speaker, to talk about this legislation on the floor. We had 1 hour of general debate on the reconciliation bill in the Committee on Ways and Means of the gentleman from California [Mr. STARK], and there was only 1 hour, there was only one hearing on Medicare in that committee, is my understanding, and the committee I am on, the other committee of jurisdiction on Medicare and Medicaid, we had no hearings whatsoever on either of those issues. We simply marked the bill up, generally on party line votes where

every Republican in the committee almost on every vote voted with whatever Speaker GINGRICH wanted.

That was disturbing, but it gives us an opportunity today during this corrections day to talk about a couple of issues that are particularly important. One of them is the part B increase in Medicare. People right now, Medicare beneficiaries in this country, are paying \$46 a month for part B Medicare. Under the Gingrich plan, this will be increased; we will see a 25-percent increase. That is why the President vetoed these two bills this week, the continuing resolution and the debt ceiling increase, because of increases in Medicare premiums.

POINTS OF ORDER

Mr. BILIRAKIS. Madam Speaker, I rise to a point of order.

The SPEAKER pro tempore (Mrs. MYRICK). The gentleman will state his point of order.

Mr. BILIRAKIS. Madam Speaker, I have sat here and listened to all of this and I have no problem with giving these gentlemen their time to speak on this particular subject, but I would like to get this bill out of here so that we can go on to our business, and if they want to talk in some way, they can go ahead and do so. But it is a point of order.

This harangue that we have had from the other side is certainly not germane to what we are talking about here, and I think it violates the rules of the House.

The SPEAKER pro tempore. The point is sustained. Debate will be confined to the bill under consideration, H.R. 2366.

Mr. BROWN of Ohio. Madam Speaker, we are talking about Medicare, we are talking about that section. I ran for Congress understanding that on the floor of the House you could talk about issues that affected people's lives and issues that affected the particular legislation you are working on.

On this side of the aisle I control my 30 minutes. My friend from Florida can talk about what he wants in his 30 minutes.

The SPEAKER pro tempore. Under the rules, the debate must pertain to the question under debate specifically. The gentleman may proceed on that basis.

Mr. BROWN of Ohio. I will do that, Madam Speaker, and I will continue to talk about how we correct Medicare, because part of this corrections day calendar is to correct one section of Medicare, and I think that the way to correct Medicare certainly is to pass this bill, and we will have a total of 1 hour of debate to do that. But as we move on, the real way to correct Medicare is not to destroy it by increasing people's premiums 25 percent and by making \$270 billion in cuts in order to give major tax breaks to the wealthiest people in this country.

Mr. BILIRAKIS. Madam Speaker, with all due respect to my colleague from Ohio, we are talking about the

cardiac pacemaker registry here. I do not quite understand this.

I have sat here very patiently. I think I have had the opportunity, I know I have had the opportunity to interrupt previously. I have not done so, but I think the other side is taking advantage of the situation.

The SPEAKER pro tempore. The gentleman from Florida made the point of order that the debate is not relevant.

Does any other Member want to be heard on the point of order?

Mr. STARK. Madam Speaker, I wish to be heard on the point of order.

Madam Speaker, under the point of order could the Speaker define for us what is the topic before us and wherein we may speak within the parameters set by the distinguished Speaker?

The SPEAKER pro tempore. The question under debate is the bill, H.R. 2366.

Mr. STARK. And to what does that pertain, Madam Speaker?

The SPEAKER pro tempore. The title of the bill is to repeal an unnecessary medical device reporting requirement.

Mr. STARK. I see, and the area of jurisdiction is what?

The SPEAKER pro tempore. The bill was referred to the Committees on Commerce and Ways and Means.

Mr. STARK. And the bill pertains to Medicare and Medicaid and health care in general; does it not?

The SPEAKER pro tempore. The subject under debate is the bill.

Mr. STARK. Madam Speaker, I would just ask for clarification.

The SPEAKER pro tempore. The clarification is, this is a bill to repeal an unnecessary medical device reporting requirement.

The point of order is well taken. The gentleman from Ohio [Mr. BROWN] should confine his debate to H.R. 2366.

Mr. BROWN of Ohio. Madam Speaker, when you talk about these pacemaker devices, you are talking about Medicare. You are talking about how you pay for these pacemaker devices, how Medicare pays. If Medicare premiums are increased, does that mean that if the Gingrich plan wants to go over 25 percent double over the next 7 years, does that mean that people will not be able to afford these pacemakers?

I think it is a discussion, frankly, in spite of your misreading of the rules, I think it is a discussion that people in this country want to have, what they are going to pay for Medicare, what is going to be covered by Medicare, what regulations surround Medicare and Medicaid or whether it is the cost of premiums.

That is a discussion that people in this country want to have, Madam Speaker, and it is a discussion that we have been denied in committee and it is a discussion that we ought to have.

Mr. STARK. Madam Speaker, may I be heard on the point of order?

The SPEAKER pro tempore. Members will suspend.

There is no point of order pending at this time.

Mr. STARK. Madam Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. STARK. Madam Speaker, in H.R. 2366 line 3, section 1, it says, repeal section 1862 of the Social Security Act, and it is amended by striking subsection (h). It is my understanding that in amending a section of the Social Security Act, the Member can strike the last word and discuss anything under that Social Security Act, which would be 42 U.S.C. 1395, and if section 1862 of the Social Security Act covers all of these topics, I would like the Speaker to suggest whether or not we may therefore discuss anything in section 1862, which this bill seeks to repeal, or a subsection thereof.

The SPEAKER pro tempore. Is the gentleman asking a parliamentary inquiry?

Mr. STARK. Yes.

The SPEAKER pro tempore. Does the gentleman from Ohio [Mr. BROWN] yield to him for that purpose?

Mr. BROWN of Ohio. Madam Speaker, I yield to the gentleman from California [Mr. STARK] for a parliamentary inquiry.

The SPEAKER pro tempore. As previously stated, the proper debate is on the subject matter of the bill, H.R. 2366, and the Chair will repeat, to repeal an unnecessary medical device reporting requirement.

Mr. BILIRAKIS. Madam Speaker, may I inquire at this time as to how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Florida [Mr. BILIRAKIS] has 26 minutes remaining, and the gentleman from Ohio [Mr. BROWN] has 11 minutes remaining.

Mr. BROWN of Ohio. Madam Speaker, was all of this debate when the gentleman from Florida [Mr. BILIRAKIS] raised his point of order, was that all subtracted from our time?

The SPEAKER pro tempore. No, it was not.

Mr. BROWN of Ohio. Madam Speaker, I yield 2 minutes to the gentleman from Kentucky [Mr. WARD].

Mr. WARD. Madam Speaker, I would ask the gentleman from Florida [Mr. BILIRAKIS], because of the crisis that we are facing right this minute in the Government. Those who are watching these debates understand that we are at this point acting without, we are moving forward in the U.S. Government without, a budget. I would ask the gentleman, would it not be reasonable to ask the gentleman from Florida not to raise a point of order, and if the gentleman from Florida did not raise a point of order, could we not then discuss these serious issues relating to Medicare?

Mr. BILIRAKIS. Madam Speaker, will the gentleman yield?

Mr. WARD. I yield to the gentleman from Florida.

Mr. BILIRAKIS. Madam Speaker, the gentleman from Florida sat here very patiently and respectfully while the

gentleman from California went on for something like 15 minutes in spite of the fact that I felt he was out of order at that point in time. We have special orders here, we have many ways in order to get this done.

We have a very simple corrections bill here that everyone has agreed to go forward, and I think we should just go forward with this and have regular order.

Mr. WARD. Madam Speaker, reclaiming my time, I appreciate that the gentleman from Florida [Mr. BILIRAKIS] did allow this debate without a point of order, and I guess what I am asking is, would it not be fair to continue to allow that since we in the minority are not being allowed to continue?

Mr. BILIRAKIS. Madam Speaker, if the gentleman would yield further, I did not make the rules of the House. I would suggest to you that your party, when you controlled this House for 40 years, made these rules of the House in terms of germaneness and sticking to the point.

Mr. BROWN of Ohio. Madam Speaker, reclaiming my time, the fact is that this order was made by the Chair because a Member asked for this, because it is pretty clear that some people in this House do not want to debate Medicare on this House floor, did not want to debate Medicare and have hearings in the Committee on Commerce, did not want to debate Medicaid and Medicare in the Committee on Ways and Means.

We have wasted 15 minutes talking about nothing when we have a Speaker of the House who said, "We don't want to get rid of Medicare in round one because we don't think that is politically smart. We don't think that is the right way to go through a transition."

Mr. BILIRAKIS. Regular order, Madam Speaker. Enough is enough.

The SPEAKER pro tempore. The gentleman will suspend. All Members will suspend.

Does the gentleman from Florida state a point of order?

Mr. BILIRAKIS. Madam Speaker, I ask for regular order at this point in time. The point of order I believe has already been made, Madam Speaker.

The SPEAKER pro tempore. The Chair will take this opportunity to read from clause 1 of rule XIV of the Rules of the House of Representatives.

When any member desires to speak or deliver any matter to the House, he shall rise and respectfully address himself to "Mr. Speaker," and, on being recognized, may address the House from any place on the floor or from the Clerk's desk, and shall confine himself to the question under debate.

With that guidance, the gentleman from Ohio [Mr. BROWN] may proceed.

Mr. BROWN of Ohio. Madam Speaker, H.R. 2366, which we on this side of the aisle support, is about Medicare, and it is about repealing a part of Medicare. That is within the entire structure of the Medicare bill.

When I hear the Speaker of the House on October 24 make a statement about

Medicare withering on the vine, it also includes H.R. 2366, a part of the Medicare bill. H.R. 2366 includes section 1862, because the Speaker said, "We don't want to get rid of Medicare," and also section 1862, "We don't want to get rid of it in round one because we don't think that is politically smart, and we don't think that is the right way to go through a transition."

□ 1115

Again the Speaker is talking about this section, 1862, talking about the Social Security Act, talking about Medicare.

The Speaker says, "We don't want to get rid of Medicare in round one because that's not politically smart. We don't think that's the right way to go through a transition. But we believe that Medicare is going to wither on the vine," again talking about section 1862 and talking about the Social Security Act, talking about Medicare. That is very debatable on this floor because that is a serious attempt to dismantle Medicare, Madam Speaker.

POINT OF ORDER

Mr. EHRLICH. Regular order, Madam Speaker.

The SPEAKER pro tempore (Mrs. MYRICK). The gentleman will suspend.

Does the gentleman from Florida have a point of order?

Mr. BILIRAKIS. Madam Speaker, I have the continuing point of order. But the point of order has already been ruled upon and is being violated by the Members on the other side of the aisle. This is ridiculous. Let us stay on point for crying out loud.

The SPEAKER pro tempore. Will the gentleman please restate his point of order.

Mr. BILIRAKIS. My point of order is to the effect that the debate over there has nothing at all to do with the legislation before us, which is to repeal the unnecessary regulatory burden of the cardiac pacemaker registry imposed by the Social Security Act, period. It is limited to that particular point, that subsection.

The SPEAKER pro tempore. The Chair finds that the most recent debate maintains the proper nexus to the bill. The gentleman may proceed.

Mr. BROWN of Ohio. Madam Speaker, it concerns me when we talk about section 1862 and we talk about this bill. Again I applaud the gentlewoman from Nevada [Mrs. VUCANOVICH], the gentleman from Florida [Mr. BILIRAKIS], and the Committee on Commerce chaired by the gentleman from Virginia [Mr. BLILEY] in their support of this legislation.

I would hope that when we talk about Medicare and talk about section 1862 that we do look at the entire Medicare package. That is, are we going to save Medicare? Are we going to follow the words of the Speaker of the House who says that it is politically not smart now to get rid of Medicare, that is why we need the Gingrich plan now, so that we can begin the process of Medicare

withering on the vine. That is what concerns me, Madam Speaker, that this entire bill, whether it is section 1862—

POINT OF ORDER

Mr. EHRLICH. Point of order, Madam Speaker.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. EHRLICH. Call for regular order. Nongermane debate again, Madam Speaker.

Mr. BROWN of Ohio. Madam Speaker, I have mentioned section 1862 in almost every sentence of my discussion here.

Mr. EHRLICH. Madam Speaker, the gentleman just quoted the Speaker with respect to the issue of Medicare generally. I believe that directly violates the Chair's ruling.

Mr. BROWN of Ohio. Madam Speaker, it is not my fault that the Speaker was speaking to a bunch of insurance agents who are going to benefit by the passage of this bill and that he said that he wants Medicare to wither on the vine. I did not write his speech, Madam Speaker.

The SPEAKER pro tempore. The Chair is entertaining the argument on the point of order, sir. Has the gentleman completed?

Mr. BROWN of Ohio. The ruling has been made in support of our position again, Madam Speaker?

Mr. EHRLICH. The point of order has not been ruled upon, is my understanding.

The SPEAKER pro tempore. The Chair is prepared to rule.

Quotations of the Speaker are not out of order, per se, but a nexus needs to be maintained to the subject of the bill.

Mr. BROWN of Ohio. I thank the Speaker.

I will make the nexus again that the Speaker, speaking to an insurance executive group in, I do not know, perhaps in Washington, in October, talking about section 1862 and Medicare as a whole, said, "We don't want to get rid of Medicare"—

POINT OF ORDER

Mr. EHRLICH. Point of order, Madam Speaker.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. EHRLICH. Medicare as a whole is not the proper subject of this debate in the rulings that the Chair has made in the last 10 minutes.

Mr. BROWN of Ohio. Madam Speaker, what is the other party afraid of when I quote the Speaker? I do not understand. Maybe I am missing something, Madam Speaker, if you could clarify your ruling.

The SPEAKER pro tempore. The gentleman will suspend. Will Members please allow complete sentences to be made in the point of debate before interrupting?

The Chair cannot judge an incomplete sentence. The gentleman from Ohio may proceed.

Mr. BROWN of Ohio. I thank the Speaker.

Madam Speaker, a month ago, Speaker GINGRICH speaking about Medicare to a group of insurance executives, most of whom will benefit mightily from the Gingrich Medicare \$270 billion in cuts to give tax breaks for the wealthy, said to this group, "Now, we didn't get rid of Medicare in round 1 because we don't think that's politically smart, and we don't think that's the right way to go through a transition. But we believe that Medicare," parenthetically I would add, Madam Speaker, section 1862 which we are debating today and is part of Medicare, "but we believe," Speaker GINGRICH went on to say, "that Medicare is going to wither on the vine."

That is my concern, Madam Speaker, that we need to discuss this bill on the floor because 1862 is part of this bill, and I do not quite understand why people in this body are so afraid of quoting the Speaker of the House.

Mr. EHRLICH. Regular order, Madam Speaker. I believe that was 15 complete sentences. If the purpose of the gentleman is to appeal the ruling of the Chair, I would ask the gentleman to do so. If the purpose of the gentleman is simply to disregard the orders of the Chair, the gentleman should so state.

Mr. BROWN of Ohio. I say to my friend from Maryland, the Speaker asked me—

Mr. EHRLICH. I will suspend, Madam Speaker. It is my understanding now you are deciding on the motion.

The SPEAKER pro tempore. The Chair rules that a subject matter nexus must be maintained in the debate, between the debate and the bill under discussion, and the Chair has ruled such.

Mr. BROWN of Ohio. And I had the nexus, Madam Speaker?

The SPEAKER pro tempore. The most recent debate has maintained that nexus.

Mr. BROWN of Ohio. I thank the Speaker. So I can talk about section 1862 and Medicare?

The SPEAKER pro tempore. As long as the gentleman maintains that subject matter nexus.

Mr. BROWN of Ohio. Madam Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. GENE GREEN] to continue to make the nexus on 1862 and the Speaker wanting Medicare to wither on the vine.

Mr. GENE GREEN of Texas. Madam Speaker, I thank my colleague from Ohio for allowing a gentleman from Texas to make the nexus with this bill.

Let me talk a little bit about H.R. 2366. I know he has been comparing and contrasting this bill with the Speaker's comments in an earlier speech but let me talk about the continuing budget resolution that concerns all of us and to contrast the CR with this bill we are debating today, H.R. 2366.

I am glad we have this opportunity to discuss the Speaker's comments and H.R. 2366, because there is a comparison between the two. First, we had the same committee, the Committee on

Ways and Means, consider H.R. 2366 and the continuing resolution.

Madam Speaker, we also have a continuing resolution passed by the Ways and Means Committee that would increase Medicare premiums from \$46.10 to \$53.50 a month, which is the same committee from which this bill came.

That is why I think there is some concern. That is why I am glad that the gentleman from Ohio has brought up the comparison between what we are doing here today on the shutdown of the Federal Government and the concern about the increase in Medicare premiums with H.R. 2366 that came out of the same committee.

I think there is a comparison between the two, because H.R. 2366 deals with a problem that was solved on a bipartisan basis and actually when it is passed, it will be. But the continuing resolution that was passed here was not passed on a bipartisan basis, even though it came out of the same committee.

I think H.R. 2366 is a great example of recognizing a problem with the Social Security Act and Medicare and the medical device reporting requirement, and slowing it. Yet again today, because of the veto yesterday of the continuing resolution and recently of the debt ceiling, we have not seen any of the bipartisanship that we should have on H.R. 2366.

It was not stated by just myself on the floor but by the President himself, that if we go back to the actual \$46.10 a month on a bipartisan basis like we have done on H.R. 2366, we might not see having the Federal Government shut down today and not having lots of Federal employees furloughed.

I would hope that the Committee on Ways and Means that sent us H.R. 2366 would also consider working on other even more important legislation, although I think the medical device reporting is important, particularly if you are dealing with pacemakers and folks that need it. But senior citizens also need to be able to afford that Medicare monthly premium. Going from \$46.10 to \$53.50 is just something that they cannot afford and frankly I applaud the President for vetoing that effort. Again hopefully it will come back to us and the Committee on Ways and Means and the Committee on Commerce can work together so we can have bipartisan resolution to this.

Mr. BROWN of Ohio. Madam Speaker, again I am pleased to support repeal of 1862(h) but oppose the Medicare withering on the vine as the Speaker has reminded us that his plan does.

Madam Speaker, I reserve the balance of my time.

Mr. BILIRAKIS. Madam Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. BARTON].

Mr. BARTON of Texas. I thank the gentleman from Florida, the chairman of the Subcommittee on Health and Environment, for yielding me the time.

Madam Speaker, unlike some of my Democratic colleagues, I am going to

rise in support of this legislation and strictly speak on this legislation.

I would like to point out that the bill was reported out of the Committee on Commerce on a bipartisan basis. My good friend, the gentleman from California [Mr. WAXMAN], and the gentlewoman from Nevada [Mrs. VUCANOVICH] are the chief sponsors of the bill. The purpose of the bill is to repeal the cardiac pacemaker registry established in 1984 by the Social Security Act. I would like to read the background on this legislation. It is only two paragraphs, and I think it may be of some value to our colleagues.

It says that section 1862(h) of the Social Security Act requires doctors and hospitals receiving Medicare funds to provide information upon implementation, removal, or replacement of pacemaker devices and pacemaker leaders. These requirements became redundant in 1990 with the enactment of amendments to the Federal Food, Drug, and Cosmetic Act that established a more comprehensive system for reporting on medical devices. This legislation is needed to eliminate the unnecessary burden on the health care system, the Health Care Financing Administration, and the Food and Drug Administration. On October 12, 1995, the Speaker's advisory group on corrections, a bipartisan task force, recommended to the Speaker that H.R. 2366 be placed on the House Corrections Calendar, which it is being done today, and which I would assume in the next 5 minutes or so that we are going to pass this, probably by a voice vote, perhaps by a rollcall vote.

This is an example of where we can work together in a bipartisan fashion to eliminate some of the unnecessary Federal rules and regulations that have grown like barnacles in the Federal Code over the last 20 to 30 years.

I support the leadership of the gentleman from Florida [Mr. BILIRAKIS], the chairman, and his effort on this and hope that we would focus on the issue at hand, this piece of legislation, and pass it forthwith.

Mr. BILIRAKIS. Madam Speaker, I guess unfortunately I misspoke in my opening remarks when I talked about the bipartisan nature of what we were doing here this morning, regarding this piece of legislation. That is very unfortunate.

Madam Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, this is a bipartisan bill. We want to see it passed.

The gentleman from California, Mr. STARK, the gentleman from Texas, Mr. GENE GREEN, and the gentleman from Kentucky, Mr. WARD, that have spoken on this side of the aisle, all of us that are on the Commerce or Ways and Means committees that supported this bill want to see it passed.

We simply wanted, and I guess it was just too touchy an issue in this body,

we wanted to debate perhaps the greatest Government program ever, Medicare, that has been with us for 30 years, that where 50 percent of the people in this country were not covered, did not have any health insurance, 50 percent of the elderly in 1965, today only 1 or 2 percent of the elderly do not have coverage because of Medicare.

Yet this Gingrich plan will increase people that are uninsured by as much as 50 percent according to nonpartisan experts.

More to the point on section 1862, by striking subsection (h) which is what we should do, repealing that but not repealing and allowing Medicare to wither on the vine, the poorest elderly are going to have a \$700 out-of-pocket expense to pay for these pacemakers because of the Medicaid reforms on something called QMB that the Gingrich plan has allowed.

Madam Speaker, I support this bill, I do not want to see Medicare wither on the vine. I hope that down the road we can have a real Medicare debate where people are not interrupting one another to say that it is not germane because the American people deserve that.

Madam Speaker, I support H.R. 2366.

Madam Speaker, I yield back the balance of my time.

Mr. BILIRAKIS. Madam Speaker, I yield myself such time as I may consume.

Possibly, present company excepted, I do not know, I would suggest that most of the Members on the other side of the aisle have been involved in Medicare debates over the years, particularly during election time. They are very adept at it, and this morning proves that, I think, more than anything else.

Madam Speaker, I yield back the balance of my time.

□ 1130

The SPEAKER pro tempore (Mrs. MYRICK). Pursuant to the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read a third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and (three-fifths having voted in favor thereof) the bill was passed.

The motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BILIRAKIS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2366.

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

There was no objection.

FEDERAL REPORTS ELIMINATION AND SUNSET ACT OF 1995

The Clerk called the Senate bill (S. 790) to provide for the modification or elimination of Federal reporting requirements.

The Clerk read the bill, as follows:

S. 790

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Reports Elimination and Sunset Act of 1995".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—DEPARTMENTS

Subtitle A—Department of Agriculture

Sec. 1011. Reports eliminated.

Sec. 1012. Reports modified.

Subtitle B—Department of Commerce

Sec. 1021. Reports eliminated.

Sec. 1022. Reports modified.

Subtitle C—Department of Defense

Sec. 1031. Reports eliminated.

Subtitle D—Department of Education

Sec. 1041. Reports eliminated.

Sec. 1042. Reports modified.

Subtitle E—Department of Energy

Sec. 1051. Reports eliminated.

Sec. 1052. Reports modified.

Subtitle F—Department of Health and Human Services

Sec. 1061. Reports eliminated.

Sec. 1062. Reports modified.

Subtitle G—Department of Housing and Urban Development

Sec. 1071. Reports eliminated.

Sec. 1072. Reports modified.

Subtitle H—Department of the Interior

Sec. 1081. Reports eliminated.

Sec. 1082. Reports modified.

Subtitle I—Department of Justice

Sec. 1091. Reports eliminated.

Subtitle J—Department of Labor

Sec. 1101. Reports eliminated.

Sec. 1102. Reports modified.

Subtitle K—Department of State

Sec. 1111. Reports eliminated.

Subtitle L—Department of Transportation

Sec. 1121. Reports eliminated.

Sec. 1122. Reports modified.

Subtitle M—Department of the Treasury

Sec. 1131. Reports eliminated.

Sec. 1132. Reports modified.

Subtitle N—Department of Veterans Affairs

Sec. 1141. Reports eliminated.

TITLE II—INDEPENDENT AGENCIES

Subtitle A—Action

Sec. 2011. Reports eliminated.

Subtitle B—Environmental Protection Agency

Sec. 2021. Reports eliminated.

Subtitle C—Equal Employment Opportunity Commission

Sec. 2031. Reports modified.

Subtitle D—Federal Aviation Administration

Sec. 2041. Reports eliminated.

Subtitle E—Federal Communications Commission

Sec. 2051. Reports eliminated.

Subtitle F—Federal Deposit Insurance Corporation

Sec. 2061. Reports eliminated.

Subtitle G—Federal Emergency Management Agency

Sec. 2071. Reports eliminated.

Subtitle H—Federal Retirement Thrift Investment Board

Sec. 2081. Reports eliminated.

Subtitle I—General Services Administration

Sec. 2091. Reports eliminated.

Subtitle J—Interstate Commerce Commission

Sec. 2101. Reports eliminated.

Subtitle K—Legal Services Corporation

Sec. 2111. Reports modified.

Subtitle L—National Aeronautics and Space Administration

Sec. 2121. Reports eliminated.

Subtitle M—National Council on Disability

Sec. 2131. Reports eliminated.

Subtitle N—National Science Foundation

Sec. 2141. Reports eliminated.

Subtitle O—National Transportation Safety Board

Sec. 2151. Reports modified.

Subtitle P—Neighborhood Reinvestment Corporation

Sec. 2161. Reports eliminated.

Subtitle Q—Nuclear Regulatory Commission

Sec. 2171. Reports modified.

Subtitle R—Office of Personnel Management

Sec. 2181. Reports eliminated.

Sec. 2182. Reports modified.

Subtitle S—Office of Thrift Supervision

Sec. 2191. Reports modified.

Subtitle T—Panama Canal Commission

Sec. 2201. Reports eliminated.

Subtitle U—Postal Service

Sec. 2211. Reports modified.

Subtitle V—Railroad Retirement Board

Sec. 2221. Reports modified.

Subtitle W—Thrift Depositor Protection Oversight Board

Sec. 2231. Reports modified.

Subtitle X—United States Information Agency

Sec. 2241. Reports eliminated.

TITLE III—REPORTS BY ALL DEPARTMENTS AND AGENCIES

Sec. 3001. Reports eliminated.

Sec. 3002. Reports modified.

Sec. 3003. Termination of reporting requirements.

TITLE I—DEPARTMENTS

Subtitle A—Department of Agriculture

SEC. 1011. REPORTS ELIMINATED.

(a) REPORT ON MONITORING AND EVALUATION.—Section 1246 of the Food Security Act of 1985 (16 U.S.C. 3846) is repealed.

(b) REPORT ON RETURN ON ASSETS.—Section 2512 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 1421b) is amended—

(1) in subsection (a), by striking "(a) IMPROVING" and all that follows through "FORECASTS.—"; and

(2) by striking subsection (b).

(c) REPORT ON FARM VALUE OF AGRICULTURAL PRODUCTS.—Section 2513 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 1421c) is repealed.

(d) REPORT ON ORIGIN OF EXPORTS OF PEANUTS.—Section 1558 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 958) is repealed and sections 1559 and 1560 of such Act are redesignated as sections 1558 and 1559, respectively.