

hospital stay of 48 hours for mastectomies and 24 hours for lymph node removals.

Standard surgical treatment for breast cancer includes mastectomy, lymph node dissection, and lumpectomy. Over the least ten years, the length of hospitalization for patients undergoing mastectomies has dwindled significantly from 4–6 to 2–3 days. In the past, patients undergoing lymph node dissections generally were hospitalized for 2–3 days. Hospitalization is essential for pain control and for the management of fluid drainage from the operative site. The less tangible, but still important benefit of hospitalization is to provide a supportive surrounding for the patient to address the psychological and emotional reactions to having breast cancer, such as depression, anxiety, and hostility.

Now, under incessant pressure from managed care organizations to reduce costs, surgeons have had to perform lymph node dissections and even mastectomies as outpatient surgery. Some health maintenance organizations [HMO's] send their patients home a few hours after their surgery groggy from anesthesia, in pain, and with drainage tubes still in place. Others even deny women hospitalizations on the day of their lymph node dissection or mastectomy, making the surgeon choose between giving the patient the individual care she needs or being penalized by the HMO for not following its guidelines. Doctors, concerned for their patients' well-being, even find themselves locked in battle with HMO's. One doctor in my district had to spend over 7 hours—not in surgery treating women for breast cancer—but rather making phone calls pleading with HMO staff members to get a mastectomy patient admitted to the hospital for 24 hours.

The guidelines that many managed care companies are using today are written by a single actuarial consulting firm. And, while a few physicians are employed by this company, none are actively performing breast cancer surgery. These guidelines are designed to fit the ideal breast cancer surgery patient that is placed in the most optimal situation. However, both the American College of Surgeons and the American Medical Association believe that most patients can not satisfy these guidelines and will require a longer length of stay. Today, HMO's base their coverage on the recommendations of health care actuaries, not on those of surgeons who care for patients day in and day out. And the guidelines they use to do it are based on the bottom line, not on medically established standards of care.

That is simply unacceptable. Accepted practice has shown that victims of breast cancer need to remain in the hospital at least 48 hours after a mastectomy and 24 hours after a lymph node dissection. This legislation would ensure that women with breast cancer receive the medical attention they need and deserve. My bill ensures that health plans which provide medical and surgical benefits for the treatment of breast cancer provide a minimum length of hospital stay of 48 hours for patients undergoing mastectomies and 24 hours for those undergoing lymph node removals. Under this bill, physicians and patients, not insurance companies, can determine if a shorter period of hospital stay is appropriate.

Beginning on the first day of the 105th Congress, with this bipartisan bill, we can ensure that women with breast cancer receive the

best treatment and coverage available. And, we can ensure that crucial health care decisions are left in the hands of doctors, and not accountants.

This legislation enjoys strong support from the National Breast Cancer Coalition, the National Association of Breast Care Organizations, the Y-Me National Breast Cancer Organization, the Families USA Foundation, the Women's Legal Defense Fund, and the American Society of Plastic and Reconstructive Surgeons, as well as from women across the country from Wisconsin to California to New Hampshire. I strongly urge all of my colleagues to endorse this widely-supported bipartisan effort to help ensure that American women who have breast cancer receive the comprehensive and equitable health care coverage they deserve.

#### PROTECT OUR FLAG

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 1997*

Mrs. EMERSON. Mr. Speaker, I rise today to introduce a constitutional amendment for the protection of our Nation's flag. The flag is a revered symbol of America's great tradition of liberty and democratic government, and it ought to be protected from acts of desecration that diminish us all.

As you know, there have been several attempts to outlaw by statute the desecration of the flag. Both Congress and State legislatures have passed such measures in recent years, only to be overruled later by decisions of the Supreme Court. It is clear that nothing short of an amendment to the Constitution will ensure that Old Glory has the complete and unqualified protection of the law.

The most common objection to this kind of amendment is that it unduly infringes on the freedom of speech. However, this objection disregards the fact that our freedoms are not practiced beyond the bounds of common sense and reason. As is often the case, there are reasonable exceptions to the freedom of speech, such as libel, obscenity, trademarks, and the like. Desecration of the flag is this kind of act, something that goes well beyond the legitimate exercising of a right. It is a wholly disgraceful and unacceptable form of behavior, an affront to the proud heritage and tradition of America.

Make no mistake, this constitutional amendment should be at the very top of the agenda of this Congress. We owe it to every citizen of this country, and particularly to those brave men and women who have stood in harm's way so that the flag and what it stands for might endure. I urge this body to take a strong stand for what is right and ensure the protection of our flag.

#### INTRODUCTION OF CLEAN SWEEP ACT OF 1997

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 1997*

Mr. GOODLING. Mr. Speaker, today I am introducing the "Clean Sweep Act of 1997"

which is intended to bring fiscal sanity back to our nation's campaign financing system. In 1994, congressional candidates spent close to \$725 million to be elected to the U.S. Congress. This is nearly \$610 million more than candidates spent in 1976 and 60 percent more than the 1990 congressional election. Corporation and union Political Action Committee (PAC) contributions made up 27 percent of this total in 1994.

While the final tally for campaign spending in the most recent election cycle is not yet known, Common Cause, a campaign finance reform advocacy group, has estimated that the cost of the 1996 presidential and congressional elections may reach nearly \$2 billion. PAC contributions from corporations have been estimated at over \$150 million, while union PACs have been reported between \$150 to \$500 million. We cannot allow special interest to buy influence in Congress.

Mr. Speaker, the "Clean Sweep Act" requires that at least half of a candidate's contributors come from within the district; prohibits the acceptance of Political Action Committee (PAC) money; limits a candidate's personal contributions to his or her own campaign to \$50,000 per election cycle; prohibits the use of soft money; provides free broadcasting for candidates who comply with a voluntary spending limit of \$600,000; assesses monetary penalties for candidates who exceed spending limits; prohibits all individual foreign contributions; prohibits cash contributions in federal elections; prohibits unsolicited franking within 90 days of a primary or general election; and requires Congress to evaluate the effects of campaign finance reform within 3 months of the first full election cycle after enactment of this bill.

The greatest deliberating body in the world belongs to the American people, not corporate or union bosses in Washington, D.C. It is our civic duty as elected officials, who are responsible to the American people, to send a clear message to special interest groups that we will not be bought. We must restore integrity and honesty to a system that has contributed to increased cynicism of government and historic low voter turnout.

Mr. Speaker, I am proud to stand before you today to say that in my 22 years of service in the United States House of Representatives, I have not taken a single penny of PAC money. The people of the 19th District of Pennsylvania have awarded me the opportunity to represent them for over two decades because I put their interests ahead of special interest. My standing here today is proof that big money is not a prerequisite to holding a seat in Congress.

Mr. Speaker, reform of our campaign finance system is sorely needed. I urge my colleagues to cosponsor this legislation which will reduce the cost of campaign financing and restore faith in the federal election process.

#### STATEMENT OF CONGRESSMAN CHARLES B. RANGEL, RONALD BROWN BUILDING, DESIGNATION BILL

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 1997*

Mr. RANGEL. Mr. Speaker, I am pleased to introduce legislation designating the Federal

building located at 290 Broadway in New York, NY, as the Ronald H. Brown Federal Building.

Ronald H. Brown, the first African-American Secretary of Commerce, was an extraordinary statesman whose force, competence and sheer commitment forged new ground for U.S. commerce. The ultimate sacrifice of his life in exceptional service to his country is further testimony to his leadership and passion for economic development and opportunity at home and abroad.

Ronald H. Brown loved this country and represented the best that America has to offer. he was a compassionate advocate for civil rights; a bridge builder mending the divisions of race, religion and cultures; a mentor developing young talent and extending the ladder of opportunity to a new generation of leaders; and, indeed an extraordinary public servant and leader.

His life was one marked by an outstanding record of accomplishment and service to America. He served as Army Captain; Vice President of the National Urban League; Chief Counsel to the Senate Judiciary Committee; a distinguished attorney; Chairman of the Democratic National Committee; a trusted advisor to the President of the United States; a husband; a father; and, a friend.

The designation of this building, home to Federal agencies and site of the recently discovered African-American slave burial ground, would honor Ron Brown's service and memory. This designation would serve as an inspiration and reminder to all Americans of Ron Brown's contributions and the noble cause for which he sacrificed his life.

#### INTRODUCTION OF THE TAX EXEMPTION ACCOUNTABILITY ACT

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 1997*

Mr. MENENDEZ. Mr. Speaker, today, I am introducing the Tax Exemption Accountability Act to stop self-dealing by the managers of tax exempt organizations and put teeth into the requirement that they file accurate annual returns with the IRS and make them available to the public. It creates a national clearinghouse offering copies of returns for a reasonable fee. The bill also caps the compensation of officers and directors at the level of U.S. cabinet members. Churches would continue to be exempt from filing IRS returns and from caps on pastors' salaries and hospitals could still pay high-cost professionals.

Given the current events, we need greater accountability by tax exempt organizations because they control substantial public wealth and offer temptation that some have been unable to resist manipulating. The share of national revenues going to tax exempts has nearly doubled in the past 15 years, growing to 8 percent per year in constant dollars. The IRS reports that revenues of tax exempts rose from 5.9 percent to 10.4 percent of the U.S. gross domestic product from 1975 to 1990. Those revenues totaled \$578 billion in 1990. This contrasts with taxable revenues from service industries which had receipts of \$1,174 billion. Tax exempts equal more than half of the revenue of all service sector indus-

tries and pay no tax. Clearly the opportunity for abuse is enormous.

The American people are the most generous people in the world. My bill will ensure that this generosity is not abused and profitable business activity is not diverting taxable revenue through manipulating charitable exemptions.

#### 220TH ANNIVERSARY OF THE FOUNDING OF THE U.S. CALVARY

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 1997*

Mrs. KENNELLY. Mr. Speaker, I rise to recognize the 220th anniversary of the U.S. Calvary, celebrated last December.

On December 16, 1776, in the town of Wethersfield, CT, Revolutionary troops were organized as the 1st Calvary Regiment in the Continental Army under orders of the First Continental Congress. Today, the town of Wethersfield, located in the First Congressional District, is proud to be honored as the birthplace of the U.S. Calvary.

Recognized by the U.S. Army's Center of Military History, Sheldon's Horse, 2d Continental Light Dragoons, were organized in Wethersfield. This was the first dragoon regiment to be organized directly into the Continental Army. Training grounds for this regiment were erected by a Wethersfield resident, Capt. Benjamin Tallmadge. This regiment made several key contributions in the Revolutionary War effort by participating in combat in northern New Jersey and at the defense of Philadelphia.

The U.S. Calvary that had its origins in Wethersfield continued to serve our Nation long after the war ended, fighting epic battles at Brandy Station during the Civil War and the Punitive Expedition before World War I.

The founding of the U.S. Calvary is just one example of the important role that the town of Wethersfield has played in securing and preserving America's independence. From the historic Webb House, where Gen. George Washington met with Comte de Rochambeau to discuss strategies for the Battle of Yorktown, to the modern development of the Silas Deane Highway, the quaintness of Wethersfield is intermingled with the heroic greatness represented by the U.S. Calvary.

The U.S. Calvary, historically headquartered in Fort Riley, KS, will be forever linked with Wethersfield and the First Congressional District. I applaud the efforts of the friends and residents of the town of Wethersfield who have brought this significant part of American history the recognition it greatly deserves.

#### INTRODUCTION OF CAPITAL GAINS TAX PROPOSAL

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 1997*

Mr. NEAL of Massachusetts. Mr. Speaker, today I am introducing legislation, the Middle Class Income Tax Relief Act of 1997, which provides a capital gains tax cut for working

class Americans. This legislation provides a lifetime capital gains bank of \$200,000. Any taxpayer throughout the person's lifetime would have a capital gains bank of \$200,000. Under this legislation, a taxpayer could exclude up to 50 percent of the gain on the sale of a capital asset, up to the limit in the maximum tax rate of 19.8 percent.

The benefit of lifetime capital gains tax bank would phase out as a taxpayer's income increases above \$200,000. Under this legislation individuals who sold stocks saved for retirement or a second home, or elderly individuals, who have a large gain in the sale of their principal residence, would benefit. The proposal includes a 3-year holding period for the capital asset. Short-term stock speculators would not be able to qualify for the benefit.

In addition, the bill allows taxpayers to index the cost of real estate for inflation. An inflation-induced gain is not a capital gain and should not be subject to tax.

Lately, there has been much said about the necessity and benefits of a capital gain tax cut. A capital gains tax cut is a valid measure, but a capital gains tax needs to be economically feasible and to benefit the middle-class. A capital gains tax cut needs to be responsible. I believe the Middle Income Tax Relief Act of 1997 provides an appropriate capital gains tax cut.

Mr. Speaker, I insert a summary for the RECORD.

#### SUMMARY OF MIDDLE INCOME TAX RELIEF ACT OF 1997

Individuals would have a lifetime capital gains "bank."

Bank limit would be \$200,000 per person.

All individuals would be entitled to the \$200,000 bank: for example each spouse of a married couple would have a separate limit.

Any individual who sold a qualified asset could exclude up to 50 percent of the gain on the sale, up to the \$200,000 limit.

Qualified assets would include all capital assets under the present law, except collectibles.

Under the bill, the maximum tax rate on capital gains income would be 19.8 percent (i.e. 1/2 of the maximum 39.6 percent rate).

The full benefit would not be available in any year that a taxpayer had adjusted gross income in excess of \$200,000.

In the case of a sale or exchange of real property, taxpayers would be able to index their basis in the asset to the rate of inflation. Thus, no tax on inflation-induced gains.

Example: taxpayer buys a house for \$100,000 and sells it 9 years later for \$200,000. Inflation was 5 percent per year over the 9-year period. Basis for measuring gain is \$145,000 so gain is \$55,000.

A three year holding period would apply so that the deduction would not be available to any taxpayer who held the asset for less than 3 years.

#### CONGRATULATIONS TO MR. ALEJANDRO AGUIRRE

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 7, 1997*

Ms. ROS-LEHTINEN. Mr. Speaker, I want to extend my congratulations to Mr. Alejandro Aguirre, deputy editor and publisher of *Diario Las Americas*, on his being named as chairman of the Metro-Dade Cultural Affairs Council.