

I also would like to recognize their teacher, Michael Trofi, who deserves much of the credit for the success of the team. The district coordinator, Carlo Gamba, and the State coordinator, Henry Cote, also contributed a significant amount of time and effort to help the team reach the national finals.

The We The People . . . The Citizen and Constitution Program is the most extensive educational program in the country developed specifically to educate young people about the Constitution and the Bill of Rights. The 3-day national competition simulates a congressional hearing in which students' oral presentations are judged on the basis of their knowledge of constitutional principles and their ability to apply them to historical and contemporary issues.

Administered by the Center for Civic Education, the We The People program, now in its 10th academic year, has reached more than 75,000 teachers, and 24 million students nationwide at the upper elementary, middle, and high school levels. Members of Congress and their staff enhance the program by discussing current constitutional issues with students and teachers.

The We the People program provides an excellent opportunity for students to gain an informed perspective on the significance of the U.S. Constitution and its place in our history and lives. I wish these students the best of luck in the national finals and look forward to their continued success in the years ahead.

#### HOSPITAL OUTPATIENT OVERCHARGES: WHY WE NEED TO REFORM MEDICARE'S PAYMENT SYSTEM

##### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1997

Mr. STARK. Mr. Speaker, the President's budget proposes to reform a major defect in Medicare—the ability of hospital outpatient departments [HOPDs] to overcharge beneficiaries. Due to the way the law is worded, patients today pay—on average—about 45 percent of the allowable cost of a hospital outpatient procedure. They should be paying 20 percent. Unless fixed, the problem will just get worse and worse, with seniors and the disabled paying more and more. Simply put, the problem arises because Medicare pays the hospital on the basis of reasonable cost, while the beneficiary is stuck with 20 percent of charges—and charges can be anything the hospital wants to say they are.

On February 4, Representative COYNE and myself introduced a bill, H.R. 582, to provide for an immediate correction of this serious Medicare beneficiary problem. I urge the Budget Committee, as it considers the size of the Medicare budget cuts, to make an allowance for the fixing of this problems.

In the meantime, the public should be advised to shop around for a better price than the HOPDs offer. Of the roughly 7,000 procedures that are done in HOPDs, 2,700 are also done safely and competently in ambulatory surgical centers [ASCs], where the price is usually much lower—and where the beneficiaries copay is limited to 20 percent.

Following are some examples of the difference to a patient in using an ASC instead

of an HOPD. Newspapers, the electronic media, and consumer groups could do a great service to the Nation's seniors and disabled by checking on these prices in their local market and advertising the difference to seniors. Caveat emptor—big time.

#### COMPARISON OF HOSPITAL AND ASC FEES

##### ILLUSTRATIVE EXAMPLE NO. 1

#### Description:

Procedure: Inguinal Hernia Repair.

Location: Milwaukee, Wisconsin.

CPT Code: 49505.

Date: June 18, 1996.

	Comparative payments—	
	ASC	Local hospital
Retail Charge .....	\$1,816	\$3,171
HCFA Approved .....	.....	3,171
HCFA Payment .....	587	2,537
Patient Co-payment .....	117	634

#### COMPARISON OF HOSPITAL AND ASC FEES

##### ILLUSTRATIVE EXAMPLE NO. 2

#### Description:

Procedure: Breast Biopsy.

Location: Milwaukee, Wisconsin.

CPT Code: 19120.

Date: July 29, 1996.

	Comparative payments—	
	ASC	Local hospital
Retail Charge .....	\$899	\$1,237
HCFA Approved .....	.....	1,237
HCFA Payment .....	473	989
Patient Co-payment .....	95	247

#### COMPARISON OF HOSPITAL AND ASC FEES

##### ILLUSTRATIVE EXAMPLE NO. 3

#### Description:

Procedure: Cataract w/IOL.

Location: Milwaukee, Wisconsin.

CPT Code: 66984.

Date: August 15, 1996.

	Comparative payments—	
	ASC	Local hospital
Retail Charge .....	\$1,419	\$4,417
HCFA Approved .....	.....	1,617
HCFA Payment .....	914	1,294
Patient Co-payment .....	183	323

#### COMPARISON OF HOSPITAL AND ASC FEES

##### ILLUSTRATIVE EXAMPLE NO. 4

#### Description:

Procedure: Colonoscopy w/Tumor Removal.

Location: Pasadena, California.

CPT Code: 45385.

Date: January 23, 1996.

	Comparative payments—	
	ASC	Local hospital
Retail Charge .....	.....	\$1,583
HCFA Approved .....	.....	1,186
HCFA Payment .....	\$442	1,186
Patient Co-payment .....	88	396

#### TWO YEAR ANNIVERSARY OF THE OKLAHOMA CITY BOMBING—APRIL 21, 1997

##### HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1997

Mr. MANTON. Mr. Speaker, I rise today to commemorate the second anniversary of the

Oklahoma City bombing. On April 19, 1995, a car bomb exploded outside the Alfred P. Murrah Federal Building in Oklahoma City, OK, killing 169 people and injuring hundreds more. This act of cowardice was an attack on innocent children and defenseless citizens, and struck at the very heart of our democracy.

This act of terrorism, the worst in the Nation's history on American soil, shocked, frightened, angered and saddened the citizens of Oklahoma and the United States. But throughout this time of hardship, the acts of courage, compassion, and professionalism by the citizens of Oklahoma and countless volunteers that descended upon the Murrah building are indelibly etched in the memories of people all over the world. These heroes, which included law enforcement officers, firefighters, search and rescue professionals, doctors, nurses, and volunteers throughout the country, gave selflessly in providing comfort and compassion to the victims of the attack and their families.

Mr. Speaker, as a Member of Congress who hails from New York City, the site of the World Trade Center Bombing 4 years ago, I know the fear and loss which these cowardly acts can have on a community. While the devastation which occurred in Oklahoma City is far greater than that which New York sustained, I know the people of New York have a special affinity for the suffering experienced by the families and friends of the victims of the Oklahoma tragedy.

I think all Americans agree that this victimization of innocent people is a trend which we cannot allow to continue. That is why I introduced and urge my colleagues to join me in co-sponsoring H.R. 538, the Explosives Fingerprinting Act, which would require explosive manufacturers to use high technology additives—taggants—in their explosives. These taggants would serve as identifying signatures which show where and when a particular explosive material was made. This legislation, which I originally offered during the 103d Congress in response to the World Trade Center bombing, is supported by major law enforcement agencies, including the Bureau of Alcohol, Tobacco and Firearms.

Mr. Speaker, it is time to give our law enforcement officials a valuable new tool in their arsenal. I would encourage my colleagues to join me as cosponsors of this important legislation, thereby taking a small step toward making sure another terrorist act like the bombing in Oklahoma City does not occur again.

Finally, Mr. Speaker, I would like to again express my deepest sympathies to the families and friends of the victims of Oklahoma City on this the second anniversary of the Oklahoma City bombing.

#### INS AND CITIZENSHIP

##### HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1997

Mr. PACKARD. Mr. Speaker, I rise today to discuss an issue which disturbs me greatly. Just 3 months ago the Justice Department reported that the Immigration and Naturalization Service allowed some 180,000 people to become citizens without fully completing the required criminal background checks.

INS Commissioner Doris Meissner promised that appropriate steps would be taken to correct the obvious problems. Mr. Speaker, last week the verdict came in.

In a 140-page report issued by the Peat Marwick Accounting Firm, our worst fears were realized. The report found that of the 23 INS offices around the country, only 8 were complying with the new procedures for screening out criminal aliens. In fact, the report said that it could not with any assurance state that INS was not continuing to incorrectly naturalize aliens with disqualifying conditions.

Mr. Speaker, it is bad enough when a government agency is inefficient and squanders taxpayer money. But what can possibly be said about an agency that is fouling up the most important honor our Nation can give—the honor of citizenship.

There is nothing that should be viewed with more respect than the process by which we bestow citizenship on new Americans. We simply must improve the integrity of the naturalization process or we risk cheapening a privilege that so many have given their lives to protect.

#### NAFCU MARKS 30 YEARS OF SERVICE

#### HON. FLOYD H. FLAKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 23, 1997*

Mr. FLAKE. Mr. Speaker, for the past 30 years an organization known as the National Association of Federal Credit Unions [NAFCU] has distinguished itself by playing a key role in guiding and shaping the growth of America's Federal credit union community.

This week NAFCU marks the 30th anniversary of its incorporation. During that time it has rapidly grown so that today NAFCU represents credit unions that account for well over a majority of all Federal credit union members from across the land, and nearly three-quarters of the assets of all Federal credit unions in the country.

NAFCU and its representatives on Capitol Hill have served America's credit unions well. I invite our colleagues to join in extending warm wishes on the occasion of NAFCU's 30th anniversary.

#### SUPPORT FOR THE JONES ACT

#### HON. JOHN JOSEPH MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 23, 1997*

Mr. MOAKLEY. Mr. Speaker, on behalf of myself and the chairman of the Rules Committee, Mr. SOLOMON, and a bipartisan group of our colleagues, I have introduced today a resolution that strongly reaffirms the Congress' support for the Jones Act, section 27 of the Merchant Marine Act of 1920, one of the cornerstones of U.S. maritime policy. With origins dating back more than 200 years, the Jones Act requires that vessels used to transport cargo between U.S. ports be built in the United States, owned by U.S. citizens and crewed by U.S. citizen mariners.

The U.S. domestic Jones Act fleet plays a critical role in safeguarding U.S. economic and

military security by ensuring U.S. control of essential transportation assets and our maritime infrastructure. It is not surprising that there are over 40 other nations that have similar laws that limit access to their domestic commerce to their national flag vessels in order to better enhance and support their own economic and military security.

Domestic trade has always been the core of our maritime industry. This trade, which consists of seaborne commerce between our States and territories and coastwise, Great Lakes and river commerce, has insured the survival of our maritime industry. The Jones Act has fostered the growth of a highly productive and diverse fleet of large, technologically advanced, fuel efficient vessels. These vessels transport all types of U.S. domestic commerce in a timely, economically, and responsive manner. This fleet is better equipped than ever to serve America's economy. Today's fleet consists of more than twice as many large vessels as it did in 1965. These vessels are not only larger but faster and much more productive in terms of their cargo carrying and delivery capability. As a result, a single American mariner working aboard one of today's technologically advanced vessels is able to deliver as much as 17 times the amount of cargo as 30 years ago. The Jones Act, along with the comparable requirements applicable to America's aviation, rail, and trucking industries, plays a vital role in ensuring that America's shippers and consumers continue to have a reliable, efficient, and competitively balanced domestic transportation system. America's shippers and consumers benefit greatly by using equipment built to U.S. standards and operated by trained U.S. citizen workers.

Vessels comprising the U.S. domestic Jones Act fleet does not receive any operating or construction subsidies from the U.S. Government, but rather are supported entirely through private capital investment by U.S. maritime companies. To date, these private investments have totaled approximately \$26 billion. This investment pumps nearly \$15 billion into the national economy, including more than \$4 billion in direct wages to U.S. citizens. This economic impact is multiplied by thousands of additional jobs which Jones Act industries support in downstream industries and local communities in which Jones Act-related income is spent. In fact, the U.S.-flag domestic fleet provides direct employment for 124,000 Americans, including 80,000 merchant sailors and 44,000 shipyard and other shoreside workers. Their livelihoods are directly tied to the construction, repair, maintenance, supply, and operation of the 44,000 vessels and barges in the Jones Act fleet.

Not only do American citizens, our constituents, benefit from the Jones Act but so do Federal and State treasuries. The construction and operation of the privately owned U.S.-flag domestic fleet generates approximately \$300 million annually in corporate tax revenues for the Federal Treasury and another \$55 million annually in State tax revenues. Americans working aboard U.S.-flag domestic vessels and in related domestic industries pay approximately \$1 billion \$100 million annually in Federal income taxes and another \$272 million in State income taxes. These revenues will be lost to our Federal and State governments if foreign vessels and foreign crews are allowed to enter America's domestic trades.

The Jones Act provides many significant and cost-effective national security benefits. In times of international crisis, the Jones Act fleet keeps goods flowing reliably and securely between U.S. ports, supporting the domestic economic base needed to sustain military action overseas. It also serves as an efficient and cost-effective adjunct to government-owned and other commercial sealift defense resources. The same U.S. merchant mariners who crew these Jones Act vessels in peacetime can be mobilized, as they have in the past, to crew surge and sustainment vessels for the Department of Defense.

Despite the claims made by foreign shipping interests and their spokespersons, without the Jones Act, foreign flag vessels—free of virtually all U.S. laws, taxes, and obligations—would be able to compete unfairly, not only against U.S.-flag vessels but also against America's trucking, rail, and pipeline industries. Americans will not benefit if the Jones Act was weakened or repealed. Americans will not benefit when their fellow citizen maritime workers lose their jobs. Americans will not benefit when Federal and State taxing authorities lose desperately needed revenues. Foreign shipping interests must not be given our domestic shipping market, the world's most lucrative domestic shipping market, into which they could dump their foreign built, foreign crewed vessels and capture our trades.

It is important to remember that if we, as Members of Congress, choose to not support the Jones Act, we will instead have chosen to eliminate an American industry. By doing so we will be turning over its functions and responsibilities to foreign owned and controlled vessels crewed by foreign nationals. It means that we will have chosen to wipe out the billions of dollars in private investments made in an all-American industry. We will have done so in order to give heavily subsidized, largely unregulated foreign shipping interests the right to control the movement of America's domestic commerce, to dictate the terms and conditions of such shipments. We will have allowed foreign shippers to export freight revenues, taxes and jobs outside of the United States. It means that we will open our market to foreign shipping interests that do not pay U.S. taxes, do not comply with America's safety, environmental and worker protection laws, and do not employ American workers. It means we will have given foreign shipping interests the ability and the right to compete unfairly against U.S. vessels, pipelines, railroads, and trucks.

Common sense dictates that our economic and military security requires an American owned, built and crewed domestic fleet and this common sense has prevailed for over 200 years. I ask that you join Mr. SOLOMON, our colleagues and me in supporting our bipartisan resolution that strongly reaffirms the Congress' support for the Jones Act.

H. CON. RES. —

Whereas a privately owned United States-flag merchant fleet and maritime industry are vital to the economic, military, and international political security of the United States;

Whereas it is essential for the Congress to reaffirm its support for those programs and policies that have successfully developed and maintained a strong, competitive, and economically viable United States-flag merchant marine, including section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), popularly known as the Jones Act,