

makes bribery illegal and possibly punishable with a jail sentence.

This is yet another example of the unfair competition our firms face, Mr. Speaker, and we should be resolute in demanding that Germany, France, and other countries change their laws. This is absolutely critical to maintaining our industrial base, including our military industrial base in these times of declining defense budgets.

[From the International Herald Tribune]

FOREIGN BRIBERY SHOULD BE A CRIME

(By Reginald Dale)

WASHINGTON.—An American caught bribing a foreign official for commercial gain will be fined or jailed for violating U.S. law. Europeans who bribe the same official may well qualify for a tax deduction.

U.S. corporations are estimated to be losing contracts worth tens of billions of dollars because of corrupt practices by their competitors. It is hardly surprising that Washington is leading an aggressive campaign to crack down on international bribery and corruption.

What is surprising is that the campaign, dismissed as hopelessly naive and moralistic only a few years ago, is beginning to bear fruit.

At next month's ministerial meeting of the Organization for Economic Cooperation and Development in Paris, Washington hopes other industrial countries will commit themselves to making foreign commercial bribery a criminal offense, as the United States did in 1977.

Many developing and ex-Communist countries back the U.S. stand and are asking the major exporting nations to help them fight corruption.

The main holdouts are two close American allies, Germany and France. These two countries do not dispute that bribery is bad. Many international corporations say corruption is the main obstacle to business in places such as Russia, China and much of Southeast Asia.

Bribery, according to Alan P. Larson, a senior State Department official, denies developing countries access to the most efficient bidders, diverts funds that could have been spent on economic and social development, and corrupts fragile democratic institutions.

Washington is not too worried by the small sums often needed to persuade bureaucrats to do the jobs they are supposed to be doing anyway, such as issuing licenses or visas. The problem is big payments to induce an official to do something illegal—bribing a public employee to secure a contract is against the law all over the world.

Last year, Germany and France subscribed to a nonbinding OECD recommendation to end tax deductions for bribery abroad and agreed "in principle" to make it a criminal offense. The difficulty is persuading them to follow through. The two countries have not ended the tax deductibility, and they say they want to negotiate a binding international convention before criminalizing foreign bribery. Washington wants each OECD member simply to enact its own legislation next year.

France and Germany argue that without a watertight legal convention, other countries will cheat. This argument is "clearly a delaying tactic," says Frank Vogl, vice chairman of Transparency International, an independent group that monitors business corruption. Negotiating an international convention could take years.

But many Europeans also argue that U.S. military and political power gives American businesses an unfair advantage. Americans

say their country's leading role just as often sets them at a disadvantage—for example, when Washington puts pressure on China to improve its record on human rights and weapons proliferation and European governments seek commercial favors by keeping quiet.

The two issues are not comparable. A telephone call from President Bill Clinton is not the equivalent of a bribe—nor should it be an excuse for offering one.

The hope must be that European voters, increasingly disgusted by scandal and corruption in their own countries, will press governments to act on an international level. The European Union plans to criminalize bribery within the EU. That will have the bizarre effect of making it a criminal offense for a German, say, to bribe French officials but not Russian ones. Europeans, who pride themselves on their logic, must surely see the absurdity of that.

MEDICARE MEDICATION EVALUATION AND DISPENSING SYSTEM

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1997

Mr. STARK. Mr. Speaker, on March 20, I introduced The Medicare Medication Evaluation and Dispensing System Act of 1997 [MMEDS]—a bill calling for implementation of a computerized information management program to review prescriptions for Medicare beneficiaries both before and after they are dispensed.

A recent study appearing in the American Journal of Public Health provides another reason MMEDS should be passed this Congress. Based on their findings, the authors concluded: "Increased involvement by pharmacists and physicians in systematic drug utilization review is warranted". Overall, the study found inappropriate drug prescribing and utilization among the elderly living in board and care facilities. Depending on the criterion applied, between 20 percent and 25 percent of residents had at least one inappropriate prescription. Approximately a quarter of elderly residents received at least one inappropriate drug.

Board and care facilities provide an alternative to nursing homes for the elderly; the homes usually do not provide nursing care, but assistance with activities of daily living—including drug management. Most board and care homes do not use pharmacists for drug-utilization review and do not computerize prescription drug data in a readily retrievable manner. Thus MMEDS is especially necessary to help bring an end to inappropriate drug prescribing for the elderly living in these facilities.

I would like to insert excerpts from the March, 1997, study on Inappropriate Drug Prescriptions for Elderly Residents of Board and Care Facilities into the CONGRESSIONAL RECORD:

[From the American Journal of Public Health, Mar. 1997]

INAPPROPRIATE DRUG PRESCRIPTIONS FOR ELDERLY RESIDENTS OF BOARD AND CARE FACILITIES

(By Diana L. Spore, PhD, Vincent Mor, PhD, Paul Larrat, PhD, Catherine Hawes, PhD, and Jeffrey Hiris, MA)

INTRODUCTION

Board and care facilities are community-based alternatives to nursing homes, housing

elders with physical limitations, cognitive impairment, mental health problems, and chronic physical health conditions. They provide protective oversight, personal care, and assistance with activities of daily living and instrumental activities of daily living in congregate settings. Most facilities do not provide nursing care, but do store drugs and provide assistance with drug-use management in many instances. Board and care homes have been criticized for a lack of medical supervision in drug administration and monitoring, nonexistent drug-management programs, and unskilled staff; however, inappropriate drug use in these settings has been largely unstudied. Use of inappropriate medications can have serious clinical consequences, ranging from adverse drug reactions that affect elders' functional independence and psychosocial well-being to an increased risk of mortality.

Using the largest multistate sample of board and care homes assembled to date, we examine the prevalence and correlates of inappropriate drug prescriptions among elderly residents. Given that on the long-term care continuum, board and care is midway between living in the community without assistance and residing in nursing homes, we apply the Stuck and Beers criteria to derive estimates of rates for presumptively inappropriate drug prescriptions.

RESULTS

Inappropriate Drug Prescriptions

According to the Stuck and modified Stuck criteria, almost 18% of residents were prescribed at least one presumptively inappropriate drug. The most frequently prescribed inappropriate drugs included propoxyphene, long-acting benzodiazepines, dipyrindamole, and amitriptyline. Approximately 6.8% of elders were prescribed one or more presumptively inappropriate psychotropics.

Of those elders prescribed a drug included in the modified Stuck criteria, most (82.4%) were prescribed only one of the problematic drugs; 17.6% were prescribed two or three of the medications; and 38.5% were prescribed inappropriate psychotropics. Multiple prescriptions most frequently involved combinations of propoxyphene or a long-acting benzodiazepine with one other inappropriate drug (e.g., propoxyphene with amitriptyline).

According to the Beers criteria, almost 25% of residents had an inappropriate prescription. Of those with inappropriate prescriptions, 83.8% were prescribed an entirely contraindicated drug (regardless of dose); 19.3% were prescribed drugs that were problematic due to high dosages; and 40.5% were prescribed inappropriate psychotropics.

DISCUSSION

Using a large, multistate sample of board and care homes, this study examined the prevalence and correlates of inappropriate drug prescriptions among elderly residents. Almost one in four residents had at least one presumptively inappropriate prescription. Of those elders prescribed any drugs, 20.2% to 27.4% had inappropriate prescriptions. Rates for inappropriate drug prescriptions are high, but lower than what has been reported for nursing home residents and relatively comparable to rates among community-dwelling elders.

Only a minority of elderly board and care residents were prescribed more than one inappropriate medication. However, such combinations can cause additive central nervous system effects—such as confusion, excessive drowsiness, and dry mouth—which tend to be more serious problems in the elderly.

For the most part, board and care homes do not use pharmacists as consultants for drug-utilization review, do not computerize

drug data in a readily retrievable manner, and do not routinely maintain comprehensive charts documenting residents' clinical or physical status. Thus, we believed that identifying general characteristics associated with inappropriate drug use might prove useful in future efforts to target residents for whom drug-utilization review may be especially warranted. Residents with a larger number of regularly scheduled prescriptions were more likely than others in the sample to receive at least one inappropriate drug. Thus, the number of prescriptions may serve as a simple indicator for targeting residents at higher risk of inappropriate drug use. Indeed, in other arenas, having five or more prescriptions has been used as one indicator of the need for the services of a consultant pharmacist.

The Health Care Financing Administration recently published a final rule on regulation for drug-utilization review programs for Medicaid-covered prescription drugs. These regulations—which were not targeted specifically for residential care facilities—require that state Medicaid agencies have pharmacist counseling programs to ensure that prescriptions are medically necessary, appropriate, and unlikely to produce adverse side effects. We suggest that state board and care regulations be systematically reviewed with an eye toward incorporating and stimulating the development of pharmacy counseling and drug-utilization review programs that are specific to conditions faced in these facilities.

INTRODUCTION OF THE COMMUNITY RIGHT TO PROTECT CHILDREN RESOLUTION

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1997

Mr. VENTO. Mr. Speaker, today I am introducing the Community Right to Protect Children Resolution, designed to reaffirm the right of State and local governments to pass laws intended to preserve and protect the safety of children.

In response to a series of gun related incidents at county recreation and teen centers, Fairfax County, VA, officials passed legislation, written to apply only in their county, that would have prohibited guns, knives, and other weapons from community recreation and teen centers. This common sense measure aimed at curbing crime in centers designated as safe havens for children to congregate, set the special interests groups in motion. Unable to discriminate between measures designed to protect children and those aimed at restricting gun rights of law abiding citizens, the myopic self interest powers vigorously protested, ultimately convincing Governor Allen to veto the bill. Governor Allen's veto not only struck down a good law, but also severely limited the ability of communities to fight crime and provide weapon free schools and recreation centers on a local level.

I am here today because I believe that the ability of local governments to pass effective laws that strengthen public safety should neither be constrained nor denied. I am, therefore, introducing this important legislation which expresses the sense of Congress that State and local governments should be encouraged and have the right to respond to the needs of their communities by enacting laws

and ordinances designed to preserve and protect the well-being of young people, including those that seek to ban the possession of firearms and other weapons in community facilities. The Community Right to Protect Children Resolution seeks to reverse the trend of putting children and public safety concerns second to special interest groups. The Virginia case illustrates the tragic consequences of what happens when the interests of children rank second to those of specialized interests with powerful political connections.

I think that Members on both sides of the aisle will agree with me that when it comes to addressing the unique public safety concerns of our districts, one size does not fit all. Local governments require flexibility—not legal straightjackets that bar their actions to protect children. This resolution recognizes that different problems require different solutions, that what works in rural areas may not be enough for urban areas where crimes committed with guns are more likely to occur. Local and State governments are fighting the crime problem on many fronts, including innovative policing and social programs, but their hands are tied when it comes to enacting any restrictions on guns. Reasonable gun and weapon restrictions, such as the measure passed by Fairfax County, VA, are an essential ingredient in our effort to reduce crime, particularly among juveniles. To suggest otherwise, ignores the incidence and pervasiveness of the problem, notably that nearly 90 percent of homicide victims 15 to 19 years of age were killed with a firearm. Juveniles are both perpetrators and victims of crime committed with firearms. Arrest rates are consistently and substantially higher for young people than for all other age groups. Between 1987 and 1994, annual rates of firearm homicide for youth aged 15 to 19 years of age increased 155 percent, totaling 8,116 deaths in 1994. This amounts to an average of 22 youth homicide victims per day in the United States, earning the United States the dubious distinction of leading the industrialized world in the number and rate of gun-related child homicides.

Strategies that limit the ability of local governments to respond to community needs, ensure that the war on crime will not be fought, much less won. We should be empowering rather than disabling and limiting the ability of local governments to fight crime. We need to ensure that communities have in their arsenal every tool available to curb the growth and incidence of juvenile crime. Federal and State law, and policy must not stand in the way of State and local governments' efforts to protect its citizens. Let us encourage them to accomplish what the Federal Government has limited ability to do—enact reasonable controls over firearms and other weapons that threaten public safety and the well-being of our children in their schools, recreation centers, or other areas in their communities.

WHAT MY FLAG MEANS TO ME

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1997

Mr. BARR of Georgia. Mr. Speaker, I would like to have the following poem inserted into the CONGRESSIONAL RECORD.

This poem entitled "What My Flag Means To Me" was written by William Watkins, a fifth grader at Alto Park Elementary School in Rome, GA.

WHAT MY FLAG MEANS TO ME

Have you ever stopped to think about our flag, about what it means, and how it came to be? Have you ever thought about it's history and what the glorious stripes and stars stand for? To me, the flag stands for freedom and liberty. It stands for pride and peace. It stands for wars that we fought, not only for ourselves, but for other countries and for things we just didn't think were right. Thankfully, my peers and I haven't been through anything like that, through all of that hatred and through all of that fear.

To me, the flag also stands for being our own country. We have our own government and are not ruled by anyone. It means that no matter what color your skin is, whether it is black, white, or red, everyone is treated equally. It means that no one can tell us what church to go to, where to live, how to live, where to go to school, or anything like that. We are our own country.

The beautiful red, white, and blue stars and stripes stand for fifty glorious and magnificent states; each with fitting nicknames like 'The Sunshine State' and 'The Peach State' (which are, by the way, Florida and Georgia). The stripes stand for the thirteen original thriving colonies. When I look at the Flag, I think of everyone who takes a part in making this big beautiful country work. I think about the people who risked their lives to come from Spain, France, Germany, England, and other countries to make this great country.

I hope our country is always safe, self-governmental, and beautiful for today, tomorrow, and on into the future. I also hope that everyone will respect our land forever.

TRIBUTE TO CLOVIS UNIFIED SCHOOL DISTRICT

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1997

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Clovis Unified School District [CUSD]. In a joint powers agreement, CUSD and Fresno Unified School District [FUSD] will open a Center for Advanced Research and Technology [CART] in Clovis, CA. An extended branch of the educational system in Clovis, CART will allow students in the community to adequately prepare for the technological challenges of the future.

Scheduled to open in the fall of 1999, CART pilot programs have been slated to begin in the fall of 1997. CART was made possible by a combination of grants and a partnership between local businesses and the educational departments of the community.

As a center striving to meet the employment needs of the community by adequately preparing students to take advantage of post-secondary options, the course work presented at the center will be responsive to the changes in American industry. CART will offer courses that require sophisticated laboratory environments and interdisciplinary curriculum that integrates higher order mathematics, sciences, and technology education. This course work will focus on the intellectual processes of problem solving, analyzing, team building resource allocation, and self-assessment