

I believe that there is a serious conflict of interest between the mission of accrediting agencies and their internal governance. Currently, the majority of members of these governing boards are representatives of the very industries that the agency accredits. While the accrediting agencies are likely to object and claim that the members of their governing boards are beyond reproach, I remain skeptical and wish to establish several basic checks and balances.

Because accrediting agencies have a prominent role in certifying Medicare facilities, I believe that we have a vested interest to ensure that the accrediting process is as rigorous and quality-oriented as possible. Doing so will help ensure that all citizens may expect high-quality, safe, and effective medical treatment at any medical facility they use.

Others share my skepticism. A July 1996 report from the Public Citizen Health Research Group charged that the JCAHO is "a captive of the industry whose quality of service it purports to measure" and "fails to recognize the often conflicting interests of hospitals and the public".

In my home state of California, 29 JCAHO-approved hospitals had higher-than-expected death rates for heart attack patients. In some cases the rate was as high as 30–40% compared to a state-wide average of approximately 14%. What is particularly troubling is the fact that two of these hospitals received JCAHO's highest rating.

In an analysis of New York hospitals, the non-profit Public Advocate presents strong evidence that hospitals circumvent JCAHO's annual announced survey visits—simply by hiring extra staff to make operations look smoother than they really are. In too many cases, the report finds that JCAHO's accreditation scores mask the truth—some accredited hospitals do not meet basic standards of care. For example, 15 accredited hospitals showed problems ranging from substantial delays in treatment of emergency room patients to outdated and broken equipment to overcrowded, understaffed clinics and unsanitary conditions.

Given the critical role of health care facilities to our society, we must ensure that these facilities and the agencies that certify them are held publicly accountable. For this reason, I am introducing a bill that requires all Medicare-accrediting organizations to hold public meetings and to ensure that half of the governing board consists of members of the public.

The intent of the bill I am introducing today is to ensure the accountability of accrediting boards—to guarantee that the public voice is represented in the organizations responsible for the safety and quality in Medicare's healthcare facilities. With these checks and balances we can assure all patients that they will receive high quality treatment in all Medicare-approved facilities.

This bill has two simple provisions. First it requires that half of the members of an accrediting agency be members of the public who have been approved by the Secretary of Health and Human Services. These individuals are specifically prohibited from having a direct financial interest in the health care organizations that the agency certifies. Second, the legislation would require all meetings of the governing board be open to the public.

Medicare and health care organizations operate in the public trust. Our tax dollars fund

all Medicare benefits delivered by health care organizations as well as countless other medical benefits and programs. Therefore, the accreditation and certification of hospitals and other health care organizations must represent the interests of the public.

#### HUGO AND LAMAR AGRICULTURE FORUMS

#### HON. BOB SCHAFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1999

Mr. SCHAFER. Mr. Speaker, last month during the April district work period, I had the opportunity to hear from many of my constituents regarding the economic challenge in agriculture. Specifically, on April 7, 1999, I held two agriculture forums, one in Hugo, Colorado, and one in Lamar, Colorado, to discuss some of the challenges facing agricultural producers. The purpose of these forums was to allow individuals and organizations to provide advice and suggestions about the problems currently facing today's farmers and ranchers. We heard from a number of experts who made presentations and fielded questions at the well-attended events.

For example, at the earlier meeting in Hugo, we heard from Mr. Freeman Lester, President of the Colorado Cattlemen's Association (CCA). He mentioned country-of-origin labeling, packer concentration, the European ban on hormone enhanced beef, estate taxes, wilderness legislation, and reform of the Endangered Species Act as his main areas of interest and concern. At this time, Mr. Speaker, I hereby include the "Colorado Cattlemen's Association Key Issues for the 106th Congress" in the record.

**Taxes.**—CCA supports the repeal of the death tax and reductions in capital gains taxes. Death taxes are extremely punitive with onerously high rates, and are the leading cause of the breakup of thousands of family-run ranches, farms and businesses. Congress' Joint Economic Committee has concluded that death taxes generate costs to taxpayers, the economy and the environment that far exceed any potential benefits arguably produced.

**Country-of-Origin Labeling.**—CCA supports efforts to let consumers know the origin of the beef they purchase. Consumer surveys have consistently shown that the majority of consumers support country-of-origin labeling for meat. Imported beef is labeled by country-of-origin, either on the product or on shipping containers, when it enters the U.S. to facilitate inspection. However, these labels are lost during further processing. Country-of-origin labeling will provide a "brand-like" mechanism for the beef industry. Currently most beef is marketed as unbranded generic "beef" regardless of where it is produced. Other countries require U.S. beef to be labeled by country-of-origin. Japan has required all meat imports be labeled by country-of-origin effective July 1, 1997 and Europe will likely require labeling comparable to that required for domestic product, once access to the European market is achieved.

**Price Reporting.**—CCA supports mandatory price reporting by any U.S. packer controlling more than 5 percent of the live cattle market. CCA also supports price reporting on boxed beef and imports. It is vital to keep the playing field level especially given that

four major packers slaughter 80 percent of the fed cattle and market approximately 85 percent of the boxed beef. Openly assessable up-to-date information and market transparency are necessary to keep the highly concentrated processor sector from having insider or privileged information that could give packers a significant advantage over sellers or others in the beef trade. Secretary Glickman has publicly indicated that the U.S. Department of Agriculture (USDA) would welcome authorization to implement mandatory price reporting.

**Water Quality.**—CCA believes that water quality regulations address site-specific as well as species-specific needs and are based on sound science, taking into account current cattle industry environmental and economic practices that have been successful for generations.

**Property Rights.**—CCA supports passage of a law to require, at minimum, the federal government to prepare a takings implication assessment (TIA) prior to taking an agency action. Such TIA should: define the point at which a reduction in the value of the affected property, due to a regulation, constitutes a compensable taking; set clear takings guidelines, and provide a mechanism for landowners to avoid lengthy and costly litigation.

Also on hand was Mr. Brad Anderson, Executive Director of the Colorado Livestock Association (CLA). Mr. Anderson expressed his disappointment with the lack of fairness in implementation of the North American Free Trade Agreement (NAFTA). Specifically, he felt our government should do more to expose Canada's subsidies and that we needed to do a better job of opening more markets around the world for Americans agricultural products.

He also mentioned his concern with Amendment 14, a recently passed state ballot initiative, he said would "put hog producers out of business." Amendment 14 sets the air particle ratio, an odor measurement, for hog farms at 2–1, a standard which is virtually impossible to meet. The air particle ratio for industry is 7–1, leading him to believe that agriculture is being unfairly targeted.

Mr. Anderson also mentioned the shortage of workers and the need to eliminate the sales tax on agricultural products, which was recently accomplished at the state level at the end of this year's session of the General Assembly in Colorado.

The panel also included Mr. Greg King of the Lincoln County Farm Service Agency (FSA). Mr. King mentioned his frustration with the Freedom to Farm Act passed by Congress in 1996. He felt it would not work as originally designed, unless our government was willing to open more markets for trade. "We are currently shut out of 108 markets because of embargoes," he said.

In addition, Mr. King also spoke of the need to reform the Endangered Species Act. He specifically mentioned the possibility of devastating impacts to the agricultural industry should the proposed listing of the mountain plover and the black-tailed prairie dog move forward. The irony is that the Natural Resource Conservation Service under (USDA) has worked with farmers and ranchers for years to develop "environmentally friendly" ranching and farming practices. Now, however, the U.S. Fish and Wildlife Service (USFWS) has stepped in and said farmers and ranchers need to manage their land for these species, the mountain plover and the black-tailed prairie dog. If this were to occur,

ranchers would be forced to manage at least a portion of their land in a way which could include overgrazing and other practices harmful to the environment.

Mr. Ron Clark, Secretary-Treasurer of the Colorado Association of Wheat Growers, was another member of the panel. Mr. Clark observed wheat prices are very low. Low wheat prices combined with two above average wheat crops in the last two years have caused an extreme hardship for wheat farmers. At this point, Mr. Speaker, I will include for the RECORD Mr. Clark's remarks:

Thank you Congressman Schaffer for the opportunity to provide comments at this Ag. Forum. My name is Ron Clark and I am a wheat producer from Matheson, Colorado, and Secretary-Treasurer of the Colorado Association of Wheat Growers.

Wheat prices are at their lowest level in eight years as a result of two above average U.S. wheat crops and ending stocks of wheat significantly above historic levels. Because of this difficult situation, the National Association of Wheat Growers has developed a 1999 Wheat Action Plan which I would like to highlight for you.

First, let me discuss the domestic part of the plan. We need a safety net. This can be accomplished by the following legislative action: lifting loan caps and reauthorizing '99 market loss payment; advancing year 2000 agricultural marketing transition act payments; and reforming crop insurance to develop affordable alternatives that will protect against crop and revenue losses.

Now, let me discuss the export part of the plan. We recommend the following legislative action to move more U.S. wheat into export markets.

Request that the administration immediately approve Niki Trading Company's request to buy \$500 million of U.S. agricultural products for Iran, including two million metric tons (or 73.5 mil. bu.) of wheat.

Seek an end to trade sanctions that currently preclude U.S. wheat from 11 to 15 percent of the world wheat market.

Fund existing export programs to the full extent authorized in the 1996 Farm Bill.

Fund discretionary export programs like PL-480 Title I and the Foreign Market Development Cooperator Program at Fiscal Year 1999 program levels or greater.

Fund the Market Access Program at the Fiscal Year 1999 level.

Fund the Export Enhancement Program at the Farm Bill authorized level of \$579 million and strongly urge the Secretary of Agriculture to use it.

Approve trade negotiating authority (or fast track) immediately.

Approve the United States Agricultural Trade Act of 1999 (S. 101), to promote trade in U.S. agricultural commodities, livestock, and value-added products and to prepare for future bilateral and multilateral trade negotiations.

Approve the Food and Medicine Sanctions Relief Act of 1999 (S. 327), to exempt agricultural products, medicines, and medical products from U.S. sanctions.

The Colorado wheat industry sincerely appreciates your leadership and support that you have shown as a member of the House Agriculture Committee. We look forward to hosting the annual wheat tour for you again this year on June 5. I would be happy to answer any questions that you might have. Thank you.

Another member of the panel was Mr. Carl Stogsdill of Lincoln County, representing the Farm Bureau. Mr. Stogsdill spoke of his concerns relating to the Endangered Species Act and its impacts on farmers and ranchers. Fol-

lowing are the Farm Bureau's "Priorities For the 106th Congress:"

*Food Quality Protection Act.*—Farm Bureau has declared the proper implementation of the Food Quality Protection Act as its top priority. Farm Bureau will work with the Environmental Protection Agency (EPA), land grant universities and local officials to get the act implemented as Congress originally intended.

*Budget and Tax Reform.*—Farm Bureau will continue to work for the elimination of the "Death Tax" and reduction of the capital gains tax. Other issues include: Farmer and Rancher Risk Management accounts, the balanced budget amendment, elimination of the Alternative Minimum Tax for agriculture, income averaging, unemployment tax exemption and Individual Retirement Accounts for farmers.

*Environmental Issues.*—Farm Bureau will continue to push for private property rights protection and elimination of disincentives in regard to endangered species, clean water, clean air and wetlands.

*Trade.*—Farm Bureau will be heavily involved in gaining "Fast Track" authority for the administration and eliminating existing trade barriers. Also, Farm Bureau hopes to be active in this year's round of the World Trade Organization's discussions.

*Regulatory Reform.*—Farm Bureau will attempt to pass legislation requiring standardized risk assessments and cost/benefit analysis on all proposed regulations. There will also be a push for a reform of the Department of Labor's H-2A program.

Mr. Mark James of the Lincoln County Stockmen also served on the panel and expressed his concern with aspects of the Endangered Species Act. Mr. James thought it was silly black-tailed prairie dogs would be added to the Endangered Species List. "Prairie dogs? Get reasonable," he said. Mr. James' comments were echoed by many of those in attendance.

Later that evening, at the forum held in Lamar, Mr. John Schweizer, District Representative for the Colorado Farm Bureau, spoke about issues facing farmers in the southeastern portion of the state. Mr. Schweizer cited his hope there would be continued tax relief for farmers such as complete elimination of the "death tax." He was quick to point out, however, that even though times are tough, "(farmers) are not looking for handouts." In fact, he expressed support for the 1996 Farm Bill which was supposed to remove government from the farm. Unfortunately, according to Mr. Schweizer, "rather than cut the cord, the government tightened the noose."

Mr. Schweizer also said the Administration and Congress needed to do more to open markets abroad. One way in which this could be accomplished, he felt, would be to fully fund and utilize the Export Enhancement Program. He also questioned the effectiveness of shutting American farmers out of world markets by using political sanctions against other countries.

Chad Hart of the Prowers County Farm Service Agency also offered his perspective. His main concern was the administration of the disaster assistance program which is running way behind. Cuts in funding have adversely impacted their ability to do their job in that the speed of response to emergencies has been greatly reduced. They are forced to do much more with far fewer employees.

Another member of the panel was Mr. Bob Arambel of the Northeast Prowers County

Conservation District. He runs a farm northeast of Holly, Colorado, and has had concerns regarding water quality on the lower Arkansas River. Although they have received some money to increase their compliance with water quality statutes, he was concerned reauthorization of the Clean Water Act may have adverse impacts on farming and ranching in the region if standards cannot be met right away. Mr. Arambel also had concerns about the direction of the Endangered Species Act.

Mr. Vernon Sharp, President-elect of the Colorado Cattlemen's Association, mentioned taxes as his issue of greatest importance. He felt estate taxes and capital gains taxes were big problems, that they were punitive in nature and punished people for making good business decisions. He also felt the government should provide some sort of income tax relief in the near future. "This year I spent \$900.00 to have someone do my taxes to find out I have no income," he said.

Mr. Sharp went on to say property rights were also a very important issue and the federal government should fully compensate landowners when impeding their ability to use their land as they see fit. He cited the Endangered Species Act as a major threat to farmers and ranchers and their ability to manage their land.

Also on the panel was Mr. Jim Geist, Executive Director of the Colorado Corn Growers Association. At this point, Mr. Speaker, I refer the House to the remarks of Mr. Geist.

On behalf of Colorado's corn farmers, I appreciate the opportunity to express corn's policies and positions on issues that will have direct and indirect effects on the state's corn industry.

Demand for corn grows when our customers are satisfied. To increase demand and customer satisfaction, the United States must become a dependable supplier of commodities. Some of the issues that can assure U.S. corn and its products full access to world trade markets include the following: sanction reform; Fast Track authority; support of IMF funding and trade negotiations, including the specific objective of mutual acceptance of genetically enhanced agricultural products; continued leadership in the World Trade Organization; and Free Trade Area of the Americas negotiations.

Corn producers continue to strive for a fair deal from the government. They are looking for market-driven farm programs, minimal consistent regulations, federal tax policy reform and sufficient financial and credit program so that this country can maintain its food security.

Improving our national transportation infrastructure in order to maintain a competitive advantage is becoming a high priority for grain producers nationwide. Upgrading rivers, locks and dam systems, improving the nation's railroad system and maintaining adequate highway funds for states will enable grain producers to move commodities to domestic and international customers when needed.

We support an active research and education commitment by all segments of the corn industry and government. Research and commercialization of corn products adds to the value of corn. Investing in technological advancements, working with the marketplace, and educating and communicating with consumers about the value of corn in their daily lives will enable our nation to have a stronger rural economy and greater national economic strength.

Leaving our world in better shape than when we found it has been a top priority in agriculture for generations. In using Best

Management Practices (BMP) to build soil through conservation programs, BMP implementation to improve water quality, and utilizing the best crop protection practices available, corn producers are truly planting a crop that can help clean up the environment, from both a water and air quality standpoint. The growing concern within agriculture is the small, vocal, hard-line environmental groups trying to impose regulations on production agriculture that are uneconomical, unproven and that could have the effect of driving our nation's food production capabilities off our shores.

Agricultural producers in Colorado are struggling with poor economic conditions in the marketplace due to burdensome supplies—supplies that could be sold in international markets—and environmental regulations that will choke off sustainable food production capabilities. Much has to be done in short order to protect one of our nation's most valuable resources—America's farmers and ranchers.

Again, thank you for the opportunity to express to you just some of the issues and concerns that Colorado corn producers will be focusing on in the near future.

Our last panelist of the evening was Ms. Elena Metro, State Executive Director of the Colorado Pork Producers Council. Her thoughts focused on the state initiative, earlier alluded to, Amendment 14. Ms. Metro's presentation included this statement which I ask to be included in the RECORD:

The Colorado pork industry has been singled out by individuals and groups to be "controlled" by harsh rules and regulations. Amendment 14 here in Colorado is the result. The Colorado Pork Producers Council on behalf of the pork industry in Colorado asks that if rules and regulations are written and become law, whether on a state or national level, that these rules be based on "sound science," be fair and equitable, and not "socially engineered."

Mr. Speaker, I would like to close by thanking all of the participants for their input. Former Speaker of the Colorado House of Representatives, Mr. Carl "Bev" Bledsoe moderated the forum in Hugo. Ms. Sparky Turner moderated the forum in Lamar. Both did an outstanding job and helped draw many helpful thoughts and comments from all speakers.

It's obvious after hearing from my constituents that more needs to be done to expand trade with foreign countries. We need to bring some sanity to the Endangered Species Act, and we need to use sound science when making decisions about regulations which will affect a very important segment of our population—the farmer.

#### REAFFIRM OUR COMMITMENT TO OUR VETERANS

##### **HON. JOHN E. SWEENEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 10, 1999*

Mr. SWEENEY. Mr. Speaker, I rise today in strong support of H.R. 1401, the bill to authorize our all-important national defense programs and in support of the en bloc amendment which includes language that addresses a crisis in our veterans community.

Throughout their lives, the men and women of our armed services make great sacrifices in the service of our country. Yet, many families requesting honor guards at the burials of veterans

are being told "NO"—that we do not have the resources to honor those who have served so nobly. As Americans, the very least we can do is make sure that our veterans are given a proper burial when they die.

My amendment strengthens the current language in the bill by requiring, not just permitting, the Secretary of Defense to provide necessary materials, equipment, and training to support non-governmental organizations—namely our VFW, Disabled American Veterans, American Legion, and other veterans groups—in providing honor guard services.

Mr. Speaker, the newest of our National Cemeteries, Saratoga National Cemetery, will be opening in the heart of my district this July and will conduct funerals every thirty minutes for the next several years. Our active duty and reserve servicemen and women cannot keep up. Mr. Speaker—this is unacceptable!

Everyone who served in the armed forces gave something. Some who served gave everything. And we have a responsibility to give back!

Our veterans are eager to fill this void on a volunteer basis, but they do not possess the resources to do so. The committee bill will give private individuals the tools necessary to provide honor guard services, thereby reducing the demand on active duty servicemen or reservists.

I urge my colleagues to support this bill, and reaffirm our commitment to our veterans.

#### IN HONOR OF DR. DAVID KIRCHER

##### **HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 10, 1999*

Mr. KUCINICH. Mr. Speaker, I am honored to rise today in tribute to Dr. David Kircher, Superintendent of Fairview Park Schools in Rocky River, Ohio. As he celebrates his retirement, I ask all of my colleagues to join with me in saluting his outstanding service and leadership in the Fairview Park Schools.

Dr. Kircher has dedicated a substantial portion of his life to the betterment of the Fairview Park Schools. For the past 30 years, Dr. Kircher has served as an important figure for the Fairview Park School district. He has held several positions throughout his tenure, but none as important as Superintendent of Fairview Park Schools, a position from which he will be retiring as of August 1, 1999.

As the fifth superintendent in the history of the Fairview Park Schools, Dr. Kircher worked his way up from an Earth Space Science teacher to Superintendent in 1996. Throughout his career he has been recognized for his hard work and dedication in the Fairview Park Schools. Many students and staff members are not only inspired by his motivation and hard work, but also appreciate the fact that he has helped create excellent schools. That is why in 1998 he was nominated for the National Superintendent of the year. The following year he received a resolution from the city of Fairview Park recognizing his 30 years of dedicated service to the Fairview Park Schools.

Education has always been Dr. Kircher first priority. He earned a Ph.D. in educational administration at Kent State University. His wisdom and educational background helped him

become one of the most influential superintendents in Fairview Park Schools.

Although his work puts extraordinary demands on his time, Dr. David Kircher has never limited the time he gives to his most important interest, his family, especially his lovely wife, Maryann.

I ask that and my distinguished colleagues join me in commanding Dr. David Kircher for his lifetime dedication, service, and leadership in Fairview Park Schools. His large circle of family and friends can be proud of the significant contribution he has made. Our community has certainly been rewarded by the true service and uncompromising dedication displayed by Dr. David Kircher.

#### INTRODUCTION OF LEGISLATION

##### **HON. PHILIP M. CRANE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 10, 1999*

Mr. CRANE. Mr. Speaker, today I am introducing three bills which reflect my long-time interest in helping the economy and the people of Puerto Rico. Rather than spending taxpayer money on government programs, these bills will provide tax incentives for the private sector to help the economy of Puerto Rico.

In 1996, Congress phased out Section 936 over my objections. As a result, the economic incentives for U.S. companies to do business in Puerto Rico have dwindled, negatively impacting the economy. In an effort to reverse that trend, the Government of Puerto Rico reduced their tax burden by 19 percent in recent years. However, they need more help. We in Congress can play an important role in that effort by putting in place long-term tax incentives to spur private sector growth on the Island.

The first bill, the Puerto Rico Economic Activity Credit Improvement Act of 1999, will modify and extend the existing economic credit, which is due to expire at the end of 2005. My bill will build upon the replacement for Section 936, Section 30A, by extending the wage tax credit until the economy in Puerto Rico meets certain economic objectives designed to bring the Island up to a level more on par with the mainland. The credit will also be available to new companies locating in Puerto Rico. Companies already in Puerto Rico and utilizing the existing income credit will be given a one-time option to switch over to the wage credit before the termination date of the income credit.

The second bill will make the research and development (R&D) tax credit available to companies operating in Puerto Rico. The R&D credit has never been accessible in Puerto Rico, but, until the demise of Section 936, the lack of an R&D credit was of little tax consequence to companies operating on the Island. My bill will provide this small, but important, tax credit for Puerto Rico and the other U.S. possessions as a matter of fairness.

The third bill will repeal the limitation of the rum tax cover over. Under current law, a tax is collected on rum entering the U.S. mainland from Puerto Rico and the U.S. Virgin Islands. A portion of this tax is returned (covered over) to the governments of Puerto Rico and the Virgin Islands. Because of a dispute in 1984, the cover over was limited to \$10.50 of the total \$13.50 per gallon tax. My bill will restore