

100TH ANNIVERSARY OF THE
GHENT BAND**HON. JOHN E. SWEENEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1999

Mr. SWEENEY. Mr. Speaker, I rise to congratulate Ghent Band on their 100th Anniversary in entertaining the communities of Columbia County, located in the heart of the 22nd Congressional District, which I proudly represent.

Founded in 1899 by 15 members, the Ghent Band continues to make history while other bands in New York have become history. Inspired by nationally touring bands like John Philip Sousa, the original 15 members gathered old, second hand instruments and began rehearsing weekly at the Old Ghent School House. To this day, the band plays on, serving as Columbia County's only full-fledged village band.

Mr. Speaker, for a full century the Ghent Band's music has filled the hearts of the young and old, creating lasting memories at the many parades and concerts at which they play. The Ghent Band holds a special place in my own heart as they were present at the inauguration celebrating my swearing in to the House of Representatives.

Given the diversity of age and background of the band's members, as well as their strong ties to the local community, I have no doubt that the Ghent Band will continue on for an additional 100 years.

Mr. Speaker, the Ghent Band is America at its best, representing all that is good in this nation. I wish its members and their families the best as they celebrate 100 years of serving and entertaining the Village of Ghent.

FAIR CARE FOUNDATION CALLS
ATTENTION TO DANGERS OF
HMO TAKEOVERS**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1999

Mr. STARK. Mr. Speaker, as the conglomeration and monopolization of American health care continues, State Insurance regulators must do a better job of questioning the quality of plans entering their states.

I thought the following article from the September 18, 1999 issue of the Delaware News Journal by former utilization review nurse Mary Ellen Gaspard and A.G. Newmyer, head of the Fair Care Foundation (an HMO watchdog group), made some excellent points about the "quality danger" facing Delaware.

[From the News Journal, Sept. 18, 1999]

BLUE CROSS TAKEOVER NEEDS SKEPTIC'S EYE
(By Mary Ellen Gaspard and A.G. Newmyer III)

Few Americans can name their state insurance regulator. The majority of regulators are appointed and remain largely invisible. By reputation, they care more about the health of insurers than the health of the public.

Delaware may be different. We've never met Insurance Commissioner Donna Lee Williams. But like the minority of regulators

who are elected rather than appointed, she has a reputation for caring about consumers rather than for genuflecting before insurance executives. Now she has a real opportunity.

Hearings begin Tuesday on the plan by CareFirst—a Blue Cross plan based in Maryland—to take over the Delaware plan. The commissioner must determine, among other things, whether the deal would hurt Delaware policyholders.

In our view, CareFirst has redefined predatory behavior by health insurers. Perhaps the company's claims handlers were trained to echo the mantra, "Just say no." Cases handled by volunteers at the Fair Care Foundation, in helping patients in CareFirst's market, suggest that the delays and denials don't even pass the laugh test. Sadly, there is a mean-spiritedness evident in the treatment of the sick and their families that CareFirst management has taken to new heights.

We can't imagine why Donna Lee Williams would want to put Delaware's 200,000 Blues subscribers under CareFirst's heel. Like their claims handlers, she should just say no.

CareFirst, of course, disagrees. With a sensible regulatory structure in CareFirst's back yard, the facts would be apparent to Delaware regulators. But Steve Larsen, the appointed insurance commissioner in Maryland, has a reputation among consumer groups as being affable and ineffective. When CareFirst took over the Blue Cross plan in Washington, questions arose concerning whether Larsen had evaluated the Maryland plan's treatment of policyholders. His so-called market conduct study was reduced to one sentence.

That's one more sentence of oversight than the D.C. regulator could muster. At hearings on the proposed merger, it became clear that the Washington insurance commissioner had never conducted a market study of the Blues during all the years that his office had jurisdiction.

Delaware should just say no pending an investigation that is truly independent and thorough. We've seen no indication that Maryland or Washington regulators are capable of either. Their pre-merger hearings were a pro-forma joke. After consumers sued an appeals court ruled that the Blues had cozied up to the regulator in illegal ex-parte sessions, where they re-wrote conditions of the merger.

The proposed Blues merger in Delaware is complicated. CareFirst has to call the merger an "affiliation" because under the law, a merger would be a "conversion" of the non-profit assets of the Delaware plan. That would require that the Delaware assets be set aside for health care of residents in the state. But CareFirst wants the money. So the architecture of the deal is intentionally opaque. Delaware will effectively lose all local control of its Blue Cross plan. We suspect the results won't be pretty.

Donna Lee Williams has a vital opportunity. If the state chooses to wink at the predatory practices of CareFirst, then our hearts go out to the 200,000 Blue Cross subscribers in Delaware.

TECHIES DAY

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1999

Mr. LARSON. Mr. Speaker, as Congress continues to debate next year's budget, America continues to face two mounting problems: a growing information technology worker

shortage, and a persisting "digital divide" between the information rich and the information poor.

Reports estimate that there are approximately 350,000 unfilled technology jobs available in America, a shortage that threatens the future growth of the sector that is responsible for driving America's unprecedented economic success. Clearly, the demand for highly-skilled information technology workers vastly outweighs the supply.

Further confirmation of this problem came in the Department of Commerce's July report entitled, "Falling Through the Net," which highlighted a persisting "digital divide" characterized by a disparity of race, gender, wealth, and geography.

It is, thus, with the intention of focusing public attention on these two problems, that I lend my support today to the first national "Techies Day" being held today. Its goal is to reverse these trends by inspiring more of America's youth to enter science and technology fields.

To mark this day, the Association for Competitive Technology, an alliance of Information Technology businesses, will bring technology professionals to the Kids Computer Workshop in Washington, D.C., an after-school technology program that works with underserved kids in the District. By showing youth that technology careers are within their reach, these "techies" will bridge the gap for kids who find themselves on the wrong side of the "digital divide" and begin to reduce America's information technology workforce deficit.

Mr. Speaker, if the private sector is recognizing its role in bridging the gap between the information "haves" and the "have-nots," I believe Congress should recognize its role too. It is my hope that through efforts such as Techies Day, Congress will realize that it can, and should, make a difference.

REST OF THE TRUTH IN
TELEPHONE BILLING ACT OF 1999**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1999

Mr. MARKEY. Mr. Speaker, I rise to introduce the "Rest of the Truth in Telephone Billing Act of 1999." The title of the bill reflects the fact that some of the "truth in telephone billing" has already been proposed in a bill by two of my esteemed Commerce Committee colleagues, Chairman BLILEY and Telecommunications Subcommittee TAUZIN. I offer the "rest of the truth" to point out that a listing of fees and taxes only provides half the story. The other half of the story is the subsidies in the telecommunications marketplace, which I believe need to be made just as explicit on a consumer's bill as the fees and taxes in order to fully inform consumers of what they do and do not pay for when they subscribe to telecommunications services.

Mr. Speaker, the telecommunications marketplace is rife with such subsidies. Many of these subsidies are quite noble in intention and help to pay for affordable telecommunications service for the poor and for rural consumers. Yet many of these subsidies reflect a historic monopoly marketplace and should be revisited as the marketplace changes. For instance, some of these subsidies may still be

needed and there are some which ought to be adjusted (or even eliminated) to reflect a more competitive marketplace.

The "truth," Mr. Speaker, is that many consumers in America today pay too much to support a bloated subsidy system that was designed to support inefficient monopoly-provided service. As efficiencies arrive in the marketplace due to technological changes and the competitive entry of new providers, I believe that many subsidized services could be provided at lower cost, and therefore less subsidy, than previously provided.

Providing subsidies sufficient to keep costs low in rural America and for the inner city poor, or to hook up schools and libraries, ought to be done in a manner that reflects the actual costs of providing the service. In order to ensure that we give consumers the rest of the truth in telephone billing, I suggest in the legislative proposal I am offering today, that we insist that both the fees and taxes AND the subsidies be made explicit for consumers and listed on their bills.

I suggest that we give consumers the full story. Consumers should know when they're paying \$8 in fees or \$18 in taxes. They should also know whether they're simultaneously receiving (or paying) a hitherto implicit subsidy to the tune of \$2 or \$200. I look forward to working with Chairman BLILEY and Chairman TAUZIN on their legislative proposal and to discussions with our other colleagues—both urban and rural—on how we can better ascertain the true costs, true taxes, true fees, and the true subsidies embedded in the telecommunications bills that consumers pay monthly.

THE NETIZENS PROTECTION ACT
OF 1999

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1999

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to announce the introduction of the Netizens Protection Act of 1999. This legislation is carefully tailored to protect consumers and Internet Service Providers (ISPs) from the costs and inconvenience of unsolicited e-mail.

My bill allows Internet Service Providers (ISPs) to take legal action against someone who uses their equipment or facilities—without their permission—to initiate the bulk transmission of unsolicited electronic messages. Equally important, it would also permit consumers to take action against someone who sent them unsolicited e-mail, so-called spam.

The bill is based on a simple principle of fairness: consumers should not have to pay for unwanted messages and neither should their ISP. Spam is not just a nuisance that can be cured by the judicious use of the delete key. Spam literally forces you to pay for the costs of some other person's advertisement—it is like getting a piece of junk mail and then having to pay for the cost of the stamp. Spam exposes you to dangerous viruses that can damage files or harm computer hardware. Spam often consists of illegal pyramid schemes and frequently contains illegal child pornography.

Moreover, even if an Internet user is not paying for the additional time online to retrieve

unwanted mail, they are still being charged a higher rate by their ISP for filter services and larger bandwidths to combat "junk e-mail." Unwanted e-mail is costly to both the provider and consumer. The problem is that unlike regular junk mail, where the sender pays for the costs, spam shifts the costs from the sender to the recipient.

My legislation would require anyone sending an unsolicited electronic message to provide a name, a physical mailing address, and the electronic mail address of the person who initiated the message, along with a method by which the recipient of the message could contact the transmitter of the electronic mail to request that no further messages be sent. If someone was sent unsolicited e-mail from someone they contacted to request no further mail be sent, they could pursue legal action to recover treble damages.

Along with empowering the consumer to take action against spam, my bill also allows ISP's to seek legal remedies if someone violates their policies against unsolicited electronic mail messaging. Additionally, ISP's would be required to explain their unsolicited e-mail policies in simple terms so spammers could be forewarned and users could make an informed decision about what ISP to use, as well as whether they wanted unsolicited e-mail blocked. Consumers would and should be able to decide whether they want to receive unsolicited e-mail. My bill does that. Furthermore, the consumer would be able to take legal action if a spammer did not respect their wishes under the Netizens Protection Act.

The Netizens Protection Act is directed at the big spammers who tie-up networks with thousands upon thousands of messages. It would not go after someone who just sent a few messages either inadvertently or even intentionally. Language in my bill would allow someone to send up to 50 identical or substantially similar messages to recipients within a seven day period.

My legislation would also not interfere with or affect direct e-mail advertising or marketing. All avenues of legitimate direct marketing would remain. If any previous business relationship existed between the e-mailer and the e-mail recipient, my legislation would not affect the e-mail transaction. For example, if someone made a purchase at a retail store, a business relationship would exist, so that retailer could send e-mail updates to that customer and still maintain compliance with the Netizens Protection Act. Indeed, I believe that unless legislation is enacted to protect consumers from spam, it will discourage the expansion of Internet business and commerce.

HONORING JANICE JAMES

HON. ANNE M. NORTHUP

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1999

Mrs. NORTHUP. Mr. Speaker, several weeks ago I had the honor to meet with Janice James, the Kentucky Teacher of the Year. In light of constant stories about the crisis in our nation's schools, it is important to recognize the dedication and outstanding achievements of our teachers. Ms. James serves as the perfect example. It is my honor to pay tribute to someone who has made such a difference to so many children.

Janice James has had a distinguished career as a primary teacher at Price Elementary School in Louisville, Kentucky for 27 years. As part of her teaching philosophy she provides her students with numerous hands-on activities to keep them fully engaged. Ms. James also encourages her students to explore the process of learning by thinking out loud and by pushing them to find multiple solutions to problems. I was particularly impressed by her creative way to encourage students to think more broadly: she hands them a pair of rose-colored glasses every time she wants them to think in a different way.

Janice James has also instilled a sense of leadership in her students through their participation in the Price Leaders of Today program. Students are addressed by key leaders in the Louisville community and are inspired to become leaders and thinkers themselves. Janice James is a teacher who knows how to get the job done. She knows it takes hard work, it takes flexibility, and it takes a commitment to each child. I was proud to hear that Janice James supports what this Congress is trying to do—give schools and teachers the ability to make the choices which best reflect their students needs. We are all in agreement that such changes will help improve education—for Janice James and her students.

Ms. James' remarkable contribution to the field of education deserves our respect and our gratitude. Again, I offer my congratulations to Janice James for this outstanding achievement.

DISTRICT JUSTICE PIERANTONI
HONORED

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 5, 1999

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to the Honorable Fred Pierantoni, III, the Justice of Magisterial District 11-104 in my Congressional District and a good friend of mine. Justice Pierantoni will be honored as "Person of the Year" at the 22nd annual Columbus Day Banquet of the Italian American Association of Luzerne County. I am pleased and proud to have been asked to participate in this event.

District Justice Pierantoni, the son of Fred and Betty Pierantoni of Dupont, is a graduate of Pittston Area High School, Wilkes University, and Temple University School of Law. He served as an Assistant District Attorney for Luzerne County and was the senior trial assistant and chief juvenile prosecutor for that office.

First elected District Justice in 1991, Justice Pierantoni is active in many professional and community activities. He is a member of both the Pennsylvania and American Bar Associations. He chairs the prestigious Pennsylvania Supreme Court committee that is charged with amending and formulating rules to be followed by District Justices statewide. Justice Pierantoni is the former Chair of the Publications Committee of the Pennsylvania Special Court Judges Association. He is a member of the Luzerne County District Justice Executive Commission, the Wilkes-Barre Law and Library Association Executive Committee, and the Luzerne County Domestic Violence Task