

This legislation will likely increase enrollment and help researchers obtain meaningful results more quickly.

This legislation would apply to all federally-approved clinical trials, including those approved by the Departments of Health and Human Services, Veterans' Affairs, Defense, and Energy; the National Institutes of Health; and the Food and Drug Administration.

There are currently three types of costs associated with clinical trials—the cost of the treatment or therapy itself, the cost of monitoring such treatments, and the cost of health care services needed by the patient. Clinical trials usually cover the cost of providing and monitoring the therapies and medications that are being tested. However, such programs do not cover routine patient care costs—those medical items and services that patients would need even if they were not participating in a clinical trial. Under current law, Medicare does not provide coverage for these costs until these treatments are established as standard therapies. Medicare does not consider these patient costs to be reasonable and necessary to medical care. My legislation would explicitly guarantee Medicare coverage for patients' costs associated with clinical trials. Such costs serve as a significant obstacle to the ability of older Americans to participate in clinical trials.

As I stated earlier, Medicare claims for the health care services associated with clinical trials are not currently reimbursable. A recent GAO report concluded that Medicare is currently reimbursing for certain costs associated with clinical trials, even though the Health Care Financing Administration (HCFA), the federal agency responsible for Medicare, has stated that Medicare policy should not reimburse for these medical services. In fact, the GAO report estimates that HCFA reimburses as much as 50 percent of claims made under Part B and 15 percent of the claims made under Part A. While some physicians and hospitals have been able to convince Medicare to cover some of these patient care costs in certain trials, such coverage has been uneven and there is no firm rule governing them. I believe we must end this inconsistency and ensure that patient costs are fully covered. My legislation will also require all types of Medicare plans, including Medicare managed care plans, to guarantee such coverage.

My legislation would also ensure that all phases of clinical trials are explicitly covered under this new benefit. Under the New Drug application process, there are three types of clinical trials—Phase I, Phase II, and Phase III trials. Phase I trials test the safety of a potential treatment. Phase II and III trials examine both the efficacy and the safety of a treatment. Phase II trials are generally smaller and involve fewer patients. Phase III trials include a larger number of patients to ensure that the proposed treatments help patients. My legislation requires that Medicare pay for all types of clinical trials.

Last year, I was contacted by a constituent about the need for this legislation. Mr. Keith Gunning contacted our office regarding his mother-in-law, Mrs. Maria Guerra. Mrs. Guerra is suffering from pre-myelodysplastic (AML), a type of leukemia that is common among senior citizens. Mrs. Guerra was enrolled in a Medicare HMO that would not permit her to join a clinical trial at University of Texas MD Anderson Cancer Center for the treatment she needed. After much effort, Mrs. Guerra

dropped her Medicare HMO coverage and returned to traditional, fee-for-service Medicare. With her new Medicare coverage, Mrs. Guerra petitioned MD Anderson to join a clinical trial. After much effort on the part of her son-in-law, Mr. Gunning, Mrs. Guerra joined a clinical trial. It is still unclear whether all of the cost associated with her clinical trials will be covered by Medicare. My legislation would guarantee that Mrs. Guerra would get the services she needs and would require all types of Medicare plans to provide coverage for clinical trials, including Medicare managed care plans. I have visited with Mrs. Guerra and she is currently undergoing treatment.

My legislation also includes a requirement that the Secretary of Labor and Health and Human Services prepare a report to determine how many group health plans currently cover the patient care costs associated with clinical trials and how much it would cost to cover all federally approved clinical trials. I believe that this report to Congress will show how cost-effective these treatments are and ensure that all health care plans provide access to clinical trials.

President Clinton has also proposed similar Medicare coverage for patient care costs related to clinical trials, but the Administration's plan is limited to cancer clinical trials and is a capped entitlement. My legislation would include more types of federally-approved clinical trials, so more patients would be able to participate in these cutting-edge therapies.

#### THE TRUTH IN BUDGETING ACT

##### HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 1999

Mr. OBERSTAR. Mr. Speaker, I rise today to join my good friend and colleague, BUD SHUSTER, in introducing legislation to take the aviation, harbor maintenance, and inland waterways trust funds off-budget. This legislation will ensure that all revenues contributed by users of our transportation system to develop and maintain those systems are spent for their intended purposes.

For aviation, this legislation has a very simple, but critical, goal: ensuring that the American public continues to travel safely, securely, and efficiently in our nation's aviation system.

The airline and aerospace industries are important contributors to the U.S. economy, providing highly skilled, high paying jobs. They directly employ approximately 1.5 million people, and generate more than \$100 billion in wages. The total, worldwide economic impact of air transport was \$1.14 trillion in 1994 and this is expected to increase to \$1.7 trillion by the year 2010.

However, these economic gains will only be achieved if we have the air traffic safety, security, and airport infrastructure to take advantage of them. Problems in the current system are already appearing and are projected to be even greater in the future. In 1987, the FAA estimated that there were 21 airports at which air carrier flights were delayed by a total of more than 20,000 hours; by 1997, there were 27 airports, and that number is expected to grow to 31 by 2007. In addition, according to Delta Airlines, air traffic inefficiencies cost it approximately \$360 million a year. Further-

more, FAA's lack of progress on air traffic control (ATC) modernization has led to suggestions in international forums that current U.S. management of oceanic ATC be taken away. And as the National Civil Aviation Review Commission found "although 19 out of 20 of the busiest airports in the world are in the U.S., the nation can no longer claim that it has the world's most modern air traffic control system."

We tried to begin addressing these challenges in 1990, by passing legislation that would have increased investment in airports and air traffic modernization. Under that law, a plan was established to allow new revenues coming into the aviation trust fund to be fully spent and the trust fund surplus, that existed at the time, to be gradually drawn down. In a spirit of cooperation, the reported bill also eliminated the penalty clause that the then-House Committee on Public Works and Transportation used to limit funding of operations from the trust fund if capital development was insufficient. As the report accompanying the bill said at that time: "We believe that we can best meet our common goals by working cooperatively, rather than relying on penalty clauses and other legal forcing mechanisms."

Unfortunately, that agreement was violated by the Office of Management and Budget and the Appropriations Committee. In 1990, we set out modest amounts of funding for facilities and equipment (F&E) and the airport improvement program (AIP), but they soon went by the wayside. By 1994, rather than spending \$2.1 billion for AIP and \$2.5 billion for F&E, instead \$1.69 billion was spent for AIP and \$2.12 billion for F&E. In fiscal year 1991, capital investment was 50 percent of the FAA budget, by FY1998, it was 42 percent. And rather than drawing down the trust fund balance, the uncommitted balance in the trust fund is now estimated to be \$22 billion by 2004 and \$53 billion by 2008.

Additionally, the General Accounting Office has confirmed that airport capital needs are \$10 billion a year. The present system of aviation financing provides about \$6–7 billion a year, with the AIP program contributing less than \$2 billion a year to those needs. Furthermore, funding for F&E is woefully inadequate. In fact, F&E is appropriated at \$2 billion for FY1999, a level \$400 million below an F&E level of \$2.4 billion in FY1991. These inadequate levels of F&E and AIP funding contribute to delays for passengers and increased costs for airlines, and increased maintenance costs for FAA due to delayed replacement of obsolete equipment. These results are shameful, especially when money dedicated for investment in airports and air traffic equipment sits idle because of budget constraints unrelated to the needs of the aviation system. In effect, trust fund revenues are withheld to balance the rest of the budget.

To remedy this, we need to build on last year's historic TEA 21 legislation which established that revenues collected from users of the highway system for the Highway Trust Fund should be spent only for the purposes for which they are collected, the development of our highways and transit systems. The same principle should now be applied to the aviation system.

The bill we are introducing today is the first step to reversing the unfortunate recent trends in aviation funding and ensuring that we invest sufficiently to protect an irreplaceable economic jewel: our nation's aviation system. With

Members' support, we will again be able to make the kind of investments we need in airport development and air traffic control modernization. If we are to ensure an efficient safe aviation system, we must begin to use aviation revenues for their collected purposes: to maintain and enhance our nation's aviation system.

In addition, historically, a general fund payment averaging about 30 percent has been made to support our aviation system. This payment has been made in recognition of both the direct and indirect benefits of our aviation system to our nation's security and economic health. These benefits should be funded by the nation as a whole not exclusively by users of the aviation system. Any off-budget plan passed by this Congress must guarantee this general fund payment continues.

We must also ensure that the money provided to the FAA is well-spent. Full implementation and validation of a cost accounting system, and effective use by FAA management, will be an important step forward. In addition, appointment of the Management Advisory Council—which has been delayed for two years—is absolutely essential. Other reforms will get my full consideration but we must ensure that the critical safety function of the FAA is not compromised or weakened.

The other critical component of this legislation will allow the nation's waterborne transportation system to remain among the best in the world. The nation's coastal ports provide access to foreign and U.S. markets for virtually all international trade, while the inland system provides safe and efficient transportation for both domestic and foreign products.

The contribution of the U.S. navigation system to the economy is impressive. The value of foreign trade exceeds \$600 billion annually, creates 16 million jobs, and generates more than \$150 billion in annual revenues for the Treasury. Yet, for all these benefits we continue to under invest in maintaining and improving this transportation system.

The inland waterway system is in particular need of investment. By the year 2000, 40 percent of the locks on the inland waterway will be more than 50 years old; 26 locks will be over 100 years old; and, the Nation's two oldest locks opened in 1839. Unfortunately, because of budget constraints, only about 75 percent of the funds available for investment are actually used, and the surplus continues to grow.

The Truth in Budgeting Act will change that.

For coastal ports, the failure to spend receipts is even greater. As vessel drafts increase, there is a continuing need for maintaining and deepening channels. Unfortunately, budget constraints have forced expenditures from the Harbor Maintenance Trust Fund to little more than one-half of available revenues.

The benefits of fully spending the trust fund extend beyond navigation. The Water Resources Development Act of 1996 expanded the uses of the fund to address critical needs related to disposal of dredged material. Environmental concerns dictate that increasing amounts of dredged material not be disposed of in open waters because of contamination of the sediment. Making the trust fund fully available not only benefits navigation, but the environment as well.

In closing, I urge all Members to sign on as co-sponsors of this legislation. Your support will be critical to ensuring the safety, security,

and efficiency of our nation's aviation system and waterways.

#### HONORING UAW LOCAL 599

#### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 6, 1999*

Mr. KILDEE. Mr. Speaker, I rise today as a member of the 106th Congress on behalf of a group of men and women who proudly represent the best of working America. On Sunday, January 10, 1999 the members of United Automobile Workers Local 599 in Flint, Michigan will honor an historic milestone. On that day they will celebrate the 60th anniversary of their charter as a UAW local.

If you have ever visited my birthplace, Flint, Michigan, you would be greeted by a sign welcoming you to "Buick City." This sign embodies the long, deep-rooted tradition and history that is UAW Local 599. For the men and women of Local 599, this history involves a high level of pride in the Buick name, their product, and the community in which they have invested much of their lives.

Over the years, the products that have been produced by the members of Local 599 have received numerous accolades. One of their products, the 3800 Engine, is largely considered by experts to be the best 6-cylinder engine in the world. In addition their products have won awards from J.D. Power and Associates, Consumer Reports, and Smart Money Magazine, among others. Each of these citations have recognized the members of Local 599 for the excellent quality of their workmanship and product.

The members of Local 599 have worked diligently to improve their facility's productivity and quality. They have established initiatives to cut in-factory repairs by over 90% and cut the time it takes to build a car by 25%. It is because of steps such as these that have allowed Buick City to be highly ranked in national quality standings, including a recent study in which it placed second of all General Motors factories.

Mr. Speaker, I have a personal reason to be very proud of the achievements of UAW Local 599. My father was a founding member of the Local, joining the UAW in the 1930s. From my own family's experience, I know the difference the UAW has made in the quality of life for the Kildee household.

Mr. Speaker, we in the great State of Michigan are more than proud of our reputation as the automotive capitol of the world, having recently celebrated the 100th anniversary of the automobile. Just as we are proud of the product, we are proud and grateful for the men and women who day-in and day-out work to provide these quality products for our Nation and the world. As the U.S. Representative for Buick City, and as the proud owner of a Buick LeSabre, I ask my colleagues in the 106th Congress to join me in recognizing the accomplishments of the men and women of UAW Local 599.

#### TRIBUTE TO JOHN L. HOLDEN

#### HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 6, 1999*

Mr. PORTMAN. Mr. Speaker, on December 29, 1998, the Greater Cincinnati area lost one of its finest citizens. John L. Holden, an inspiration to many people, passed away at the age of 75. He was many different things to many different people: author, philanthropist, Navy officer, a national leader in camping, and business executive. But it was his fervent desire to counsel and provide learning experiences to young people that has left a lasting impression on a countless number of people throughout the community.

Mr. Holden graduated from Cornell University in 1943. He served his country as a communications officer in the Pacific Ocean during World War II, and later commanded a Landing Ship Tank which supported Chinese Nationalists in their fight against Communism. Upon his return home, he founded and directed Standard Laundry and Linen Service. He also served as a Vice President of Krause Hardware Company and as an estimator for Fisher-DeVore Construction Company.

However, as anyone who was acquainted with him knows, his real love and passion was camping. In 1948, he and others purchased Camp Kooch-i-ching. He later succeeded his mentor, Mr. Bernard S. Mason, as director of the camp, as well as the Wasaka Boys Club, a year-round program of camping and sports in Cincinnati. He later founded the Camping and Education Foundation to which he donated the camp. In 1969, he founded the Kee-Way-Din Ski Club, of which I was a member. This group takes youngsters on skiing trips throughout the western and northern United States.

Most importantly, however, was Mr. Holden's ability to be a positive role model in the lives of so many young people. Leading by example, he helped guide many children in their search for the difference between right and wrong. Mr. Holden had an uncanny way of opening the eyes of his campers if a problem existed. He would then lead them in finding a solution to that problem on their own. By helping them help themselves, Mr. Holden bolstered their self esteem and self worth. It also instilled a problem solving method in the children that could be used well into adulthood.

Mr. Holden's unfailing leadership and dedication to the youth of Cincinnati has touched and inspired many people. Mr. Holden's life is proof positive that one person can certainly make a difference. That difference will surely be felt for years to come.

#### INTEGRITY IN VOTER REGISTRATION ACT

#### HON. BILL McCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 6, 1999*

Mr. McCOLLUM. Mr. Speaker, I rise today to reintroduce the Integrity in Voter Registration Act. Unfortunately, the issue of voter registration and the integrity of our election system sometimes goes overlooked. Indeed, the