

with the Toronto Globe and Mail, he said that that press freedom excludes the "hooliganism" or "uncivilized" reporting he has to deal with in Moscow. By that he means criticism, especially of his conduct of the war in Chechnya, his belated response to the sinking of the Kursk, and the heavy-handed way in which he has pushed aside candidates for governor in regional elections if they are not to Putin's liking.

He does not take well to criticism. When asked by the relatives of those lost in the Kursk why he seemed so unresponsive, Putin tried to shift the blame for the disaster onto the media barons, or at least those who had criticized him. They were the ones, he insisted, who had pressed for reduced funding for the Navy while they were building villas in Spain and France. As for their criticism of his behavior, They lie! They lie! They lie!

Our Western press has provided good coverage of the dogged way Putin and his aides have tried to muscle Gusinsky out of the Media Most press conglomerate he created. But those on the Putin enemies list now include even Boris Berezovsky, originally one of Putin's most enthusiastic promoters who after the sinking of the Kursk also became a critic and thus an opponent.

Gusinsky would have a hard time winning a merit badge for trustworthiness (Berezovsky shouldn't even apply), but in the late Yeltsin and Putin years, Gusinsky has earned enormous credit for his consistently objective news coverage, including a spotlight on malfeasance at the very top. More than that, he has supported his programmers when they have subjected Yeltsin and now Putin to bitter satire on Kukly, his Sunday evening prime-time puppet show.

What we hear less of, though, is what is happening to individual reporters, especially those engaged in investigative work. Almost monthly now there are cases of violence and intimidation. Among those brutalized since Putin assumed power are a reporter for Radio Liberty who dared to write negative reports about the Russian Army's role in Chechnya and four reporters for Novaya Gazeta. Two of them were investigating misdeeds by the FSB (today's equivalent of the KGB), including the possibility that it rather than Chechins had blown up a series of apartment buildings. Another was pursuing reports of money-laundering by Yeltsin family members and senior staff in Switzerland. Although these journalists were very much in the public eye, they were all physically assaulted.

Those working for provincial papers labor under even more pressure with less visibility. There are numerous instances where regional bosses such as the governor of Vladivostok operate as little dictators, and as a growing number of journalists have discovered, challenges are met with threats, physical intimidation, and, if need be, murder.

True, freedom of the press in Russia is still less than 15 years old, and not all the country's journalists or their bosses have always used that freedom responsibly. During the 1996 election campaign, for example, the media owners, including Gusinsky conspired to denigrate or ignore every viable candidate other than Yeltsin. But attempts to muffle if not silence criticism have multiplied since Putin and his fellow KGB veterans have come to power. Criticism from any source, be it an individual journalist or a corporate entity, invites retaliation.

When Media Most persisted in its criticism, Putin sat by approvingly as his subordinates sent in masked and armed tax police and prosecutors. When that didn't work, they jailed Gusinsky on charges that were later dropped, although they are seeking to extradite and jail him again, along with his treasurer, on a new set of charges. Yesterday

the prosecutor general summoned Tatyana Mitkova, the anchor of NTV's evening news program, for questioning. Putin's aides are also doing all they can to prevent Gusinsky from refinancing his debt-ridden operation with Ted Turner or anyone else in or outside of the country.

According to one report, Putin told one official, you deal with the shares, debts, and management and I will deal with the journalists. His goal simply is to end independent TV coverage in Russia.

An uninhibited press in itself is no guarantee that a society will remain a democracy, but when it becomes inhibited, the chances that there will be such freedom all but disappear.

When Western leaders meet Putin, they must insist that a warm handshake and skill at karate are not enough for Russia and Putin to qualify as a democratic member of the Big 8. To do that, Russia must have freedom of the press—a freedom determined by deeds, not mere declarations.

TRIBUTE TO KENNETH W. MONFORT

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2001

Mr. SCHAFFER. Mr. Speaker, today I rise to recognize and honor the life of a great American, Mr. Kenneth W. Monfort of Greeley, Colorado. A cattleman, philanthropist, community leader, humanitarian, devoted father and husband, Mr. Monfort exemplified the American dream and the great western spirit. Sadly, Kenny Monfort passed away on Friday, February 2, 2001.

Mr. Monfort had a long and distinguished career in the cattle industry in which he pioneered many new processes and innovations. His first measure of success came at the age of 12, winning the prize of Grand Champion Steer at the National Western Stock Show. From there he used hard work, intelligence and perseverance to turn the family's 18 head of cattle into the largest stockyard operation in the world.

From the prosperity in his business, Mr. Monfort used his wealth to enrich the lives of all around him. During his childhood in the Great Depression, Kenny Monfort learned the value of giving back to the community, and in turn, has passed this lesson on to his four children. Through the Monfort Family Foundation and individual contributions totaling over \$33 million have been donated to a wide variety of organizations in the Monfort name.

Today Greeley, Colorado is a much better place for having had Kenny Monfort as a native son. One merely has to look around at the many landmarks bearing the Monfort name to see the impact his generosity has had. To the north one can see the Monfort Children's Clinic treating the children of low-income parents. To the west is Monfort Elementary where every student is taught to be a steward of the community. To the east is the Monfort School of Business at the University of Northern Colorado educating the future business leaders of tomorrow. To the south, new-born babies are brought into the world in the safety of the Monfort Birthing Center.

Despite his tremendous success in all he did, Mr. Monfort will always be remembered

as a modest, humble man whose legacy serves as a role model to those who knew him and whose lives he touched. I ask the House to join me in commemorating the remarkable Mr. Kenneth W. Monfort of Colorado.

LEGISLATION TO PROVIDE VETERANS BENEFITS TO MEMBERS OF THE PHILIPPINE COMMONWEALTH ARMY AND THE MEMBERS OF THE SPECIAL PHILIPPINE SCOUTS, H.R. 491

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2001

Mr. GILMAN. Mr. Speaker, I rise today to introduce H.R. 491, the Filipino Veterans Equity Act of 2001. I urge my colleagues to join me in supporting this worthy legislation.

On July 26, 1941, President Roosevelt issued a military order, pursuant to the Philippines Independence Act of 1934, calling members of the Philippine Commonwealth Army into the service of the United States Forces of the Far East, under the command of Lt. Gen. Douglas MacArthur.

For almost 4 years, over 100,000 Filipinos, of the Philippine Commonwealth Army fought alongside the allies to reclaim the Philippine Islands from Japan. Regrettably, in return, Congress enacted the Rescission Act of 1946. That measure limited veterans eligibility for service-connected disabilities and death compensation and also denied the members of the Philippine Commonwealth Army the honor of being recognized as veterans of the United States Armed Forces.

A second group, the Special Philippine Scouts called "New Scouts" who enlisted the United States armed forces after October 6, 1945, primarily to perform occupation duty in the Pacific, were similarly excluded from benefits.

It is long past due to correct this injustice and to provide the members of the Philippine Commonwealth Army and the Special Philippine Scouts with the benefits and the services that they valiantly earned during their service in World War II.

There are some who may object to this legislation on the grounds of its cost. In years past, when we were running chronic deficits, this may have been a valid argument. That past validity however, has been dispelled by today's record surpluses.

While progress has been made towards restoring these long overdue benefits to those brave veterans who earned them, much remains to be done. I would remind my colleagues that time is not on the side of these veterans. Each year, thousands of these veterans pass away. We have a moral obligation to correct this problem before the last of these dedicated soldiers passes from this life.

These Philippine veterans have waited more than 50 years for the benefits which, by virtue of their military service, they were entitled to back in 1946.

Accordingly, I urge my colleagues to carefully review this legislation that corrects this grave injustice and provides veterans benefits to members of the Philippine Commonwealth Army and to the members of the Special Philippine Scouts.

I request that the full text of the bill be included at this point in the RECORD:

H.R. 491

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Filipino Veterans Equity Act of 2001".

SEC. 2 CERTAIN SERVICE IN THE ORGANIZED MILITARY FORCES OF THE PHILIPPINES AND THE PHILIPPINE SCOUTS DEEMED TO BE ACTIVE SERVICE.

(a) IN GENERAL.—Section 107 of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) by striking out "not" after "Army of the United States, shall"; and

(B) by striking out "except benefits under—" and all that follows in that subsection and inserting in lieu thereof a period;

(2) in subsection (b)—

(A) by striking out "not" after "Armed Forces Voluntary Recruitment Act of 1945 shall"; and

(B) by striking out "except—" and all that follows in that subsection and inserting in lieu thereof a period; and

(3) by striking out the subsection (c) inserted by section 501 of H.R. 5482 of the 106th Congress, as introduced on October 18, 2000, and enacted into law by Public Law 106-377, and the subsection (c) inserted by section 332(a)(2) of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106-419).

(b) CONFORMING AMENDMENTS.—(1) The heading of such section is amended to read as follows:

"§ 107. Certain service deemed to be active service: service in organized military forces of the Philippines and in the Philippine Scouts".

(2) The item relating to such section in the table of sections at the beginning of chapter 1 of such title is amended to read as follows:

"107. Certain service deemed to be active service: service in organized military forces of the Philippines and in the Philippine Scouts."

SEC. 3. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this Act shall take effect on January 1, 2002.

(b) APPLICABILITY.—No benefits shall accrue to any person for any period before the effective date of this Act by reason of the amendments made by this Act.

INTRODUCTION OF HOUSE JOINT RESOLUTION REGARDING QUALITY OF CARE IN ASSISTED LIVING FACILITIES

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 7, 2001

Mr. STARK. Mr. Speaker, today I rise with Mr. WAXMAN, Mr. COYNE, Mr. FROST, Mr. LANTOS, Mr. MILLER, Ms. SCHAKOWSKY, and Mr. STRICKLAND to re-introduce a joint resolution calling for a White House conference to discuss and develop national quality of care recommendations for assisted living facilities (ALFs). Between 800,000 and 1.5 million American seniors currently reside in ALFs and these numbers may double in the next 20 years. Until recently, the industry has been al-

most entirely private-pay. But times are changing and ALFs increasingly seek and receive federal funding through Medicaid's Home and Community-Based Services waiver. In fact, overall spending for this waiver swelled 29% between 1988-1999, due in part to growing numbers of ALF placements.

In many states, industry expansion has not been accompanied by a tightening of quality standards or accountability measures. Instead, the definition and philosophy across ALFs varies from state to state and their is little consistency in state regulatory efforts. Furthermore, a 1999 General Accounting Office report found that 25% of surveyed facilities were cited for five or more quality of care violations between 1996-1997 and 11% were cited for 10 or more problems. Frequently cited problems ranged from providing inadequate care, particularly around medication issues, to having insufficient and unqualified staff.

I'd like to call attention to an article entitled, "Assisted Living" firm prospers by housing a frail population," published on January 15th in the Wall Street Journal. This article discusses industry trends and carefully details the business practices and policies of Sunrise Assisted Living, Inc., one of the country's most successful ALF companies. At a time when many of its competitors are posting large operating losses, Sunrise earns millions of dollars in profits each year. How do they do it?—by accepting elderly applicants with serious health conditions and collecting extra-care fees, sometimes as high as \$1640/month (on top of regular monthly fees) for very sick or cognitively impaired residents. Paul Klassen, Sunrise's chief executive, makes no bones about this marketing strategy. At a recent orientation for new Sunrise managers, he urged that "the frailest of the frail" be considered as candidates for assisted living.

Although originally developed as an alternative to nursing homes, this article makes abundantly clear that ALFs are now recruiting the same frail seniors that might otherwise be served by nursing homes. Yet the average Sunrise facility (housing 90 residents) maintains only one registered nurse on duty for 8-12 hours per day. Nursing homes of that same size average four to five nurses on duty at all times. Furthermore, nursing homes must comply with federal quality regulations, but ALFs answer only to states, where there is considerable variation in terms of regulation and oversight.

This regulatory variation can have deadly consequences. As reported by the Wall Street Journal, staffing issues contributed to the death of a visually-impaired Sunrise resident in Georgia, who was awaiting delivery of a liquid herbal supplement. At the resident's request, a substitute concierge delivered a package that was not specifically addressed to the resident. After drinking what they thought was an herbal supplement (but was really caustic bathroom cleaner), both the resident and his wife became critically ill and she died several days later. Perhaps as disturbing as the incident itself, is the fact that the facility's only penalty to date has been a paltry \$3000 state fine.

Closer to home, last August in my district, an elderly woman passed away in an assisted living facility due to hemorrhaging from her dialysis shunt. Two times, she pressed her call pendant for help, but no help came. Instead, the ALF staff cleared the alarms and reset the

machines both times. The facility did not place a 911 call for assistance until 1 hour and 34 minutes later. There was no nurse on duty, and all four resident aides in the facility at the time have denied responding to the calls or clearing/resetting the call system. This situation is still under investigation, but it highlights the seriousness of inadequate quality of care in these facilities.

I believe that ALFs that receive federal funding should be required to meet reasonable, commonsense quality standards to protect residents. This joint resolution presents a valuable opportunity for policymakers, industry stakeholders, and consumers to discuss and debate how best to develop these needed quality standards. Frail, elderly ALF residents must be protected and sub-par facilities must face real consequences. I look forward to working with my colleagues on both sides of the aisle to protect frail seniors in ALFs throughout our country.

The resolution has been endorsed by the Consumer Consortium on Assisted Living, California Advocates for Nursing Home Reform, National Association for HomeCare, and Elder Care America, which are organizations active in protecting consumer interests in assisted living and other settings. The January 15, 2001 article by Ann Davis of the Wall Street Journal appears below:

"ASSISTED LIVING" FIRM PROSPERS BY HOUSING A FRAIL POPULATION

(By Ann Davis)

ATLANTA.—Early last year, Tom Spiro, the director of a Sunrise Assisted Living Inc. home here, warned his boss he might lose another resident.

It wasn't welcome news. The home's 71% occupancy was already far below the corporate target of 95%. But the resident, an 82-year-old woman just out of a hospital, could no longer walk, took a battery of medications and was being fed from a tube. Mr. Spiro felt that his assisted-living facility—a nursing-home alternative that provides less care—was in no position to accommodate someone so frail.

He was told he was being too cautious. "There was pressure to take everybody," he says. Ultimately, Mr. Spiro retained the resident, along with several others he considered too infirm. Even so, with the home's performance still lagging a few months later, he was asked to resign.

Linda Selvidge, who was his boss but has also since left the company, says it made sense to keep the elderly woman as a resident because her husband was in the facility. But Ms. Selvidge acknowledges urging Mr. Spiro to accept residents despite his reservations. "Being frail is nothing to be nervous about," she recalls telling him.

THE MISSION

Why such eagerness to enroll clients whose care would seem sure to mean extra cost, complexity and risk? One reason is the company founders' longtime commitment to offering a homelike alternative to nursing homes. But accepting residents who are infirm also helps to fill beds, at a time when the assisted-living industry is burdened by overcapacity. And Sunrise, more so than its competitors, has figured out how to make serving such clients a profitable business.

The assisted-living industry is at a crossroads, two decades after springing up amid dissatisfaction with nursing homes. Its mission was to offer attractive housing—for those who could afford it—where the elderly could get help with daily routines like bathing and dressing, but no intensive nursing