

to recognize—and hope they recognize it, too—that our interests are sometimes different from theirs, and govern ourselves accordingly.

DEPARTMENTS OF COMMERCE, JUSTICE AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

SPEECH OF

HON. BRIAN BAIRD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2001

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes:

Mr. BAIRD. Mr. Chairman, I want to thank my colleague FRANK LUCAS for joining me in offering this important amendment.

The Methamphetamine/Drug Hot Spots Program provides funding for states to pay for the costs associated with fighting meth. This includes identifying and dismantling meth labs and training law enforcement to respond to labs.

Last year, Clark County in my district received funding from this program to hire an additional meth detective for our local drug task force.

As one of the founders of the Meth caucus, I am pleased to offer an amendment to increase the funding for this important program. Forty-two members of our caucus asked appropriators to increase funding for the Meth/Drug Hot Spots from \$48.5 million (FY01) to \$60 million. The bill before us today funds this program at \$48.3, \$11.7 less than requested by our bipartisan caucus.

Our amendment would increase the funding for this program to \$60 million. We are proposing to accomplish this by reducing the increase given to the International Broadcasting Operations by \$11.7 million, which received a \$32 million increase in this bill. Our amendment would still provide for more than a 5% increase for International Broadcasting Operations. This is still more than President Bush's request for no more than a 4% increase in the growth of federal spending.

I want to make clear that this amendment is in no way meant to take away from the important role that International Broadcasting Operations has in spreading the American ideals of freedom and democracy throughout the globe. The amendment is designed to help our law enforcement officials stop the scourge of methamphetamine abuse here at home.

I thank my colleague from Oklahoma for joining me in offering this amendment and I ask for your support.

THE PATIENT PRIVACY ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. PAUL. Mr. Speaker, I rise to introduce the Patient Privacy Act, which repeals those

sections of the Health Insurance Portability and Accountability Act of 1996 authorizing the establishment of a "standard unique health care identifier" for all Americans, as well as prohibiting the use of federal funds to develop or implement a database containing personal health information.

Establishment of such a medical identifier, especially when combined with HHS's misnamed "federal privacy" regulations, would allow federal bureaucrats to track every citizen's medical history from cradle to grave. Furthermore, it is possible that every medical professional, hospital, and Health Maintenance Organization (HMO) in the country would be able to access an individual citizens' record simply by entering the patient's identifier into a health care database.

When the scheme to assign every American a unique medical identifier became public knowledge in 1998, there was a tremendous outcry from the public. Congress responded to the public outrage by including language forbidding the expenditure of funds to implement or develop a medical identifier in the federal budget for the past three fiscal years. Last year my amendment prohibiting the use of funds to develop or implement a medical ID unanimously passed the House of Representatives.

It should be clear to every member of Congress that the American public does not want a uniform medical identifier. Therefore, rather than continuing to extend the prohibition on funding for another year, Congress should simply repeal the authorization of the national medical ID this year.

As an OB/GYN with more than 30 years experience in private practice, I know better than most the importance of preserving the sanctity of the physician-patient relationship. Often times, effective treatment depends on a patient's ability to place absolute trust in his or her doctor. What will happen to that trust when patients know that any and all information given their doctor will be placed in a data base accessible by anyone who knows the patient's "unique personal identifier?"

I ask my colleagues, how comfortable would you be confiding any emotional problem, or even an embarrassing physical problem like impotence, to your doctor if you knew that this information could be easily accessed by friend, foe, possible employers, coworkers, HMOs, and government agents?

Many of my colleagues will admit that the American people have good reason to fear a government-mandated health ID card, but they will claim such problems can be "fixed" by additional legislation restricting the use of the identifier and forbidding all but certain designated persons to access those records.

This argument has two flaws. First of all, history has shown that attempts to protect the privacy of information collected by, or at the command, of the government are ineffective at protecting citizens from the prying eyes of government officials. I ask my colleagues to think of the numerous cases of IRS abuses that were brought to our attention in the past few months, the history of abuse of FBI files, and the case of a Medicaid clerk in Maryland who accessed a computerized database and sold patient names to an HMO. These are just some of many examples that show that the only effective way to protect privacy is to forbid the government from assigning a unique number to any citizen.

The second, and most important reason, legislation "protecting" the unique health identifier is insufficient is that the federal government lacks any constitutional authority to force citizens to adopt a universal health identifier, or force citizens to divulge their personal health information to the government, regardless of any attached "privacy protections." Any federal action that oversteps constitutional limitations violates liberty as it ratifies the principle that the federal government, not the Constitution, is the ultimate arbitrator of its own jurisdiction over the people. The only effective protection of the rights of citizens is for congress and the American people to follow Thomas Jefferson's advice and "bind (the federal government) down with the chains of the constitution."

Those who claim that the Patient Privacy act would interfere with the plans to "simplify" and "streamline" the health care system, should remember that under the constitution, the rights of people should never take a back-seat to the convenience of the government or politically powerful industries like HMOs.

Mr. Speaker, the federal government has no authority to endanger the privacy of personal medical information by forcing all citizens to adopt a uniform health identifier for use in a national data base. A uniform health ID endangers constitutional liberties, threatens the doctor-patient relationships, and could allow federal officials access to deeply personal medical information. There can be no justification for risking the rights of private citizens. I therefore urge my colleagues to join me in supporting the Patient Privacy Act.

PRIVATE CALENDAR AGREEMENT

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2001

Mr. COBLE. Mr. Speaker, I would like to take this opportunity to set forth some of the history behind, as well as describe the workings of the Private Calendar. I hope this might be of some value to the Members of this House, especially our newer colleagues.

Of the five House Calendars, the Private Calendar is the one to which all Private Bills are referred. Private Bills deal with specific individuals, corporations, institutions, and so forth, as distinguished from public bills which deal with classes only.

Of the 108 laws approved by the First Congress, only 5 were Private Laws. But their number quickly grew as the wars of the new Republic produced veterans and veterans' widows seeking pensions and as more citizens came to have private claims and demands against the Federal Government. The 49th Congress, 1885 to 1887, the first Congress for which complete workload and output data is available, passed 1,031 Private Laws, as compared with 434 Public Laws. At the turn of the century the 56th Congress passed 1,498 Private Laws and 443 Public Laws—a better than three to one ratio.

Private bills were referred to the Committee on the Whole House as far back as 1820, and a calendar of private bills was established in 1839. These bills were initially brought before the House by special orders, but the 62nd

Congress changed this procedure by its rule XXIV, clause six which provided for the consideration of the Private Calendar in lieu of special orders. This rule was amended in 1932, and then adopted in its present form on March 22, 1935.

A determined effort to reduce the private bill workload of the Congress was made in the Legislative Reorganization Act of 1946. Section 131 of that Act banned the introduction or the consideration of four types of private bills: first, those authorizing the payment of money for pensions; second, for personal or property damages for which suit may be brought under the Federal tort claims procedure; third, those authorizing the construction of a bridge across a navigable stream, or fourth, those authorizing the correction of a military or naval record.

This ban afforded some temporary relief but was soon offset by the rising postwar and cold war flood for private immigration bills. The 82nd Congress passed 1,023 Private Laws, as compared with 594 Public Laws. The 88th Congress passed 360 Private Laws compared with 666 Public Laws.

Under rule XXIV, clause six, the Private Calendar is called the first and third Tuesday of each month. The consideration of the Private Calendar bills on the first

On the first Tuesday of each month, after disposition of business on the Speaker's table for reference only, the Speaker directs the call of the Private Calendar. If a bill called is objected to by two or more Members, it is automatically recommitted to the Committee reporting it. No reservation of objection is entertained. Bills unobjection to are considered in the House in the Committee of the Whole.

On the third Tuesday of each month, the same procedure is followed with the exception that omnibus bills embodying bills previously rejected have preference and are in order regardless of objection.

Such omnibus bills are read by paragraph, and no amendments are entertained except to strike out or reduce amounts or provide limitations. Matters so stricken out shall not be again included in an omnibus bill during that session. Debate is limited to motions allowable under the rule and does not admit motions to strike out the last word or reservation of objections. The rules prohibit the Speaker from recognizing Members for statements or for requests for unanimous consent for debate. Omnibus bills so passed are thereupon resolved in their component bills, which are engrossed separately and disposed of as if passed separately.

Private Calendar bills unfinished on one Tuesday go over to the next Tuesday on which such bills are in order and are considered before the call of bills subsequently on the calendar. Omnibus bills follow the same procedure and go over to the next Tuesday on which that class of business is again in order. When the previous question is ordered on a

Private Calendar bill, the bill comes up for disposition on the next legislative day.

Mr. Speaker, I would also like to describe to the newer Members the Official Objectors system the House has established to deal with the great volume of Private Bills.

The Majority Leader and the Minority Leader each appoint three Members to serve as Private Calendar Objectors during a Congress. The Objectors are on the Floor ready to object to any Private Bill which they feel is objectionable for any reason. Seated near them to provide technical assistance are the majority and minority legislative clerks.

Should any Member have a doubt or question about a particular Private Bill, he or she can get assistance from objectors, their clerks, or from the Member who introduced the bill.

The great volume of private bills and the desire to have an opportunity to study them carefully before they are called on the Private Calendar has caused the six objectors to agree upon certain ground rules. The rules limit consideration of bills placed on the Private Calendar only shortly before the calendar is called. With this agreement adopted on July 24, 2001, the Members of the Private Calendar Objectors Committee have agreed that during the 107th Congress, they will consider only those bills which have been on the Private Calendar for a period of seven (7) days, excluding the day the bill is reported and the day the calendar is called. Reports must be available to the Objectors for three (3) calendar days.

It is agreed that the majority and minority clerks will not submit to the Objectors any bills which do not meet this requirement.

This policy will be strictly enforced except during the closing days of a session when the House rules are suspended.

This agreement was entered into by: the gentleman from North Carolina (Mr. COBLE), the gentleman from Georgia (Mr. BARR), the gentleman from Ohio (Mr. CHABOT), the gentleman from Virginia (Mr. BOUCHER), and the gentlelady from Connecticut (Mrs. DELAURU).

I feel confident that I speak from my colleagues when I request all Members to enable us to give the necessary advance considerations to private bills by not asking that we depart from the above agreement unless absolutely necessary.

DEPARTMENTS OF COMMERCE,
JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES
APPROPRIATIONS ACT, 2002

SPEECH OF
HON. NITA M. LOWEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2001

The House in Committee of the Whole House on the State of the Union had under

consideration the bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice and State, and Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes:

Mrs. LOWEY. Mr. Chairman, I rise in support of the DeGette amendment, and I thank my colleague for her strong leadership on this issue.

A woman's right to make a private decision to terminate a pregnancy is the law of the land. The prohibition on prisoners' access to abortion services in federal prison facilities contained in this bill does not make it impossible for women in prison to obtain an abortion—but it deliberately makes it more expensive, more difficult and less private.

In my view, the only reason the ban does not go further—ban abortion outright—is because Americans support a woman's right to choose. I know that many of my colleagues do not, and I respect their views on this issue. I know that these colleagues would vote to overturn the *Roe v. Wade* decision immediately, if they thought they could get away with it.

But they don't go that far, because Americans wouldn't let them get away with it.

Instead, those who oppose a women's right to choose take every opportunity to make the decision ever more difficult, dangerous, and expensive.

I support the DeGette amendment because I believe that's the wrong approach. If we agree that there should be less abortion, we can and should work together to make the decision to terminate a pregnancy less necessary. The policy we are debating in this amendment—which allows women in federal prison to pay for an abortion outside but not obtain one inside the prison system—only makes the decision to terminate harder.

What could we do to make the need for terminating a pregnancy less necessary? We could do more to promote contraceptive access and use. We could work harder to educate people about taking responsibility for protecting themselves from unintended pregnancy. We could do more to prevent sexual assault, rape and incest. We could work together—as our constituents clearly would like us to do—to ensure that most women never need to make the personal decision about terminating their pregnancy.

Less necessary—not more harassing and less private.

I ask my colleagues to join me in supporting the DeGette motion to strike.