

student loans. The lower rates will save students over \$1 billion over the next five years, reduce defaults, and treat students in both the direct and guaranteed loan programs fairly.

In response, a group of financial institutions sued Education to make direct loans more expensive for students and drum up business for their own student loans. The legislation I am introducing today will promote stability in the loan programs by resolving this dispute and benefiting students in both programs. It will leave students and schools free to choose among the programs based upon the quality of service they offer.

Now is the time to end the student loan tax. The Affordable Student Loans Act will save the typical student roughly \$400 on their loans and make college more affordable for students in both loan programs. I urge my colleagues to join me in supporting this important legislation.

THE MEDICAID OBESITY  
TREATMENT ACT OF 2001

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2001

Mr. TOWNS. Mr. Speaker, in honor of National Minority Health Month, today I am introducing the "Medicaid Obesity Treatment Act of 2001" to elevate the visibility of a national health epidemic that is wreaking particular havoc upon our minority communities. For too long, obesity has escaped adequate attention from both policymakers, scientists and the general public. With this bill, which will simply provide Medicaid coverage for medically necessary treatments for chronically obese beneficiaries, I hope to raise the level of attention to this devastating illness. The Medicaid Obesity Treatment Act of 2001 is the first legislation ever introduced in the Congress to specifically address the need to ensure access for all Americans to drug therapies designed to treat obesity and its related comorbidities, and I am proud to be its sponsor.

Obesity has truly become a national health care crisis. The National Center for Health Statistics reports that 60 percent of Americans over 20 years of age are overweight or clinically obese. Weight-related conditions represent the second leading cause of death in the United States, and result in approximately 300,000 preventable deaths each year.

According to the Surgeon General, the prevalence of overweight and obesity has almost doubled among America's children and adolescents since 1980. It is estimated that one out of five children is obese. The epidemic growth in obesity acquired during childhood or adolescence is particularly threatening to the national health because it often persists into adulthood and increases the risk for some chronic diseases later in life.

The prevalence of obesity in America is at an all time high, affecting every State, both men and women, all ages, races, and education levels. Disparities in health status indicators and risk factors for diet-related disease are evident in many segments of the population based on gender, age, race and ethnicity, and income. Overweight and obesity are observed in all population groups, but obesity is particularly common among Hispanic, African American, Native American, and Pacific Islander women.

Too many Americans, particularly urban residents, have inadequate access to fresh produce and healthy food products. Too many Americans have desk jobs that afford them little opportunity to maintain adequate physical conditioning. And for too many Americans today, the most plentiful, available and affordable food is often the least nutritious.

For years, obesity was considered a lifestyle choice. Now, however, it is increasingly understood to be an illness with serious health consequences. It is proven that overweight and obesity are associated with significantly higher mortality rates. Additionally, obesity substantially increases the risk of other illnesses, including breast cancer, colon cancer, ovarian cancer, prostate cancer, cardiovascular disease, high blood pressure, high cholesterol, type 2 diabetes, heart disease, stroke, gallbladder disease, arthritis, sleep disturbances and respiratory problems.

The costs of obesity on the public health system are truly staggering. The total cost, both in terms of health care and lost productivity, of obesity alone was estimated as \$99 billion in 1995. As it becomes more prevalent, obesity's toll on the national economy will only grow.

There is some promising news, however. Science has made great strides in recent years to both understand and combat obesity. Several new drugs offer great promise in the fight to prevent and treat obesity and its related comorbidities.

Unfortunately, however, coverage of these drugs is excludable under Medicaid due to an eleven year old provision that allows states to exclude weight loss drugs, even in cases where these drugs have the potential to save lives. This provision is based upon the outdated notion of obesity as a "lifestyle choice" and the notion of anti-obesity medication as cosmetic in nature. These notions, and the provision based upon them, are no longer valid scientifically, and must be stricken from the law. Medically necessary medicine for the treatment of chronic obesity should be covered under Medicaid like any other medically necessary drug. This is the purpose and goal of this bill.

Although this expansion in Medicaid coverage might incur some marginal cost to the overall program, requiring states to cover proven obesity medication may actually reduce Medicaid expenditures as a result of decreases in the costs associated with treating obesity-related comorbidities such as diabetes and heart disease. Given the numerous collateral benefits of reducing obesity, in addition to the underlying treatment of obesity for the disease that it is, it makes good sense and good public policy to provide Medicaid beneficiaries access to life saving antiobesity medicines.

Finally, as the Congress looks towards the formation of a prescription drug benefit for all Americans, we must be wary of simply importing the outdated notions implicit in Medicaid coverage definitions which might have the effect of denying access to medically necessary weight loss drugs. Any prescription drug benefit must provide coverage for medically necessary medications for chronic obesity consistent with its coverage of other medically necessary disease treatments.

Obesity is a growing epidemic across the nation which must be addressed with more than just words. This bill offers an important first step towards stemming the tide against

this preventable killer. During this year's observance of National Minority Health Month, I am pleased to introduce this bill to both highlight the epidemic of obesity, which strikes particularly hard in the minority community, and to do something substantive about it. I encourage my colleagues to join me in supporting it.

TAX LIMITATION CONSTITUTIONAL  
AMENDMENT

SPEECH OF

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2001

Mr. LANGEVIN. Mr. Speaker, I rise in opposition to H.J. Res. 41, the Tax Limitation Constitutional Amendment, which would require a two-thirds majority vote in Congress to pass legislation increasing internal Federal revenues, except in time of war or military conflict. While I support a simpler, fairer and more efficient tax code, I cannot back this fiscally irresponsible proposal, which would unnecessarily tamper with the Constitution and undermine its principle of majority rule.

This resolution would deny Congress its legislative ability to address weaknesses in our current tax code and possibly close outdated and costly tax loopholes. Further, this constitutional amendment would prevent us from passing reconciliation bills, which reduce future deficits by making balanced spending cuts and raising revenues, unless there are tax cuts of equal size.

The philosophical battle over supermajorities was waged after the Articles of Confederation was enacted. During, this debate, our Founders became convinced that supermajorities were unfeasible and that a simple majority—our present system for the passage of tax bills—was the most practical. For centuries, our government has abided by this fundamental principle and concluded that our republic would be compromised if a two-thirds majority vote were required for revenue bills and other day-to-day legislative matters routinely before us.

We all want to protect hard-working families from tax increases, but requiring a two-thirds vote to raise revenues to pay for spending initiatives that we have already authorized would make funding our national priorities even more problematic. Furthermore, this constitutional amendment would make it extraordinarily difficult to extend the solvency of Social Security and Medicare and reduce our national debt. Finally, this legislation is largely unworkable, given the vagueness and ambiguity of its language. If Congress is truly concerned about guarding the American public from unwarranted tax increases, it should pass meaningful tax reform legislation, maintain a balanced budget, and trust American citizens to elect representatives who will legislate in their best interests.

For these reasons, I cannot support this proposed change to the Constitution. I strongly urge my colleagues to vote against this imprudent measure.

HONORING THE MEMORY OF RICHARDSON PREYER, FORMER MEMBER OF THE HOUSE

SPEECH OF  
**HON. EVA M. CLAYTON**

OF NORTH CAROLINA  
IN THE HOUSE OF REPRESENTATIVES  
*Wednesday, April 25, 2001*

Mrs. CLAYTON. Mr. Speaker, I rise to say a few words about a North Carolina native son, the Honorable Lunsford Richardson Preyer. He died this month but left a legacy of dedicated, visionary and exemplary service to his family, community, state and nation.

He was born in Greensboro, NC in 1919 and lived and served during a difficult time in the history of our state and nation. Racial discrimination was widespread during his early life. African Americans were objects of legal, social and economic oppression. However, Richardson Preyer rose above the prevailing conditions and displayed remarkable moral integrity, tolerance and support for racial diversity and human rights.

After graduating from Princeton University and Harvard Law School, he returned home. Although an heir to a family fortune, he chose to engage in efforts to resolve conflicts between contending groups in society. He was well-suited to be a judge; he served as a state court trial judge and in 1961 was appointed to a lifetime position on the federal District Court. A few years later, he left this comfort zone seeking other opportunities to serve. In 1964, he ran unsuccessfully for Governor of North Carolina. He served several years as a bank executive and, in 1968, was elected and served the 6th District of North Carolina for six terms in the United States Congress.

Mr. Preyer was a gentleman and a scholar and a bold and courageous leader. He was given much and he gave much. It is fitting that we pay tribute to his life and legacy. He was a good man.

JESSIE ROBERSON—A GOOD CHOICE FOR A CRUCIAL JOB

**HON. MARK UDALL**

OF COLORADO  
IN THE HOUSE OF REPRESENTATIVES  
*Thursday, April 26, 2001*

Mr. UDALL of Colorado. Mr. Speaker, one of the most difficult and most important jobs in the Federal Government is overseeing the cleanup of the vast complex of Department of Energy sites where plutonium and other nuclear weapons components were produced or processed.

Coloradans have a big stake in this because our State is home to a number of these sites, notably the Rocky flats site in the district I represent.

So, I rise to applaud the reported decision of President Bush to nominate Ms. Jessie Roberson, to the important position of Assistant Secretary of Energy for Environmental Management. I think it is an excellent choice.

I had the opportunity to work with Jessie when she headed the Rocky flats project in Colorado. I took an immediate liking to her—not just because of her professionalism and no-nonsense style, but also because she seemed to me to enjoy working hard, while maintaining a sense of good humor.

Her tenure at Rocky flats was highly successful. She led agency efforts to keep the commitment, first made by Energy Secretary Federico Pena, to give a high priority to finishing full cleanup and closure of rocky flats on a much earlier timetable than had previously been proposed.

I know I speak for all of my colleagues in the Colorado delegation in wishing her the very best as she undertakes important new responsibilities at the Department of Energy.

A recent editorial by the Denver Post put it right by calling Jessie Roberson a “top flight” pick. For the information of our colleagues, I submit that editorial for the RECORD:

[From the Denver Post, April 3, 2001]

ROBERSON A TOP-FLIGHT PICK

U.S. Energy Secretary Spencer Abrahams is getting some top-flight help in cleaning up the nation's Cold War legacy: Jessie Roberson, who headed the Department of Energy's Rocky Flats closure project in Colorado, is being nominated to manage DOE's entire environmental cleanup program nationwide.

Roberson will be the second Rocky Flats veteran to move into a key DOE post. Earlier, the White House announced it will nominate Robert Card for undersecretary of energy. Card previously headed Kaiser-Hill, the contractor doing the cleanup at Rocky Flats, the mothballed nuclear bomb trigger factory north of Golden.

The Rocky Flats crew led by Roberson and Card accomplished, in just three years of teamwork, more progress toward cleanup and closure than the facility had logged in the previous decade.

It's understandable that Abrahams would look toward the people who brought DOE past success to move the entire department toward its future goals.

Roberson is an excellent choice. She is a nuclear engineer who in 1996 was named the national Black Engineer of the Year for Professional Achievement in Government. That same year, she took the reins at Rocky Flats, where her personable but no-nonsense style got the flagging project on track.

In 1999, the Democratic Clinton administration tapped Roberson for the Defense Nuclear Facilities Board, which provides independent oversight at DOE nuclear sites on all issues affecting health and safety.

Now the Republican Bush Administration also has recognized the value of her 17 years of nuclear safety experience.

As assistant energy secretary for environmental management, Roberson will oversee the cleanup of all the country's Cold War atomic sites. Among them: Hanford, the toxic and radioactive nightmare in eastern Washington. Savannah River, the South Carolina reactor and processing plant that must be modernized. And Rocky Flats, the one place DOE has scored real progress toward cleanup.

With Abrahams at the top and Card in the No. 2 slot, Roberson will round out DOE's civilian management team.

The department's environmental management job, in fact, is one of the toughest positions in the federal government today. There likely isn't a better person around to tackle the task, however, than Jessie Roberson.

TAX LIMITATION AMENDMENT:  
H.J. RES. 41

**HON. BENJAMIN A. GILMAN**

OF NEW YORK  
IN THE HOUSE OF REPRESENTATIVES  
*Thursday, April 26, 2001*

Mr. GILMAN. Mr. Speaker, I rise today in support of H. J. Res. 41, the Tax Limitation Amendment 2001.

H.J. Res. 41 amends the U.S. Constitution to require that any bill, resolution or legislative measure that proposes to change Internal Revenue laws must have the approval of two-thirds of those voting in the House of Representatives and the Senate. This requirement would not apply when a declaration of war is in effect, or when the United States is engaged in a military conflict which causes an imminent and serious threat to national security as found by both Chambers and the President.

Mr. Speaker, in his famous McCulloch vs. Maryland opinion, Chief Justice John Marshall stated that “The power to tax is the power to destroy.” This amendment sets out to make it more difficult for the Congress to arbitrarily erase taxes, and presumably, makes the Federal Government more efficient and less bloated with unnecessary spending.

History has demonstrated that it is far easier for Congress to raise taxes to cover spending deficits than it is to reduce that spending to reasonable levels. This is all the more true today, now that the government is operating at a surplus. Neither party wants to be held responsible for any future return to peacetime deficit spending. Should such an event appear likely to occur, the temptation to raise taxes to cover any potential deficit would be overwhelming.

The enactment and ratification of this amendment would thus prevent a return to the situation which existed in this country 25 years ago. During the 1970s, middle-class families were struggling to get by under crippling high marginal tax rates, which, thanks to high inflation and bracket creep, reached deeper into the working class ranks with every passing year.

Accordingly, I urge my colleagues to fully support H. J. Res. 41, The Tax Limitation Constitutional Amendment.

PERSONAL EXPLANATION

**HON. SUSAN DAVIS**

OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES  
*Thursday, April 26, 2001*

Mrs. DAVIS of California. Mr. Speaker, on roll call No. 85 and 86, I was delayed due to aircraft mechanical problems. Had I been present, I would have voted “yea” on both.

PERSONAL EXPLANATION

**HON. HENRY E. BROWN, JR.**

OF SOUTH CAROLINA  
IN THE HOUSE OF REPRESENTATIVES  
*Thursday, April 26, 2001*

Mr. BROWN of South Carolina. Mr. Speaker, on roll call No. 59 I was unavoidably detained. Had I been present, I would have voted “yea.”