

one in five persons who suffer a hip fracture will survive more than a year. The costs associated with this disease are in excess of \$13.8 billion annually. With an aging population, costs and disability are only expected to escalate. It is time that we did something about it.

Today, joined by Congresswoman MORELLA, I have re-introduced, with strong Congressional support, the "Osteoporosis Early Detection and Prevention Act of 2001." Senators TORRICELLI and SNOWE re-introduced the companion bill in the Senate. This bill would amend the Public Health Service Act and Employee Retirement Income Security Act of 1974, requiring private insurers to reimburse for bone mass measurement.

My bill requires private health insurance plans to cover a bone mass measurement test for qualified men and women who are at risk for developing osteoporosis. Bone mass measurement is a non-invasive, painless and reliable way to diagnose osteoporosis before costly fractures occur. The average cost to treat one hip fracture is \$32,000, while a simple bone density test costs an average of \$250. Bone density is the most efficient and predictive method for determining whether an individual is at risk for future fracture.

Building strong bones can be the best defense against developing osteoporosis later in life. Women and men are encouraged to eat a balanced diet rich in calcium and vitamin D, to exercise and lead a healthy lifestyle. However, because many Americans are unaware that they are at risk for contracting this debilitating disease, early detection is even more critical and can be a matter of life or death. If we can identify those at risk, we can reduce pain, suffering, and billions of dollars in health care expenditures. According to the National Osteoporosis Foundation, a recent study of 1,162 women age 55 years and older who had broken their wrists found that fewer than one-fourth of them had received a bone density diagnostic test or a medication approved for osteoporosis treatment after the fracture. More women and men must be tested.

The Osteoporosis Early Detection and Prevention Act of 2001 is needed because by the time men and women, but especially women, come of age to enter the Medicare program, it is often too late. Medicare covers bone density testings, but many private health insurance plans do not. It is extremely important that we target individuals at the age of menopause, before they begin excessive bone loss. We do not want to continue to lose hundreds of thousands of individuals to this disease.

Currently, many private insurance companies do not reimburse for bone mineral density exams. Others severely limit access to the technology by requiring physicians to refer their patients out to large imaging centers. These insurance companies are preventing those at risk from being screened. We need to require insurers to provide access to the technology so we can identify those at risk. The number of individuals who will benefit from this technology is significant. In the U.S. today, eight million women and two million men have osteoporosis and 18 million more have low bone mass, placing them at risk for this disease. The primary care physician should have the means to adequately screen for this disease. The technology is there.

So to mark Osteoporosis Prevention Month and to save thousands upon thousands of Americans from suffering, I urge my fellow

Members to join me in my support of this bill. Let's do what we can to put an end to this disease.

UNBORN VICTIMS OF VIOLENCE ACT OF 2001

SPEECH OF

HON. JOHN N. HOSTETTLER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2001

Mr. HOSTETTLER. Mr. Speaker, I rise in strong support of H.R. 503, the Unborn Victims of Violence Act and oppose the Lofgren one-victim substitute.

This bill is really a simple one. It states that if a criminal, in his attack on a pregnant woman, injures the child also, then that criminal should be held responsible for his attack on both individuals.

As a father myself, I have witnessed people's reaction to my wife's pregnancy. They do not ask if we hope that our product of conception will continue in pregnancy without interruption. No, they ask questions like "Is it a boy or a girl?"; "Have you picked out a name for your baby yet?" "Are your other children looking forward to their new brother or sister?"

You see, Mr. Speaker, they recognize what should be obvious to all. They recognize what our Founding Fathers thought obvious. In fact, they called it "self evident" that our Creator has endowed everyone with this unalienable right.

It's inconsistent and hypocritical that federal law fails to recognize crimes against the pre-born as just that . . . crimes. I see no valid legal or moral difference between committing a crime against an individual one day prior to birth and one day after. We hear stories like that of Ms. Pace, who was assaulted one day before her due date. Her boyfriend had paid hit-men \$400 for the express purpose of killing the child, not her. Did he hire them to kill a "product of conception"? No, he hired them to kill a baby for whom he did not want to be responsible.

Rightfully, we find ourselves outraged at stories of child abuse and neglect . . . Stories of babies being beaten and abandoned by their parents. Yet those on the other side would have us believe that an assailant should face no penalty for the willful killing of the same child before birth.

If an assailant, while in the commission of a federal crime, harms a baby then he should be responsible for the harm caused to that baby. It's really that simple. For most Americans it's common sense. Unfortunately, what would otherwise make perfect sense gets lost here in Washington.

Mr. Speaker I urge my colleagues to support the underlying bill and reject the Lofgren amendment.

CONSTITUTIONAL CHALLENGES TO STATE UNBORN VICTIMS LAWS

(All challenges were unsuccessful. All challenges were based on Roe v. Wade and/or denial of equal protection, unless otherwise noted.)

California: *People v. Davis*, 872 P.2d 591 (Cal. 1994).

Georgia: *Smith v. Newsome*, 815 F.2d 1386 (11th Cir. 1987). Related state supreme court decision: *Brinkley v. State*, 322 S.E.2d 49 (Ga. 1984) (vagueness/due process challenge).

Illinois: *U.S. ex rel. Ford v. Ahitow*, 888 F.Supp. 909 (C.D.Ill. 1995), and lower court decision, *People v. Ford*, 581 N.E.2d 1189 (Ill.App. 4 Dist. 1991). *People v. Campos*, 592 N.E.2d 85 (Ill.App. 1 Dist. 1992). Subsequent history: appealed denied, 602 N.E.2d 460 (Ill. 1992), habeas corpus denied, 827 F.Supp. 1359 (N.D.Ill. 1993), affirmed, 37 F.3d 1501 (7th Cir. 1994), certiorari denied, 514 U.S. 1024 (1995).

Louisiana: *Re double jeopardy—State v. Smith*, 676 So.2d 1068 (La. 1996), rehearing denied, 679 So.2d 380 (La. 1996).

Minnesota: *State v. Merrill*, 450 N.W.2d 318 (Minn. 1990), cert. denied, 496 U.S. 931 (1990). *Re establishment clause—State v. Bauer*, 471 N.W.2d 363 (Minn. App. 1991).

Missouri: *State v. Holcomb*, 956 S.W.2d 286 (Mo. App. W.D. 1997).

Ohio: *State v. Coleman*, 705 N.E.2d 419 (Ohio Ct. App. 1997).

Wisconsin: *Re due process—State v. Black*, 526 N.W.2d 132 (Wis. 1994) (upholding earlier statute).

STATEMENT OF MICHAEL LENZ BEFORE THE SUBCOMMITTEE ON THE CONSTITUTION HEARING ON H.R. 2436; THE UNBORN VICTIMS OF VIOLENCE ACT OF 1999, JULY 21, 1999

Committee members, I would like to give you some background on myself and my late wife Carrie Lenz.

We met in the spring of 1986. I had recently moved from the City of Tulsa to Oklahoma City. Carrie was a high school senior at Moore, OK. We began dating, she graduated high school and went on to College, and I took a job back in Tulsa and then in Ponca City. All the while, we maintained our relationship. I eventually took a job that required extensive travel around the country, and although it was difficult at times, our long distance relationship worked because we were both committed to the same ideas and goals. (Our plan) First, she would graduate from college. I would get promoted over the State of Oklahoma. Then we would get married, and when we thought we were mentally and financially prepared, we would have children.

While Carrie was attending college, she took a part time position with the Alcohol, Tobacco and Firearms under the Stay in School program. As the Oklahoma City ATF office grew, their need for a full time position grew as well. Carrie then transferred to a position with the U.S. Secret Service Administration under the same program until she graduated from college. After graduation, she accepted a position with the Drug Enforcement Administration through EBON, a company contracted with the Department of Justice to assist in the Asset Forfeiture program. Since her first job with Federal Law Enforcement, Carrie and I were always extremely proud to be a part, albeit a small part, of our government.

Our plans all came together in the fall of 1991 (September 14) when we were finally married. Married * * * Yes. Financially ready to raise a family? Not yet. That didn't come until 1993. Seven years after we first met, we believed we were finally ready to start our family.

I'm telling you all of this to give you some background on our relationship and our goals, and maybe to give you some insight on what it might be like to have a seven-year plan blown up in your face.

We began trying to have children 1993. After several months with no success, we sought assistance from a fertility doctor who put Carrie on some medication, and we continued our efforts at beginning a family. We no success, in early 1994 the doctor recommended exploratory surgery, which she underwent. A few months later, she informed me that she was pregnant. We were

so thrilled, but our excitement would not last long. With weekly monitoring, the doctor discovered Carrie had an ectopic pregnancy and that the fetus had died. In November of that same year, Carrie again informed me that she was pregnant, and we both prayed that this would prove a better pregnancy than the first. The doctor confirmed our hope by telling us everything appeared to be healthy and normal at our first ultrasound.

In the months that followed, we prepared our home for the new baby. We purchased a changing table and baby bed, and Carrie was trying to get the nursery ready when we decided it would be easier if we knew the sex of our child. We didn't have a set name if the child was a girl, but if we were having a boy, we had both agreed his name would be Michael James Lenz, III. So on the afternoon of April 18, 1995, we met at the hospital for an additional ultrasound to determine the sex of our baby. Carrie was so nervous. As I held her hand, the pictures on the monitor came into view. The heart beat, a little hand and arm, and then you could see the face of our child. Finally the baby moved a little, and the nurse said "Congratulations! You're having a boy!" We looked at each other and said simultaneously, "Michael James Lenz, III." He had his name. Then, with a kiss and "I Love You," I left the room. We were so happy we even paid for extra ultrasound pictures to show off. When we arrived home that evening, we called all of our friends and relatives to tell them the news. We didn't know it at the time, but that would be the last time Carrie spoke to the people she loved most.

The next morning Carrie, who was usually 15 to 20 minutes late to work, left the house early to show everyone at work the pictures of our son, Michael. I left for work at about 8:30 that morning, a happy, expectant father of my first child . . . my son . . . Michael. At 9:02 A.M. on April 19, 1995, it all shattered, when the Alfred P. Murrah Federal Building was blown up. A seven-year plan, gone. Just Blown up. At 9:03 A.M. that morning I was no longer an expecting father or husband. At 28 years old, I was a widower.

I don't care to go into the details of what happened to me in the months following the bombing, but please ask yourself, "Would having a part of your loved one in the form of a child would make your grieving easier?" I think it would. Therefore, the loss of that potential life is worth an immeasurable amount to me. Let's say for the sake of argument that Carrie was not killed by that act of violence, but that shrapnel entered the womb and killed Michael. Is it safe to assume that would have an ill effect on her child bearing capacity, not only physically, but emotionally, for the rest of her life? I am no doctor, but I would have to think it would. In this scenario, a seven-year plan is still gone and possibly any future plans. Should we as people allow that act of violence to remain a victimless crime? No Michael the 3rd ever mentioned? I don't think that would be right. In any case, I lost the two people I loved most that day, and the official death toll for the Murrah Bombing remains at 168. In addition to Carrie, there were two other expecting mothers in the building that day that died. Three babies.

Passing this bill won't bring my wife and son back to me, but it would go a long way toward at least recognizing Michael's life and the loss of seven years of responsible actions to gain that life. Violent criminal acts that result in the death of a potential life is worth prosecution on its own merits, regardless of the other counts against the defendant. As the only survivor of a family of three, in my case, it would only be right. Regardless of your vote on this, in my mind 171

people lost their lives that day, and three "Daddies to be" became widowers.

Thank You for your time. Michael James Lenz, Jr.

TRIBUTE TO REV. LEON SULLIVAN

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 2001

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, we are here today to pay tribute to a great American, Rev. Leon Sullivan who passed away on April 24th. Reverend Sullivan was a businessman, an activist, and an educator who was responsible for leading international efforts to promote nonviolent social and economic change.

Dr. Sullivan is best known as the author of the Sullivan Principles, a set of guidelines for American businesses operating in South Africa under the apartheid regime. Although later largely superseded by the divestment movement, these principals laid an ethical foundation for businesses practices in the international arena.

The success of the Sullivan Principles abroad were matched by the success of Reverend Sullivan's activities at home. In 1964, Sullivan founded a job training program called Opportunities Industrialization Center (OIC). Today, more than 80 OIC's exist across the country. The programs have trained more than 2 million people.

Reverend Sullivan was a pragmatic activist who never forget the individual hopes and dreams of real people. The nation has suffered a great loss.

EDWARD LENNON, IRISHMAN OF THE YEAR FRIENDLY SONS OF SHILLELAGH

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 2001

Mr. PALLONE. Mr. Speaker, this Saturday the Order of the Friendly Sons of the Shillelagh of the Jersey Shore will be honoring Edward H. Lennon as "Irishman of the Year, 2001."

The Friendly Sons of the Shillelagh is an Irish-American social and charitable organization dedicated to promoting and enhancing the fraternity and good fellowship of its membership of Irish-Americans.

It is most appropriate that Ed Lennon should receive this honor from the Friendly Sons, as his accomplishments embody the spirit and the wonderful traditions and accomplishments of the Irish in America.

As President of the New Jersey State Police Fraternal Association, Ed has reached a pinnacle of success in a profession served so well by Irish Americans, both today and throughout the course of this century.

In fact, Ed comes from a long line of law enforcement officers starting with his grandfather, William Carroll, who was a detective with the Bayonne Police Department. His uncle, Jim Carroll, served with the Hudson County Police Department and another uncle,

Frank Conte, served with the Port Authority Police. Three cousins are also police officers: Bill Lennon, Ed Smith and Bill Opel.

As president of the State Police Fraternal Association, Ed has most ably represented the interests and concerns of his membership as they seek to deal with the every-more complicated issues facing law enforcement in this day and age.

Ed enlisted in the New Jersey State Police in 1977 and has served with great distinction since then throughout New Jersey in many capacities.

Because of his prominence and expertise, he has been appointed to many commissions and advisory boards including commissioner on the Governor's Commission to Deter Criminal Activity, trustee in NJ SEED (Society for Environmental and Economic Development); board of directors of the National Troopers Coalition, and Occupational Safety and Health Advisory Board of the Department of Labor.

In honoring Edward Lennon, the Friendly Sons are honoring all law enforcement officers in New Jersey—individuals who on a daily basis put their lives on the line to protect the rest of us. Congratulations Ed, we appreciate you greatly and thank you heartily.

ALBANIANS IN MACEDONIA

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 2, 2001

Mr. TRAFICANT. Mr. Speaker, having monitored the egregious human rights violations against Albanians in Macedonia under the former communist regime of Kiro Gligorov, I am pleased to support the current coalition government of Arben Xhaferi, Chairman of the Democratic Party of Albanians in Macedonia, and Boris Trajkovski, Chairman of the ethnic Macedonian party VMRO. In this regard, I submit for the CONGRESSIONAL RECORD a report entitled "Resolving the Crisis in Macedonia", by Shirley Cloyes DioGuardi, Balkan Affairs Advisor to the Albanian-American Civic League. This analysis is the finest analysis dealing with the subject matter at hand. Shirley Cloyes DioGuardi is truly an expert on these matters. In addition, the Albanian-American Civic League represents the policies and positions that are in the best interests of both America and Macedonia, and also for hope for a lasting peace in the Balkans.

RESOLVING THE CRISIS IN MACEDONIA

(By Shirley Cloyes DioGuardi)

The Albanian American Civic League has been working extensively with the Bush administration, the U.S. Congress, and the Albanian American community since our delegation returned from Macedonia, Kosova, and Presheva at the beginning of March. Our goal is to ensure that the crisis in Macedonia is resolved through diplomacy, not weapons, and that a commitment is made to eradicating the roots of the conflict—namely, the racism, repression, and institutionalized discrimination that Albanians have been subjected to for close to a century.

The international community has long described Macedonia as a multiethnic democracy. But, as Democratic Party chairman Arben Xhaferi observed in an interview with the New York Times on March 27, while the reality of Macedonia is multiethnic, "the