

little more about that tomorrow evening.

For my final few minutes, even though I will address it later in the week, I want to talk a little about energy. We have talked this evening about a number of different things. First of all, we started with a few comments on the Patients' Bill of Rights, and I want to restate to my colleagues that it is important that patients have rights in this country. It is important that we do not have gross mismanagement of our medical services in this country. It is important that we have a balance out there.

And when we hear in the press and we see documents that say the Patients' Bill of Rights, we should take a look at the details. It may work out to be just what we are looking for. It may be an answer for some of the problems. But we need to read the details before signing on to the document. We need to read the details before casting our votes, because we have an obligation in these Chambers to be aware of the impact that these bills will have and to take a look at what might be the unintended consequences of actions that we might take.

So we have spent a few minutes talking about the Patient's Bill of Rights, and then, of course, I moved on and talked about public lands and water resources. Now, colleagues, I know that that is kind of a boring subject. I know this evening's walk through the differences between the East and the West in the United States, where in the West we have massive amounts of Federal Government land ownership and in the East we have very little government land ownership, and the differences that can even be pared down to the State, where we talk about differences in water and differences in government-owned lands and public lands, but while it is boring, it is very important. Life in the West is also important for those in the East, because we are totally dependent upon an understanding so that we can help preserve and utilize in a proper fashion these resources.

Finally, now, I want to visit for a couple of minutes in my remaining time about energy and the need for energy. First of all, I am a strong believer in conservation. I think there are a lot of things that the American public can do to help conserve. I was at a town meeting yesterday in Frisco, Colorado, when somebody brought up the fact that they were in Europe recently, and mentioned that when they went into a room, in order to keep the lights on, they, naturally could turn them on, but in order for them to stay on, they had to take a card and put the card in a slot. Now, I had been in Europe, too, and I remembered that as he said that. When leaving the house, once you pulled the card out to leave the house, the lights shut off. It is a tremendous energy saver and it is of no pain.

We do not have to have our lives inconvenienced at all. One switch shuts

them all off. Now, of course, I imagine that if you need a security light and so on, that can be worked out. But there are little ideas like this, like changing our oil every 6,000 miles on our cars instead of every 3,000. There are lots of simple conservation ideas that we, the American people, can employ today. For example, as we prepare to retire this evening, make sure we do not have on the bathroom light, the closet light, and the bedroom light. When we are in the kitchen getting ready to have a drink of water before going to bed, shut off lights. We can turn down our heaters, if we do not need them. We can keep the air conditioner turned up if we do not need it that cold in rooms.

One of the things that helps us do this, that helps us conserve, is the marketplace. Now, I have heard a lot of talk about, well, we need to artificially support these prices. But the thing that has driven more conservation in the last couple of months has not been some action by the government, it has been high prices in the marketplace. If we were to freeze the price of energy, which some of my colleagues recommend we do, i.e. price caps, that does several things. One, it encourages people to use more of the product because they know that the price will not go up on them. Two, it discourages innovation. What drives innovation is that when prices go up and demand stays the same or goes up, people look for more efficient ways to do things. So energy and conservation are very important.

I agree very strongly with people like the Vice President, who I think, although it may not be politically correct in some audiences in our country, makes it very clear that conservation alone will not answer our shortage of energy in this country; that conservation alone will not lessen the dependency we have on foreign oil; that conservation alone, while it is a very, very important factor, it is not the sole answer. We have got to figure out ways to use and to gather more resources for energy for future generations. Energy is a big issue for us.

I actually think that the energy shortage that we are in really is kind of a wake-up call for us. It is not a crisis for the entire country where the economy has collapsed, but it is a wake-up call. It is the alarm going off saying time to wake up, time to take a look at what kind of dependency we have on foreign oil, what kind of conservation we are employing or deploying in our country. So I think from that aspect it has done us some good.

Let me kind of conclude these remarks, because I intend to go into more detail about energy, by asking my colleagues not to let people convince them that the needs of this country can be met simply by conservation. On the other hand, do not let anybody convince you that conservation does not have an important role to play. We can conserve. And a lot of people throughout the world, but more par-

ticularly in this country, can conserve without pain. In fact, a lot of the ways we conserve actually save us money, like shutting the lights off when we are not using them.

□ 2130

Change your oil less frequently, et cetera, et cetera, et cetera. You actually save money as a result of that, colleagues. So conservation and exploration are necessary elements for this country to meet the demands that the people of this country have come to expect. And I think we have an obligation to do that. A lot depends on energy. Our lives are dependent on energy, whether it is energy from hydropower, to drive our vehicles, to air conditioning, refrigeration, et cetera, et cetera.

Energy is an important policy. What this wake-up call has also done, we have had more energy debates and comments on this House floor in the last 6 weeks than we have had in the last 6 years. The Clinton administration had absolutely no energy policy. What President Bush has done, what the Bush administration has done, is said we have to have an energy policy. Let us put everything on the table. When you put some things on the table, people squeal like a stuck pig. We do not have to accept it, but we ought to debate it and think it out and determine what ought to stay on the table and come off the table. That is how you develop policy. It is debate on this House floor that helps form policy.

Mr. Speaker, I agree with the Bush administration that this country needs an energy policy. We, the American people, colleagues, the people that we represent, deserve to have an energy policy. That means a policy that has thoroughly investigated the resources, including conservation, the resources out there for us.

Mr. Speaker, I appreciate the time that I have been able to share with my colleagues this evening. I look forward to sharing further and having further discussion about public lands and talking more about energy.

PATIENTS' BILL OF RIGHTS

The SPEAKER pro tempore (Mr. JOHNSON of Illinois). Under a previous order of the House, the gentleman from Texas (Mr. SESSIONS) is recognized for 5 minutes.

Mr. SESSIONS. Mr. Speaker, the House has concluded its activities for the day, and I thank the gentleman from Colorado for taking time to update us on the important issues that he finds not only in his tutelage as a Member of Congress from Colorado, but also as an important Member of this body.

Mr. Speaker, tonight I would like to talk about something that is very important. It is called the Patients' Bill of Rights. It is an important issue that the House of Representatives and the other body will be taking up. The issue

of the Patients' Bill of Rights is one that is of importance not only to consumers, but it is also important to physicians. It is important to health care providers; it is important to insurance providers. It is important to Members of Congress because we recognize that today in health care across this country that there are some unresolved issues and some changes that have not taken place in the Nation. The Nation, unfortunately, is looking to Washington, D.C. to attempt to solve some of these problems.

Tonight I would like to float a new concept or idea which I believe will become part of the health care debate. We are all aware that by and large Republicans and Democrats, Members of this body, have come to an agreement on many things that will be necessary to solve the health care problem. Things like access to emergency rooms and making sure that sick people are taken care of and having doctors make decisions and making general reform under the Patients' Bill of Rights, but the impediment or the stopping point, why we have not been able to resolve this matter rests on the issue of liability. The issue of liability or accountability is one that has not been fully seen through with an answer.

Mr. Speaker, part of the problem goes back to something that is called ERISA, which is an act from 1974, an act that provides companies that have or do business across State lines the ability to give them a chance to have an insurance policy, a savings plan and other types of arrangements for their employees on a nationwide basis rather than looking directly at how they might comply with 50 State insurance commissioner plans or 50 State plans related to savings plans.

Because of ERISA, what is called ERISA preemption, it means that health care providers do not have to comply exactly because of this exemption that they have in the marketplace to liability issues. It gives them an exemption from being sued essentially in the marketplace.

So there are some HMOs that may or may not provide service that would be consistent with State plans, and so there is a call for us to level that playing field and decide how that is going to work.

Mr. Speaker, the answer that is generally accepted is that you just allow HMOs to be sued so that the consumer or a doctor's decision is taken into account and corrected.

We, as Members of this body, deliberated on this effort. Last year I voted for something called the Norwood-Dingell bill, which would allow this to take place, where a body, that is an HMO, could be sued for a decision that they would be making in health care. The inability that we have for this body to decide today how that lawsuit would take place, whether it would be caps or an unlimited amount of money, whether it would be suing in Federal court or State court, who would be

making medical decisions, whether medical decisions would be a part of this or whether it would be for harm, are things that have been widely debated.

The idea that I would like to discuss tonight is how we can go about resolving this. Essentially my plan that will be put forward is one that says that I believe that we should not skew the marketplace. We in fact want to have employers be protected when they do not make medical decisions. We do not want employers to be sued. We do not want lawsuits that would take money from health care and cause an incredible amount of draining off of resources out of health care to take place. So we want to protect employers. We want doctors to make decisions. We want doctors to make the decisions that they have been trained to do that are medically necessary.

We want to make sure as a public policy perspective that we are able to move on and give every single patient those things that they need and not hold up the delivery of those changes so that customers can, consumers can have what they need.

Mr. Speaker, my plan is simple. It separates process from harm. It says that we will not allow lawsuits as part of a difference that might take place between an HMO and a consumer, an HMO and a doctor. We will not allow those to go to a lawsuit where there is a nonharm that has been placed as a difference between these circumstances.

Why is this important? It is important because I do not believe that we should solve our differences in a court of law, but rather we should be dynamic in understanding that a doctor should be the one who is making the decisions about nondamage differences in the marketplace. So my bill will separate what I call process from harm.

The process would be, as has been accomplished in many States around the country, where there is a difference between a consumer, a patient, a doctor, and a health care provider, we would allow an internal and an external review, the internal review meaning that we would allow the HMO the opportunity to understand what their difference is and that they would have to respond back with a physician's answer, but that the final decision in this would be made by an external review, a panel that was made up of three expert physicians in this field. I believe it is important that we allow doctors to make medical decisions and not look to courts to do that.

On the other side of the coin where we deal with harm, I believe it is important that we go to a court of law, that we allow a harmed party an opportunity not only to go to a court to address these issues, but to be in front of a jury. That is where the other part of my bill will allow a party, a harmed party, to go to State court to resolve their differences.

It is my hope that this process that we are beginning will allow us an op-

portunity to move forward in a bipartisan way to address the issues and give patients those things that they need, address them under the Patients' Bill of Rights and also address them under liability.

PRESIDENT BUSH HAS HISTORIC MEETING WITH PRESIDENT PUTIN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Pennsylvania (Mr. WELDON) is recognized for 60 minutes as the designee of the majority leader.

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise tonight to provide some information from the standpoint of one Member of Congress following President Bush's recent meeting with European leaders, and in particular with his historic meeting with Russian President Putin.

I wanted to take out this special order for a number of reasons; first of all, to follow up on the discussions that were held by our President and the Russian president, and talk about the substance of those discussions; and also, on the eve of the visit of the first elected delegation to arrive in Washington following that summit, which I will host tomorrow with my colleagues, the gentleman from Maryland (Mr. HOYER) and members of the Duma Congressional Study Group here in Washington. In fact we have the First Deputy Speaker of the Russian Duma, the highest elected official in the Duma, representing President Putin's party. And as the number two person of the Duma, she is the leader of the delegation here in Washington tonight.

Mr. Speaker, the delegation of elected Russian leaders includes representation of political factions in the Duma, and are here to have formal discussions with us as a part of our ongoing dialogue. Over the past 9 years since forming the study group, we have had scores of meetings both in Washington and Moscow and throughout each of our respective countries trying to find common ground on key issues which face America and Russia.

First, Mr. Speaker, let me follow the meeting that was held between our two Presidents. There were many who said American and Russian relations were in fact becoming sour; that because of actions, especially President Bush's speech on missile defense, that perhaps Russia was no longer willing to be a friend of ours.

□ 2145

There was a lot of speculation that perhaps President Bush did not have a sensitivity relative to our relations with Russia; that perhaps President Putin was taking Russia in a different direction; that in fact America and Russia were doomed to become enemies again; and that Russia in fact was moving to become a closer ally with China and enemies of Russia as opposed to being our friend.