

too much litigation, too much opportunity to go to court. Secondly, because it will drive up the cost of health insurance.

We know from the Texas insurance, and there are ten other States that have the good bill of rights including my own in New Jersey, that the fear of lawsuits is not real and the fear about increased cost of health insurance or people having their health insurance dropped is not real. In the case of Texas, it is well documented since 1997 when the patients' bill of rights went into effect in that State there were only 17 lawsuits. The average cost of health insurance in Texas has not gone up nearly as much as the national average. So we know that these fears that President Bush talks about are not legitimate.

What the President has been supporting and what the Republican leadership has been supporting is a weakened version of the patients' bill of rights that has been introduced by the gentleman from Kentucky (Mr. FLETCHER).

Just to give an example of what the differences can be on these bills, let me talk about some of the patients' protections that are guaranteed in the real patients' bill of rights that we would not have in the Fletcher Republican leadership bill. For example, we know that what we want is we want doctors to be able to practice medicine and be able to provide us with the care that they think we need. Well, under the Fletcher bill, for example, doctors could be told by their HMO that they cannot even talk to a patient about a medical procedure that they think a patient needs. It is called the gag rule.

Doctors also would continue to be provided financial incentive, or could under their Fletcher bill by their HMO, financial incentives not to provide us with care because they get more money at the end of the month if they do not have as much procedure, if they do not care for as many people, if they do not do as many operations.

Another very good example is with regard to specialty care. Under the real patients' bill of rights, the Dingell-Norwood-Ganske bill, we basically are able to go to a specialist on a regular basis without having to get authorization each time we want to go. Well, that is not true under the Fletcher bill. For example, under the real patients' bill of rights, a woman can have her OB-GYN as her family practitioner. She does not have to have authorization each time she goes.

Under the real patients' bill of rights, if we need pediatric care, we are guaranteed specialty care for our children, for specialty pediatric care. Under the Fletcher bill neither of these things are true.

So there are real differences here. That is why it is important that we have an opportunity this week to vote on the real patients' bill of rights. I ask the Republican leadership, do not put any roadblocks procedurally in the

way through the Committee on Rules so that we do not have a clean vote on the real patients' bill of rights.

Let me talk about another area. Well, I guess my time has run out, Mr. Speaker. But I would ask that we have an opportunity this week to vote on a clean bill.

#### GRANTING PRESIDENT BUSH TRADE PROMOTION AUTHORITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Texas (Mr. BRADY) is recognized during morning hour debates for 2 minutes.

Mr. BRADY of Texas. Mr. Speaker, the House of Representatives will consider legislation granting President Bush trade promotion authority. I urge my colleagues to support this legislation.

Why do we need restored trade promotion authority to the President and to America? The answer is jobs and our children's future. Currently the United States is at a severe disadvantage when we have to compete with the rest of the world. Not because of the quality of our products. They are high. But because of the trade barriers we face abroad. According to a report released earlier this year of the estimated 130 free trade agreements around the world, only two today include the United States.

Giving the President this authority to negotiate on our behalf would help give America the tools we need to break down the barriers abroad so we can sell American goods and services around the world and the potential is huge. Ninety-six percent of the world lives outside the United States. Ninety-six percent of the world lives outside our borders. While they cannot all buy the products we buy today, someday they will, and we want them to buy American products.

Here is an interesting static. Half the adults in the world today, half the adults in the world have yet to make their first telephone call. Well, if it is European countries to sell those telephone systems, they will create European jobs. If they are Asian companies that sell those telephone systems, they will create Asian jobs. If they are American companies that sell those telephone systems, we will create American jobs.

These are jobs for our future and for our children going through the schools today.

Countries around the world are hesitant to negotiate trade agreements with us. They are scared Congress will change every agreement 1,000 different ways after it has been negotiated. What trade promotion authority does, it gives Congress, your representatives, a final say on whether an agreement is fair and free. I want that say.

Mr. Speaker, in order to keep America the greatest economic power in the world, we have to be able to compete in the trade arena. The only way we will

be able to do this is by granting President Bush trade promotion authority on our behalf.

#### PRIVATE PENSION BILL FOR RETIRED RAILROAD WORKERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Michigan (Mr. SMITH) is recognized during morning hour debates for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, it is a great morning, but I am going to talk about a disconcerting bill that we might be taking up today or maybe tomorrow. It is the private pension bill for the railroad workers in this country.

The gentleman from Texas (Mr. SAM JOHNSON) and I are sending out a dear colleague this morning, Mr. Speaker. I hope all staff and workers and Members who are concerned about reaching into the Social Security-Medicare trust fund next year will take a look at this dear colleague, and then take a look at the railroad retirement bill that cost \$15 billion.

I have been working on Social Security since I came here in 1993. In working with the Social Security system and researching its origins back to 1934, I discovered that the railroad employees were included in the social security system at that time in 1934.

The railroad workers and employers who were tremendously influential politically back in the 1930's as they are today, came to Congress and said we do not want to be part of the Social Security system, we want our own pension system. So government passed a law and took them out, and it became sort of a quasi-governmental pension system for this private industry—the only private industry that has sort of this government back-up of a private pension system.

The railroad retirement system was established during the 1930's on a pay-as-you-go basis just like Social Security; but unlike Social Security, which now has three workers to support every one retiree, the railroad retirement system has three beneficiaries being supported by every one worker. That is why they have come back to Congress so many times to ask the American taxpayer to bail out their pension system.

The disproportionate ratio of beneficiaries to workers is a direct result of historical decline in railroad employment. Since 1945, the number of railroad workers has declined to 240,000 from 1.7 million. So we can see as there are fewer workers, but all the existing retirees are living longer life spans, it has come to a tremendous burden on that workers asking each worker to have the kind of contribution that would support three retirees, so they have not been able to do it.

Declining employment. Many benefit increases have produced chronic deficits. The railroad retirement system has spent more than it has collected in

payroll taxes every year since 1957. I want to say that again. The railroad retirement system has spent more than it has collected in payroll taxes every year since 1957. The cumulative shortfall since 1957 is \$90 billion. That \$90 billion has come from other taxpayers paying into this private taxpayer system.

So I think everybody can believe me, Mr. Speaker, when I say the influence of the railroad workers and the railroad system has been very influential in the United States Congress. Although railroad workers and their employers currently pay a 33.4 percent payroll tax excluding Medicare and unemployment, the railroad retirement system still spends \$4 billion more than it collects in payroll deductions each year. So every year we are subsidizing and putting money back into the railroad retirement system out of the general fund.

Despite the payroll tax shortfall, the railroad retirement system remains technically solvent thanks to these generous taxpayer subsidies. The American taxpayer has bailed out the retirement system to the extent that those retirement funds now claim a \$20 billion surplus, not a \$90 billion deficit. So this bill that is proposed to come up takes \$15 billion out of the general fund next year and gives it to a railroad retirement board investment effort where they invest it and spend it for current retirees.

But the challenge is while we are passing these bills, we are reducing the payroll tax that these workers pay in and we increase benefits. We have increased benefits for widows, and we allow those workers to retire in the railroad system, under this proposed legislation that is coming before us, to retire at 60 years old with full benefits. Of course, on Social Security what we have done over the years is we have increased that, and now we are in the mode of taking that full benefit eligibility up to 67 years old for Social Security.

So in this railroad bill, we have reduced the tax they pay; we have increased the benefits. I hope everybody will study this issue very closely because if we are going to pass this kind of legislation, we should at least take American taxpayers off the hook in the future.

#### RECESS

The SPEAKER pro tempore. There being no further requests for morning hour debates, pursuant to clause 12, rule I, the House will stand in recess until 10 a.m.

Accordingly (at 9 o'clock and 40 minutes a.m.) the House stood in recess until 10 a.m.

□ 1000

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GUTKNECHT) at 10 a.m.

#### PRAYER

The Reverend Monsignor John Brenkle, St. Helena Catholic Church, St. Helena, California, offered the following prayer:

Father, Your name is indeed Alpha and Omega, the beginning and the end. How fitting it is to begin all of our enterprises conscious of Your guiding Spirit and to give You praise when our affairs have ended well.

As we join together to begin today the work of making this Nation a land of peace and justice, may we humble ourselves before You, acknowledging that who we are and what we do is Your gift, Your grace.

Help us always to remember that You have called us to be servants and that the greatness of our life as a nation and as individuals is to be measured by how generously and wisely we serve each other.

Let Your presence and Your blessings descend upon this Chamber and upon each of its Members as they begin this new day and may they at its end experience the rewards of a day well spent in the service of others. For this we pray. Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. McNULTY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. McNULTY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. SAM JOHNSON) come forward and lead the House in the Pledge of Allegiance.

Mr. SAM JOHNSON of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### WELCOMING THE REVEREND MONSIGNOR JOHN BRENKLE

(Mr. THOMPSON of California asked and was given permission to address the House for 1 minute.)

Mr. THOMPSON of California. Mr. Speaker, I am honored to have such a truly genuine servant and good friend lead us in today's opening prayer. Father John Brenkle—Monsignor John Brenkle—has humbly and effectively served our diocese for over 30 years and has been pastor at the St. Helena Catholic Church for nearly 20 years.

He has worked tirelessly with local, State and Federal officials, housing advocates and the wine industry within the Napa Valley to improve farm worker housing in our area.

In addition to St. Helena, Father Brenkle has served the diocese by leading two other parishes and serving as a school principal. He has been both a forceful presence and silent leader and has the respect and the admiration of our entire community regardless of their religious affiliation.

I thank my colleagues for allowing him to lead us in prayer today.

#### CLONING

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, the columnist Charles Krauthammer called legislation that we are going to consider today to permit cloning human embryos a "nightmare and an abomination." It truly is.

Some of those who support this proposal are so eager to clone human beings that they have taken to twisting the truth to promote their arguments. The latest thing they are saying is that cloned embryos are not really embryos at all. They say that if you use body cells instead of sperm to fertilize an egg, that that really is not an embryo.

Mr. Speaker, that is ridiculous. Take a look at this picture of Dolly the sheep. Everybody knows that Dolly is a clone. Dolly was made by fertilizing a sheep egg with a cell taken from the mammary gland of another sheep. It took 277 tries before they got a clone that worked. Now she is 5 years old.

Those who argue that cloned human embryos are not really embryos might as well argue that Dolly is not a sheep. That is ridiculous.

Cloning human beings is wrong. Eighty-eight percent of the American people do not want scientists to create human embryos for the purpose of experimentation, harvesting and destruction. We will be voting later today to ban all human cloning. Support the Weldon-Stupak bill.

#### IRS COMMISSIONER ROSSOTTI

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. The legal group Judicial Watch has charged IRS Commissioner Rossotti with conflict of interest involving a company he founded.