

practice of health insurers engaging in heavy-handed negotiating tactics and requiring exclusionary contractual commitments from health care providers. Such restrictive contractual terms are frequently proffered on a "take it or leave it" basis to health care providers, under the threat of the loss of the provider's patients or exclusion from their access to other patients.

Our legislation responds to the problem by allowing physicians or other health care professionals to collectively negotiate with a health plan over contractual terms or plan policies. Presently, joint negotiations with a health plan by physicians or other health care professionals who are not financially integrated are illegal per se under the federal antitrust laws if they involve fees or prices. Under this legislation, such activities would be subject to review based on a more liberal "rule of reason" analysis, which could take quality of health care into account.

I have taken a particular interest in this legislation because of the unfairness of the current market situation on African American doctors. I am aware of a number of incidents in Detroit and around the country of minority physicians being threatened that they will lose all of their business unless they enter into one-sided service contracts. This bill gives physicians the ability to respond to these abuses on a collective basis.

The legislation is strongly supported by a wide array of health care professional and trade organizations.

#### HONORING THE TELLURIDE ADAPTIVE SKI PROGRAM

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 6, 2003*

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to recognize the Telluride Adaptive Ski Program for its creativity in expanding participation in winter sports. TASP organizes programs that give disabled people from all over the country the opportunity to experience skiing and snowboarding in Colorado's beautiful mountains.

TASP helps to make skiing accessible to diverse groups of people by using adaptive teaching techniques and equipment to accommodate new skiers with disabilities, both physical and mental. TASP also builds bridges between disabled and non-disabled participants with innovative partnering programs. TASP's programs build independence, confidence, and self-esteem by introducing disabled citizens to the freedom and fun that skiing can provide. More Coloradoans and Americans each year benefit from TASP's lessons, camps, and volunteer programs.

Mr. Speaker, it is a great privilege to recognize the Telluride Adaptive Ski Program for its outreach to the disabled community. On the slopes and off, TASP participants feel capable, empowered, independent, and healthy. Everyone deserves the opportunity to experience Colorado's natural beauty, and I am proud to salute a program that expands access to the best recreational opportunities Colorado has to offer.

#### TRIBUTE TO MR. MILTON LLOYD MORRISON OF SALINA, KANSAS

**HON. JERRY MORAN**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 6, 2003*

Mr. MORAN of Kansas. Mr. Speaker, I rise today to pay tribute to a man who affected the lives of many people in Kansas and across the country. This month we mourn the death of Mr. Milton Lloyd Morrison of Salina, Kansas. Milton Morrison was a quiet giant.

A life-long Kansan, Milton was always true to his roots. He lived a life guided by the morals and values we hold dear: abiding faith, faithful service and absolute integrity.

Milton's dedication to his community is renowned. Throughout his life, Milton took a lead role in making certain his community was progressive in pursuits of quality of life issues. His leadership and commitment to his church, college alma mater and professional trade associations were inspired by a favorite quote, "Service is the rent we pay for the space we occupy in this world."

Milton was by every account a successful businessman. With a disciplined approach he directed Morrison Ventures, a leading grain storage and farmland investment operation. His management style was always marked with trademark methodical thinking and a keen emphasis on patience and perseverance.

Most important to Milton was his family. Over the course of 65 years he and his wife Becky raised two sons, Roger and Richard, and devoted endless love and attention to six grandchildren and 12 great-grandchildren.

Milton Morrison made his community, state and nation a better place. I join his many friends and admirers in extending my deepest sympathies to Becky and her family during their time of loss.

#### TRIBUTE TO JACOB AUSTIN GARDNER

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 6, 2003*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Jacob Austin Gardner, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 67, and in earning the most prestigious award of Eagle Scout.

Jake has been very active with his troop, participating in such Scout activities as Camp Geiger. Over the 8 years he has been involved in Scouting, he has held numerous leadership positions, serving as Assistant Senior Patrol Leader, Patrol Leader, Senior Patrol Leader, Quartermaster, and Junior Scout Master. Jake also has been honored for his numerous Scouting achievements with such awards as Warrior in the Tribe of Mic-O-Say, Brave in the Tribe of Mic-O-Say and Fire Builder in the Tribe of Mic-O-Say. Additionally, Jake has earned 32 merit badges.

For his Eagle Scout project, Jake cleaned up and built a new fence around Mitchell Cemetery, which is one of the oldest cemeteries. The cemetery dates back to 1840 and

contains the graves of slaves, Abraham Lincoln's aunt and more than 30 Civil War veterans, both Union and Confederate.

Mr. Speaker, I proudly ask you to join me in commending Jacob Austin Gardner for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### EAST BRUNSWICK HIGH SCHOOL

**HON. RUSH D. HOLT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 6, 2003*

Mr. HOLT. Mr. Speaker, on April 26, 2003, more than 1200 students from across the country will compete in the national finals of the We the People: The Citizen and the Constitution program in Washington, D.C. This program is the most extensive educational program in the country, developed specifically to educate young students about the Constitution and the Bill of Rights. The We the People program, administered by the Center for Civic Education, is funded by the U.S. Department of Education by act of Congress.

I am proud to announce that the class from East Brunswick High School will represent the state of New Jersey in the program's finals. These students have worked conscientiously to reach the national finals by participating at local and statewide competitions. In the past fifteen years, these young scholars have won the state competition fourteen times, an accomplishment that should not go unnoticed. Through their experience, they have gained a deep knowledge and understanding of fundamental principles and values of our constitutional democracy. It is a great honor that students from the 12th District in New Jersey have shown such dedication and interest in our nation's government.

The three-day We the People national competition is modeled after hearings in the United States Congress. The hearings consist of oral presentations by high school students before a panel of adult judges on constitutional topics. The students are given an opportunity to demonstrate their knowledge while they evaluate, take, and defend positions on relevant historical and contemporary issues. Their testimony is followed by a period of challenging questions by the judges who probe the students' depth of understanding and ability to apply their constitutional knowledge.

The We the People program provides curricular materials at upper elementary, middle and high school levels. The curriculum not only enhances students' appreciation of the institutions of American constitutional democracy, it also helps them identify the contemporary relevance of the Constitution and Bill of Rights. Critical thinking exercises, problem-solving activities, and cooperative learning techniques help develop participatory skills necessary to become active, responsible citizens.

The class from East Brunswick High School is currently preparing for their participation in the national competition in Washington, D.C. It is inspiring to see these young people advocate the fundamental ideals and principles of our government, ideas that identify us as a people and bind us together as a nation. It is important for future generations to understand

the values and principles fundamental to our endeavor to preserve and realize the promise of our constitutional democracy. I wish these young "constitutional experts" the best of luck at the We the People national finals and continued success in their endeavors.

HONORING THE NEIGHBOR-TO-NEIGHBOR FUND

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 6, 2003*

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to recognize an organization dedicated to providing quality healthcare to the citizens of San Miguel County. The Uncompahgre Medical Center in Norwood, Colorado has developed the Neighbor-to-Neighbor fund, an innovative approach to funding the unexpected medical needs of the surrounding communities.

While the Medical Center's sliding fee and indigent care programs already assist the forty-percent of patients who are not insured, the fund, consisting entirely of individual contributions, covers one-time, small-scale medical and emergency needs otherwise out of reach for patients. Operating with no administrative costs, one hundred percent of contributions to the Neighbor-to-Neighbor Fund go to help San Miguel County residents in medical need. Only doctors and physician's assistants write checks on the fund, ensuring that the money serves as an instant tool for filling gaps in medical care. The fund, while usually holding less than \$1000, can cover numerous essentials, from a simple brace to fixing a serious dental problem.

Mr. Speaker, it is a great privilege to recognize the Uncompahgre Medical Center for its creativity in addressing difficult health care problems before this body of Congress and this nation. The Neighbor-to-Neighbor Fund is making a big difference in community health care with a small amount of money.

AMERICAN SOVEREIGNTY RESTORATION ACT OF 2003

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 6, 2003*

Mr. PAUL. Mr. Speaker, I rise today to introduce the American Sovereignty Restoration Act. I submitted this bill, which would end United States membership in the United Nations, in the 107th Congress and the 106th Congress and since then conditions have made its relevance and importance more evident now than ever. The United Nations assault on the sovereignty of the United States proceeds apace; it shows no signs of slowing. Mr. Speaker, since I last introduced this measure, the United Nations has convened its International Criminal Court, which claims jurisdiction even over citizens of countries that have not elected to join the court. This means that Americans—both civilians and members of our armed services—are subject to a court that even its supporters admit does not offer all the protections guaranteed by the Constitution of the United States.

The United States continues to pay the lion's share of the U.N. budget, yet it is routinely kicked off committees like the Human Rights Committee by some of the most egregious of human rights abusing countries. This is absurd and we shouldn't have to pay for it.

As the United States faces another undeclared war for the United Nations—as is specified in the authorization for the use of force against Iraq (Public Law 107-243)—it is past time that we return to the principles of our founding fathers.

This legislation would represent a comprehensive and complete U.S. withdrawal from the United Nations. It repeals the United Nations Participation Act of 1945 and other related laws. It directs the President to terminate U.S. participation in the United Nations, including any organ, specialized agency, commission, or other affiliated body. It requires closure of the U.S. Mission to the U.N.

The legislation also prohibits the authorization of funds for the U.S. assessed or voluntary contribution to the U.N.; the authorization of funds for any U.S. contribution to any U.N. military operation; and the expenditure of funds to support the participation of U.S. armed forces as part of any U.N. military or peacekeeping operation. Finally, this legislation bars U.S. armed forces from serving under U.N. command.

The U.S. Congress, by passing H.R. 1146, and the U.S. president, by signing H.R. 1146, will heed the wise counsel of our first president, George Washington, when he advised his countrymen to "steer clear of permanent alliances with any portion of the foreign world," lest the nation's security and liberties be compromised by endless and overriding international commitments. I urge my colleagues to support this measure and I hope for its quick consideration.

In considering the recent United Nations meetings and the United States' relation to that organization and its affront to U.S. sovereignty, we would all do well to again read carefully Professor Herbert W. Titus' paper on the United Nations from which I have provided this excerpt:

It is commonly assumed that the Charter of the United Nations is a treaty. It is not. Instead, the Charter of the United Nations is a constitution. As such, it is illegitimate, having created a supranational government, deriving its powers not from the consent of the governed (the people of the United States of America and peoples of other member nations) but from the consent of the peoples' government officials who have no authority to bind either the American people nor any other nation's people to any terms of the Charter of the United Nations.

By definition, a treaty is a contract between or among independent and sovereign nations, obligatory on the signatories only when by competent governing authorities in accordance with the powers constitutionally conferred upon them. I Kent, Commentaries on American Law 163 (1826); Burdick, The Law of the American Constitution section 34 (1922) Even the United Nations Treaty Collection states that a treaty is (1) a binding instrument creating legal rights and duties (2) concluded by states or international organizations with treaty-making powers (3) governed by international law.

By contrast, a charter is a constitution creating a civil government for a unified nation or nations and establishing the authority of that government. Although the United Nations Treaty Collection defines a 'charter' as a 'constituent treaty,' leading inter-

national political authorities state that '[t]he use of the word 'Charter' [in reference to the founding document of the United Nations] . . . emphasizes the constitutional nature of this instrument.' Thus, the preamble to the Charter of the United Nations declares 'that the Peoples of the United Nations have resolved to combine their efforts to accomplish certain aims by certain means.' The Charter of the United Nations: A Commentary 46 (B. Simma, ed.) (Oxford Univ. Press, NY: 1995) (Hereinafter U.N. Charter Commentary). Consistent with this view, leading international legal authorities declare that the law of the Charter of the United Nations which governs the authority of the United Nations General Assembly and the United Nations Security Council is 'similar . . . to national constitutional law,' proclaiming that 'because of its status as a constitution for the world community,' the Charter of the United Nations must be construed broadly, making way for 'implied powers' to carry out the United Nations' 'comprehensive scope of duties, especially the maintenance of international peace and security and its orientation towards international public welfare.' Id. at 27.

The United Nations Treaty Collection confirms the appropriateness of this 'constitutional interpretive' approach to the Charter of the United Nations with its statement that the charter may be traced 'back to the Magna Carta (the Great Charter) of 1215,' a national constitutional document. As a constitutional document, the Magna Carta not only bound the original signatories, the English barons and the king, but all subsequent English rulers, including Parliament, conferring upon all Englishmen certain rights that five hundred years later were claimed and exercised by the English people who had colonized America.

A charter, then, is a covenant of the people and the civil rulers of a nation in perpetuity. Sources of Our Liberties 1-10 (R. Perry, ed.) (American Bar Foundation: 1978) As Article I of Magna Carta, puts it:

We have granted moreover to all free men of our kingdom for us and our heirs forever all liberties written below, to be had and holden by themselves and their heirs from us and our heirs.

In like manner, the Charter of the United Nations is considered to be a permanent 'constitution for the universal society,' and consequently, to be construed in accordance with its broad and unchanging ends but in such a way as to meet changing times and changing relations among the nations and peoples of the world. U.N. Charter Commentary at 28-44.

According to the American political and legal tradition and the universal principles of constitution making, a perpetual civil covenant or constitution, obligatory on the people and their rulers throughout the generations, must, first, be proposed in the name of the people and, thereafter, ratified by the people's representatives elected and assembled for the sole purpose of passing on the terms of a proposed covenant. See 4 The Founders' Constitution 647-58 (P. Kurland and R. Lerner, eds.) (Univ. Chicago. Press: 1985). Thus, the preamble of the Constitution of the United States of America begins with 'We the People of the United States' and Article VII provides for ratification by state conventions composed of representatives of the people elected solely for that purpose. Sources of Our Liberties 408, 416, 418-21 (R. Perry, ed.) (ABA Foundation, Chicago: 1978).

Taking advantage of the universal appeal of the American constitutional tradition, the preamble of the Charter of the United Nations opens with 'We the peoples of the United Nations.' But, unlike the Constitution of the United States of America, the