

HELP EFFICIENT, ACCESSIBLE,
LOW-COST, TIMELY HEALTHCARE
(HEALTH) ACT OF 2003

SPEECH OF

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 2003

Mr. ETHERIDGE. Mr. Speaker, I rise today in opposition to H.R. 5, the Republican medical malpractice bill, and the process by which it is being debated in this House.

Today, the House will pass H.R. 5, a bill to impose caps on damages that may be awarded for medical malpractice, defective products, and other health related wrongdoings. Like many Members of this House, I am concerned about the rising cost of medical malpractice insurance and its impact on physicians and their patients, but H.R. 5 is not the right medicine for this national problem.

I oppose H.R. 5 because it will not reduce medical malpractice premiums. What's more, it protects manufacturers of defective pharmaceutical and medical equipment from product liability actions, and overturns North Carolina state law.

Years of experience prove that limiting patient rights to seek legal remedies for medical malpractice will not reduce insurance rates for doctors or hospitals. We've heard a lot of debate on this floor today about California's law that caps damage awards in medical malpractice cases at \$250,000. Supporters of H.R. 5 misses the point in this debate, Mr. Speaker. Instead of dealing with the real issue here, which involves insurance rates, the Republican Majority is turning this serious issue into a political football at the expense of patients.

H.R. 5 also limits the ability of injured persons to bring suits against pharmaceutical companies, HMOs, nursing homes, and medical device manufacturers, thus setting a dangerous precedent allowing these entities to escape the law in even the most severe cases of neglect and abuse.

Finally, H.R. 5 undermines North Carolina's patients protection statutes, which are some of the strongest in the nation.

My colleagues Mr. DINGELL and Mr. CONYERS have drafted an alternative amendment to H.R. 5. This alternative will help courts weed out frivolous lawsuits without restricting the rights of legitimate claims, repeal the federal anti-trust exemption for medical malpractice insurance companies, thereby increasing competition and lowering premiums, and provide targeted assistance directly to physicians, hospitals, and communities in medical malpractice crisis areas. Finally, the alternative establishes an independent advisory commission to examine and recommend long-term solutions to this important issue. Unfortunately, the Republican Leadership has denied us an opportunity to offer this alternative.

Mr. Speaker, the issue of an insurance is an important one. Yet, it seems that the Republican Majority has forgotten one of the key tenets of the Hippocratic oath—do no harm or injustice. H.R. 5 will without a doubt harm America's patients. I urge all of my colleagues to vote against H.R. 5 and to support the motion to recommit the bill.

TRIBUTE TO MRS. ANNIE MAE
AARON ON HER 95TH BIRTHDAY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 2003

Mr. HASTINGS of Florida. Mr. Speaker, I rise today with great pride to recognize Mrs. Annie Mae Aaron who will soon observe her 95th birthday.

Born on April 24, 1908, Mrs. Aaron was aware at an early age of the importance family, faith, freedom, and education. Though she was struck with polio at the age of three, through her faith in God, and self-reliance, she recovered from this illness to lead a full and productive life of distinction. She Attended Edward Waters College in Jacksonville, Florida and graduated in the class of 1930. She was a teacher in the public school system of Florida, teaching in E.O. Douglas high school in Sebring.

In 1939, Mrs. Aaron made her home in West Palm Beach Florida where she was the Sunday school secretary at Payne Chapel A.M.E. Church. She was a marketing representative for the Afro American Insurance Company. She married J.E. Aaron of Sebring in 1941 and they enjoyed a long happy union until his death in 1974.

Mrs. Aaron's greatest contribution to her community and to her country is through her family—her children that she reared—and pre-school age children of others whom she mentored. She produced seven sons and two daughters. Four of her sons served honorably in the United States Army, three of whom served in combat zones during hostilities. Rudy rose to the rank of Sergeant and served in the Army Signal Corps in the Korean War. Samuel achieved to the rank of Regular Army Major and was an Army aviator during two tours in the Vietnam War. He is a high-ranking official with the Federal Aviation Administration. A third son, Eugene, advanced to the rank of Regular Army Captain and served in Wurzburg, Germany with the Third Infantry Division as a Tank platoon commander during the height of the Cold War. He was also an advisory to South Vietnamese in the Vietnam War. He is now a State Department Foreign Service Officer, who has completed diplomatic assignments in four countries. Patrick served in the United States Army in Alaska in the Signal Corps, Mrs. Aaron's daughters are also serving their communities in significant ways. Both have chosen to become teachers in their native Florida, following in the large footprints of their mother. Priscilla is a Business teacher at Sebring High School in Highlands County. Ruth is a Mathematics Instructor in the Seminole County Community College.

Some sons have distinguished themselves in non-military areas as well. Joseph is an expert chemist and enjoyed a long 20-year career with the Department of Energy. James is a passionate lawyer, using his knowledge and skill of the law to increase justice in his community. During his life, Robert used his hands in many trades, mainly the construction crafts. Lastly, one of the children that she mentored as a pre-school student, Water, is a Medical Doctor. Indeed Mrs. Aaron has contributed much to Sebring, the state of Florida and America.

In addition to organizing and serving as president of the Women's Club, a community

service organization, Mrs. Aaron was an advisor to the Girl Scouts. She is still a vibrant presence in Mt. Zion A.M.E. Church in Sebring, Florida. Mrs. Aaron's life is the very model of what is possible in a free and open democratic society and it is in keeping with the culture and highest traditions of what it means to be an American. Mr. Speaker I know that my colleagues here in the U.S. House of Representatives join me today in saluting Mrs. Aaron and wishing her continued health and happiness in the years to come.

CONGRESSIONAL RESOLUTION
SUPPORTING THE EDUCATIONAL
VALUE OF STUDENT TRAVEL

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 2003

Ms. NORTON. Mr. Speaker, whereas travel is a vital component of the educational experience for Americans of all ages;

Whereas, the Washington, DC area is an area rich in American history and is visited by students nationwide;

Whereas many school boards across the country are reluctant to approve student trips to Washington, DC and other historic areas due to the attack on the World Trade Center, Washington, DC and Pennsylvania and the fear of additional attacks;

Whereas many U.S. students will not be able to experience landmarks and monuments celebrating American democracy, political figures and scientific achievement;

Whereas the absence of student travel to our nation's historic sites will leave a vital gap in the education of America's youth;

Whereas America's youth must be cognizant of American history to understand fully the concepts and responsibilities of democracy and citizenship;

Now, therefore, be it resolved by the Senate and the United States House of Representatives of the United States in Congress assembled, that student travel is a vital component of the educational process and should be encouraged so that Americans, young and old, can participate in travel, the perfect freedom.

LIEUTENANT GOVERNOR TONI
JENNINGS

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 2003

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker I rise today to congratulate Florida's new Lieutenant Governor, Toni Jennings, who was appointed Monday by Florida Governor Jeb Bush.

I served with Toni in the Florida State Senate and I know from working with her in that capacity what a dedicated public servant she is.

A Florida native and the first woman to hold this post in Florida's history, Toni brings a wealth of legislative knowledge and dedication to the State of Florida with her to the Executive Branch.

Toni was the youngest woman ever elected to the State Legislature when she took office

in 1976 at the age of 27. In 1980, she was elected to the Florida Senate where in 1996 she became the first woman ever elected as President of the Florida Senate. In 2000 she became the first senator ever to be elected to two consecutive terms as Senate President. Senators trusted Toni. The House leadership trusted Toni and the voters trusted Toni.

She was also the first woman Minority Leader in either house of the legislature serving two terms, from 1983–84 and from 1986–88 while in the Senate.

A former fifth-grade teacher, Toni was a strong champion of education issues in the Senate and earned a reputation as such. Toni instilled in every senator that there were no “Ds” or “Rs” in TEAM.

I am proud to say she’s the Lieutenant Governor of my state and I know Florida is lucky to have her. Congratulations, Toni.

SUPPORTING WORKERS

HON. SHERROD BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 2003

Mr. BROWN of Ohio. Mr. Speaker, I rise to recognize the courage and strength of legal immigrant workers who immigrated to the United States to make life better. Throughout their struggles, they were filled with the promised optimism and freedom inherent in the American dream.

Today marks the two year anniversary of a unique American struggle. On March 19, 2001, Chinese Daily News workers, mostly immigrants from Taiwan, voted to select The Newspaper Guild of the Communications Workers of America to represent them for purposes of collective bargaining and to help them develop a more cohesive voice at work. I commend the tireless efforts of these workers as they continue to wrestle the overwhelming resources of a foreign employer committed to silencing their voices and thwarting their right to organize under U.S. labor law. This is unacceptable.

Foreign employers should not be given leeway to further erode the organizing rights of U.S. workers. Chinese Daily News employees put their faith in America and in U.S. labor law. At this pivotal juncture in our history, we should recognize the faith and allegiance of those legal immigrants who subscribe to our rule of law. These workers deserve our support. I urge management of the Chinese Daily News to sit down with the affected workers and immediately settle their differences.

REMEMBERING WILMA MUSGROVE

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 2003

Ms. ROS-LEHTINEN. Mr. Speaker, pioneer aviation wife and South Dade avocado farmer, Wilma “Billie” Musgrove, died on March 6th in the arms of her son at the age of 86 after suffering several strokes. Born of Dutch parents in Holland, Michigan, she celebrated Tulip Time and the sand dunes and beaches of Lake Michigan. She caught the eye of aviator

Lester E. Musgrove and married him when she was 16 years old. She followed her barnstorming husband across the United States to air shows, wing walker exhibitions, air races and crop-dusting jobs. While Lester served in the U.S. Army Air Corps at the start of WWII, Billie raised their son, Bob, in Grand Rapids and worked their new property in South Dade.

After the war, the couple started their Redland avocado grove and they watched Bob grow to become a pilot. Billie purchased an air boat to hunt in the Everglades and enjoyed preparing feasts from her catches for family and friends.

Billie had a great love of the organ and piano which led her to entertain at Sunniland’s Flame Restaurant and Homestead’s Capri Restaurant with big band era favorites. A great joy was her immediate past presidency of South Florida’s Organ Belles club and Light Aircraft Flyer’s Association. Travels around the world added to her wonderful life.

Billie touched many lives and leaves great memories with those who were fortunate to know her. She will be sorely missed but always remembered with love. My heartfelt sympathies go out to her family for their tremendous loss.

THE CITIZEN AND THE CONSTITUTION PROGRAM

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 2003

Mr. SHUSTER. Mr. Speaker, I rise today to inform my colleagues that on April 26, 2003, more than 1,200 students from across the United States will visit Washington, DC, to compete in the national finals of the We the People: The Citizen and the Constitution program. This educational program is developed specifically to teach young people more about the Constitution and the Bill of Rights and is administered by the Center for Civic Education. The program is funded by the U.S. Department of Education by an act of Congress.

I am proud to announce that the class from Indiana Area High School from Indiana will represent the state of Pennsylvania in this national event. These young scholars have worked conscientiously to reach the national finals by participating at local and statewide competitions. As a result of their experience they have gained a deep knowledge and understanding of the fundamental principles and values of our constitutional democracy.

The 3-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 questioning 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’ understanding of the institutions of American constitutional democ-

racy, 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 for students to become active, responsible citizens.

The class from Indiana Area High School is currently preparing for their participation in the national competition in Washington, DC. 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 these values and principles which we hold as standards in our endeavor to preserve and realize the promise of our constitutional democracy. I wish these young “constitutional experts” the best of luck as they participate in the We the People national finals.

SUPPORT RANCHER DROUGHT TAX RELIEF

HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 2003

Mrs. CUBIN. Mr. Speaker, our Tax Code is unfairly penalizing livestock producers during the present drought that is affecting a large area of this great country. Under current law, ranchers who were forced to sell their cattle because of the drought are limited to a time period of just 2 years before they either have to pay taxes on that sale—or buy new livestock—even though the drought persists. The problem is, we are now in the third year of this drought, and there’s no end in sight—experts have called this the worst drought in a century in many parts of the West, including my home, Wyoming. In fact, it is so bad out West that we had a city in Wyoming actually run out of water last summer. If the cities are out of water, imagine how hard it is for ranchers to raise their livestock on drought-ravaged land.

A good first step to help drought-stricken ranchers is to extend the period of time we allow for them to weather the drought. That’s why I support the McClinnis amendment in H.R. 1308, the Tax Relief, Simplification, and Equity Act of 2003, which would allow ranchers an additional 2 years to either replace their herd or pay a capital gains tax. The impact on the Treasury would be small, but the impact on Wyoming ranchers is huge. It is the difference between sinking and swimming. The 2-year limit in current law is unworkable in our present situation and serves as a disincentive to those who raise this valuable commodity that feeds millions of people. A poorly designed Tax Code should not force these small business men and women to choose between closing their doors or paying their tax bill.

Mr. Speaker, these are desperate times for our agricultural community, and they demand our attention. This change can provide hope to those who are on the verge of closing the barn doors for good. I yield back the balance of my time.