

This legislation is a common sense solution to the unfortunate problem of financial insecurity suffered by the brave men and women of the Reserves. We cannot ask courageous men and women like Firefighter Kibbee to choose between supporting their families and defending our country. Since an extended activation results in financial loss for the Reservists and their families, it is only equitable that our government limits the financial loss as much as possible. H.R. 1345 is a fair and balanced approach to resolve this unacceptable and intolerable situation. I urge its expedited passage.

RESERVE OFFICERS ASSOCIATION  
OF THE UNITED STATES,  
Washington, DC, March 19, 2003.

Hon. TOM LANTOS,  
U.S. House of Representatives,  
Washington, DC.

DEAR CONGRESSMAN LANTOS: On behalf of the nearly 80,000 members of the Reserve Officers Association of the United States, congressionally chartered to "support the development and execution of a military policy for the United States, that will provide adequate national security," I want to thank you for your efforts in introducing the Omnibus Equity for Reservists Pay Act of 2003. The bill is an important step forward in recognizing the contributions of the members of the Reserve components of our Armed Forces to the Total Force and our national defense.

Today as we wait anxiously for news of whether or when we will go to war with Iraq, more than 200,000 members of the Reserve components of our Armed Forces have been mobilized and/or deployed in anticipation of that event. Since September 11, 2001, a quarter-million citizen-soldiers, sailors, Marines, and airmen have been called to active duty and have left their homes, families, and communities in response to emerging contingencies. By the Department of Defense's own estimate, about one third of these activated reservists are losing money when their civilian paycheck is compared to their military salary (including the tax advantages of various benefits and allowances). Nearly seventy thousand troops is a hefty slice of Total Force assets going broke on active duty, going bankrupt before they even see the enemy they came to fight. The situation is bad and it can only get worse when you consider that Iraq will very likely take several years to be rebuilt, that the Reserve components will probably be supervising the project, and that if recent history is any guide, such occasions will continue.

The issue here is that if we are serious about the societal benefits of the Total Force policy and the popular support it brings to any military undertaking, we need to reinforce it in every way possible. We cannot allow the compensation aspects of the system to drift so far off center that fully a third of its Reserve component members become economically dysfunctional merely by putting on their uniforms. Bankruptcy is not an effective recruiting or retention tool. With all of the other more immediate (and less tractable) issues mobilized reservists must face, we should do all we can to eliminate or ameliorate financial insecurity caused by post-mobilization compensation dysfunction.

Your bill provides a range of solutions to the problem that has long plagued reservists and by extension the Total Force, and ultimately the nation. We are pleased at your vision in introducing it and we stand ready to assist in any way we can.

Sincerely,

JAYSON L. SPIEGEL,  
Executive Director.

NATIONAL GUARD ASSOCIATION  
OF THE UNITED STATES,  
Washington, DC, March 19, 2003.

Hon. TOM LANTOS,  
U.S. House of Representatives,  
Washington, DC.

DEAR CONGRESSMAN LANTOS: On behalf of the men and women of the National Guard Association of the United States, I would like to commend you for your efforts in introducing the "Omnibus Equity for Reservists Pay Act of 2003."

Thousands of Guardsmen and women are currently being called to active duty in support of the Global War on Terrorism, defense of the homeland, and the pending war in Iraq, in addition to the multitude of other state and federal operational missions normally performed. Many Guardsmen and women are experiencing financial hardship when they serve their country for extended periods of time due to the difference of income between their civilian and military pay. Your legislation, the "Omnibus Equity for Reservists Pay Act of 2003" will help mitigate financial loss by making up the difference between a person's civilian and military salaries.

The employer credit will encourage private industry to compensate their National Guard employees. The high National Guard is drawing members of the National Guard away from their employers for up to two years at a time. This increased operational tempo places additional financial burdens on employers, to a much greater extent than in past years. Employers should not be expected to bear the increased financial burdens Guard deployments place on them. Assisting employers with tax credit provides the ability to inject those funds back into their businesses in order to offset the effects of the temporary loss of their National Guard employees.

As always, the NGAUS stands ready to assist you and looks forward to our continued relationship ensuring a strong and viable National Guard. If you have any questions, please do not hesitate to contact my staff or me.

Respectfully,

RICHARD C. ALEXANDER,  
Major General (RET), AUS,  
President.

THE WOMEN'S OBSTETRICIAN AND  
GYNECOLOGIST MEDICAL AC-  
CESS NOW ACT OF 2003 (THE  
WOMAN ACT)

**HON. SUSAN A. DAVIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 27, 2003

Mrs. DAVIS of California. Mr. Speaker, today, I am reintroducing the Women's Obstetrician and Gynecologist Medical Access Now Act, the WOMAN Act. This bill will ensure that every woman has direct access to her ob-gyn.

I believe women should not need a permission slip to receive ob-gyn care. Unfortunately, that is the reality faced by many women when they need to see their doctor. Numerous managed care plans require women to visit their primary care physicians before seeking the health care services they need from the providers they want. Denying direct access, or forcing women to jump through numerous bureaucratic hoops to see their ob-gyn is not acceptable treatment.

The WOMAN Act recognizes that women have different medical needs than men and

that ob-gyns, in many cases, have the most appropriate medical background to address these needs. My legislation removes the barriers complicating women's access to their doctors. Women will no longer have to contend with the gatekeeper system that can prevent or delay appropriate care.

It is easy to understand what a difference direct ob-gyn access makes in women's health care. Imagine, for a moment, a woman in San Diego who works 45 hours a week and has limited sick and vacation time. Now, imagine she has an urgent medical problem requiring an ob-gyn visit. On Monday, she calls from work to make an appointment with her primary care physician. If she is lucky, she gets an appointment for the following morning. She takes time off Tuesday to go see her doctor. Her primary care doctor agrees she should be seen by her ob-gyn and gives her a referral. Tuesday afternoon she returns to work and calls her ob-gyn for an appointment. The doctor is in surgery on Wednesday, but they offer her an appointment on Friday morning. On Friday she takes another morning off from work and finally, after almost a week, gets the care she needs. The unnecessary referral process resulted in her taking an extra morning off work and delayed her proper medical care by 5 days. The patient, employer, primary care physician, and health plan provider would have saved money and time if the patient had been able to go directly to her ob-gyn.

An American College of Obstetricians and Gynecologists/Princeton survey of ob-gyns showed that 60 percent of all ob-gyns in managed care reported that their patients are either limited or barred from seeing their ob-gyns without first getting permission from another physician. Nearly 75 percent also reported that their patients have to return to their primary care physician for permission before they can see their ob-gyn for necessary follow-up care. Equally astounding is that 28 percent of the ob-gyns surveyed reported that even pregnant women must first receive another physician's permission before seeing an ob-gyn.

The public overwhelmingly supports direct access to ob-gyn care. A survey conducted by the Kaiser Family Foundation and Harvard University found that 82 percent support direct access legislation and 63 percent would support it even if their health insurance costs increased. When asked about a range of health policy issues another Kaiser survey discovered that women rate direct access to ob-gyns as their second priority.

While serving in the California State Assembly, I heard from many women who experienced the same problems I have outlined today. After meeting with women, obstetricians and gynecologists, health plan representatives, and providers in the State of California, I wrote the state law allowing women direct access to their ob-gyn. That law was a good first step; however, it still does not cover the almost 5 million Californians enrolled in self-insured, federally regulated health plans. This means that if a woman lives in a state with direct access protections, like California, she may not be able to see her ob-gyn without a referral if she is covered by a federally regulated ERISA health plan. This also means that one in four insured families are not protected by state direct access to ob-gyn laws.

I believe the time has come to make direct access to an ob-gyn a national standard.

I urge you, Mr. Speaker, and all of my colleagues to pass this critical legislation quickly into law.

WOMEN'S OB/GYN MEDICAL ACCESS NOW ACT  
(WOMAN ACT)

BILL SUMMARY

Grants Direct Access: Gives women direct access to an OB/GYN or a participating family practice physician or surgeon designated by the plan or issuer as providing OB/GYN services. Prohibits plans or issuers from requiring a referral or prior approval.

Plan Considerations: Plan can set reasonable communication requirements between OB/GYNs and primary care physician. Plan can set reasonable utilization protocols, as long as those protocols are the same for OB/GYNs as they are for other physicians, such as primary care providers. (cannot be more restrictive for OB/GYNs)

Nodification for ERISA plans: Requires group health plans to comply with the notice requirements for ERISA when they modify their plan to comply with the rule.

CHANGES TO TITLE IX ATHLETICS POLICIES CONTRADICT THE SPIRIT OF ATHLETIC QUALITY AND GENDER PARITY AND SHOULD NOT BE IMPLEMENTED, AND TITLE IX SHOULD BE KEPT INTACT

**HON. ENI F. H. FALEOMAVAEGA**

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 27, 2003*

Mr. FALEOMAVAEGA. Mr. Speaker, June 19, 2002 marked the 30th Anniversary of the passing of Title IX of the Education Amendments of 1972. This legislation was introduced and tirelessly fought for by my late colleague and friend the Honorable Patsy Mink of Hawaii. Congresswoman Mink left a legacy for us to continue, one which demands our continued diligence in promoting and maintaining gender equality. Since its passing, Title IX has been crucial in setting a standard of equal education opportunities.

Today, and as a result of Title IX, the opportunities that women enjoy far surpass those of previous generations. These accomplishments are being threatened by current recommendations to implement changes to Title IX athletic policies that contradict the spirit of athletic equality and gender parity. We cannot allow this to happen.

Some argue that Title IX has accomplished all its goals and some even suggest that it has exceeded what it was set forth to accomplish. The reality Mr. Speaker, is that while great strides have been made to level the playing field for women in sports we have not achieved complete gender equity in athletics. Data from the NCAA 1999–2000 Gender Equity Report shows that female athletes in Division I schools receive only 41% of the opportunities to play intercollegiate sports, 43% of the total athletic scholarship dollars, 36% of the athletic operating budgets, and 32% of the dollars spent to recruit new athletes.

Additionally Mr. Speaker, Title IX does not deprive men of athletic resources, nor has men's participation in athletics suffered as a result of Title IX. In fact, by 2001 male participation in collegiate sports rose 22.6% from 1972. In 2000, for every dollar being spent on women's sport, Division I schools were spend-

ing almost two dollars on men's sports. In limited situations where men's athletic teams have been cut, it is often due to a lack of support for those teams combined with inflated budgets for football and men's basketball teams.

Given these realities, changes to Title IX would be premature and a set-back to the work we have accomplished over the last 30 years. The task laid at our feet by the Honorable Patsy Mink to fight for gender equality requires us to make sure that the advances women have made as a result of the implementation of Title IX do not overshadow the fact that our work is not complete. Therefore I urge my colleagues to support the intent of this resolution.

TITLE IX

**HON. JOE BACA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 27, 2003*

Mr. BACA. Mr. Speaker, I come to the floor today to voice my opposition to any efforts to change Title IX. For over 30 years, Title IX has been a successful program that has helped open doors for women in education and employment. I don't understand how people can argue with success and try to change such an important piece of legislation.

Times have changed in this nation for competitive sports, and it is all because of Title IX. Title IX has helped change assumptions and attitudes about sexual stereotypes. It is hard to comprehend that less than 30 years ago people believed women were physically incapable of running the marathon. It was believed that female body composition made it impossible for them to run long distances! It wasn't until women began defying this irrational and unfounded notion by competing anyway that the world took notice and a crippling stereotype died. It is a myth that women are not interested in sports or competition. It is a myth that women would rather be cheering on the sidelines than competing on the field, the court, the green, track, or the diamond. Any effort to repeal a program that allows access to sports and education for women reincarnates myths and stereotypes that should have been put to rest decades ago.

Title IX has helped knock down the senseless barriers that have prevented women from engaging in competition by requiring that equal funding be contributed to women's sports throughout all levels of education. Girls have an equal right with boys to receive at a minimum a basic education and to compete for scholarships—whether they are academic or athletic. Since 1972, the number of women playing collegiate sports has quadrupled! And the number of girls playing high school sports has increased to 3 million in the 30 years that Title IX has been on the books. Before Title IX was enacted, only 300,000 high school girls competed. The principle of equality requires that women be provided equal access and equal opportunity for education and sports.

My 16-year-old daughter Jennifer plays on her high school golf team. Before Title IX, a girl's golf team in most schools would never have existed. Before Title IX many women weren't even allowed to step foot on a green!

I want my daughter and the daughters of every family in the nation to have the right and the opportunity to compete and receive scholarships if their heart desires.

It is a myth that the requirements of Title IX take away funding for male sports teams! The overwhelming majority of funding available goes to support college football and college basketball. Furthermore, in 30 years we have seen the number of college baseball teams increase exponentially! If it were true that Title IX robs funding from male sports teams then why is it that for every dollar spent on women's collegiate sports, two dollars are spent for the male teams? We need to stop the myths about Title IX and allow the program to remain intact.

No longer do young girls need to hide their hair in a cap and pretend to be boys if they want to play ball. No longer do we harbor under the misconception that women can't and don't want to play. Title IX was a bold step toward equality and it was a necessary element toward achieving fairness. Sports teach us how to win with integrity and how to lose with grace. They teach us healthy competition and how to strategize for success. They help promote healthy exercise and lifestyles. Women need to be offered the opportunity to enrich their lives by playing sports. We need to keep Title IX in play.

TRIBUTE TO DAVID KEELEY

**HON. MICHAEL H. MICHAUD**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 27, 2003*

Mr. MICHAUD. Mr. Speaker, I rise today to recognize David Keeley for his tireless leadership over two decades in the field of coastal resource management and to congratulate him for receiving the 2003 Walter B. Jones Memorial Award for Coastal Steward of the Year.

For over 25 years, Mr. Keeley has worked at the local, state and regional level in environmental management, policy development and planning with an emphasis on coastal and estuarine issues. Over thirteen years ago, Mr. Keeley created the Gulf of Maine Council on the Marine Environment, a voluntary regional governance structure that includes the states of Maine, New Hampshire, and Massachusetts, and the Canadian provinces of New Brunswick and Nova Scotia, as well as representatives from Canadian and U.S. federal agencies. The Council is an excellent example of a bilateral regional governance organization and is one of the best in North America. It is also a wonderful example of David's dedication and leadership. The success of the Council can be, in large part, directly attributed to the activism and involvement of Mr. Keeley, who nurtured, encouraged and challenged the group to succeed. Like so many other coastal issues and projects in which David becomes involved, the Council is where it is today because of his long-term guidance and support, and his unwavering ability to question, respond, and deliver. For all of his hard work and dedication, David was recently honored with the 2003 Walter B. Jones Memorial Award for Coastal Steward of the Year.

Mr. Speaker, Maine is honored, grateful and fortunate to have a devoted citizen like David Keeley. His tireless work to protect our coastal