Mr. Speaker, there is a crisis of confidence in American health care today. A majority of consumers believe that insurance plans often compromise the quality of care to save money. Managed care must be more than managed cost.

I am concerned that we are going to see a fig tree growing in the House of Representatives, proposals from the other side, from the Republican leadership, that are no more than fig leaves. We have seen it with campaign finance reform. We can see it coming with tobacco. It may come with HMOs as well.

The solution to our problem is the Democrat-sponsored Patients' Bill of Rights Act of 1998. It provides access to necessary care. It ensures access to specialists. It provides direct access to a specialist for patients with serious ongoing conditions. It would allow women to see their obstetrician or gynecologist without prior authorization, and it requires access to and payment for emergency room service. It also provides a fair and timely appeals process when health care plans deny care, and it provides protections for the patient-provider relationship.

It does that by banning gag clauses. It protects providers who advocate on behalf of their patients, and prevents drive-through mastectomies.

I urge my colleagues to supported the Patients' Bill of Rights Act of 1998.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The Speaker pro tempore (Mr. BLUNT) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 24, 1998.

Hon. NEWT GINGRICH,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on June 23, 1998 at 9:05 p.m. and said to contain a message from the President whereby he returns without his approval H.R. 2709, the ''Iran Missile Proliferation Sanctions Act of 1998.''

With warm regards,

ROBIN H. CARLE.

IRAN MISSILE PROLIFERATION SANCTIONS ACT OF 1998—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–276)

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith without my approval H.R. 2709, the ''Iran Missile Proliferation Sanctions Act of 1998.''

H.R. 2709 would require sanctions to be imposed on foreign individuals and companies if there is ''credible information indicating that'' they transferred certain items or provided certain types of assistance that contributed to Iran's missile program, or attempted more than once to transfer such items or provide such assistance. These sanctions would last at least 2 years and would prohibit sales of defense articles and services; exports of certain dual-use items; and United States Government assistance.

My Administration unequivocally supports the critical objectives of fighting terrorism and taking steps to halt the transfer of missile technology to nations whose foreign policy practices and nonproliferation policies violate international norms. This legislation, however, is indiscriminate, inflexible, and prejudicial to these efforts, and would in fact undermine the national security objectives of the United States. Taken together, the flaws in H.R. 2709 risk a proliferation of indiscriminate sanctioning worldwide.

Such indiscriminate sanctioning would undermine the credibility of U.S. nonproliferation policy without furthering U.S. nonproliferation objectives. Indeed, the sweeping application of sanctions likely would cause serious friction with many governments, diminishing vital international cooperation across the range of policy areas—military, political, and economic—on which U.S. security and global leadership depend.

Specifically, H.R. 2709 would require the imposition of sanctions based on an unworkably low standard of evidence: ''credible information indicating that'' certain transfers or attempted transfers had occurred. Such a low standard of evidence could result in the erroneous imposition of sanctions on individuals and business entities worldwide—even in certain instances when they did not know the true end user of the items. The bill would also hinder U.S. efforts to enlist the support of other countries to halt the objectionable activities by imposing an unreasonable standard for waiving the bill's sanctions. In addition, the sanctions proposed by the legislation are disproportionate. A minor violation (e.g., the transfer of a few grams of aluminum powder) would carry the same penalty as a transfer of major proliferation significance. This, too, undermines U.S. credibility and increases foreign opposition to U.S. policy.

H.R. 2709 does not specifically refer to Russia, but it will affect that country. The legislation does not allow flexibility sufficient to reflect the progress made by the Russian government in formulating policies and processes whose goal is to sever links between Russian entities and Iran's ballistic missile program. At the urging of the United States, President Yeltsin, the Prime Minister, Russian security services Chief Kovalev, and Russian Defense Minister Sergeyev have all made clear that proliferation of missiles and weapons of mass destruction is a serious threat to Russia's security. They have called for strict control of sensitive technologies and stressed the strict penalties that will be imposed for violations of Russian law. On January 22 of this year, the Russian government issued a ''catch all'' executive order providing authority to stop all transfers of dual-use goods and services for missiles and weapons of mass destruction programs, and on May 15 published detailed regulations to implement that order. They have recently developed and circulated a list of end users of concern in Iran, Libya, North Korea, and Pakistan. In the course of regular and active discussion of this issue with the Russian government, the United States has raised problem cases involving cooperation between Russian entities and the Iranian missile program. We have seen progress in this area, and a number of these cases are no longer active concerns.

Precisely because Russia needs to take effective enforcement steps to control the flow of technology, the United States needs to be able to work cooperatively with the Russian government to assure further progress. H.R. 2709 would undercut the cooperation we have worked to achieve with the Russian government without helping us solve the problem of technology transfer. The legislation's unilateral nature could also hurt our increasing cooperation with Russian government agencies in other vital areas such as law enforcement, counter-narcotics, and combating transnational crime. Furthermore, Russia would interpret this law as an infringement of its sovereignty, affecting our ability to work with Russia on broader U.S. policy goals and on regional and global issues.

Finally, Title I of H.R. 2709 is not needed. Existing law, such as the missile technology control provisions of the Arms Export Control Act, provides a sufficient basis for imposing sanctions to prevent missile proliferation to Iran and elsewhere.

I also note that it is disappointing that the Congress attached Title II, the ''Chemical Weapons Convention Implementation Act of 1997,'' to this problematic and counterproductive bill. Because Chemical Weapons Convention (CWC) implementation legislation has not been enacted, the United States has not yet fully carried out its obligations under the CWC. The CWC implementing legislation has strong bipartisan support, and should be passed by the Congress as a free-standing bill without further delay. I note, however, that sections 213(e)(2)(B)(iii), 213(e)(3)(B)(v), and 213(f) of Title II could interfere with certain of my exclusive constitutional powers, and I urge the Congress to correct these constitutional deficiencies.

For the reasons stated, I am compelled to return H.R. 2709 without my approval.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 23, 1998.*

□ 1030

The SPEAKER pro tempore (Mr. GUTKNECHT). The objections of the President will be spread at large upon the Journal and, without objection, the message and bill will be printed as a House document.

There was no objection.

Mr. BLUNT. Mr. Speaker, I ask unanimous consent that the message of the President, together with the accompanying bill, H.R. 2709, be referred to the Committee on International Relations.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

UTAH SCHOOLS AND LANDS EXCHANGE ACT OF 1998

Mr. HANSEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3830) to provide for the exchange of certain lands within the State of Utah, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

Mr. FALEOMAVAEGA. Mr. Speaker, reserving the right to object, I yield to the gentleman from Utah (Mr. HANSEN) for an explanation of this legislation.

Mr. HANSEN. Mr. Speaker, I appreciate the gentleman from American Samoa yielding to me. Mr. Speaker, H.R. 3830 represents a landmark agreement between the State of Utah and the Department of the Interior to exchange nearly 500,000 acres of lands within the State of Utah to benefit the school children of Utah.

Over 20 years ago, while serving in the Utah State Legislature and as Speaker of the House, I worked closely with then Governor Scott Matheson to solve the problem of the disbursed school trust lands in Utah and the best way to live up to the mandate of generating revenues for the school children of Utah.

Governor Matheson came up with Project Bold, wherein we would block up school trust lands in exchanges with the Federal Government. This seemed like a somewhat radical idea at the time but Governor Matheson actually had foresight that brought us here today.

Finally, during the 103rd Congress we were able to pass Public Law 103–93 that was designed to exchange these lands out of parks and national forests. However, difficulties with placing a value on these isolated tracts became impossible.

Then in September of 1996 President Clinton signed the proclamation that locked up the largest and cleanest supply of coal left in the Nation when he created the new Grand Staircase-Escalante National Monument. Unfortunately, a large share of this coal, not to mention the oil and gas in the monument, belongs to the school children of Utah. Thus, the pressure was on the administration to live up to the promises made by the President to ensure the school children would not suffer from the creation of the monument.

Therefore, on May 8, Secretary Babbitt and Governor Leavitt signed an agreement to trade out all of the school trust lands within national parks, forest service, and the monument for BLM acres elsewhere in the State, substantial coal interests, and $50 million. This is an equal value exchange. It is fair and equitable to all parties involved. I commend the Governor and the Secretary for finding a way to put all of the difficult issues of Utah aside and finally find a solution to help the school children of Utah.

I would like to thank my colleague, the gentleman from American Samoa (Mr. FALEOMAVAEGA) for his help in expediting this legislation to this day, and I appreciate his understanding of this important issue.

Mr. FALEOMAVAEGA. Mr. Speaker, further reserving the right to object, Utah Governor Leavitt and Interior Secretary Babbitt signed a historic and unique agreement on May 8 of this year to provide for an exchange of lands between the State of Utah and the Federal government.

H.R. 3830 legislatively ratifies that agreement, under which the United States would acquire approximately 410,718 acres of land and minerals owned by the State of Utah that are inholdings within the Grand Staircase-Escalante National Monument, units of the national park and national forest systems and two Indian reservations, and in return would transfer to the State approximately 138,647 acres of public land and minerals and $50 million.

The lands involved in the exchange have been a major source of contention for both the State of Utah and the Federal Government. We have spent many hours in the Committee on Resources dealing with issues associated with the lands covered by the agreement. This agreement puts the land exchange issue to rest in what I believe is a fair and equitable manner, and I am all for it.

I want to commend Governor Leavitt and Secretary Babbitt for their leadership. For far too long this issue has frustrated efficient land management, sapped people's energies, and prevented benefits from accruing to the Utah School Trust and the Nation.

These two gentlemen, with the support of many others, recognized that the current situation was doing nothing for the people or the resources. Paraphrasing the former Governor of Utah, Governor Matheson, they have taken a ''bold'' step in resolving this long-festering issue.

Mr. Speaker, I support H.R. 3830 and hope that my colleagues will also support this legislation.

Mr. HINCHEY. Mr. Speaker, I am very pleased to see the House taking up this legislation today authorizing an exchange agreement between the Interior Department and the State of Utah. The agreement would resolve a number of longstanding problems arising from the enclosure of Utah school trust lands in Federal reservations. I believe that a settlement of these issues will be good news for the people of Utah and the people of all our states.

The agreement may appear to be a local matter, but in fact it concerns all of use, and is important to all of us. The lands and money that Utah's School Trust will receive under the agreement are the property of all Americans, and the land Utah proposes to exchange will become the property of all Americans. And we will be proud to accept them. As a non-Utahn, I want to join my friends and colleagues from Utah in urging that Congress move as quickly as possible on this matter.

Historically, it has been difficult to arrange exchanges in the State of Utah, leaving gaps and inholdings in some of our spectacular national parks there, and most recently, in the new Grand Staircase-Escalante National Monument. Some people thought it would be impossible to work out this exchange, because of the deep differences among the different interested parties. But it has been accomplished. It shows that negotiations can work, and it shows that both sides can come away satisfied.

It takes a real commitment on both sides for negotiations to work. Above all it takes a willingness to face the realities of the situation and to give up dreams of an ideal solution. In this case, many people deserve credit for what has been accomplished. I want to compliment Secretary Babbitt and Governor Leavitt for their commitment to making this process work, and the staffs at the Department of Interior and the Utah School and Institutional Trust Lands Administration for their hard work on the practical details. Here in the House, our colleague CHRIS CANNON deserves special commendation for his dedicated efforts to get this process going. I was happy to work cooperatively with him on this. We have many differences among us on the best disposition of federal lands in Utah, but we have no difference on the question of the importance of settling these exchanges.

Resolution of these exchanges will produce two great benefits for the public. First, SITLA will receive money and lands with real income-producing potential that can increase funding for Utah's schools. I believe that the children almost always benefit when more funding is available for education so I'm delighted with that result. Most importantly, if this bill is enacted, they will start seeing the benefits very quickly. Second, the people of the United States will receive the trust lands now enclosed within the Grand Staircase-Escalante National Monument. This will give the Interior Department the opportunity to manage this magnificent territory in accord with its nature, and not according to arbitrary lines on the map. The possibility that inappropriate development will mar the wild beauty of the Monument or interfere with its wildlife will, I hope, be eliminated with this exchange.

Again, my thanks and congratulations to all who worked on this agreement. I urge my colleagues to support this bill, and hope it will be enacted as soon as possible.

Mr. FALEOMAVAEGA. Mr. Speaker, I withdraw my reservation of objection.