

CHARITABLE MEDICAL CARE ACT  
OF 1996

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 1, 1996

Mr. GOODLATTE. Mr. Speaker, I would like to bring to my colleagues' attention the Charitable Medical Care Act of 1996 which I am today introducing with Representatives MOORHEAD, MCCOLLUM, SMITH of Texas, HOKE, and BRYANT of Tennessee. This important legislation will make it easier for free medical clinics to recruit medical professionals to volunteer their services for the poor.

Free clinics have developed as a privately funded, grass-roots effort to provide outpatient health services primarily to the working poor. There are over 200 free clinics in the United States which have evolved with no Federal support and little local government support.

My District is privileged to be home of several outstanding free clinics including one of the finest free clinics in the country, the Bradley Free Clinic of Roanoke, VA. The Bradley Free Clinic is also headquarters of the Free Clinic Foundation of America, which has been working to provide services to assist and establish free clinics across the country.

My friends at the Bradley Free Clinic brought to my attention the problems free clinics nationwide encounter finding medical staff willing to volunteer their time and services because of concerns over medical liability. Medical professionals who would like to provide free care for the poor are discouraged by the possibility that doing so will put their medical malpractice coverage at risk. Retired medical professionals don't have liability coverage and therefore can't volunteer. As a result, the poor don't get the care they need.

In response I am introducing a bill similar to legislation passed in Virginia in the 1980's to exempt health care professionals who provide free services in connection with a free clinic from liability for simple negligence only. In fact, Virginia is one of eight States which have laws in place exempting doctors who voluntarily provide free care in good faith from liability for simple negligence.

While Medical liability suits against health care professionals who volunteer their services at free clinics are very rare, under this legislation health care professionals would not be protected if they commit gross negligence or willful misconduct. In addition, the exemption would only apply if the patient received the care at no charge, there was no reimbursement to the health care professional for providing the service and the patient had informed consent before the service was rendered that any liability incurred by their health care provider would be limited to gross negligence and willful misconduct.

With over 30 million uninsured Americans, the need for privately sponsored free clinics and health services has never been more acute. It is estimated that charitable medical care provides care to 30 percent of the Nation's uninsured and is an important alternative to expensive emergency room care which is far too often the only care available for the uninsured or underinsured. This legislation would help ensure that free clinics continue to fulfill this important role by making it possible for them to attract volunteers.

The Free Clinic Foundation and the Catholic Health Association are strong supporters of this legislation. Senator MOSELEY-BRAUN has sponsored companion legislation in the Senate. I urge my colleagues to support this bipartisan effort and cosponsor the Charitable Medical Care Act of 1996.

DISPUTE SETTLEMENT IN THE  
WORLD TRADE ORGANIZATION

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 1, 1996

Mr. CRANE. Mr. Speaker, the World Trade Organization [WTO] recently ruled against the United States in a case involving the Environmental Protection Agency's [EPA's] regulations on reformulated gasoline to achieve the standards of the Clean Air Act. Unfortunately, this decision has been portrayed by some as an assault on U.S. environmental laws. Nothing could be further from the truth.

To begin, it should be pointed out that the case involved an EPA regulation, not U.S. law, U.S. air quality standards, as legislated in the Clean Air Act, were not at issue. Rather, the case dealt with the different set of regulations that are imposed on imports of reformulated gasoline from those imposed on domestically refined reformulated gasoline. In the WTO, the case was filed under the national treatment clause which says that you cannot have one regulatory standard for imports and a different one for domestic products. This is a principle of trade that the United States, as the world's leading exporter, has espoused for years in our efforts to open new markets to U.S. goods and services. It works to protect the competitiveness of U.S. goods and services overseas by ensuring that our trading partners treat our exports in their markets in the same manner that they treat their own products.

I urge my colleagues to carefully study this decision and, more importantly, to learn the facts before urging action which would damage U.S. credibility in the short term and our trading relationships in the long run. Indeed, the United States fought to establish the WTO dispute settlement process because of the way it will help us pry open foreign markets to our products. Under the old GATT dispute settlement procedure, the United States filed the greatest number of cases of any member country. However, because countries could block the old dispute settlement process, we sometimes could not get decisions in cases that would have helped us remove barriers to our exports overseas. The new process established in the WTO removes the possibility of such obstruction and ensures that the procedure will work on a predictable timetable and that a decision will be rendered. Based on our history of using the GATT dispute settlement process, the new procedure is likely to be used frequently by the United States in the future to help us achieve our trade liberalization goals.

As chairman of the Ways and Means Subcommittee on Trade, I am proud of the great strides that the United States has made in recent years toward opening markets and removing barriers to trade around the world. As we work to ensure that our trading partners fulfill their WTO commitments, it is critical that we set an example by living up to our own.

In sum, I would like to quote from an editorial from the January 21, 1996 issue of the New York Times. The editorial, entitled "Winning, by Losing on Trade," concludes:

The ruling helps establish the W.T.O. panels as deliberative judicial bodies willing and able to enforce rules of fair trade. That is beneficial to the United States, which brings more complaints to trade-dispute panels than any other country. Washington will win more than its cases in the years ahead. The W.T.O. has shown it can keep trading honest. That is a welcome development.

HONORING MRS. ANNA GAYLE

HON. DAN MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 1, 1996

Mr. MILLER of Florida. Mr. Speaker, I would like to thank you for this opportunity to honor a remarkable person and a wonderful citizen. I am sad to report that this past Tuesday, one of my most admired constituents, Anna Gayle, passed away at the age of 99. Now Ms. Gayle was known for many great things in Manatee County. She was a deaconess and missionary at St. John First Baptist Institutional Church in Palmetto, FL. She served as the director of the Senior Citizens Centers of Manatee County in Bradenton and Palmetto for over 10 years. And she also in 1984 received a national award from the National Council on Aging for her advocacy.

But the qualities that everyone attributed most to her were her strong character, her kindness, and above all, her willingness to help those that were less fortunate. As stated by one of her many fans, "If people were sick, she helped them. If a child needed care, she saw that he got it. If you needed a hand, she was there." It was this commitment to provide for those less fortunate and her drive to better surrounding neighborhoods which led to the Anna Gayle Resource Center—a neighborhood center for families experiencing drug and crime problems in her much loved community of Palmetto, FL. Her legacy of improving the quality of life will long be remembered by many for years to come.

I have always found such commitment to help others inspiring, and mourn deeply the passing of such an outstanding human being. We will all miss her.

TRIBUTE TO KWEISI MFUME

SPEECH OF

HON. JAMES F. SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 31, 1996

Mr. SENSENBRENNER. Mr. Speaker, I rise to pay tribute to our departing colleague from Maryland, Congressman KWEISI MFUME.

For the past 10 years, the people of Maryland's Seventh District have benefited from the representation of Congressman MFUME.

Representative MFUME's political career began as a Baltimore City Council member where he promoted the causes of his inner-city constituents. He was elected to the House of Representatives in 1986 and recently

served on the Banking and Financial Services and Small Business committees.

His record reflects a dedication of addressing the needs of his district while balancing those with the needs of the Nation. His hard work and legislative ability have earned him the respect of his colleagues on both sides of the aisle.

Representative MFUME's outspoken support of civil rights and other traditional minority concerns lead to his election as Chairman of the Congressional Black Caucus in 1992, where he elevated the level of influence for the caucus to a new level.

I wish Congressman MFUME good luck as he assumes his new responsibilities as chief executive officer of the National Association for the Advancement of Colored People, where he will have a new platform to fight for the causes he believes in. This is an exciting opportunity for him and I know I am joined by my colleagues in wishing him continued success.

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#### LET'S REEXAMINE THE CUBAN EMBARGO

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 1, 1996*

Mr. FARR of California. Mr. Speaker, I rise to bring to the attention of my colleagues a recent event in California.

On Wednesday, a caravan of 30 vehicles was stopped at the United States-Mexico border by United States Customs officers. The caravan was carrying approximately 300 used personal computers and modems for medical and educational purposes in Cuba.

Why was the delivery stopped? Because the United States imposes a comprehensive trade and travel embargo against Cuba.

Mr. Speaker, the equipment these people were trying to deliver to Cuba was not high technology. It was not a threat to our national security. The equipment—outdated 286 personal computers and used modems—was for schools and hospitals in Cuba.

This recent event demonstrates the problems with our embargo against Cuba. How could the Cuban Government oppress the Cuban people with obsolete computers? How could these computers be used to threaten the security of the United States, a country where many individuals have personal computers that are many times more powerful?

We need to face the fact that the best way to help the Cuban people is to work with Cuba, not against it. How better could we bring our values to Cuba than help improve the health and welfare of the Cuban people? How better could we help Cubans learn about American philanthropy and goodwill than support private donations by Americans?

Mr. Speaker, we need to reexamine our approach to Cuba. We are the only nation left that imposes such severe restrictions on trade with Cuba. Let us help the Cuban people by letting Americans help Cubans.

#### TRIBUTE TO SYLVIA E. THOMAS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 1, 1996*

Mr. PALLONE. Mr. Speaker, on Saturday, February 10, a retirement ceremony for a remarkable woman will be held. On that date, at the Fort Monmouth Officers Club, the friends and colleagues of Sylvia E. Thomas will pay tribute to Ms. Thomas' 35-year career as an educator, school administrator and a perfectionist who has always strived to give the most for her students.

A resident of Neptune Township, NJ, Ms. Thomas retired on January 1 as the principal of Neptune Middle School. The career that Sylvia Thomas is now concluding is not only a great testimony to her own talent, courage and determination, but it is a true indication of what public education in this country is all about: dedicated professionals, often working under adverse conditions, without lavish salaries, to shape future generations. Sylvia Thomas, like so many unsung heroes working in public education, has earned the respect and gratitude of her former students, their parents and our entire community.

Mr. Speaker, Ms. Thomas was born in Georgia and raised in Alabama, the daughter of educators Royal and Lilian Hope Dunham. She earned her bachelor of science degree in secondary education from Tuskegee University in Alabama in 1958, and received her masters degree from Columbia University in New York in 1959. She earned her principal's and supervisor's certificates from Monmouth College—now University—in West Long Branch, NJ, between 1974 and 1976.

Ms. Thomas began her career as a ninth grade teacher in Augusta, GA., in 1959. She taught math and science throughout the country wherever her husband, Govan, a former Army serviceman, was stationed at the time. She has also taught GI's. In 1973, the Thomases settled in Neptune, on the Jersey Shore. She taught math to eighth graders at Asbury Park Middle School, in the neighboring community. From 1978 to 1981, she served as coordinator of the math program and the compensatory education program. For the next three years, she chaired the math/science department for kindergarten through eighth grade in Asbury Park. In 1984, Ms. Thomas moved into the administrative side, becoming principal of Green Grove Elementary School in Neptune. She was transferred to the Middle School as vice principal, and subsequently became principal six years ago. During her tenure at Neptune Middle School, the school increased its emphasis on math and science, acquired additional computer equipment and made many capital improvements.

In a recent profile of Ms. Thomas by staff writer Travis R. Moore in *The Asbury Park Press*, one of the major newspapers in our area, Mr. Michael T. Lake, superintendent of Neptune public schools, who has worked with Ms. Thomas for the past 11 years, described her as "a consummate professional." Ms. Peola Smith-Smith, chairperson of the counseling/guidance department at Neptune High School, said Ms. Thomas has been an "inspiration" and an "exemplary administrator." In the article, Ms. Thomas herself described the key to success for the men and women who

run our public schools. While she stressed her reluctance to compromise on her high expectations, she nonetheless recognized the need for flexibility: "You do whatever has to be done to get the job done."

In addition to her distinguished career as a teacher and administrator, Ms. Thomas has been a leader in numerous community organizations, including the Central Jersey Club of the National Association of Negro Business and Professional Women's Club, the National Coalition of Black Meeting Planners, St. Augustine's Episcopal Church in Asbury Park, and Lambda Omega Omega Chapter of Alpha Kappa Alpha Sorority. She has also maintained a long-time association with Drifters, Inc., a nonprofit civic organization of black women with 30 chapters nationwide dedicated to serving the community and enhancing the universal image of womanhood. Ms. Thomas served as national president of Drifters from 1989 to 1993, is a charter member of the Ocean Chapter of Drifters, and has also coordinated public relations and edited the organization's newsletter. She was the recipient of the 1993 Now Black Woman Award given by the national Drifters, Inc.

Mr. Speaker, it is a great honor and privilege for me to join the friends and colleagues of Sylvia Thomas in saluting a great educator and community leader.

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#### REMOVAL OF RUSSIAN MILITARY FORCES FROM MOLDOVA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 1, 1996*

Mr. SMITH of New Jersey. Mr. Speaker, in October 1994 the Prime Minister of Russia and the Prime Minister of Moldova signed an agreement according to which Russian military forces would leave Moldovan territory by October 1997. Last April, the Russian Duma approved a resolution opposing the 3-year withdrawal agreement.

The Russian Government has stated its intention to live up to the agreement but little progress has been made. At present about 4,000–4,500 Russian troops stationed in as many as eight garrisons in eastern Moldova, known as Transnistria. These are the vestiges of the former Soviet 14th Army which once had troops stationed throughout Moldova and the Odessa Military Region in Ukraine. The Russian Army has essentially maintained its force strength in the region, and troops have even been sent to Moldova to replace those that have been demobilized. Mr. Speaker, Moldova is the only former Soviet Republic upon which Russian troops are still stationed without permission of the host government, and Moldovan officials have raised this issue at several international meetings.

Mr. Speaker, I would note that the administration has consistently supported the withdrawal of Russian forces from Moldova. During his meeting with Moldovan President Snegur last year, President Clinton made clear that the United States expects the 1994 agreement to be implemented on time.

With respect to the international community, the Organization for Security and Cooperation in Europe and the United Nations have passed resolutions calling for the removal of