

only—and they are often worth no more than the paper on which they are printed. When the issues are sickness and health—and often as serious as life and death—no health insurance company should be allowed to be both judge and jury.

In addition, when the misconduct of managed care plans actually results in serious injury or death, patients and their families should be able to hold the plans liable in court. Every other industry in America can be held responsible for its actions. Why should health plans, whose decisions truly can mean life or death, enjoy this unique and unfair immunity?

Under current law—the Employee Retirement and Income Security Act—patients whose lives have been devastated or destroyed by the reckless behavior of their health plan have no right to go to court to obtain an appropriate remedy under state law. ERISA “preempts” all state remedies. Patients are limited to the narrow federal remedy under ERISA, which covers only the cost of the procedure that the plan failed to pay for. You can be crippled for life by cancer because your plan refused to authorize a test costing a few hundred dollars to detect the cancer in its early stages—and all you can get back to help support your family is the cost of the test you failed to get.

During the debate on the tobacco legislation, Republicans and Democrats alike voted overwhelmingly to support the principle that no industry in America should be exempt from accountability for its actions. Because of ERISA preemption, one industry alone—the health insurance industry—enjoys this protection today. That is wrong—and the Senate should say it’s wrong.

During the debate on welfare reform, many on the other side of the aisle spoke strongly in favor of the need for individuals to take responsibility for their actions. It is ironic that some of those who spoke most strongly for responsibility for poor single mothers are opposed to responsibility for a powerful industry that earns tens of billions of dollars in profits every year.

What most Americans do not know—and what the opponents of change ignore—is that ERISA pre-emption does not apply to state and local employee health plans. Employees of the city government or state government, whose health benefits are provided by taxpayers, can hold their health plan accountable in court if it kills or injures them. But equally hardworking families down the street are defenseless—because they happen to work for private industry.

Our legislation is truly a Patients’ Bill of Rights that will provide these protections and more. It is a moderate, responsible, and effective response to the widespread problems patients and their families face every day. That is why it is supported by a broad and diverse coalition of doctors, nurses, patients, and advocates for children,

women, and working families. That is why it enjoys bi-partisan support from members of Congress on both sides of the aisle, including a courageous physician, Dr. GREG GANSKE, a Republican Congressman from Iowa, who has seen the abuses of managed care first-hand.

The Republican leadership plan, by contrast, is not supported by any group of doctors or nurses or patients. It has no bi-partisan support. It is an industry profit protection program, not a patient protection program. It is not a Patients’ Bill of Rights. It is a Patients’ Bill of Wrongs. That is why we need a full debate—so that it can be amended and improved until it provides the protections patients need.

If the Majority Leader will stop abusing the rules of the Senate and allow this debate to proceed, I believe that the Senate will pass strong reforms that will be signed into law by the President. The American people deserve real reform, and I believe that when the Senate votes in the clear light of day, it will give the American people the reforms they deserve. This issue is a test of the Senate’s willingness to put a higher priority on the needs of families than on the profits of special interests. And it is time for the Senate to act.

The choice is clear. The Senate should stand with patients, families, and physicians, not with the well-heeled special interests that put profits ahead of patients.

The American people know what’s going on. Movie audiences across the country erupt in cheers when actress Helen Hunt attacks the abuses of managed care in the film “As Good As It Gets.” Helen Hunt won an Oscar for that performance, but managed care isn’t winning any Oscars from the American people. Everyone knows that managed care today is not “as good as it gets.”

Too often, managed care is mismanaged care. No amount of distortions or smokescreens by insurance companies can change the facts. The Patients’ Bill of Rights can stop these abuses. Let’s pass it now, before more patients have to suffer.

I thank the Chair. I thank the Senator.

#### U.S. FOREIGN OIL CONSUMPTION FOR WEEK ENDING SEPTEMBER 25

Mr. HELMS. Mr. President, the American Petroleum Institute reports, for the week ending September 25, that the U.S. imported 9,953,000 barrels of oil each day, 1,691,000 barrels a day more than the 8,262,000 imported during the same week a year ago.

Americans relied on foreign oil for 54.6 percent of their needs last week. There are no signs that the upward spiral will abate. Before the Persian Gulf War, the United States imported about 45 percent of its oil supply from foreign countries. During the Arab oil embargo in the 1970s, foreign oil accounted for only 35 percent of America’s oil supply.

All Americans should ponder the economic calamity certain to occur in the U.S. if and when foreign producers shut off our supply—or double the already enormous cost of imported oil flowing into the U.S.: now 9,953,000 barrels a day at a cost of approximately \$132,175,840 a day.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, September 30, 1998, the federal debt stood at \$5,526,193,008,897.62 (Five trillion, five hundred twenty-six billion, one hundred ninety-three million, eight thousand, eight hundred ninety-seven dollars and sixty-two cents).

One year ago, September 30, 1997, the federal debt stood at \$5,413,146,000,000 (Five trillion, four hundred thirteen billion, one hundred forty-six million).

Five years ago, September 30, 1993, the federal debt stood at \$4,411,488,000,000 (Four trillion, four hundred eleven billion, four hundred eighty-eight million).

Ten years ago, September 30, 1988, the federal debt stood at \$2,602,338,000,000 (Two trillion, six hundred two billion, three hundred thirty-eight million).

Fifteen years ago, September 30, 1983, the federal debt stood at \$1,377,210,000,000 (One trillion, three hundred seventy-seven billion, two hundred ten million) which reflects a debt increase of more than \$4 trillion—\$4,148,983,008,897.62 (Four trillion, one hundred forty-eight billion, nine hundred eighty-three million, eight thousand, eight hundred ninety-seven dollars and sixty-two cents) during the past 15 years.

#### MAJOR GENERAL WILLIAM F. MOORE, USAF

Mr. LEVIN. Mr. President, I wanted to take the opportunity to bring to the attention of the Senate the outstanding and continuing service of a fine Air Force officer, General William F. Moore, USAF.

For almost three years, General Moore has served as Director of Special Programs in the Office of the Secretary of Defense. In this capacity, he was responsible for coordinating planning, budgeting, and management of very sensitive Department of Defense special access classified programs.

In fulfilling these duties, General Moore has had frequent contact with the leadership and members of the defense oversight committees in Congress. I believe that General Moore has executed these duties in an exemplary manner. General Moore always operated in a very forthcoming manner, was sensitive to the needs of Congressional oversight committee members, and made great strides in improving the Congressional understanding and coordination of special access programs. I would point out that our former colleague, Secretary of Defense

Bill Cohen, also recognized this track record by awarding General Moore the Defense Distinguished Service Medal.

General Moore also had a distinguished career in the Air Force before coming to that position. Among his many assignments, he has served as the Program Executive Officer for Bombers, Missiles, and Trainers within the Office of the Assistant Secretary of the Air Force for Acquisition; as the System Program Director for the Small ICBM; and in various positions with the Advanced Medium Range Air-to-air Missile (AMRRAM), Peacekeeper Missile, and Drone and Remotely Piloted Vehicles programs.

General Moore is a graduate of the Air Force Academy, the Air War College, and the Defense Systems Management College. He also took an M.B.A. degree from the Wharton School of Finance and Commerce at the University of Pennsylvania.

General Moore has been recently named as Deputy Director of the Defense Threat Reduction Agency, a very important position. There is no doubt in my mind that General Moore will be as diligent a steward in his new position as he has been as Director of Special Programs. We are all fortunate to have a man of his professionalism and ability in these positions, and I want to thank him both for his many years of service and wish him every continued future success.

#### POLITICAL DEVELOPMENTS IN MALAYSIA

Mr. THOMAS. Mr. President, I rise today as chairman of the Subcommittee on East Asian and Pacific Affairs to express my deep concern over the recent alarming political developments in Malaysia.

On September 2, Prime Minister Mahathir fired Deputy Prime Minister Dato Seri Anwar Ibrahim, his hand-picked heir apparent. In the past few months, as the value of the ringgit has dropped more than 60 percent against the US dollar and as the economy has shown increasing signs of going the way of its surrounding Asian neighbors', Dato Seri Anwar has been arguing with increasing frequency that the country needs to adopt meaningful economic structural reforms. This has run counter to Mahathir's insistence that the root of the country's economic ills lies solely at the feet of George Soros, and that by fixing the ringgit's convertibility and taking other similarly isolationist measures.

This difference of economic opinion began to grow into a larger rift between the two politicians as Dato Seri Anwar began touring the country and speaking publicly. Apparently, Mahathir felt threatened both by Dato Seri Anwar's views and his popularity as a focus for growing anti-Mahathir dissent, and dismissed him from his post. That didn't stop Dato Seri Anwar from continuing to express himself. As a result, Dato Seri Anwar was arrested

on September 20 and held under the provisions of the Internal Security Act (ISA).

The ISA removes arrested individuals from the protections afforded criminal defendants under Malaysia's constitution and statutes, and consequently Dato Seri Anwar was held in an undisclosed location without any formal charges being lodged against him. On September 29, however, he was hauled into court and charged with nine counts of corruption and sexual misconduct, including four sodomy counts. The nature of the charges, as well as the vagueness of them and the fact that several of the "witnesses" have already recanted, clearly indicates to me that they were concocted by the government for maximum shock value to discredit Dato Seri Anwar in a conservative Muslim country.

More shocking to me, however, is the condition in which Dato Seri Anwar appeared at his arraignment. He had clearly been beaten while in custody. He told the judge that on his first night of detention, while handcuffed and blindfolded, that he was "boxed very hard on my head and lower jaw and left eye. . . I was then slapped very hard, left and right, until blood came out from my nose and my lips cracked. Because of this I could not walk or see properly." To substantiate his claims, Dato Seri Anwar then showed the court a large bruise on his arm; his black eye was already evident to everyone in the courtroom. He has not been allowed any medical treatment for his injuries. Dr. Mahathir's contention yesterday that Dato Seri Anwar inflicted the injuries to himself in order to gain a public relations coup is so absurd, so ludicrous, that it simply confirms in my mind the veracity of Dato Seri Anwar's contentions.

Mr. President, Dr. Mahathir prides himself on having transformed Malaysia from a divided multi-racial developing nation into a model of a modern, cosmopolitan, economically sophisticated country, and not without some justification. He also prides himself on being the self-appointed forward-thinking spokesman for Asian values and upholder of Asian independence from Western "interference." But in my opinion by his actions in the case of Dato Seri Anwar, he negates much of the progress Malaysia has made in the eyes of the rest of the world. And on a personal level, he has sadly shown himself to be just another third-world despot intent on stifling any dissent, challenge to his authority, or deviation from the party line.

Mr. President, I call on the Malaysian government to take every step to safeguard the rights of Dato Seri Anwar, ensure that any charges brought against him are not spurious, afford him a fair and open trial, and fully investigate and prosecute those responsible for his mistreatment while in detention. I hope that all Malaysians will be permitted to express their political views in a peaceful and or-

derly fashion without fear of arrest or intimidation, and that the government will avoid the perception that Malaysia is looking more and more like Burma and less and less like a democracy.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

##### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

At 11:45 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2187. An act to designate the United States Courthouse located at 40 Foley Square in New York, New York, as the "Thurgood Marshall United States Courthouse."

H.R. 2327. An act to provide for a change in the exemption from the child labor provisions of the Fair Labor Standards Act of 1938 for minors who are 17 years of age and who engaged in the operation of automobiles and trucks.

H.R. 2730. An act to designate the Federal building located at 309 North Church Street in Dyersburg, Tennessee, as the "Jere Cooper Federal Building."

H.R. 3598. An act to designate the Federal Building located at 700 East San Antonio Street in El Paso, Texas, as the "Richard C. White Federal Building."

H.R. 4081. An act to end the deadline under the Federal Power Act applicable to the construction of a hydroelectric project in the State of Arkansas.

H.R. 4248. An act to authorize the use of receipts from the sale of the Migratory Bird Hunting and Conservation Stamps to promote additional stamp purchases.

H.R. 4257. An act to amend the Fair Labor Standards Act of 1938 to permit certain youth to perform certain work with wood products.

H.R. 4283. An act to support sustainable and broad-based agricultural and rural development in sub-Saharan Africa, and for other purposes.

H.R. 4337. An act to authorize the Secretary of the Interior to provide financial assistance to the State of Maryland for a pilot program to develop measures to eradicate or control nutria and restore marshland damaged by nutria.

H.R. 4595. An act to redesignate the Federal building located at 201 Fourteenth Street Southwest in the District of Columbia as the "Sidney R. Yates Federal Building."

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 317. Concurrent resolution expressing the sense of the Congress that Members of Congress should follow the examples