

records without the individual's consent. For example, medical researchers may access a person's private medical records even if an individual does not want their private records used for medical research. Although individuals will be told that their identity will be protected, the fact is that no system is fail-safe. I am aware of at least one incident where a man had his medical records used without his consent and the records inadvertently revealed his identity. As a result, many people in his community discovered details of his medical history that he wished to keep private!

Forcing individuals to divulge medical information without their consent also runs afoul of the fifth amendment's prohibition on taking private property for public use without just compensation. After all, people do have a legitimate property interest in their private information. Therefore, restrictions on an individual's ability to control the dissemination of their private information represents a massive regulatory taking. The takings clause is designed to prevent this type of sacrifice of individual property rights for the "greater good."

In a free society such as the one envisioned by those who drafted the Constitution, the federal government should never force a citizen to divulge personal information to advance "important social goals." Rather, it should be up to the individuals, not the government, to determine what social goals are important enough to warrant allowing others access to their personal property, including their personal information. To the extent these regulations sacrifice individual rights in the name of a bureaucratically-determined "common good," they are incompatible with a free society and a constitutional government.

The collection and storage of personal medical information "authorized" by these regulations may also revive an effort to establish a "unique health identifier" for all Americans. The same legislation which authorized these privacy rules also authorized the creation of a "unique health care identifier" for every American. However, Congress, in response to a massive public outcry, has included a moratorium on funds for developing such an identifier in HHS budgets for the last three fiscal years.

By now it should be clear to every member of Congress that the American people do not want their health information recorded on a database, and they do not wish to be assigned a unique health identifier. According to a survey by the respected Gallup Company, 91 percent of Americans oppose assigning Americans a "unique health care identifier" while 92 percent of the people oppose allowing government agencies the unrestrained power to view private medical records and 88 percent of Americans oppose placing private health care information in a national database. Mr. Speaker, Congress must heed the wishes of the American people and repeal these HHS regulations before they go into effect and become a backdoor means of numbering each American and recording their information in a massive health care database.

The American public is right to oppose these regulations, for they not only endanger privacy but could even endanger health! As an OB-GYN with more than 30 years experience in private practice, I am very concerned by the threat to medical practice posed by these regulations. The confidential physician-patient relationship is the basis of good health care. Oftentimes, effective treatment depends on the

patient's ability to place absolute trust in his or her doctor. The legal system has acknowledged the importance of maintaining physician-patient confidentiality by granting physicians a privilege not to divulge confidential patient information.

I ask my colleagues to consider what will happen to that trust between patients and physicians when patients know that any and all information given their doctor may be placed in a government database or seen by medical researchers or handed over to government agents without so much as a simple warrant?

Mr. Speaker, I am sure my colleagues agree that questions regarding who should or should not have access to one's medical privacy are best settled by way of contract between a patient and a provider. However, the government-insurance company complex that governs today's health care industry has deprived individual patients of control over their health care records, as well as over numerous other aspects of their health care. Rather than put the individual back in charge of his or her medical records, the Department of Health and Human Services' privacy regulations give the federal government the authority to decide who will have access to individual medical records. These regulations thus reduce individuals' ability to protect their own medical privacy.

These regulations violate the fundamental principles of a free society by placing the perceived "societal" need to advance medical research over the individual's right to privacy. They also violate the fourth and fifth amendments by allowing law enforcement officials and government favored special interests to seize medical records without an individual's consent or a warrant and could facilitate the creation of a federal database containing the health care data of every American citizen. These developments could undermine the doctor-patient relationship and thus worsen the health care of millions of Americans. I, therefore, call on my colleagues to join me in repealing this latest threat to privacy and quality health care by cosponsoring the Medical Privacy Protection Resolution.

TRIBUTE TO THE SACRAMENTO
SYMPHONY LEAGUE

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 2001

Mr. MATSUI. Mr. Speaker, I rise in tribute to the Sacramento Symphony League. On March 14th, 2001, the League will host a luncheon to celebrate its 50th Anniversary. As the members gather to celebrate, I ask all of my colleagues to join me in saluting one of Sacramento's finest organizations.

Fifty years ago, the Sacramento Philharmonic Association asked Mrs. Sheldon Brandenburger to organize a women's group to promote the activities of the orchestra. Thirty charter members entered into an active program of musical and financial support forming the Sacramento Symphony League.

In the ensuing years, the Sacramento Symphony has enjoyed unparalleled success. With the introduction of Harry Newstone as conductor in 1963-1964, the symphony began to draw large audiences. The standing room only

crowds helped the symphony gain recognition. In 1965-1966, the Sacramento Symphony was chosen by the Ford foundation to receive a five-year grant, which established a million-dollar endowment.

The orchestra's success continued until the Symphony Association filed for bankruptcy in September of 1996. In the wake of this unfortunate occurrence, the Sacramento Symphony League voted immediately to continue with the broader purpose of supporting classical music and youth education.

Today, the Sacramento Symphony League is once again flourishing. Through its "Music in the Schools" programs, the League has made a dramatic difference in Sacramento youth music education and participation.

The Music Ensemble Program provides ensembles to play in schools throughout the area for music education programs. The Docent Program provides teams to visit schools and present an educational puppet show with musical accompaniment. The Classroom Classics Program provides quality CD players and classical CDs for teachers to play in their classrooms. In addition, the League provides scholarships for student musicians and oversees an instrument restoration program for area schools.

Mr. Speaker, as the Sacramento Symphony League gathers to celebrate its 50th Anniversary, I am honored to pay tribute to an invaluable resource to the Sacramento community. The League's commitment to youth music programs has been commendable. I ask all of my colleagues to join with me in wishing the Sacramento Symphony League continued success in all its future endeavors.

A SPECIAL TRIBUTE TO MR. CLARENCE SCHIEFER IN RECOGNITION
OF HIS HEROISM

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 2001

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to recognize a true hero, Mr. Clarence Schiefer, who was recently recognized for donating 50 gallons of blood. The recognition will be presented at a reception held in his honor by the Sandusky County Chapter of the American Red Cross.

Mr. Schiefer, from Fremont, OH, began donating blood at Heidelberg College many years ago. This retired school teacher, who served his country in the Navy during World War II, has spent more than 40 days of his life donating blood and platelets. His first 199 donations have been in the form of whole blood. Since then, Mr. Schiefer has been donating apheresis style, where a needle is placed in one arm and blood is processed through a Cobe Spectra Machine. This machine separates out blood platelets and returns the remaining blood to his body which allows him to donate more often because the body is capable of regenerating the donated platelets in about a day.

Mr. Schiefer's act of donating blood is an example of one of the most selfless acts of kindness and goodness. For more than 50 years, the American Red Cross has been a leader in blood collection, safety and development. In that time, their efforts have saved