

too much litigation, too much opportunity to go to court. Secondly, because it will drive up the cost of health insurance.

We know from the Texas insurance, and there are ten other States that have the good bill of rights including my own in New Jersey, that the fear of lawsuits is not real and the fear about increased cost of health insurance or people having their health insurance dropped is not real. In the case of Texas, it is well documented since 1997 when the patients' bill of rights went into effect in that State there were only 17 lawsuits. The average cost of health insurance in Texas has not gone up nearly as much as the national average. So we know that these fears that President Bush talks about are not legitimate.

What the President has been supporting and what the Republican leadership has been supporting is a weakened version of the patients' bill of rights that has been introduced by the gentleman from Kentucky (Mr. FLETCHER).

Just to give an example of what the differences can be on these bills, let me talk about some of the patients' protections that are guaranteed in the real patients' bill of rights that we would not have in the Fletcher Republican leadership bill. For example, we know that what we want is we want doctors to be able to practice medicine and be able to provide us with the care that they think we need. Well, under the Fletcher bill, for example, doctors could be told by their HMO that they cannot even talk to a patient about a medical procedure that they think a patient needs. It is called the gag rule.

Doctors also would continue to be provided financial incentive, or could under their Fletcher bill by their HMO, financial incentives not to provide us with care because they get more money at the end of the month if they do not have as much procedure, if they do not care for as many people, if they do not do as many operations.

Another very good example is with regard to specialty care. Under the real patients' bill of rights, the Dingell-Norwood-Ganske bill, we basically are able to go to a specialist on a regular basis without having to get authorization each time we want to go. Well, that is not true under the Fletcher bill. For example, under the real patients' bill of rights, a woman can have her OB-GYN as her family practitioner. She does not have to have authorization each time she goes.

Under the real patients' bill of rights, if we need pediatric care, we are guaranteed specialty care for our children, for specialty pediatric care. Under the Fletcher bill neither of these things are true.

So there are real differences here. That is why it is important that we have an opportunity this week to vote on the real patients' bill of rights. I ask the Republican leadership, do not put any roadblocks procedurally in the

way through the Committee on Rules so that we do not have a clean vote on the real patients' bill of rights.

Let me talk about another area. Well, I guess my time has run out, Mr. Speaker. But I would ask that we have an opportunity this week to vote on a clean bill.

#### GRANTING PRESIDENT BUSH TRADE PROMOTION AUTHORITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Texas (Mr. BRADY) is recognized during morning hour debates for 2 minutes.

Mr. BRADY of Texas. Mr. Speaker, the House of Representatives will consider legislation granting President Bush trade promotion authority. I urge my colleagues to support this legislation.

Why do we need restored trade promotion authority to the President and to America? The answer is jobs and our children's future. Currently the United States is at a severe disadvantage when we have to compete with the rest of the world. Not because of the quality of our products. They are high. But because of the trade barriers we face abroad. According to a report released earlier this year of the estimated 130 free trade agreements around the world, only two today include the United States.

Giving the President this authority to negotiate on our behalf would help give America the tools we need to break down the barriers abroad so we can sell American goods and services around the world and the potential is huge. Ninety-six percent of the world lives outside the United States. Ninety-six percent of the world lives outside our borders. While they cannot all buy the products we buy today, someday they will, and we want them to buy American products.

Here is an interesting static. Half the adults in the world today, half the adults in the world have yet to make their first telephone call. Well, if it is European countries to sell those telephone systems, they will create European jobs. If they are Asian companies that sell those telephone systems, they will create Asian jobs. If they are American companies that sell those telephone systems, we will create American jobs.

These are jobs for our future and for our children going through the schools today.

Countries around the world are hesitant to negotiate trade agreements with us. They are scared Congress will change every agreement 1,000 different ways after it has been negotiated. What trade promotion authority does, it gives Congress, your representatives, a final say on whether an agreement is fair and free. I want that say.

Mr. Speaker, in order to keep America the greatest economic power in the world, we have to be able to compete in the trade arena. The only way we will

be able to do this is by granting President Bush trade promotion authority on our behalf.

#### PRIVATE PENSION BILL FOR RETIRED RAILROAD WORKERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Michigan (Mr. SMITH) is recognized during morning hour debates for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, it is a great morning, but I am going to talk about a disconcerting bill that we might be taking up today or maybe tomorrow. It is the private pension bill for the railroad workers in this country.

The gentleman from Texas (Mr. SAM JOHNSON) and I are sending out a dear colleague this morning, Mr. Speaker. I hope all staff and workers and Members who are concerned about reaching into the Social Security-Medicare trust fund next year will take a look at this dear colleague, and then take a look at the railroad retirement bill that cost \$15 billion.

I have been working on Social Security since I came here in 1993. In working with the Social Security system and researching its origins back to 1934, I discovered that the railroad employees were included in the social security system at that time in 1934.

The railroad workers and employers who were tremendously influential politically back in the 1930's as they are today, came to Congress and said we do not want to be part of the Social Security system, we want our own pension system. So government passed a law and took them out, and it became sort of a quasi-governmental pension system for this private industry—the only private industry that has sort of this government back-up of a private pension system.

The railroad retirement system was established during the 1930's on a pay-as-you-go basis just like Social Security; but unlike Social Security, which now has three workers to support every one retiree, the railroad retirement system has three beneficiaries being supported by every one worker. That is why they have come back to Congress so many times to ask the American taxpayer to bail out their pension system.

The disproportionate ratio of beneficiaries to workers is a direct result of historical decline in railroad employment. Since 1945, the number of railroad workers has declined to 240,000 from 1.7 million. So we can see as there are fewer workers, but all the existing retirees are living longer life spans, it has come to a tremendous burden on that workers asking each worker to have the kind of contribution that would support three retirees, so they have not been able to do it.

Declining employment. Many benefit increases have produced chronic deficits. The railroad retirement system has spent more than it has collected in