

EXTENSIONS OF REMARKS

INTRODUCTION OF LEGISLATION TO HELP THE NATION'S SAFETY NET HOSPITALS: CARVE-OUT OF DISPROPORTIONATE SHARE HOSPITAL PAYMENTS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. RANGEL. Mr. Speaker, I am today introducing legislation to give equitable treatment to the Nation's safety-net hospitals, the hospitals which serve a disproportionate share of the Nation's uninsured and low-income. I am pleased to be joined by Representatives STARK, QUINN, WALSH, and 26 other Members.

Our bill "carves out" Disproportionate Share Hospital (DSH) payments from the amount we give HMOs and pays those DSH funds directly to DSH hospitals when managed care company patients use a DSH hospital.

This legislation completes a process well-started in the Balanced Budget Act. In the just-enacted Balanced Budget Act, we "carved out" from what we pay HMOs the amount attributable to the cost of Graduate Medical Education (GME) and provided that, when an HMO's patient actually uses a GME Hospital, that hospital will be directly reimbursed by Medicare for its extra GME expenses. This provision corrects a serious problem facing our Nation's teaching and research hospitals: HMOs get paid as if they use these hospitals, but in many (but not all) cases, HMOs avoid these more expensive hospitals. The "carve out" will prevent windfalls to HMOs and permit the GME hospitals to compete fairly for HMO patients.

The same logic that supported the GME carve-out supports the DSH carve-out. Though the Senate Finance and Commerce Committees' bills provided for both a DSH carve-out and a GME carve-out, the DSH carve-out was dropped from the final BBA. There is no logic to not applying the same principle to DSH payments.

Our Nation's safety-net hospitals desperately need these extra payments—and HMOs which do not use DSH hospitals do not deserve the extra amount. As data from 1995 show, the Nation's public hospitals in over 100 of America's largest metropolitan areas are the key safety-net hospitals. These hospitals make up only about 2 percent of all the Nation's hospitals, yet they provide more than 20 percent of all uncompensated care and they rely on Medicare and Medicaid to fund more than half of that uncompensated care. In 1995, 67 of these safety-net hospitals reported incurring \$5.8 billion in uncompensated care costs (defined as bad debt and charity care)—an average of over \$86 million per hospital. For these institutions, bad debt and charity care represented 25 percent of their total gross charges. And this disparity is only getting worse. Private and for-profit hospitals are increasingly competing for Medicaid patients (who at least bring with them some govern-

ment reimbursement) and leaving the totally uninsured to these disproportionate share safety-net hospitals. These safety-net hospitals have the worst total margins (i.e., "profits") in the hospital industry. Overall, hospital margins from Medicare payments are at record highs and this fact justified the Medicare payment update freeze and reductions which were included in the Balanced Budget Act. But the Prospective Payment Assessment Commission estimates that in 1997 the Nation's major teaching hospitals (who also tend to be DSH hospitals) will have the lowest total margins of any hospital category: 3.9 percent—a thin and shrinking margin that will surely turn negative in the next economic downturn. The enactment of this legislation could help improve these margins and preserve these hospitals.

Providing a DSH carve-out will also help these hospitals compete equally for managed care patients. Failing to provide a carve-out serves as an incentive to managed care plans not to use these more expensive hospitals. A recent White Paper from the National Association of Public Hospitals and Health Systems entitled "Preserving America's Safety Net Hospitals" explains why the DSH carve-out should be legislated:

The current methodology for distributing Direct Graduate Medical Education, Indirect Medical Education, and DSH payments is seriously flawed in the Medicare managed care context. For Medicare patients enrolled in managed care, these supplemental payments are incorporated into the average adjusted per capita cost (AAPCC) which is the capitation payment made to managed care plans. The plans do not necessarily pass these payments along to the hospitals which incur the costs that justify the payments. In fact, some plans receive the payments and do not even contract with such hospitals. As Medicare increases the use of capitated risk contracting, the amount of DGME, IME, and DSH funds that go to teaching hospitals will diminish considerably unless this payment policy is changed. In essence, payments intended to support the costs of teaching or low income care are being diverted from the hospitals that provide the care to managed care plans that are not fulfilling this mission. For this reason, the GME and DSH payments must be carved out of the AAPCC rate and made directly to the hospitals that incur those costs.

The carve-out for graduate medical education was wisely included in the Balanced Budget Act. It is logical, appropriate, and important that we complete the work and carve out the DSH payments.

I want to thank the Greater New York Hospital Association, the American Hospital Association, and the Healthcare Association of New York State (HANYS) for their support of the bill in the 105th Congress (H.R. 2701), and we look forward to working with them on the issue in the 106th Congress.

IN CELEBRATION OF THE 100TH ANNIVERSARY OF THE DUNSMUIR HOUSE AND GARDENS IN OAKLAND, CA

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Ms. LEE. Mr. Speaker, I rise in celebration of the 100th anniversary of the establishment of the Dunsmuir House and Gardens in Oakland, CA. This milestone will be commemorated with a year-long series of special events including lectures, concerts, and exhibits, beginning on Thursday, March 11, 1999, to celebrate the Dunsmuir estate and the history of the City of Oakland.

The Dunsmuir House and Gardens is a 50-acre early 20th century summer estate located in the hills of northeast Oakland. The estate features a 37-room, 16,224 square foot neoclassical revival mansion, carriage house, and barn, as well as additional farm buildings and a beautifully manicured landscape.

The estate was built by Alexander Dunsmuir as a wedding gift for his bride Josephine Wallace. In 1906, the estate was purchased by L.W. Hellman and later sold to the City of Oakland in the early 1960s. In 1971, the Dunsmuir House & Gardens, Inc. (DHGI), was formed to provide public access to the estate and grounds.

The Dunsmuir House & Gardens, Inc., is a non-profit organization with over 200 volunteers responsible for the restoration, preservation, and management of the Dunsmuir Estate. Throughout the year, DHGI presents several multi-cultural events, tours, and educational programs that provide opportunities for the public to enjoy the estate.

The mission of DHGI is to preserve and restore the buildings and grounds while maintaining their historic character; to interpret the valuable historical, cultural, architectural, and horticultural resources for the estate during the period of 1900 to 1910; to operate and maintain the estate for the enjoyment and education of the public; and to encourage the community's use of the property while maintaining a balance between site use and preservation.

The Dunsmuir House has been designated as a National Historic Site by the United States Department of the Interior and has been placed on the California Historic Register by the California Office of Historic Preservation. The Dunsmuir House is also designated as a Historic Landmark by the City of Oakland.

Throughout this centennial celebration, the Dunsmuir Estate will be alive with new construction and preservation projects. A new Garden Pavilion will be constructed in 1999, featuring a ballroom and meeting space which will accommodate up to 299 guests. During the construction of the new Garden Pavilion, a Garden Tent will also be installed on the estate.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

In order to preserve, protect, and restore the Dunsmuir estate, DHGI relies on memberships and financial donations as well as donations and loans of furniture, art, collectibles, books and clothing from the turn-of-the-century.

The Dunsmuir House is truly a source of civic pride and a valuable resource for the community, and I am excited to join in the celebration of the 100th anniversary of its establishment.

THREE-MONTH EXTENSION OF RE-ENACTMENT OF CHAPTER 12, TITLE 11, UNITED STATES CODE

SPEECH OF

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mrs. MINK of Hawaii. Mr. Speaker, I rise in strong support of H.R. 808, the Chapter 12 Farm Bankruptcy Bill, of which I am a cosponsor.

During the farm crisis of the 1980's, Congress recognized that the bankruptcy code failed to address the needs of most family farmers. In an effort to fill this void, Congress in 1986 enacted Chapter 12 of the bankruptcy code providing relief designed specifically for family farmers. Chapter 12 enabled family farmers to reorganize their debt and continue to operate, rather than having to liquidate, when they declared bankruptcy.

Chapter 12 is scheduled to expire in 3 weeks, on April 1, 1999. The Chapter 12 Farm Bankruptcy Bill, will extend Chapter 12 of the bankruptcy code for 3 additional months and continue this much needed bankruptcy option until it can be made permanent with the bankruptcy reform legislation that will be heard later this year.

Family farmers, the backbone of our country, deserve an opportunity to reorganize their debts and continue operating after they have declared bankruptcy. I support H.R. 808 and urge it's immediate passage.

TRIBUTE TO THE LATE ROBERT HAWTHORNE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. THOMPSON of Mississippi. Mr. Speaker, today I pay tribute to Mr. Robert J. Hawthorne who passed away on February 19, 1999. Mr. Hawthorne was a motivator, educator, and served as a positive role model for many of the youths in his community.

Mr. Hawthorne received his early education at Jackson Lanier High School. Upon completion, he entered Tougaloo College, my alma mater, in Tougaloo, MS. Mr. Hawthorne's stay at Tougaloo was temporarily put on hold in order for him to serve his country in the United States Army. After being discharged from the service, he returned to Tougaloo College and received his degree.

In the early 1960's, Mr. Hawthorne moved to the Delta where he embarked on a 36-year teaching and coaching career in the Hollandale School District in Hollandale, MS.

The highlight of Mr. Hawthorne's career came when he was inducted into the Mississippi Association of Coaches Hall of Fame. Over the 36-year span, Mr. Hawthorne compiled a football record of 154-110-13 including several conference and district championships. In addition to coaching football, Mr. Hawthorne contributed to the boys and girls basketball teams and the boys and girls track teams. The fruits of Mr. Hawthorne's labor of love have resulted in his athletes going on to become doctors, lawyers, teachers, politicians and successful business persons.

Mr. Speaker, Mr. Hawthorne was truly an asset to the Second Congressional District of Mississippi. He served as a pillar of strength and hope for young people in the Mississippi Delta. If there ever was an example for a role model, Mr. Hawthorne would certainly fit the bill. He will be surely missed by all.

CONTINUATION OF AID DENIAL FOR TURKEY

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. PORTER. Mr. Speaker, I want to express my support for the continuation of current U.S. Policy regarding economic and military assistance to the Government of Turkey.

Over the past decade, I have worked tirelessly, as a member of the House Appropriations Committee to end the practice of providing scarce U.S. foreign assistance dollars to abusive governments around the world. Turkey is one example where sustained action by concerned Members of Congress has had an important impact. In 1995, despite a deplorable human rights record and consistently poor relations with its neighbors, Turkey was the third largest recipient of U.S. foreign assistance. Through the efforts of Congressman ANDREWS and many other concerned Members, we were able to end direct assistance to Turkey in fiscal year 1999. Today, I call upon Congress to maintain this policy as we begin working on the appropriations bills for the coming fiscal year.

The U.S. State Department and numerous non-governmental organizations both in and outside Turkey, have compiled a thorough record of the serious human rights problems that persist in Turkey to this day. The international community has continuously expressed dismay with Turkey's refusal to withdraw troops from Cyprus, its total rejection of any political solution to the Kurdish problem, and its ongoing mistreatment of the Kurds and other minority groups. Unfortunately, Turkey has done little to address these problems or move any closer to the standards of behavior that are expected of a country which desires a place in Europe and in the community of democratic nations.

I regret that the Turkish government has refused to accept responsibility for or take steps to correct the problems that hold Turkey back from its potential positive role in the region and the world. Until such time as that government does make a genuine effort to address these serious issues, the U.S. Congress must continue to send a strong message by refusing to permit U.S. taxpayer funds to be squandered on an abusive government that refuses

to conform itself to the basic international standards that we hold dear. I do not always agree with the policies of the Administration when it comes to Turkey, but I am pleased to note that there was not a request for economic or military assistance for turkey in the President's budget for Fiscal Year 2000. I am pleased that the Administration has finally come around to the view shared by a majority of the Members of the House of Representatives on this issue, and I am hopeful that this signals a new willingness on the part of the Executive Branch to work with Members on a more constructive approach to improving Turkey's human rights practices.

HONORING ARTHUR O. EVANS

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. KILDEE. Mr. Speaker, I stand before you today to recognize the accomplishments of a man who has made it his life's work to protect and defend human dignity, and to ensure the safety of our streets for our citizens and our children. On March 12, friends and family will gather to honor the career of Arthur O. Evans, who is retiring after more than 30 years in law enforcement.

It is difficult to imagine what the Flint, MI community would be like had it not been for the influence of Art Evans, an influence which began after he joined the Flint Police Department, following the end of his tenure as a member of the U.S. Air Force Air Police. Art began his career as a police officer in 1968, and rose through the ranks becoming a sergeant in 1974 and a lieutenant in 1984. During his tenure with the Flint police, Art served in divisions such as the Criminal Investigation Bureau, Neighborhood Foot Patrol, and the Inspection Bureau. During this time, Art also attended Flint Junior College and Michigan State University, earning degrees in Police Administration, Criminal Justice, and Criminal Justice Education and Administration. For over 25 years, he also worked as a Criminal Justice instructor at the University of Michigan-Flint, Saginaw Valley State University, and Mott Community College. In February 1985, Art was appointed Undersheriff of Genesee County, thereby giving him a larger jurisdiction and a greater opportunity for public service.

Art has often been involved in groups such as the Genesee County Association of Chiefs of Police, Flint Area Crime Stoppers, National Organization of Black Law Enforcement Executives, and the International Association of Chiefs of Police. He has worked to enhance the quality of life for his constituents through his involvement in groups such as Genesee County Violence Prevention Coalition, Mott Community College Criminal Justice Advisory Board, and the National Council on Alcoholism.

Art has many times stepped from behind his badge through his work with the Boy Scouts of America, Bishop International Airport Authority, and the YMCA. He has been General Chairperson for the Untied Negro College Fund in Genesee County, President of the Urban League of Flint Board of Directors, and President of the Flint Board of Education.

Mr. Speaker, many people in the Flint area, myself included, have greatly benefitted from

Art Evans' insight and experience. He has truly made Genesee County a better place in which to live. I ask my colleagues in the 106th Congress to join me in congratulating him for his dedication and commitment to justice.

PROVIDING FOR USE OF CATAFALQUE IN CRYPT BENEATH ROTUNDA OF CAPITOL IN CONNECTION WITH MEMORIAL SERVICES FOR THE LATE HONORABLE HARRY A. BLACKMUN, FORMER ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES

SPEECH OF

HON. BILL LUTHER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. LUTHER. Mr. Speaker, I rise today to pay tribute to the life and legacy of late Supreme Court Justice Harry Blackmun. Ascending from a modest St. Paul Childhood to the Nation's highest court, Mr. Blackmun served the people of Minnesota for decades with his meticulous yet open legal mind before dutifully serving his Nation as Supreme Court Justice for 24 years.

Reflective and courageous Justice Blackmun bore great personal burdens in order to translate the Constitution's theory of liberty into fundamental guarantees for all people. He was a genuine and humble public servant. His passing will be mourned by people everywhere.

THE BREAST AND CERVICAL
CANCER TREATMENT ACT OF 1999

HON. RICK LAZIO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. LAZIO of New York. Mr. Speaker, I rise today to introduce legislation that will allow states the option of providing Medicaid coverage to women who have been diagnosed with breast and cervical cancer through the federal government's National Breast and Cervical Cancer Early Detection Program (NBCCEDP).

This bill would allow women who are screened through the CDC program and diagnosed with cancer to help obtain the quality treatment they deserve. The Breast and Cervical Cancer Treatment Act would allow women to focus their efforts on getting well instead of worrying about how they or their family will be able to pay for their treatment.

Currently, screening services through this CDC-administered program are provided to women who earn too much to be eligible for Medicaid but not enough for private insurance. The nine-year-old program exists in 50 states, in five U.S. territories, in the District of Columbia, and through 15 American Indian/Alaska Native organizations.

The CDC screening program is a terrific success and has saved an untold number of lives. Since its inception in 1990, the program has provided more than 1.5 million screening tests to women who might have otherwise not had access to it.

More than 700,000 mammograms have been provided to primarily low-income women. Of this number, over 48,000 of the tests were abnormal, and over 3,600 cases of breast cancer were diagnosed. In addition, through the 850,000 cervical cancer screenings, more than 26,000 pre-cancerous lesions were detected, and 400 women were diagnosed with invasive cervical cancer.

But frankly, screening and early detection are only half the battle. These proactive efforts must be coupled with a quality plan for follow-up treatment. As the CDC program works today, treatment for these women is—at best—an ad hoc system. Women must rely on a tremendous amount of time and effort from volunteers, state workers, doctors, public hospitals, and others, to find appropriate treatment services for their disease. Follow-up services are very rare, and 5% of women in this program are never even treated. Congress needs to provide a plan that follows through for these women.

In my district of Long Island, the severity of this problem is very real. My staff has dealt with a number of women with varying issues that stemmed from this loophole of care in the current system.

For example, one woman from Suffolk County—while she was extremely grateful for the screening programs available to her—often referred to her treatment as “begging” because she often had to get treatment anywhere she could find it.

Another constituent with breast cancer felt like her disease was “public” because she found that the only way to get treatment as a woman in this situation is to tell every advocate and every doctor about your situation—to make these extraordinarily personal problems public—in the hope that someone can find what you need and help.

Finally, one woman chose not to get tested because she knew that treatment would not be guaranteed. This final example is what frightens me the most—some women are avoiding a screening that could save their life because of the potential expense it might cost them.

Seeing a need to complete this quality program, I joined with my colleagues Rep. ANNA ESHOO and Rep. ILEANA ROS-LEHTINEN, to sponsor The Breast and Cervical Cancer Treatment Act of 1999. Our legislation will allow states the option of providing Medicaid coverage to women who have been screened and diagnosed with breast and cervical cancer through the CDC program. In my view, this bill is the best long-term solution. Congress needs to ensure Americans that our government programs are working for them and that Congress is making the right decisions.

I am proud to introduce this critical piece of legislation in an effort to ensure that all women of all income levels will have access to the screening and appropriate and quality treatment to help combat this terrifying disease.

INTRODUCTION OF THE BREAST
AND CERVICAL CANCER TREATMENT
ACT OF 1999

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Ms. ESHOO. Mr. Speaker, I rise today to talk about two diseases we all hope to avoid but which often touches too many of our lives—breast and cervical cancer.

Mr. Speaker, breast and cervical cancer are killers. Breast cancer kills over 46,000 women each year and is the leading cause of death among women between 40 and 45. Cervical cancer will kill, 4,400 of our wives, daughters, mothers and sisters this year.

In 1990, Congress took the first step to fight breast and cervical cancer by passing the Breast and Cervical Cancer Mortality Prevention Act. This law authorized a breast and cervical cancer-screening program for low-income, uninsured or underinsured women through the Centers for Disease Control (CDC).

This law was an important first step, but it was only a first step. While the current program covers screening services, it does not cover treatment for women who are found to be positive through the program. The bill I am introducing today with my colleagues, Representatives LAZIO, CAPPAS, and ROS-LEHTINEN, takes the next critical step by providing lifesaving treatment for these dreaded diseases.

Our bill, the Breast and Cervical Cancer Treatment Act of 1999, would establish an optional state Medicaid benefit for the coverage of certain women who were screened and diagnosed with breast or cervical cancer under the CDC National Breast and Cervical Cancer Early Detection Program.

Thankfully, Mr. Speaker, we possess the technology to detect and treat breast and cervical cancer. But we must pair this with the will to help women fight these diseases. The current method of providing treatment is through an ad hoc patchwork of providers, volunteers, and local programs that often results in unpredictable, delayed, or incomplete. Our bill would provide a consistent, reliable method of treatment for uninsured and underinsured women fighting breast or cervical cancer.

Mr. Speaker, I am pleased to say that over 90 of my colleagues from both sides of the aisle have already signed on to be original cosponsors of the Breast and Cervical Cancer Treatment Act. These members who have shown their support for this bill recognize that breast and cervical cancer are not only women's diseases. For the son who has lost a mother, the husband who has lost a wife, or the mother who has lost a daughter, this disease is a family disease.

In the last decade we have made great strides in diagnosing and treating breast and cervical cancer. But the causes of these cancers remain unknown and for many women how they will pay for their treatment remains unknown as well. Mr. Speaker, our hope is that Breast and Cervical Cancer Treatment Act will help change that.

IN HONOR OF AMELIA ASHLEY-WARD, PUBLISHER OF SUN-REPORTER PUBLISHING COMPANY BY THE SAN FRANCISCO NAACP

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Ms. LEE. Mr. Speaker, I rise in recognition of the honor bestowed upon Amelia Ashley-Ward by the San Francisco NAACP for her outstanding career in the field of journalism.

Ms. Ashley-Ward is the publisher of the Sun-Reporter Publishing Company and was recently named "Publisher of the Year" by the National Newspaper Publishers Association (NNPA).

The Sun Reporter Publishing Company publishes nine weekly newspapers throughout Northern California, including the Sun-Reporter, the California Voice and the Oakland Metro Reporter. Through these various publications the African-American community is kept informed of issues affecting African-Americans politically, economically, and culturally.

Ms. Ashley-Ward assumed control of the Sun-Reporter following the death of Dr. Carlton Goodlett, its longtime leader. Since then, she has revitalized the company and continued Dr. Goodlett's crusade for social justice.

Ms. Ashley-Ward's achievements in journalism as a reporter, photo-journalist, Editor of the California Voice, Managing Editor and now Publisher of the Sun-Reporter are significant. These awards include the 1997 Woman of the Year designated by the San Francisco Black Chamber of Commerce; the Leslie Urquhart Community Service Award; and the leaders in Action Award in journalism.

Ms. Ashley-Ward is an executive board member of the NAACP, serving as 2nd Vice President.

Ms. Ashley-Ward is also the Founding President of the Young Adult Christian Movement, which is an outreach organization that discusses faith and how to make one's life better spiritually.

I want to join with the NAACP and with community leaders throughout the Bay Area and the nation to pay tribute to the work and legacy of Ms. Amelia Ashley-Ward.

H.R. 473—PROVIDING ASSISTANCE TO FARMERS FOR CROP DISEASES AND VIRUSES

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mrs. MINK of Hawaii. Mr. Speaker, I recently introduced H.R. 473, to ensure that farmers who suffer crop losses due to plant viruses and plant diseases are eligible for crop insurance and noninsured crop assistance programs and that agricultural producers who suffer such losses are eligible for emergency loans.

Pandemics of plant viruses and diseases regularly destroy the crops of entire farms and often the crops of entire geographic areas. A single plant virus or disease outbreak can

send farms into bankruptcy and farmers are left without any means of recovering. Agriculture producers can qualify for emergency loans when adverse weather conditions and other natural phenomena have caused severe physical crop property damage or production losses, however, under current law, crop viruses and diseases are not considered "natural disasters" and thus are not eligible for these types of loans.

For example, in Hawaii, the State recently ordered the eradication of all banana plants on the entire island of Kauai and in a 10 square-mile area on the Big Island in an effort to eradicate the banana "bunchy top" virus. A court order required compliance of all who did not cooperate and farmers were ordered to destroy their entire farm and livelihood without any compensation. These farmers do not qualify for emergency loans or disaster assistance and many were left with no other option but to sell their farms.

The survival of our Nation's farmers is largely dependent upon the unpredictable temper of mother nature. We provide our farmers with assistance when adversely affected by severe weather but that is not enough. Emergency loans and disaster assistance must be made available to farmers for crops suffering from calamitous plant viruses and diseases.

H.R. 473 would enable farmers to qualify for crop insurance programs, noninsured assistance programs, and low-interest emergency loans, when devastated by crop losses due to plant viruses and diseases.

I invite my colleagues to cosponsor this worthy legislation and I urge immediate consideration of H.R. 473 in the House.

TRIBUTE TO LILLIAN WEST-ADAMS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. THOMPSON of Mississippi. Mr. Speaker, today I pay tribute in memory of a dear friend who recently passed away, Mrs. Lillian West-Adams. Mrs. West-Adams was indeed a friend to me and many people in her community and will be missed by all.

Mrs. West-Adams was born December 17, 1940 in Bolton, MS. She was the third of four children. Her education began in the elementary and secondary schools of Hinds County Public School System. She went on to receive a Bachelor of Science Degree in Home Economics from Alcorn College in Lorman, MS.

She left Alcorn for Chicago after receiving her degree. It was there where Lillian accepted a teaching position with the Chicago Board of Education. It was also in Chicago where she met and later married Mr. Lonnie E. Adams. This union was blessed with one daughter, Larissa J. Adams. Education and enriching the lives of young people became her lifelong commitment.

Mrs. West-Adams will always be remembered as a warm and giving person. Whether it was her family, friends or community, she was willing to go the extra mile. In closing Mr. Speaker, I would like to say that Mrs. Lillian West-Adams made a tremendous contribution to the future of America by imparting knowledge to countless numbers of young people. My prayers go out to her family.

SENSE OF CONGRESS URGING CRITICISM OF PEOPLE'S REPUBLIC OF CHINA FOR HUMAN RIGHTS ABUSES IN CHINA AND TIBET AT ANNUAL MEETING OF UNITED NATIONS COMMISSION ON HUMAN RIGHTS

SPEECH OF

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mr. PORTER. Mr. Speaker, I rise today in strong support of H. Con. Res. 28. Congress must strongly signal the administration in urging the United Nations to criticize China's human rights record.

Let me start by thanking the gentleman from New York (Mr. GILMAN) for bringing this resolution to the floor, and so many of my other colleagues including the gentleman from California (Mr. LANTOS), the gentleman from Virginia (Mr. WOLF), and the gentlewoman from California (Ms. PELOSI) for their efforts to focus the attention of this body on the human rights situation in China.

China recognizes the U.N. Declaration of Human Rights as does this great Nation of ours. Unfortunately, China's recognition of this monumental document lives only on paper. China has proven through its repeated mistreatment of its citizens, its continuing genocide in Tibet, and the lack of fundamental freedom of religion and expression that it does not stand for the most basic of human rights. The United States must no longer accept China's defiance of the precepts of the U.N. Declaration on Human Rights, which the rest of the international community accepts and lives by.

China is witnessing the worst crackdown on dissent since the days immediately following the Tiananmen Square massacre. Since this crackdown began in November, the United States along with the international community has done little to condemn China. When three prominent dissidents were given absurd prison sentences for their efforts to register the China Democracy Party, there was barely a sound from our administration. When a leading labor activist was arrested for giving an interview on Radio Free Asia, there was hardly a word. When a computer entrepreneur was arrested for selling e-mail addresses to a magazine which promotes democracy, the silence was deafening. While brave warriors for democracy sit in jail or labor in work camps, the administration has declined to stand up for these people and for the principle they embody. China's actions are indefensible; it is time our Nation stands up and shows China that its actions are unacceptable and the international community is watching.

Promotion and preservation of basic human rights is an issue for the entire international community—it is not China's internal matter. I urge the administration to begin a genuine dialog with the Congress in order to demonstrate the sincerity of its desire to work with the Congress to address the very serious human rights problems in China.

I ask all of you to join me in urging this administration to send a unequivocal message to China by having the United Nations criticize its human rights record. The United States must take the lead in preserving the most basic of rights for the people around the world and it

must take a stand against the horrendous policies which China continue to live by.

HONORING PASTOR EDDIE
McDONALD, SR.

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. KILDEE. Mr. Speaker, I come before you today with a heavy heart, as I stand here to recognize the achievements of a great man who gave much to his family, his community, and to the Lord. On March 8, Pastor Eddie McDonald, Sr. of Friendship Missionary Baptist Church in Pontiac, Michigan, joined the Lord after a lifetime of service.

For many years, Pastor Eddie McDonald was known as one of the most respected and influential leaders in the City of Pontiac. It is nearly impossible to imagine what the Pontiac area would be like had Pastor McDonald chosen not to move here from his home in Fayetteville, North Carolina in 1953. In 1958 he joined the congregation of Messiah Missionary Baptist Church. He was ordained as a deacon in January 1959 and became a minister on March 18, 1962.

In 1966, Pastor McDonald began a street ministry, and the following year organized Bibleway Missionary Baptist Church, serving as Pastor through its first year. On March 28, 1968, Pastor McDonald became the pastor of Friendship Missionary Baptist Church, and held the position up until his untimely death.

Pastor McDonald's influence extended not only in the Church, but the community as well. He was affiliated with a number of professional and charitable organizations including the Pontiac Ecumenical Ministry, Pontiac Citizen's Coalition, Lighthouse and the Pontiac Youth Assistance Program. Pastor McDonald also served as president of the Oakland County Ministerial Fellowship. Not limiting his good deeds to the State of Michigan, he and his family have been instrumental in food and clothing drives benefitting needy individuals throughout the country.

Mr. Speaker, when Pontiac became a part of my district, I was told by many that the first person I should meet was Pastor Eddie McDonald. This advice proved to be beneficial because from it, I gained a resource, an ally, a confidant, and most importantly, a friend. My sincerest condolences go out to his wonderful wife, Mary, their extended family, and the congregation of Friendship Missionary Baptist Church. He will be sorely missed.

TRIBUTE TO MAYOR THOMAS A.
EGAN

HON. BILL LUTHER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. LUTHER. Mr. Speaker, I come before the House today to honor a devoted public servant, Thomas A. Egan of Eagan, MN. After 20 distinguished years as council member and mayor of Eagan, Tom recently decided to retire from public service. Although his leadership will be greatly missed, Tom's legacy is the shared sense of community and responsibility that Eagan residents will carry into the new millennium.

Tom also served a successful tenure as president of the National Organization to In-sure a Sound-Controlled Environment (NOISE) where he was a tireless advocate of airport noise mitigation. Tom's dedication to airport noise reduction helped communities and citizens nationwide address the adverse effects of increased noise pollution.

On behalf of these communities and citizens, especially his constituents in Eagan, MN, we greatly appreciate all of Tom's contributions and efforts and we wish him all the best in his future endeavors.

CONGRATULATING THE MEMBERS
OF THE UNIVERSITY HIGH
SCHOOL MARIACHI CULTURAL

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. EDWARDS. Mr. Speaker, I rise today to offer my best wishes to the members of the University High School's Mariachi Cultural. This group represents Texas' multicultural heritage and helps instill pride in our Hispanic culture.

The group was started in March 1997, under the capable leadership of Jose Nino. Since then, the volunteer student group has performed at numerous events and was featured on Univision, the international cable station.

Earlier this year, the group was able to purchase new uniforms after a successful fundraising effort. The Waco community came out full force for this talented musical group and made the new uniforms a reality.

I ask members to join me in congratulating this special group on their musical successes.

THE PUBLIC SAFETY EMPLOYER-
EMPLOYEE COOPERATION ACT
OF 1999

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. NEY. Mr. Speaker, I rise today in support of the Public Safety Employer-Employee Cooperation Act of 1999, a bill I proudly re-introduce with the gentleman from Michigan, Mr. KILDEE.

This legislation, which was originally introduced in the 105th Congress and had 203 co-sponsors, establishes modest, minimum federal standards relating to collective bargaining for those groups who provide safety and security to the public, namely our fire fighters and police officers.

Unfortunately, many of those whose job it is to protect the public from danger are left to fend for themselves. They do not have the right to negotiate such basic issues as hours, wages and conditions of employment because some states still do not provide collective bargaining rights for their public employees. This is especially troublesome since fire fighters and police officers take their oaths to serve and protect the public very seriously, putting themselves at risk for the public's well-being.

Our bill recognizes the public safety officers' unique situation by creating a special collective bargaining right outside the scope of other federal labor law. More importantly, it does so

without dictating to the states what their specific laws should be since the legislation is general enough to preserve a state's right to implement a collective bargaining statute on their own terms. Furthermore, states that already have collective bargaining laws in place would be exempt from the federal statute.

I would like to make it clear that this legislation does not permit strikes by public safety officers nor does it provide for mandatory binding arbitration. This is in keeping with the bill's intent to provide a basic and fundamental right of negotiating for those who protect us without endangering the lives of the people they are hired to protect.

It is well-known that labor-management relationships are based on trust, mutual respect, open communications, compromise and shared accountability. I believe this to be especially true as it relates to our public safety officers. We depend on them to maintain our safety and they depend on our respect and understanding if they are going to continue to provide us with the level of comfort in our communities to which we are accustomed. They deserve no less.

This bill has the support of the International Association of Fire Fighters; the International Brotherhood of Police Officers; the International Union of Police Associations; the National Association of Police Organizations and the Fraternal Order of Police. It also has the bi-partisan support of over 125 of our colleagues upon its introduction.

I urge our colleagues to join us in supporting the Public Safety Employer-Employee Cooperation Act of 1999.

THE PUBLIC SAFETY EMPLOYER-
EMPLOYEE COOPERATION ACT
OF 1999

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. KILDEE. Mr. Speaker, I rise today to urge my colleagues to join my friend from Ohio, Mr. NEY, myself, and over 100 of their colleagues, to support the Public Safety Employer-Employee Cooperation Act of 1999.

Congress has long recognized the importance of assuring and protecting the right of workers to collectively bargain. Over the years, federal laws have been extended to guarantee collective bargaining to different sectors and now the only sizable group of workers without the rights to collectively bargain are employees of state and local government.

This is particularly troubling as it applies to the public safety arena. Fire fighters and police officers take seriously their oath to protect the public and as a result they do not engage in worker slowdowns or stoppages. The absence of the right to collectively bargain denies them the opportunity to influence decisions that affect their lives.

The Public Safety Employer-Employee Act provides public safety officers with a collective bargaining right that is outside the scope of other federal labor laws. This legislation establishes basic minimum standards that state

laws must meet and provides a process to resolve impasses in states without such laws. States that already have collective bargaining laws would be exempt from the federal statute. Furthermore, this bill prohibits strikes and does not call for mandatory binding arbitration.

Public safety workers risk their lives every day to protect the public. At the very least, they should be allowed to bargain for wages, hours, and safe working conditions. This bill helps workers, management, and the general public, because employer-employee cooperation leads to cost savings and better delivery of services.

This bill is supported by the International Association of Fire Fighters, International Brotherhood of Police Officers, International Union of Police Organizations, National Association of Police Organizations, and the Fraternal Order of Police.

I urge my colleagues to join us in supporting the Public Safety Employer-Employee Cooperation Act of 1999.

EXPRESS YOUR CONCERN ABOUT
CHINA

HON. JOHN E. SWEENEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. SWEENEY. Mr. Speaker, I would respectfully request all of my colleagues to join me in signing a letter requesting the President to use the upcoming visit with China's Premier Zhu Rongji to express our profound concern regarding several issues, including: Human rights violations in China and Tibet; China's ongoing public vilification against Japan; China's deployment of several hundred missiles against Taiwan; China's buildup of their nuclear strike capability; China's clandestine efforts to acquire secret United States military technologies; China's assistance to the development of the North Korea missile program; and China's sales of missile and nuclear technologies to terrorist states.

If you agree with me that the time has come for some truth and realism to be put back into our relations with the People's Republic of China please join in signing the letter I have submitted into the RECORD by contacting my office.

DEAR MR. PRESIDENT: We are taking this opportunity, in advance of Premier Zhu Rongji's visit, to express our profound concern about several issues involving the People's Republic of China.

Since 1994 the P.R.C. has been constructing military facilities in the Spratly Islands. The size and nature of these facilities suggest that the P.R.C. is attempting to establish a permanent strategic presence in the area, from which it could patrol the sea lanes in the South China Sea, the waterway through which one sixth of the world's trade is shipped.

The military buildup in the Spratly Islands has been accompanied by an ever more strident campaign of public vilification against Japan, a treaty ally of the United States and the base for 50,000 United States troops, the largest single concentration of United States military forces abroad. In another strategic concern, in March 1997 a Chinese controlled company was able to obtain, from Panama, the rights to the port facilities that flank the canal zone.

Then there is the matter of the democratic nation of Taiwan. The P.R.C.'s 1995 military exercises and 1996 missile firings in the Taiwan Strait have been followed by an offen-

sive military buildup on the Chinese mainland itself that includes tripling the number of missiles (to more than 100) already deployed against Taiwan. With several hundred more missiles expected for similar deployment, the recent Defense Department study on the military balance in the Taiwan Strait describes an "overwhelming advantage in offensive missiles which Beijing is projected to possess in 2005."

These developments are all the more alarming when seen against the backdrop of (1) China's overall military modernization, its abandonment of a traditional, land-based "people's army" in favor a comprehensive strategic and nuclear strike capability by land, sea, and air; (2) China's clandestine efforts to acquire the most secret and sensitive of United States military technologies, including the know-how to replicate the W 88 warhead, the most dangerous security breach in 50 years; and (3) allegations that China has assisted the North Korean missile program, on top of its known and suspected sales of missile and nuclear technologies to terrorist states.

Mr. President, with respect to China, our country has looked the other way for too long. And we have tolerated a ballooning trade deficit for too long. We request that you make it emphatically clear to Premier Zhu that the United States has legal and moral obligations to our allies that we will honor. And if that means, as we believe it does, a land or sea based missile defense in the Western Pacific—then so be it.

Mr. President, we would also request that you emphasize the P.R.C.'s worsening record regarding human rights violations in China and Tibet. Among these violations are the recent excessive jail and labor camp sentences for pro-democracy activists, Xu Wenli, Qin Yongmin, Wang Youcai, and Zhang Shuangang, the latter for allegedly "providing intelligence to hostile foreign organizations" while giving an interview on Radio Free Asia regarding farmer protests.

And as for Taiwan, now is the time to remind Beijing that the Taiwan Relations Act—the law of the United States—mandates the United States to "make available to Taiwan such defense articles in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability. That is our law, period. And that same law mandates that the determination of what Taiwan needs will be made by "the President and the Congress."

Mr. President, the United States policy toward the P.R.C. has been based on wishful thinking for far too long. Policy makers in the Administration of both parties have time and time again been willing to give Chinese leaders the benefits of the doubt only to be consistently let down. The occasion of Premier Zhu's visit provides a timely opportunity to put some truth and realism back into this relationship. It will take the same kind of resolution you showed by sending aircraft carriers into the Taiwan Strait in 1996. We applauded you then, and we will support you now in taking the necessary steps to protect the United States interests and our allies in the region.

PERMANENTLY FIX THE
ALTERNATIVE MINIMUM TAX

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. NEAL of Massachusetts. Mr. Speaker, today I am introducing legislation to permanently fix the tax problem caused by the fact that the new tax credits for education and children are limited by the alternative minimum

tax (AMT). Consequently, more and more average Americans who use the dependent care credit, the new child credit, the HOPE credit or the lifelong learning credit, will be forced to fill out the complex alternative minimum tax form. Even worse, a growing number of Americans will have all or part of these credits denied by the interaction of the regular federal income tax and the alternative minimum tax.

This is not a new issue. Last year I introduced legislation, H.R. 4489, to permanently fix this problem. Once it was clear that permanent legislation would not pass, I introduced H.R. 4611 to correct this problem for 1998. This one year temporary "fix" did pass Congress last fall as part of the Omnibus Appropriations Act. This year, the Administration's budget includes a two year "fix" of this problem. This is simply not enough. This is a permanent problem; it demands a permanent solution.

Specifically, my legislation allows personal nonrefundable credits to be used against AMT liability. Nonrefundable credits include the child credit, the HOPE and lifetime learning credits, the dependent care credit, and the adoption tax credit. In addition, the bill eliminates the complex interaction of the partially refundable family credit with the AMT. In doing so, the bill would eliminate a penalty faced by large families.

Under current law, the total allowable amount of nonrefundable personal credits may not exceed the amount by which the individual's regular income tax liability exceeds the individual's tentative minimum tax. For families with three or more children, an additional refundable child credit is provided and this is reduced by the amount of the individual's minimum tax liability. This requires all taxpayers who claim the child credit with incomes above \$45,000 for joint filers and \$33,750 for single filers to make at least a rudimentary minimum tax calculation.

The Department of the Treasury estimated that in 1998, without the one year "fix", eight hundred thousand taxpayers who are entitled to the child credit or the education credits would have been denied the full benefit of these credits by the AMT.

In order to eliminate the complexities of the AMT in a revenue neutral manner, this bill reduces the income phase-outs for the child credit from \$110,000 to \$91,000 on a joint return, and from \$7,500 to \$60,000 for single filers.

According to the IRS, the estimated average time it takes to fill out the alternative minimum tax form is 5 hours and 39 minutes. It would, of course, take much longer for hundreds of thousands of taxpayers who may be forced to fill this form out for the first time as a result of the credits Congress offered them last year in the name of child care and education.

And to show how truly perverse this provision is, the interaction between the AMT and the partially refundable child credit will result in a tax increase on 177,000 large families if the Republican 10 percent across the board tax cut was passed into law. Some might respond that they intend to fix this problem later, but that is exactly the type of thinking that put us in this situation to begin with.

Mr. Speaker, this bill is "must pass" legislation, and it must be passed on a bipartisan,

revenue neutral, permanent basis. I hope it will be.

HONORING GLEN STILLWELL OF
ORANGE COUNTY, CALIFORNIA

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. COX. Mr. Speaker, ladies and gentlemen, I rise today to honor Glen Stillwell, one of Orange County, California's finest and most generous philanthropists.

Glen, after a long and courageous struggle, recently succumbed to a terminal illness. He has left behind his lovely wife Dotti of 53 years, and a rich legacy of service and leadership in the community of Orange County. His charitable and selfless influence upon the McIntosh Center for the Disabled, the Providence Speech and Hearing Center, the Olive Crest Treatment Center for Abused Children, the Assistance League, the Orange County Performing Arts Center, and the Freedoms Foundation at Valley Forge, allowed these much-needed institutions to thrive.

Glen Stillwell truly lived the American dream. He came to California at the end of the Great Depression and became a pioneer in the budding aerospace engineering industry—a California industry, that, with Glen's help, has become a world-leader. In time, through his own grit and determination, Glen built his own aerospace-manufacturing company, which under the example of his guidance, continues to flourish. But throughout his brilliant career, however, Glen always considered the upbringing of his two sons, Thomas and Richard, his most important calling.

Glen Stillwell was a visionary. He planted the seeds that ultimately became Chapman College and the world-renowned Orange County Performing Arts Center. He also had a passion for civic involvement, and his voice was often heard in the public arena on important issues of statecraft. Indeed, Glen was the best kind of patriot; he loved his country and he loved the community of Orange County, and he loved his family.

Orange County will miss Glen Stillwell, but will enjoy the fruits of his hard work and dedication for many generations to come.

EDUCATION FLEXIBILITY
PARTNERSHIP ACT OF 1999

SPEECH OF

HON. JENNIFER DUNN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 800) to provide for education flexibility partnerships:

Ms. DUNN. Mr. Chairman, I rise today to support the Education Flexibility Act. Republicans in the House are working on a bipartisan basis to put education back in the hands of local teachers and schools, and provide relief from federal regulations that only serve to stifle innovation in education.

H.R. 800 will give states and communities more decision-making flexibility. This flexibility

is crucial to ensure that schools can promote the best opportunities for our children so that they may reach their greatest learning potential. This bill also creates real, measurable accountability standards for teachers to encourage them to bring out the best in every child at school.

With the passage of the Ed-Flex, my home state of Washington will finally have the opportunity to utilize this flexibility when designing their education programs. Local districts and schools, such as Tahoma High School in Maple Valley, will have the flexibility to design a plan that works for Tahoma, not bureaucrats in Washington, DC. By broadening this plan from the original plan of 12 states to include the rest of the nation, we offer all states much needed relief from over-burdensome regulations.

The proof is in the reforms already begun by states that participated in the ed-flex pilot program. In both Texas and Maryland, Ed-Flex has enabled school districts in each state to improve the test scores of their poorest children. In return for greater flexibility, both states have produced solid academic results.

Ed-Flex is a program that works—for schools and for students. A Kent County, Maryland school with 60% of the students at the poverty level utilized ed-flex and now has the third highest test scores in the state for elementary schools. Parents of the students in this school know first hand the value of local flexibility. Their kids are improving their reading, writing, and math skills—some of the most important tools in life.

Mr. Speaker, I encourage my colleagues to think of the possibilities ed-flex can create in their home districts, to imagine how flexibility at the local level will stimulate new ideas and programs that will improve the quality of education for our children, and create opportunities for our teachers and educators to design plans that help our children reach their fullest potential. I ask my colleagues to support this bill.

HONORING GLORIA B. CORLEY-
MCKOY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. TOWNS. Mr. Speaker, I rise today to honor Gloria B. Corley-McKoy for her exemplary community service and contribution to the Brooklyn Community.

Ms. Corley-McKoy has lived in the Brooklyn Community of East New York for the past 35 years. She was employed as a drug counselor by the Board of Education for 22 years and currently works as a community and project liaison for the AFSCME-AFL-CIO.

Although retired from her position at the Board of Education, Ms. Corley-McKoy continues her tireless advocacy on behalf of the children of New York. She currently serves as President of the Community School Board and President of the Boulevard Houses Tenant Association, a position she uses to advocate for improving the lives of children in the community.

Ms. Corely-McKoy is married to Jeffrey McKoy. She is a product of the New York Public School System. Her late son, Edward,

was a graduate of Community School District 19. Ms. Corley-McKoy comes from a loving family of eight sisters and 2 brothers. One of her sisters, Priscilla A. Wooten, serves on the City Council and Ms. Corley-McKoy played an instrumental role in her sister's election while serving as campaign manager.

Mr. Speaker, it is a considerable honor for me to speak about one of our community's most cherished leaders. I have known Gloria for several years, and I can think of no better role model for the community. America should be aware of the tireless, unselfish work of community leaders like Gloria B. Corley-McKoy.

IN HONOR OF LAVATUS V.
POWELL

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. PORTMAN. Mr. Speaker, I rise today to pay tribute to Lavatus V. "Vate" Powell, a friend and community leader, who passed away on February 17, 1999.

Vate was known for his integrity, straightforwardness, and positive outlook on life. His life was centered around service to others.

Vate was born in Mississippi and graduated from Jackson State University in 1955. He earned his master of science degree in 1964 from Case Western Reserve University. He was a Cincinnati Public Schools teacher from 1955 to 1965.

He began his career with Procter & Gamble in 1965 as a systems analyst in the Data Processing Systems Department. He went on to hold positions in personnel, urban affairs, and public relations, before becoming public affairs manager. He went on to become vice president of Procter & Gamble's Ohio Government Relations Division, where he served until his retirement in 1997.

Vate was an extraordinary community volunteer. He served as president of the Andrew Jergens Foundation; chairman of Preserving Affordable Housing; chairman of the Purcell-Marian High School Foundation and a member of the Purcell-Marian board of trustees; trustee of the Cincinnati Museum Center; member of the Partners of Children's Defense Fund, and a director of the Ohio Chamber of Commerce. He served as co-founder and treasurer of the Black Male Coalition; Capitol Revival Task Force; chairman of the Cincinnati United Way Government Affairs Committee; and president of the Board of Trustees of Family Service of the Cincinnati area. He was an elder at Carmel Presbyterian Church.

In 1997, he received an Imagemaker Award from Applause magazine for his efforts to promote education. That same year, he was honored by the African American Leadership Network for his work with Procter & Gamble.

Vate was a warm and caring person who gave generously of his time and talents. Cincinnati was blessed to have him as a leading citizen. Many of us were blessed to have him as a friend.

TRIBUTE TO GENE MCCARTHY,
IRISHMAN OF THE YEAR

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. QUINN. Mr. Speaker, I am honored to rise today on the floor of this House in recognition of Mr. Gene McCarthy from Buffalo, NY in my district, as the 1999 Goin' South "Irishman of the Year."

Born in Buffalo's "Old First Ward" in 1926, Gene McCarthy is a lifelong member of our community. After high school, Gene began working on Buffalo's waterfront at Pillsbury grain elevators, where he spent twelve years.

In 1955, Gene wed Mary (Dories). He and his wife raised their three children, Patti, Bill, and Maureen to respect their proud Western New York and Irish-American heritage. In addition, the McCarthy's now have seven grandchildren.

Twenty-five years ago, Gene and Mary opened McCarthy's, a fine restaurant and tavern in the heart of the Old First Ward, at the corner of Hamburg and Republic Streets. Famous for its corned beef, fish fries, and friendly service, McCarthy's has become a true landmark. It is a proud symbol of not only his community, and not only the McCarthy family, but of our Irish heritage in Buffalo.

In 1996, I invited the Honorable Dermott Gallagher, then Irish Ambassador to the United States, to Buffalo to dedicate a monument which was erected in honor of the Great Famine in Ireland. During his stay, I took him to McCarthy's. Ambassador Gallagher has said that the tavern was his favorite place in all of Western New York, no doubt a reflection on the McCarthy's overwhelming hospitality.

Whether it is for the famous Notre Dame football parties in the fall, the Shamrock Run, the many local organizations and causes which the McCarthys support, or the best St. Patrick's Day atmosphere outside of Ireland, McCarthy's Tavern and Gene and Mary McCarthy will always be an important part of the proud history of our City. I am proud to call him my friend.

Mr. Speaker, today I would like to join with the entire McCarthy Family, the Goin' South community organization, and indeed, all of Western New York in tribute to Mr. Gene McCarthy, Irishman of the Year.

DEMOCRACY PROGRESSES IN
SLOVAKIA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. SMITH of New Jersey. Mr. Speaker, this week a distinguished delegation from the Slovak parliament visited Washington to meet with congressional leaders and other officials. I regret that, because of a hearing on urgent developments in Kosovo, I was unable to meet with them. Nevertheless, the occasion of their visit prompts me to reflect on some of the developments in Slovakia since the elections there on September 25 and 26, 1998.

Since a new government was installed on October 30, there has been a sea change in

Slovak political life. The very fact that a peaceful transition of power occurred is something we could not have taken for granted, given the increasingly authoritarian rule of Vladimir Meciar manifested by, for example, the refusal of the parliament he controlled to seat two duly elected members.

Today, the situation is very different. The formation of a new government has included key changes that were much needed and will foster greater confidence in Slovakia's renewed process of democratization. In particular, the appointment of a new head of the intelligence service, the resolution of competing claims to the position of chief of the armed forces, and the selection of a new general prosecutor help address many of the concerns that arose during Meciar's tenure. The new government's efforts to hold previous officials accountable for their violations of the rule of law and manipulation of parliamentary and constitutional democracy is also a positive sign. During local elections in the fall, non-governmental monitors were permitted to observe the counting of the vote, further fostering public and international confidence in Slovakia's democratic structures. Direct presidential elections are scheduled to be held in May, which will fill a constitutional lacuna. The decision to permit, once again, the issuance of bi-lingual report cards restores common sense to the discussion of issues of concern to the Hungarian minority. The government's stated intent to address the concerns of the Romani minority—concerns which have led many Slovak Roma to seek asylum in other countries—is a welcome step in the right direction.

In short, Mr. Speaker, the new government is Slovakia has already undertaken important steps towards fulfilling the promises made when communism collapsed.

Slovakia is now at a critical juncture, having succeeded by a slim electoral margin in peacefully removing Vladimir Meciar after 4 years of increasing authoritarian rule. The new government must struggle to restore Slovakia's good name, repair the economy, and get Slovakia back on track for NATO and EU membership. If Slovakia is to succeed in this effort, it is critical that the current coalition hold together long enough to implement real reforms. As it seeks to do so, the new government will be aided by a wellspring of credibility with the internationally community and certainly in Washington, where as the Meciar government, in the end, had none.

That wellspring of credibility, however, is not bottomless and time is truly of the essence in Slovakia's reform process. I hope all of the parties participating in the ruling coalition will quickly address some of the issues that have been of special concern to the international community, including the adoption in the first half of this year of a minority language law. Such a step would be a concrete demonstration of the differences between this government and the last.

Mr. Speaker, I wish this new coalition government of Slovakia every success in their resolve to make lasting reforms.

TRIBUTE TO GRANDMARIE'S
CHICKEN PIE SHOP

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Grandmarie's Chicken Pie Shop on the occasion of their 42nd Anniversary. Grandmarie's has enjoyed 4 decades of success at their Tower District location.

Keeping it simple and keeping it delicious was the slogan of Marie Ross, the restaurant's namesake, original owner, and grandmother of current owner Gary Ross. The Ross chicken pie tradition dates back to the early part of the century when relatives to Marie Ross made creamy chicken tarts and left them on the window sill to cool. A legendary treat was formed and soon the Chicken Pie Shop was formed. After 42 years, Grandmarie's Chicken Pie Shop still follows Marie's advice, make it "simply delicious." Simplicity is the key, large portions with all of the food groups represented at a reasonable price continues to attract thousands of Fresnans. A visit of Grandmarie's is a must for those new to the Fresno area, nothing can compare to the fine foods prepared there daily.

Mr. Speaker, I rise today to pay tribute to Grandmarie's Chicken Pie Shop on the occasion of their 42nd Anniversary. Grandmarie's remains one of Fresno's finest traditions. I urge my colleagues to join me in wishing Grandmarie's and the Ross family, many years of continued success.

HONORING FREDDIE HAMILTON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. TOWNS. Mr. Speaker, I rise today to honor Freddie Hamilton, for her tremendous contributions to the Brooklyn community and her exemplary community service.

As a native of New Orleans, LA, Freddie Hamilton has lived and worked in Central Brooklyn for almost 40 years. Over the years, Freddie has participated in numerous civic and political organizations and causes to improve the quality of life for children and families in her community.

Ms. Hamilton is the founding executive director of the Child development Support Corporation, a child welfare agency in Bedford-Stuyvesant. The agency employs 150 people and provides a range of social services to over 3,000 children and families annually.

After losing a 17-year-old son, as a result of gun violence, Ms. Hamilton became a founding member of Parents United to Rally for Gun Violence Elimination (PURGE). The organization was created to address the issues of gun violence among African American youth. Ms. Hamilton was successful plaintiff in the first class action strict liability suit against gun manufacturers.

Since 1994, Freddie has served as the elected Democratic Committeewoman (District Leader) for the 57th Assembly District in Brooklyn.

During a recent trip to Ghana, Freddie was honored in a traditional "Enstoolment Ceremony" to designate her a Queen Mother. She

was given the name Nana Yaa Serwaa II and she is now an official elder of the township of Pankese in Ghana, West Africa. She and her husband, Johnnie Ray, have six children and they are the proud grandparents of five grandchildren.

Mr. Speaker, please join me in saluting Freddie Hamilton for her dedication to her family and her community.

TRIBUTE TO KEITH COMRIE

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Ms. ROYBAL-ALLARD. Mr. Speaker, it is a privilege to recognize the career of one of Los Angeles' leading public officials. After 35 years of public service, Mr. Keith Comrie is retiring as the City Administrative Officer for the City of Los Angeles. During his illustrious career, Mr. Comrie served both the City and the County of Los Angeles, making significant contributions to both governments.

Mr. Comrie grew up in South-Central Los Angeles and first entered public service with the City of Los Angeles in 1963, after earning a Bachelor of Science in Accounting and a Masters in Public Administration from the University of Southern California. He moved to the County government in 1969 where he rose to become the Director of the Department of Public Social Services receiving statewide recognition from Governor Ronald Reagan for saving County taxpayers \$120 million per year and for making the welfare system one of the most responsive and efficient in the state.

In 1979, Mr. Comrie returned to the City of Los Angeles at the request of Mayor Tom Bradley to serve as the City Administrative Officer. He has served in that position for 19 years, including one year as interim Administrator of the \$200 million Community Redevelopment Agency. During Mr. Comrie's tenure of service, the City of Los Angeles has seen its economic base expand to keep pace with population increases that have made it not only the second largest city in the nation but a city of world class status.

Today, Mr. Comrie can look with pride at his role in successfully steering the City through the recession of the early 1990's with balanced budgets. During this time, he helped maintain the City's position as one of the best managed cities in the nation. Additionally, he played a key role in most of the major developments in the City, including such landmark projects as the renovated Central Library, the Los Angeles Convention Center, and the Staples Center Arena. He also played a central role in rebuilding the City after the 1994 Northridge Earthquake and oversaw over \$3 billion in capital improvement projects such as libraries, fire and police facilities, and sewer system reconstruction.

Many of these projects are in my Congressional District, which includes much of the central business district of the City of Los Angeles. Therefore, I can attest to the significance of these projects, many of which were started under Mr. Comrie's watch.

Mr. Comrie oversaw a staff of more than 100 and worked with over 30 council members during the terms of two mayors. Mr. Comrie's accomplishments on behalf of the City of Los

Angeles have been recognized by his peers. Of his many prestigious awards, he is very proud of being named the "Best City Administrative Officer in America" by City and State Magazine.

At 59, Mr. Comrie and his wife Sandra McNutt-Comrie can look forward to many productive years in retirement during which he can pursue his interests in cars and auto racing while taking satisfaction in a job well done for the City of Los Angeles.

TRIBUTE TO AMANDA CHRISTINE DRESCHER OF GIRL SCOUT TROOP 395

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. BACHUS. Mr. Speaker, today I would like to salute an outstanding young woman who has been honored with the Girl Scout Gold Award by the Cahaba Girl Scout Council in Birmingham, Alabama. She is Amanda Christine Drescher of Girl Scout Troop 563. She has been honored for earning the highest achievement award in U.S. Girl Scouting. The Girl Scout Gold Award symbolizes outstanding accomplishments in the areas of leadership, community service, career planning and personal development. The award can be earned by a girl aged fourteen through seventeen, or in grades ninth through twelfth.

Girl Scouts of the U.S.A., an organization serving over 2.5 million girls, has awarded more than twenty thousand Girl Scout Awards to Senior Girl Scouts since the inception of the program in 1980. To receive the award, a Girl Scout must earn four interest project patches, the Career Exploration Pin, the Senior Girl Scout Challenge, as well as design and implement a Girl Scout Gold Award project. A plan for fulfilling these requirements is created by the Senior Girl Scout and carried out through close cooperation between the girl and an adult Girl Scout Volunteer.

As a member of the Cahaba Girl Scout Council, Amanda Christine Drescher began working toward the Girl Scout Gold Award on February 12, 1998. She completed her project, Art Day Camp, and I believe she should receive the public recognition due her for this significant service to her community and her country.

PERSONAL EXPLANATION

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. HINOJOSA. Mr. Speaker, yesterday when the House was taking rollcall vote No. 39, an amendment by Representative GEORGE MILLER to the Education Flexibility Partnership Act, I was unavoidably detained and unfortunately missed the vote. Had I been present I would have voted "yea."

72ND ANNIVERSARY BANQUET OF YESHIVAH OF FLATBUSH

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. WEINER. Mr. Speaker, I rise today to invite my colleagues to pay tribute to the Yeshivah of Flatbush and its honorees on the occasion of its 72nd Anniversary Banquet.

The Yeshivah of Flatbush has long served as a pillar of strength for my constituents by providing our children with the tools they will need to face the challenges of the twenty-first century.

Dr. Mayer Ballas, recipient of the Keter Shem Tov Leadership Award, has dedicated himself to helping members of the community as an advocate and spokesperson for Jewish people in need. He is the founding President of the Council of Rescue of Syrian Jews and has served as a member of the Federation Oversight Committee, the arm of Operation Abraham concerned with the resettlement of the most recent wave of immigrants from Syria. At the Yeshivah of Flatbush, Dr. Ballas sits on the Board of Directors and Board of Education and is a member of the Tuition Assistance Committee. He participates in all school functions and generously gives of himself and his time to the Yeshivah.

Hon. Steven Cohn, recipient of the Keter Shem Tov Community Service Award, is staunchly committed to both the Yeshivah and his community. For the past sixteen years, Mr. Cohn has served as the Democratic State Committeeman for the 50th Assembly District. He is the Vice-Chair of the New York State Democratic Party, Secretary of the Democratic Party of Kings County and has served as Parliamentarian to the Democratic National Convention. Working side by side with community leaders, elected officials and neighborhood residents to protect the environment, improve homeless shelters and maintain quality medical care in his district. His affiliation with the Yeshivah of Flatbush parallels his children's education and has strengthened over the years. In addition to working on the Banquet Journal, Chinese Auction and Building Committees, Steve is currently an Associate Treasurer on the Executive Board of Officers and sits on the school's Board of Trustees and Board of Education.

Dr. Cheryl Fishbein, recipient of the Alumna of the Year Award, is an alumna of both the Elementary School and the Joel Braverman High School. Throughout her adult life, Cheryl has focused her efforts on serving the community. She is President of the Jewish Community House in Bensonhurst and is currently overseeing its capital building campaign. She serves as the Metro Chair of the Institutional Trustees Campaign for UJA and sits on the organization's Planning and Allocations Committee. Additionally, Dr. Fishbein devotes much of her time to the Board of Jewish Education and serves as a Vice President of its Board of Directors. She also sits on the Boards of Geshet and the National Board of the Jewish Community Center Association.

Each of today's honorees have long been known as innovators and beacons of good will to all those they come into contact with. In recognition of their many accomplishments on

behalf of my constituents. I offer many congratulations on their being honored by the Yeshivah of Flatbush.

SALUTE TO A. LEON
HIGGINBOTHAM

SPEECH OF

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1999

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, as I witness attacks on affirmative action in education and a legal system that overlooks police brutality among African-Americans, I realize that our country is experiencing a huge gap in fairness and equality under the law with the passing of Judge A. Leon Higginbotham, Jr.

Mr. Speaker, Judge Higginbotham spent his life vigorously protecting and championing the causes of equality and opportunity for African-Americans.

The French philosopher Montesquieu once said that "In the state of nature, indeed, all men are born equal, but they cannot continue in this equality. Society makes them lose it, and they recover it only by the protection of the laws."

In confronting racial injustice, violence and inequality through the legal system, Judge Higginbotham recovered and secured equality for countless African-Americans. His life long commitment to eliminating discrimination forced our society to recognize the equality inherent in all men and women, despite their race or ethnicity.

In his capacity as special deputy attorney general of Pennsylvania, judge of the U.S. District Court for the eastern district of Pennsylvania and judge of the U.S. Third-Circuit Court of Appeals, many men and women regained their rights taken away from them by society.

His zeal in tearing down the walls of injustice and erecting the walls of opportunity began after he earned his law degree at Yale Law School by working in Philadelphia as an assistant district attorney. Six years later after becoming a special deputy attorney general for Pennsylvania, President John F. Kennedy named him to the Federal Trade Commission (FTC). This appointment was notable in the fact that it made him the FTC's first black commissioner and its youngest as well.

In 1977, after serving as a district court judge in Philadelphia from 1964 to 1977, President Jimmy Carter appointed him judge of the U.S. Third-Circuit Court of Appeals where he served with distinction as judge, chief judge and senior judge until his retirement in March 1993.

Throughout the years, U.S. Chief Justice Warren, Burger and Rehnquist appointed Judge Higginbotham to various judicial conferences. In addition, the Congressional Black Caucus benefitted from his excellent legal mind in a series of voting rights cases brought before the U.S. Supreme Court.

Current South African President Nelson Mandela also called upon his knowledge and wisdom during the country's historic 1994 national elections where Judge Higginbotham served as an international mediator.

Mr. Speaker, the aforementioned feats and accomplishments mark this important fact:

when he was called upon by presidents, world leaders, Members of Congress and citizens to defend civil rights, Judge Higginbotham answered with vigor and passion.

Millions of Americans saw him protect the tenets of the Constitution during the recent House Judiciary Committee impeachment hearings. This was just two weeks before his passing on December 14, 1998.

Like so many times during his stellar legal career, he was a steadfast advocate and defender of the true meanings and intents of the law and our Constitution. During the hearings, it was not partisan winds that steered his testimony that the President should not be impeached. Rather, it was scholarly and intellectual interpretation of the Constitution and the separation of powers between the Judicial, Executive and Legislative branches of our government.

For those viewers of the hearings, that was their first contact with the great judge. However, I have constantly been a witness to—and a beneficiary of—Judge Higginbotham's passionate and eloquent defense of justice.

On behalf of the constituents of the 30th congressional district of Texas, I would like to tell his family what a great equalizer in this society he was to us. He served an extended family of poor, powerless and downtrodden individuals in this society. His advocacy for their causes meant a great deal to them and strengthened our principles as a country.

In particular he leaves his wife, Evelyn Brooks Higginbotham; two daughters, Karen and Nia; and two sons, Stephen and Kenneth. I would like to thank them for allowing the country to share and benefit from his mind, heart and soul.

STATEMENT ON THE SUPPRESSION OF RIGHTS IN SERBIA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. SMITH of New Jersey. Mr. Speaker, as we have debated today the issue of American participation in any NATO peacekeeping effort in Kosovo, I urge my colleagues, regardless of their views on that matter, to focus on what is happening in Serbia itself. Slobodan Milosevic, President of an unrecognized Yugoslav state of which Serbia and Montenegro are part, is using Kosovo to perpetuate his regime, to rally Serbia's public opinion around him, and to label as "traitors" not only his opponents but anyone who thinks independently.

Last year, Milosevic imposed draconian laws which curtailed the independence of journalists to report news freely, and threatened the academic community's ability to maintain its intellectual integrity. In response, the Helsinki Commission which I chair, held a hearing appropriately entitled: "The Milosevic Regime Versus Serbian Democracy and Balkan Stability."

As an example of what is happening right now in Serbia, I would note for the RECORD what has happened to three of the witnesses at the hearing.

On December 28, 1998—less than three weeks after the hearing—Boris Karajic, a leader in the university student movement "Otpor" (Resistance), was attacked and beat-

en on the street in front of his Belgrade home by masked thugs with bats. As they fled, their comments indicated the political nature of the attack.

During the first week of February, Milan Panic, the Serb-American pharmaceutical executive who is a leader of the Alliance for Change, the main coalition of political opposition to Milosevic's ruling Socialist Party, has had his Serbian subsidiary company taken over by the authorities. The purpose was likely two-fold: to intimidate Panic and to gain hard-currency assets.

On March 8, Slavko Curuvija, the chief editor of newspaper Dnevni Telegraph and the new magazine Evropljanin, was sentenced along with two of his journalists to five months in prison by a Belgrade court for "spreading false reports with an intention to endanger public order." They remain free on appeal.

Mr. Speaker, these assaults on freedom demonstrate that Milosevic feels vulnerable to democratic forces which do, in fact, exist in Serbia, forces which may indeed be growing. Indeed, the Serbian Government undertook to make a paper prepared by the hearing witness from the United States Institute for Peace and openly circulated at that same hearing into an alleged confidential CIA document which showed, they alleged, that the U.S. Government was plotting to overthrow the Belgrade government.

Despite his insecurity at home, Milosevic does feel sufficiently secure in a U.S. policy which seemingly needs his presence for implementation for the Dayton Agreement in Bosnia, and to get an agreement in France on Kosovo. Our dependence on him, he reckons, means we will not seek to undercut his dictatorial power. The clear lack of attention many senior Administration officials have paid to Serbia's democrats has only reinforced this feeling in Belgrade.

Mr. Speaker, this must change. The actions against Karajic, Panic, Curuvija and countless other advocates of a democratic Serbia must be condemned not with words alone. The United States must stop dealing with Milosevic directly. The United States must protest his assault on innocent civilians when they occur. The United States must encourage democratic change in Serbia, and assist those who promote this change from within, the true Serbian patriots.

One way in which the Congress can help in this regard is to move quickly on the legislation I have just introduced, H.R. 1064, the Serbia and Montenegro Democracy Act of 1999. This Act would ensure adequate attention is paid to democratic forces in Serbia and Montenegro by those allocating U.S. democratic assistance. The legislation has bipartisan support.

Mr. Speaker, I am deeply concerned about developments in Serbia generally, and the incidents involving Helsinki Commission hearing witnesses in particular. As Chairman of the Commission, I am committed to making sure that the people in Serbia have the same rights and freedoms which so many other Europeans enjoy and take for granted, the rights and freedoms enshrined in the Helsinki Final Act and defined in subsequent OSCE documents. The suppression of these rights in Serbia is unacceptable, it ultimately will prove untenable, and it must change sooner rather than later, not only for the sake of the people in Serbia but all people in south-central Europe.

HONORING GENES THOMPSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. TOWNS. Mr. Speaker, I want to recognize the unique community service of Genes Thompson.

Genes, a native of Greenville, North Carolina, has lived in the East New York community for the past 20 years with her husband, Dwight and their son, Anthony. As an East New York resident, she has devoted a great deal of her time to helping the community to be a better place in which to live. For example, Genes has been a member of the 76th Precinct Community Council since 1980 where her efforts and devotion has been instrumental in uplifting her community.

The Metropolitan Jewish Geriatric Center has employed Genes for the last 25 years as its Chief Switchboard Operator. She is also a shop delegate for Local 1199, 144 division for the past 19 years. In addition to these daily responsibilities, she is an active member of Liberty Baptist Church where she serves on the Pastor's Aid Committee as well as working with staff of Thomas Jefferson High school. Genes' civic activism includes membership in the Milford Street Block Association and work as a volunteer with the political campaigns of Senator CHARLES SCHUMER and New York State Comptroller Carl McCall.

I commend the achievements of Genes Thompson, a true community activist, to the attention of my colleagues.

HONORING MR. CHANCY WHEELER
OF WEST UNION, OH**HON. ROB PORTMAN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. PORTMAN. Mr. Speaker, I rise today to pay special tribute to a distinguished resident of West Union, OH, in the Second Congressional District, Mr. Chancy Wheeler. Mr. Wheeler will turn 100 years old on June 5, and he is being honored by the Government of France for his military service in the First World War.

Mr. Wheeler was born in 1899 in Mount Olivet, KY. He volunteered for the Kentucky National Guard, and then transferred into the United States Army in 1917. As a member of the First Infantry Division, 28th Regiment, First Machine Gun Brigade, he served in 1918 in the Aisne-Marne offensive, the St. Michiel offensive, and the Meuse-Argonne offensive. He was wounded twice in battle. For his actions, he received the Silver Star medal on July 21, 1918. He also received a 75th Anniversary Commemorative Medal for World War I veterans from the U.S. Army.

Mr. Wheeler will receive the French Legion of Honor in a ceremony organized by VFW Post 3400 in West Union, OH, on March 12. In his letter conveying the Legion of Honor to Mr. Wheeler, French Ambassador Bujon de l'Estang wrote: "The Legion of Honor is conferred on you by the French government as a sign of the high esteem my country has for you who personally contributed to the decisive

support the United States gave to French soldiers in the defense of their country during World War I."

Chancy Wheeler distinguished himself in the struggle to "make the world safe for democracy" and served his country with honor. All of us in the Second Congressional District are grateful for his service and commend him on his recognition by the French Government. I wish him health and happiness in the years to come.

TRIBUTE TO WILLIAM "SONNY"
RESSEL**HON. ANTHONY D. WEINER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. WEINER. Mr. Speaker, I rise today to invite my colleagues to pay tribute to the memory of William (Sonny) Ressel.

Sonny Ressel was neither a politician nor someone who took on the responsibility of helping others because of some ulterior motive. Despite working long hours, Sonny Ressel always found time for his family and the community that he loved.

Before his untimely death on February 8th, Sonny Ressel served as the Co-President of the New Kensington Neighborhood Association where he strove to improve his neighbor's quality of life.

Sonny Ressel was a man of action who dedicated his life to helping others regardless of who they were. Through his efforts, broken streets and traffic lights in Kensington were quickly repaired. In response to a growth in the number of hearing impaired residents in the community, Sonny secured the installation of "Deaf People Crossing" signs alerting motorists that some pedestrians would be unable to hear their horns.

With his loving wife Ricki, Sonny Ressel helped the old and the infirm of our community. They did this by making people laugh and reminding them that they were not forgotten.

Friends and admirers have likened Sonny Ressel to an angel who was put on earth to help others and to spread happiness. I can think of no better tribute for a man who always rose to the challenge of helping meet the needs of others.

Sonny Ressel was an innovator and beacon of good will to all those he came into contact with. On behalf of myself and my constituents, I would like to extend my condolences to the Ressel family on Sonny's untimely passing and to thank them for allowing us to share in the bright light that was his life.

TRIBUTE TO HOPE EDUCATION
AND LEADERSHIP FUND**HON. LUCILLE ROYBAL-ALLARD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Ms. ROYBAL-ALLARD. Mr. Speaker, on March 12, 1999, Hispanas Organized for Political Equality (HOPE) Education and Leadership Fund's Eighth Annual Symposium, entitled "A Proud Past . . . A Powerful Tomorrow," will take place in the 33rd Congressional

District. In honor of this important event, I am proclaiming March 12, 1999, as Latina History Day.

The Symposium serves to address a variety of issues important to Latinas of all ages. I am pleased that Latinas benefit from the workshops on health, business opportunities, and cultural identity. This Symposium also includes Teen Track, which focuses on providing young Latinas with workshops on leadership and on establishing a path to success.

Since its founding in 1989, the HOPE Education and Leadership Fund has remained dedicated to improving the educational, political and economic status of Latinas. HOPE has anchored itself by the principle that knowledge of the political process coupled with active participation will guarantee a more representative, democratic government.

The proclamation of Latina History Day during "Women's History Month" memorializes the important role Latinas play in American society. Latinas are breaking glass ceilings and pioneering into areas our mothers never imagined. Latinas own businesses, are executives in our country's largest corporations, are being elected to public office and appointed to powerful positions. We recognize the work and sacrifices of our mothers and grandmothers, celebrate contemporary Latinas, and are building the foundation for future generations.

I commend the HOPE Education and Leadership Fund for their commitment to Latinas, and in their honor, proclaim March 12, 1999, as Latina History Day.

TRIBUTE TO KARNEY HODGE

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Karney Hodge for his many years of service to the community. Mr. Hodge has been a dedicated public servant and successful businessman.

Karney is an investment banker and vice president of Salomon Smith Barney and has spent his life in service to the community, initially as a volunteer. Hodge most recently worked as a financier of projects aimed at improving the facilities that Fresno is able to offer to its residents.

Hodge was an avid baseball player in his college days at California State University, Fresno. He seriously considered playing professionally, but he eventually left college to become a partner in the family clothing store, Hodge and Sons. He still played baseball and got his first taste of public service from an avid fan. In the 1960's Mayor Selland of Fresno, appointed Hodge to the planning commission, sparking Karney's interest in public service.

In 1982 Governor George Deukmejian was looking to involve members of the private sector in agencies like Retail Development and Planning. State Senator Ken Maddy surmised that Hodge's background in retail and long history of community service made him a perfect candidate for such a position. In 1983 Hodge and his wife Marilyn relocated to Sacramento and he embarked on his second career, Executive Director of the California Housing Finance Agency. Karney built a structure for the young agency by bringing in the best people.

Under his leadership the agency became a major provider of housing to residents of California and is considered one of the highlights of Governor Deukmejian's term. Today Hodge is a vice president at Salomon Smith Barney.

Mr. Speaker, I rise today to pay tribute to Karney Hodge on his remarkable service to the community. Mr. Hodge has served well in both the public and private sector. I urge my colleagues to join me in thanking Karney Hodge for a job well done and wishing him many years of continued success.

HONORING EMILIA CONOLLY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. TOWNS. Mr. Speaker, I rise to honor the work of Emilia Conolly, a committed health professional in the borough of Brooklyn.

Emilia is a native of Honduras who immigrated to the United States over 20 years ago. She was educated in the New York City public schools, including Ft. Hamilton High School, where she received her high school diploma. Emilia began her nursing career as a student in Interfaith Medical Center's School of Nursing where she made the Dean's List, received three honorary awards and ultimately graduated as a registered nurse.

As part of her professional growth and development, she joined the nursing department at Brookdale University Medical Center. Presently, she specializes in nursing care of critically ill newborns (the Neonatal Intensive Care Unit). In addition, Emilia serves as a nurse preceptor for new graduate nurses. She strives to maintain and to develop her clinical expertise by teaching neonatal resuscitation classes to both doctors and nurses.

Emilia is an active member of Interfaith's Nurses Alumnae Association. As a member of the Mid-Brooklyn Civic Association, she helps to organize and to participate in voter registration, fundraising and the selection of candidates for outstanding community service. She has also been recognized for her strong negotiating abilities on behalf of nursing contracts within the bargaining unit of Local 1199. Emilia is married to James Conolly and they are the proud parents of two daughters, Taryn and Thalia.

As stated on one of her awards, Emilia has demonstrated "compassion, empathy and personal interests" in striving to make a difference in the lives of others. Mr. Speaker, please join me in presenting the achievements of Emilia Conolly to my colleagues.

TRIBUTE TO BILL BENTON

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. SCHAFFER. Mr. Speaker, among the most thoughtful constituents in the Colorado district I represent in Congress is Mr. Bill Benton of Fort Collins.

He recently composed a letter to me regarding the agenda of the House of Representatives. I'm grateful, Mr. Speaker, the Repub-

lican budget proposal moves the country dramatically in the direction proposed by Mr. Benton.

Moreover, Mr. Benton's sentiments are representative of a great many Americans concerned about the country's future. As such, I hereby commend the remarks of Mr. Benton to the House and urge my colleagues to consider these observations as we proceed in accomplishing the nation's business in Congress.

WILLIAM (BILL) M. BENTON,
Fort Collins, CO, February 24, 1999.

Hon. BOB SCHAFFER,

Fourth Congressional District of Colorado,

DEAR BOB: This problem of Republican leadership in both the house and the senate has been weighing heavily on my mind since we lost so much ground in the last national election.

After a lot of thought, and praying about it too, reading Cal Thomas, Thomas Sowell, Tony Snow and listening to Rush Limbaugh (as well as other "conservative" talking heads), studying what conservative leading magazines and newspapers (damn few, but available) have to say on this subject, I think I've boiled this very complicated knot down to—we've lost our soul in the party and we are running scared because of it.

Despite almost sixty years of a mass media trying to convince the general populace that we ought to be "a kinder, gentler" nation as a whole and feeding them huge amounts of liberal philosophy, we still, by and large, are a culture deeply rooted in conservative principles. I.E., less government, minimum governmental intrusion in our private affairs, minimum government "hand-outs" (let the churches handle the welfare needs), low taxing policies, States rights rather than Federal control, etc. etc. In other words, the backbone of what made The United States of America a unique entity among all the governments of the world past and present.

In eight short years, Ronald Reagan's administration started to get the Republican party, with its "rock ribbed" conservative tack, back on the path that the majority of our peoples felt "worked" and were comfortable with. My feeling is the voters didn't give him a Republican majority to work with is because the Republican leadership in both houses simply failed to lead! Robert Dole and his cohorts were on that appeasement road even then.

But he had a Judas Goat within the folds of the administration by the name of George "read my lips" Bush. Most of us didn't recognize this at the time and probably a lot of the leadership of our party will, even now, deny this fact. But former president Bush's capitulation to appeasement with the Democratic Majority was the beginning of the end of the conservative movement in the country as it should be practiced! (Gospel according to Benton?)

The rhetoric that came out of the February 23rd meeting between the senate leadership and President Clinton turned my stomach! These guys are from the Neville Chamberlain school! We know well that "sleeping with the enemy" only gets you beat up and bloodied.

After forty plus years of ever-increasing Democratic liberalism, Republicans don't know how to win! The House is better than the Senate and because of the House's "Contract With America," that the Senate promptly botched, it showed Republicans can win if the conservative message is packaged correctly. The loss we suffered in November can be laid directly at the Republican Senator's doorstep. Unfortunately, because we blew it, the Coach got fired (or plain tired) and our fire left the field of fight. Put that House loss in the Senate's column too.

If we are to salvage the Republican majority in both legislative bodies, we need a group of firebrands to step up and be counted—and we need it now! Our history and our soul is conservative principles. Being "nice guys" is stupid and dangerous. I don't mean we shouldn't have compassion for any who need a helping hand. But there are a multitude of ways to help people than through government intervention and the sooner the "moderates" realize this fact, the better off all of our citizens will be.

Both parties have been corrupted by foregoing their ideals. The Democrats have been taken over by the liberal faction of their party. My parents were rock ribbed anti-Roosevelt (both Franklin and Eleanor). They were Democrats who recognized the dangerous path that was starting to be followed by the New Deal Democrats. Government run pension a.k.a. Social Security that only made our oldsters dependent on the Federal octopus and our young workers drawn into one of the biggest Ponzi schemes of all time. And I remember my father saying that was only the tip of the governmental interference iceberg. In the twenties, my Dad was elected by the Trainmen's Union to be one of the board members of the Railroad Retirement Fund. I remember full well how he mustered the members of that board to resist the take over of their pension plan by the Social Security board. His faction won and that fund is one of the strongest pension plans in the world today. It is independently run on a solid actuarial basis and it hasn't loaned one damn dime to the Federal Government to hide deficit spending!

Springboarding from that background, I switched from being a Democrat to a Republican at about age twenty-five because I was very uncomfortable with the direction of the Democratic Party. Just about as uncomfortable as I am today, at age sixty-seven, with the Republican Party's inclination to forego conservatism in favor of "getting along."

Now that I'm getting close to the end of my life, I guess I shouldn't be so passionate about these things. However, I have children and grandchildren who deserve better from the Republican leadership than simply rolling over and playing footsie with the Liberals.

Now, Bob, I'm not about to go down shouting at the wind without offering a plan of action. This is something I proposed in 1965, on the editorial pages of the now-defunct Colorado Springs Free Press newspaper, and I think it is viable today as a conservative cause. Permanently "fix" the Old Age Retirement System by taking it out of the hands of the Feds per se. Much like the Railroad Retirement plan, I fashioned and envision a system that sets up a government sponsored board to make annual recommendations as to what financial institutions would be approved for investments. Coupled with this would be the requirement by each wage earner that they choose one of these financial houses and their payroll deductions go to one of the approved money warehouses. In addition, they would be required to furnish a certificate of deposit to be reported annually with their IRS filing. This way they controlled, to a certain extent, their own retirement fund but monitored by this governing board's staff. There would have to be provisions for disablement problems, but this could be tied down very stringently through the proper legislation. This way such a fund would be actuarially sound, private enterprise would be fostered, and the sorry savings rate of our citizens would be greatly improved. Plus, there would be all manners of funds available to help businesses grow, mortgages funded, etc. If done right, the Federal Government couldn't lay their grimy mitts on a single dime—not even in the form of taxation!

I do not wish to brag, and I'm not even sure this can be proven, but an acquaintance of long ago, who was a professor at Colorado College in the sixties and still a citizen of a South American country (I do not recall his name nor what land he came from), told me about five or six years ago when we re-met that he'd sent my editorial to one of the ministers in his country and it was barely possible this "model" fed into their social security system. He claimed it was a very solid program and had helped make his country financially strong.

You have tons of reading material and I hope this three page treatise isn't so long it will get just a cursory glance. Maybe you can read it on the plane?

Your friend and supporter,

BILL.

TRIBUTE TO PAUL M. AUSTER

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. ARCHER. Mr. Speaker, this week marks the culmination of a very successful career for Paul M. Auster who for the past twenty-three years has served as Tax Counsel for the House Committee on Ways and Means.

A native of Brooklyn, New York, Paul secured his law degree from the College of William and Mary in Virginia. Afterwards, he received his Masters in Taxation from New York University and began public service in the Chief Counsel's Office at the Internal Revenue Service. In 1976, Paul joined the Republican Staff of the Ways and Means Committee and became responsible for all areas of the Tax Code relating to employee benefits, international taxation and insurance. Anyone who is familiar with these issues knows that Paul was the principal attorney dealing with some of the most complicated provisions of the Internal Revenue Code.

Throughout his years with the Ways and Means Committee, Paul assisted Members and staff with a myriad of legislative initiatives and helped draft legislative language for at least a dozen major tax bills starting with the 1976 Tax Reform Act and finishing with the Taxpayer Relief Act of 1997. As the pension and foreign tax rules grew increasingly more complex, Paul's expertise and depth of knowledge became crucial to sound tax policy.

I know Paul's friends and coworkers join me in wishing him the very best. Paul has earned a fulfilling retirement marked with the satisfaction of a job well done. He will be truly missed by those fortunate to have worked at this side. Good Luck, Paul, and thank you.

EDUCATION FLEXIBILITY
PARTNERSHIP ACT OF 1999

SPEECH OF

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 800) to provide for education flexibility partnerships:

Mr. GILMAN. Mr. Chairman, I rise today in support of H.R. 800, the Education Flexibility

Partnership Act of 1999 and I commend the distinguished gentlemen from the education committee, Mr. GOODLING and Mr. CASTLE for bringing this important legislation to the floor today.

This legislation will provide states and our local education officials with greater flexibility in using federal education funds to support locally-designed, comprehensive school improvement efforts. Currently only 12 states have this ability, but this bill would extend this flexibility to all 50 states. Supported by many groups such as the U.S. Chamber of Commerce, the National School Boards Association, and the New York State United Teachers, the expansion of the ed-flex program will give states and local school districts, much needed regulatory relief to pursue education reforms, while maintaining a level of accountability.

To ensure that this program will not be abused, the Secretary of Education must determine that a state has an approved title I plan or has made substantial progress in developing and implementing state content standards and assessments under the Elementary and Secondary Education Act of 1965, in order to be eligible for ed-flex waivers. Moreover, states are required to develop detailed improvement plans, specific to the waiver authority requested, and must continue to comply with basic federal requirements concerning civil rights and educational equity.

Ed-flex will reduce the federal demands on local school districts and will allow local officials the freedom to choose between what works and what doesn't work for their specific school system. This will in turn, help the federal government to see what federal regulations are not being used by local districts and allocate those funds to other programs that the state and local officials deem necessary and useful.

This program helps everyone. Local districts will have the flexibility to customize their schools to bring about maximum performances from their teachers and students, and the federal government will learn from the local and state officials which programs work and which programs need to be changed.

Once again I applaud the efforts of the Education Committee and I urge my fellow colleagues to support the ed flex bill.

H.R. 1074 THE REGULATORY RIGHT-
TO-KNOW ACT OF 1999

HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. BLILEY. Mr. Speaker, today I am introducing H.R. 1074, the Regulatory Right-to-Know Act of 1999. The Regulatory Right-to-Know Act is an important tool to understand the magnitude and impact of Federal regulatory programs. The Act will provide all Americans, including state and local officials, with new tools to help them participate more fully and improve our government. Better information and public input will help regulators ensure better, more accountable decisions and promote greater confidence in the quality of federal policy and regulatory decisions. Better decisions and updated programs will help Americans enhance innovation, improve the quality of our environment, make our families

safer, improve our economic security, and improve the quality of life.

Mr. Speaker, we know the right steps. Over the past four years, this Congress has changed the direction of Federal Government from the endless burden of more taxes and spending to the new fiscal discipline of balance and accountability. For the past decade the genius of freedom and innovation has driven American businesses through a quality and productivity revolution. The result of this drive toward efficiency and accountability is an American economy which is the unparalleled envy of the world. The freedom and innovation of millions of Americans in private businesses have brought incredible improvements to our quality of life, health care, education, and prosperity. Through the new emphasis on flexibility and innovation, State and local officials have led the way to safer, cleaner and more prosperous places to live. We in Congress must be the allies of state and local government, American business and families through responsible management of the Nation's regulatory programs to ensure quality in necessary regulation and even greater freedom from unwise regulation.

To do our jobs we must first understand the impact of Federal regulatory programs on our economy and innovation. In addition to taxes, the Federal Government imposes tremendous costs and restrictions on innovation on the private sector, State and local governments and, ultimately, the public through ever increasing Federal regulations. Here too we must drive toward quality, efficiency and accountability.

Some estimates place the compliance costs from Federal regulatory programs at more than \$680 billion annually and project substantial growth even without new legislation. These costs are often hidden in increased prices for goods and services, loss of competitiveness in the global economy, lack of investment in job growth, and pressure on the ability of State and local governments to fund essential services, such as crime prevention and education. More recently we have heard mayors decry the effect that unwise Federal regulations have on the problems of brownfields redevelopment and preventing reinvestment in our urban areas. As a former mayor of Richmond I am familiar with and very sympathetic to these problems.

Unlike the private sector, where freedom of contract and free market competition drive price and quality, Federal programs are only accountable through the political process. Over the past few decades both Congress and the Executive Branch have driven growth in Federal regulatory programs, creating layer upon layer of bureaucracy at great cost and often with diminishing returns for the American people. Congress and the Executive Branch must take concrete steps to manage and reform these programs. The Regulatory Right-to-Know Act is a fundamental building block for a smarter partnership in federal regulatory programs. The leadership we show or fail to show will affect the quality of life for ourselves and our children.

Bipartisan organizations representing the Nation's governors, mayors, professional city managers, county officials and others are unanimous in their support for the Regulatory Right-to-Know Act. Citizens for a Sound Economy, the National Federation of Independent Businesses, the U.S. Chamber of Commerce, the National Association of Manufacturers, and

many others agree that the American taxpayers and consumers have the right-to-know the costs and benefits of federal regulations, and have endorsed the Regulatory Right-to-Know Act of 1999.

I would like to thank Mr. MCINTOSH, Mr. CONDIT, Mr. STENHOLM and others for their leadership on this bill in the 104th, 105th, and 106th Congresses. As evidenced by the original co-sponsorship list, the Regulatory Right-to-Know Act of 1999 has broad bipartisan support. Senator THOMPSON and Senator BREAUX have provided leadership in the Senate and have, once again, introduced the analogue to the Regulatory Right-to-Know Act.

The legislation changes no regulatory standard. It will, however, provide vital information to Congress and the Executive branch so they may fulfill their obligation to ensure wise expenditure of limited national economic resources and improve our regulatory system. Let's not forget that a tax or consumer dollar spent on a wasteful program is a dollar that cannot be spent on teachers, police officers or health care. If we are serious about openness, the public's right to know, accountability, and fulfilling our responsibility as managers, we will enact this important piece of legislation.

TRIBUTE TO ROBERT L. OZUNA

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. BROWN of California. Mr. Speaker, I rise today to pay a tribute to Robert L. Ozuna, who was Chief Executive Officer of New Bedford Panoramex Corporation in Upland, California. Mr. Ozuna died Saturday, March 6, 1999 at Queen of the Valley Hospital in West Covina, California. He was 69.

Robert Ozuna was the oldest of four children born in Miami, Arizona to Mexican-American parents. In 1940, after his father's early death, his family moved to East Los Angeles where he grew up with his mother, brother and two sisters. Robert was required to seek steady work at an early age to assist the family financially.

Robert Ozuna emerged as one of the leading Mexican-American entrepreneurs in Southern California as Founder and President of New Bedford Panoramex Corporation (NBP). He gained his business experience on the job and he gained his engineering education by attending night school in the California community and junior college system.

In 1966, Mr. Ozuna began to build his company with a second mortgage on his residence, a few electrician's hand tools, hard work, and entrepreneurial instincts into the thriving electronics manufacturing business it is today in Upland, California. NBP engages in the design, development, and manufacturing of electronic communication systems and remote monitoring systems for its primary client, the United States Government.

Mr. Ozuna's hard work and dedication were recognized through such honors as the U.S. Department of Transportation's Minority Business Enterprise Award for 1987 and again for 1991. He received the Air Traffic Control Association Chairman's Citation of Merit Award in 1994. He was an active member of the California Chamber of Commerce for various cities

and a founder of Casa De Rosa Annual Golf Tournament, which he instituted to raise funds for the Rancho de Los Ninos Orphanage in BajaMar, Mexico.

As industrious as Mr. Ozuna was in business, he was equally involved sharing his prosperity with many philanthropic activities in his community. He was the sponsor of many events in the Hispanic neighborhood where he grew up, and he was a founding director in the East Los Angeles Sheriff's Youth Athletic Association, which promotes educational, athletic and drug awareness programs for more than 60,000 youths in the Los Angeles Metropolitan area.

Robert Ozuna is remembered by his employees at New Bedford Panoramex Corporation as a handsome man who had a passion for life. His concern for his employees and their families along with his abundant generosity to them was always present.

Robert Ozuna was married for 35 years to Rosemary, who passed away in November of 1998. He is survived by his mother, Amelia Ozuna; his sons, Steven Ozuna and Jeff Dominelli; his daughters, Nancy DeSilva and Lisa Jarrett; his sisters, Lillian Gomez and Vera Venegas; and his brother Tony Ozuna. He also leaves 8 grandchildren.

A Memorial Service will be held on Friday, March 12th at 12:00 noon, at St. Gregory's Church, 13935 E. Telegraph Rd., Whittier, CA. The burial will follow at Queen of Heaven Cemetery.

Mr. Speaker, Robert Ozuna's life epitomized much that is the American dream. He rose from economically humble roots to found and head a well-respected electronics manufacturing firm, and he gave back to his community and to those around him, helping to create a better future for others through his life. America is a better place because of Robert Ozuna, and he will be sorely missed.

LEGISLATION TO MEMORIALIZE VETERANS WHO DONATE THEIR ORGANS

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. GOODLATTE. Mr. Speaker, several months ago, I was contacted by one of my constituents, Mrs. Linnae Hedgebeth of Salem, Virginia. She requested that my office intervene on a matter of great importance to her family, and others across the country.

Mrs. Hedgebeth is the widow of Roger Hedgebeth, Sr., a decorated World War II veteran and a career civil servant. When Mr. Hedgebeth passed away in 1997, he requested that his body be donated to assist in medical research, and that his ashes be memorialized at Arlington National Cemetery. Following his wishes, his family donated his body to science, but unfortunately were not able to give this military hero the final recognition that he deserved at Arlington National Cemetery.

As it stands now, due to various legal concerns, no ashes of individuals who donate their bodies to science are returned. And unfortunately, current regulations at Arlington National Cemetery prohibit memorializing veterans in the Columbarium unless their remains are actually inurned there. While I understand

that space is limited at Arlington, and it is necessary to follow strict guidelines regarding burial and memorialization, I cannot accept that an entitled veteran can be denied appropriate recognition simply because he has donated his remains to further medical research.

While our nation is blessed with many treasures, none is more cherished than the peace we enjoy in our prosperous country. Arlington National Cemetery has long been a sanctuary for remembrance to veterans who provided and safeguarded that peace. We should not deny any eligible veteran that recognition simply because they may choose to help others by donating their remains to medical study.

With that said, Mr. Speaker, I submit this bill which seeks to modify current regulations to allow otherwise eligible veterans, who have donated their bodies to science, to be memorialized at the Columbarium in Arlington National Cemetery, notwithstanding the absence of their physical remains. I urge my colleagues to support this important legislation.

FATHER DRINAN'S VOICE FOR SANITY

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. FRANK of Massachusetts. Mr. Speaker, my predecessor in Congress, Father Robert Drinan, was during his very impressive tenure here an important spokesman for a sensible reordering of our national spending priorities. Since leaving Congress, Father Drinan, has continued to be a leader on issues of human rights and social justice, and his most recent article on national policy makes in a compelling way the case against the proposed military budget increases President Clinton has unfortunately requested. Father Drinan sets this in the appropriate context and I believe his reasoning is persuasive and his facts compelling. As Father Drinan notes in this article in the National Catholic Report for January 22, "the world scene has changed, but neither the White House nor the Pentagon seems to have heard the good news." I ask that this important statement be printed here.

THE MILITARY-INDUSTRIAL COMPLEX JUST MARCHES ON

(By Robert F. Drinan)

When I read in early January that President Clinton had agreed to support the Pentagon's request for an increase of some \$125 billion over the next six years, I became certain that the United States had failed to produce a new foreign policy for the world after the Cold War.

All my anxieties and misgivings about U.S. foreign policy in the six years of the Clinton administration coalesced into the conviction that the United States had lost an unprecedented opportunity to fashion for the entire world a policy that would relieve hunger, promote democracy and bring stability to troubled regions.

Since the Warsaw Pact and world communism dissolved in 1990, the entire human family has been looking to the United States for moral leadership that could usher in a new era of peace.

The military has not rethought its goals since 1990. The one review the Pentagon conducted resulted in the questionable finding that the United States must be prepared to

wage two regional wars at the same time. That theory has never been approved by Congress following hearings or evaluated in the crucible of public opinion.

It is self-evident that the world has changed radically since the disappearance of the Soviet Union. The nations of the world do not need military jets or sophisticated armaments; they need the skill and resources to promote economic stability and make adequate provision for health and education for their people.

America could help make that happen. Instead, the White House chooses to invest the nation's wealth in the largest boost in military spending since the heyday of the Reagan buildup. The Air Force will be able to buy more F-22 fighters, and Army can acquire new Comanche attack helicopters and the Navy will build new ships.

In so doing, the president may have headed off a potentially dangerous issue in the race for the White House in the year 2000. Vice President Gore will not have to face charges of letting America's guard down. But meanwhile the opportunity to rethink the military policies of the United States in a postcommunist world is slipping away.

For me, the concession of 1999 to the Pentagon symbolize the failure of the White House to engage Congress and the country in a fundamental re-examination of what America should do as the human family struggles with feeding, sheltering and keeping all its members safe.

The White House has rejected all the voices since 1990 that have been pressing for new foreign policy priorities. Arms control experts, activists and academics in the peace community and scores of religious organizations feel spurned by Clinton as he agrees to go along with the Pentagon with business as usual.

The Council for a Livable World and similar organizations get regular assessments from military experts of what the United States needs to deal with its current challenges. Their estimate is nowhere close to the \$260 billion available to the Pentagon this year.

There certainly is no need for the entire world to be spending \$780 billion on arms this year.

The world scene has changed, but neither the White House nor the Pentagon seems to have heard the good news. The military is still operating with 80 percent of its Cold War budget and much the same attitude.

The military establishment in this country is awesome. It includes 1,396,000 men and women on active duty, 877,000 in the reserves and 747,000 full-time civilians. Imagine the impact if only a fraction of this vast armada joined the 7,000 Peace Corps volunteers serving the poor in useful ways.

Supervision of the sprawling world of the Department of Defense seems to be beyond even the Congress. There are 122 separate kinds of accounting used by the Department of Defense—so many that even the Pentagon's inspector general admits the need for reform. And although there is every indication that the country's military needs are shrinking, the Pentagon asked Congress for 54 new slots for generals and admirals this year.

It should also be remembered that the Pentagon resisted and prevented America's acceptance of the international ban on land mines whose advocates captured last year's Nobel Peace Prize. The Pentagon blocked U.S. participation in the new International Criminal Court, a sort of permanent Nuremberg Court, and it was the Pentagon that spent \$35 billion in 1998 monitoring and maintaining some 12,500 nuclear warheads.

Opportunities to protest the latest surge in defense spending will probably be minimal,

since the administration and Congress usually push such measures through as a matter of routine.

There is no sign of hope. Dale Bumpers, longtime arms control advocate, took office Jan. 4 as the new director of the Center for Defense Information. After 24 years as a Democratic senator from Arkansas, Bumpers now head up an organization composed of retired high-ranking military officers devoted to developing a sensible military policy for the United States.

Widely regarded as a leader on arms control issues, Bumpers will carry forward the center's work seeking a sensible and balanced military policy. Bumpers opposed plans for an elaborate missile defense system, fought against the F-22 and supported procurement reform at the Pentagon.

The present dominance of the Pentagon and its arms merchants reminds one of the familiar but distressingly true observation of President Dwight Eisenhower in his farewell address of Jan. 17, 1961. The only U.S. general to be president in the 20th century said:

"We must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex."

ONE YEAR ANNIVERSARY OF THE STONEVILLE TORNADO

HON. RICHARD BURR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. BURR of North Carolina. Mr. Speaker, on the afternoon of March 20, 1998, a tornado ripped through the town of Stoneville, NC which is in my district. The people of this small town had no warning before the powerful winds of an F2 tornado ravaged the downtown area and touched the surrounding towns of Madison and Mayodan.

The path of the tornado was 12 miles long and 100 to 400 yards wide. It claimed the lives of 2 individuals while damaging or destroying 500 to 600 homes and nearly all of the businesses in the downtown area.

Yet, after facing this devastating force of nature, the people of Stoneville did not give up. They pulled together with the aid of their neighbors and have been rebuilding their homes, their businesses and their lives over the past 12 months.

I was there the night of the tornado, and from that time until now I have witnessed the best in the human spirit as everyone has volunteered to help those in need.

The buildings were destroyed, but not the determination to survive. This is a true example of American's working together for the good of their fellow man.

I salute the people of Stoneville and all of their neighbors who have volunteered for their will to rebuild rather than to let their heritage be destroyed. I wish them the best and brightest future which they surely deserve.

HONORING VALERIA SOWELL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. TOWNS. Mr. Speaker, I rise to honor Ms. Valeria Sowell for her distinguished serv-

ice to the Brooklyn community of East New York. A teacher for fifteen years, Ms. Sowell has served her community as educator, lobbyist, and activist.

Known for her no nonsense approach to solving problems, Ms. Sowell earned the respect and admiration of members of the community by helping to establish The Cleveland Street Block Association. In addition to community development, Ms. Sowell is concerned about health issues in Brooklyn. Wearing her hat as community lobbyist, Ms. Sowell is presently working with members of the New York General Assembly to change state law to permit HMO coverage of alternative forms of medicine.

While serving as American Federation of Teachers School Delegate, Ms. Sowell was honored by her peers with the prestigious Very Special Arts Award and later the Impact Award. She is affiliated with several organizations, including the NAACP, Democratic National Committee, New York Alliance of Black School Educators, New York Coalition of Black School Educators, Association of Orthodox Jewish Teachers, and the New York Coalition of 100 Black Women.

Ms. Sowell is an active member of the Christian Life Center in Brooklyn. Born in Brooklyn, New York, Ms. Sowell was the fourth of five children from the union of her beloved parents, Mildred and Clyburn Sowell.

In closing, Mr. Speaker, I am pleased to honor an unselfish, positive role model for the community, Ms. Valeria Sowell.

A BUDGET WORTHY OF OUR NATION'S VETERANS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. FILNER. Mr. Speaker, I rise today to speak about a travesty that happened in the House Committee on Veterans' Affairs just a few hours ago. As we all know, this committee has had a long-standing tradition of bipartisanship, of working together, of advocacy for our nation's veterans.

That all changed today. Unbelievably, on the eve of the bipartisan retreat in Hershey, Pennsylvania, the Members of the majority on this committee decided not to allow a discussion or a vote on an alternative budget that was derived from the Independent Budget for Fiscal Year 2000, a comprehensive policy document created by veterans for veterans and endorsed by over 50 veterans' service organizations.

As we are well aware, the Administration's fiscal year 2000 budget for veterans is completely unacceptable. Under this budget, the VA health care system is drastically underfunded and in danger of actual collapse. This budget for the GI Bill is far short of realistic needs and failing as a readjustment benefit and as a recruitment incentive. Desperately needed staffing increases included in this budget appear to be phony—little more than transparent shell games. The National Cemetery System has been underfunded for years, and the money needed for the most basic repairs and upkeep is unavailable. These are drastic problems and they demand serious, substantial solutions! Veterans have been

wronged by this budget, and it is the responsibility of Congress to right that wrong.

For many, many years, America's veterans have been good soldiers. They have done their duty and been conscientious, responsible citizens. Every time the Veteran's Affairs Committee was handed a reconciliation target, it met that target. Billions of veterans' dollars have been handed over in order to balance the budget and eliminate the deficit. Time and time again, America's veterans answered their nation's call. The country needed their support, and America's veterans gave all that they could give.

Well, the budget deficit has been eliminated. That battle has been won. I believe that this year, it is time for America's veterans to come first. We, as a nation, owe them that.

I listened closely to the testimony of the many veterans' service organizations as they have come to Washington to appear before the House and Senate Veterans' Affairs Committees over the past few weeks. I carefully studied the Independent Budget for Fiscal Year 2000, which I mentioned earlier. I hear a strong sense of urgency and frustration and even anger that I've never heard before. America's veterans are telling us that they have done more than their fair share—and now they expect us to be their advocates.

As I read the Independent Budget, I was struck by this powerful statement that I would like to share with you. The signers of the Independent Budget said, "As the Administration and Congress develop budgets and policies for the new millennium, we urge them to look up from their balance sheets and into the faces of the men and women who risked their lives to defend our country. We ask them to consider the human consequences of inadequate budgets and benefit denials for those who answered the call to military service."

I took this to heart! Because, as I said earlier, the Administration budget of \$43.6 billion is completely unacceptable, we Democrats on the Veterans' Affairs Committee developed a proposal, based on this Independent Budget, that would add \$3.19 billion to the Administration proposal.

We came to the meeting today, hoping for a full discussion of the chairman's proposal which added \$1.9 billion to the Administration's request, the Democratic alternative which added \$3.19 billion—and a vote on which one to send to the Budget Committee. For I believe that it is our duty, as members of the Veterans' Affairs Committee, to send to the Budget Committee the very best "views and estimates" on the VA budget that we can.

In a democratic society, it is our right to be able to express ourselves, to debate and discuss various alternatives, and to vote!

The chairman's recommendation could have gained more votes than the Democratic alternative proposal, but we will never know. Because a vote was not permitted. Not to allow a full discussion of the needs of veterans and the best way to meet those needs—this is simply outrageous. These are the needs of our veterans that we are talking about! Let us hope that the travesty that occurred this afternoon in the Veterans' Affairs Committee will not be repeated for a very long time.

As the Independent Budget asks of us, I ask my colleagues to remember the faces of the men and women who sacrificed so much as we develop a budget worthy of our nation's veterans.

TRIBUTE TO DR. MARLENE DAVIS

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. LEVIN. Mr. Speaker, I rise today to honor Dr. Marlene Davis, Superintendent of the Southfield Public Schools.

Dr. Davis recently was named the 1999 Michigan School Superintendent of the Year. A native of Dearborn, Michigan, Dr. Davis has an extensive educational background. She holds a Bachelors of Arts in Art History, from Michigan State University; a Masters of Arts in Guidance and Counseling, from the University of Michigan; a Masters of Science and a Ph.D. in Education Administration, from Purdue University.

Before coming to the Southfield Public Schools in 1991, Dr. Davis was the Superintendent of Novator Unified Schools and Fillmore Unified Schools, in California from 1985 to 1991. She was also a proud member of the United States Peace Corps for three years, serving in Sierra Leone.

Dr. Davis was named Michigan's 1999 Superintendent of the Year because of her vision and leadership as exemplified by her initiation of the Southfield Public Schools strategic plan, designing the framework of the high school restructuring plan and the implementation of various diversity programs.

Although she has dedicated the last 20 years of her life to make education a priority for the leaders of tomorrow, Dr. Davis is deeply involved in the Southfield community as well. This includes serving on the Boards of the following: Southfield Chamber of Commerce, the Southfield Community Foundation, the Metro Detroit Bureau of School Studies, Gilda's Club and the Southfield Total Living Commission.

Mr. Speaker, I ask my colleagues to join me in congratulating Dr. Marlene Davis as the recipient of this most prestigious award and wishing her success as she continues to serve the educational community.

A TRIBUTE TO RICHARD KILEY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. GILMAN. Mr. Speaker, it is with deep regret that I report to our colleagues the passing this past weekend of one of the outstanding actors in American show business—an individual for whom respect was universal.

Richard Kiley was one of the most respected members of his craft because he brought sincerity and professionalism to everything he did. Richard Kiley was not only a gifted actor, but a great humanitarian, whose friendship spanned nearly a half century.

Richard was one of the few people in show business who had the reputation of lending class to every project he had undertaken. From originating the starring role in "Man of LaMancha" to providing the voice over of thirty years of "National Geographic" documentaries, and from his Emmy-winning role as star of "A Day In The Life" to his guest appearances on various other programs, and his

most recent film, "Patch Adams," Richard Kiley brought grace, dignity and intelligence to all of his many roles.

In recent years, we came to rely on Richard Kiley, not only for his advocacy of the National Endowment for the Arts and other programs to encourage artistic development, but also his concern for the environment of his home town of Warwick.

Richard Kiley is perhaps best known as the first actor to play the title role in "Man of LaMancha" for which he received the Tony Award for "the most distinguished performance by a musical star" as well as the Drama Critics Poll and the Drama League Award. He repeated the role in London Center, and on a record-breaking tour of the United States.

Born in Chicago, Richard began his career in radio as a soap opera juvenile in such vintage favorites as "The Guiding Light" and "Ma Perkins." After three-and-a-half years in the Navy, his first significant employment was to understudy Anthony Quinn in the touring company of "A Streetcar Named Desire" and later take over the role of Stanley. He was first seen on Broadway as Joey Percival in the successful revival of Shaw's "Misalliance," for which he received the Theater World Award.

Richard's first musical role was the Caliph in "Kismet" in which he introduced the classic, haunting song, "Stranger in Paradise," which was one of the biggest hit songs of the 1950's. For a time he was in the enviable position of alternating straight plays with musicals, following the Caliph and Major Cargill in the Theater Guild's "Time Limit." He co-starred with Gwen Verdon in "Redhead," for which he won his first Tony Award. The following season he was seen as Brig Andersen in "Advise and Consent," the dramatization of Allen Drury's Pulitzer Prize-winning novel, after which he co-starred with Diahann Carroll in Richard Rodgers' "No Strings."

Richard co-starred with Colleen Dewhurst in the Spoleto Festival production of O'Neill's "A Moon for the Misbegotten." He returned to Broadway as Caesar in "Her First Roman," followed by the "Incomparable Max," "Voices" with Julie Harris, "Absurd Person Singular," "The Heiress," and "Knickerbocker Holiday." He appeared at the Kennedy Center in "The Master Builder" and at the Edinburgh Festival in an American poetry reading with Princess Grace of Monaco. He played Tartuffe at Philadelphia's Drama Guild, Moliere in "Spite of Himself" at the Hartford Stage, and toured as Scrooge in a new musical version of "A Christmas Carol." He was last seen on Broadway in the revival of Arthur Miller's "All My Sons" for which he received a Tony nomination.

His television career began during the medium's "Golden Age" and continued until his death with regular guest appearances on many popular shows. He received both the Emmy and Golden Globe Awards for his performances in "The Thorn Birds," as the lead star in the series "A Day In The Life," and as Kathy Baker's father on the acclaimed series, "Picket Fences."

Richard Kiley's motion picture career began with his spellbinding, standout performance in the classic 1955 film, "The Blackboard Jungle." Other notable performances include his roles in "Eight Iron Men," "The Phoenix City Story," "The Little Prince," and "Looking for Mr. Goodbar," in which he appeared as Diane Keaton's father. Richard also appeared in

"Endless Love," and his last film, the box office and critical smash, "Patch Adams." Richard Kiley possessed one of the most melodious and thus frequently heard voices in show business. He narrated numerous television programs throughout the years, including thirty years of "National Geographic" specials, "Mysteries of the Bible," "Nova," and "The Planet Earth."

Unlike many successful show business personalities, Richard Kiley did not divorce himself from his community, but remained an activist who his neighbors in Warwick, NY, knew they could count upon for assistance with community concerns, most especially in protecting the local environment.

Richard devoted time and energy to a number of charitable concerns, and has never been known to turn his back on any worthy cause or individual in need of help.

Richard Kiley was truly a man for all seasons and all generations.

We extend our condolences to Richard's widow Pat, and to his six children: Kathleen, Erin, Dierdre, David, Michael, and Dorothy. Richard also leaves behind 12 grandchildren and one great-grandchild.

Richard Kiley was a person who could serve as a role model not only to aspiring actors and actresses, but to all young people who aspire to success in their professions and as good citizens. Richard Kiley is an individual whose shoes will be difficult to fill, and who will long be missed.

CHEAP CAR PARTS CAN COST YOU A BUNDLE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. TOWNS. Mr. Speaker, I would like to bring to my colleagues' attention the attached article, "Cheap Car Parts Can Cost You a Bundle", from Consumer Reports which appeared in its February 1999 issue.

CHEAP CAR PARTS CAN COST YOU A BUNDLE

One January morning last year, Daniel Della Rova was passing another car at about 55 mph on Route 222 near Kutztown, Pa. Suddenly the hood of his 1988 Honda Accord flew up, fractured the windshield, and wrapped itself around the roof. Unable to see ahead, Della Rova gripped the wheel tightly and managed to steer to the side of the road. "Lucky," he says, "I didn't hit anything." But the insurance company declared the car a total loss.

According to Charlie Barone, a vehicle damage appraiser in Malverne, Pa., who has examined the car, the cause of the mishap was what collision repairers disparagingly call offshore "tin"—a cheap imitation hood made by a Taiwan manufacturer. It's one of many, mostly Asian-made imitations of automakers' OEM (original equipment manufacturer) parts.

Barone, an outspoken critic of imitation parts, says they're cheaper than OEM for a reason: "They're inferior to original manufacturer parts."

He adds that the previous owner of Della Rova's Honda, who had damaged the original hood in a minor accident, probably paid \$100 less for the imitation hood than the \$225 the Honda OEM part would have cost. But the real cost could have been catastrophic.

An auto-repair problem similar to Della Rova's may be parked in your driveway right

now. If your car was ever in an accident, the repair shop may have installed cheap imitation parts, perhaps without your even knowing it.

Crash parts are a big business. Each year, U.S. drivers have an estimated 35 million automobile accidents costing some \$9 billion in crash parts. The most frequently replaced parts are bumpers and fenders.

Not all imitation parts are bad. Various brand-name replacement batteries, filters, spark plugs, and shock absorbers can provide quality along with competitive pricing. Some body-part copies are OK, too, but others are junk.

Several consumer groups have supported imitation crash parts, and for good reason: These parts provide competition, forcing automakers to reduce prices. That's good for consumers—but only if quality doesn't suffer. Unfortunately, the quality of imitation crash parts can vary widely.

Many collision repairers complain that imitation parts generally don't have the same fit and quality as OEM parts. "Approximately 75 percent of the time, you have to make modifications or tweak the sheet metal to make aftermarket body parts fit," says Phillip Bradshaw, owner of Bradshaw Collision Centers in Madison, Tenn. "And even then, it's often impossible to get the alignment and fit right."

In an effort to assure the quality of imitation body parts, the insurance industry established the nonprofit Certified Automobile Parts Association in 1987. To date, CAPA's certification program covers a small percentage of imitation body parts.

Because of the controversy over the price and quality of collision-repair parts, we decided to conduct our own tests on fenders and bumpers to learn about their quality firsthand. All the non-OEM fenders that Consumer Reports tested were CAPA-certified. (CAPA doesn't certify bumpers.)

We also investigated the claims and counterclaims about the benefits of aftermarket parts. Our tests and investigation uncovered two key findings:

Most auto insurers endorse imitation parts because they can be 20 percent to 65 percent less expensive than OEM. But the companies we surveyed provided no evidence that those savings are being passed on to policyholders.

The imitation bumpers and fenders we tested were inferior to OEM parts. The bumpers fit badly and gave poor low-speed crash protection. Most of the fenders also fit worse than OEM fenders, and they rusted more quickly when scratched to bare metal.

THE PRICE VS. QUALITY DEBATE

Some insurers acknowledge there's a quality problem. That's why the In Insurance Exchange of the Automobile Club of Southern California uses only OEM metal body parts. "We have found significant problems in the quality and specifications of non-OEM sheet metal," says spokeswoman Carol Thorp.

Raleigh Floyd, an Allstate spokesman, says that his company uses OEM parts—and imitation parts "whose quality has been certified" by CAPA. But our tests of some CAPA-certified fenders indicate that the CAPA seal of approval is no guarantee of quality comparable with that of an OEM part. (The CAPA seal was affixed to the hood on Della Rova's Honda.)

Also, some consumers may not know what kind of parts they're getting. They may simply assume their car will be restored to its precrash condition.

Besides fenders and hoods, CAPA certifies other sheet-metal and plastic parts. In the crash parts market, CAPA parts account for 3 percent or less of the units sold. OEM parts account for 72 percent; salvage parts, 10 per-

cent. Non-CAPA imitation parts make up the remaining 15 percent. CAPA looms large in the industry because it's the only organization that sets quality standards for imitation replacement parts. Although its overall market share is small, CAPA is growing.

The debate over quality should heat up this summer as a \$10.4 billion class-action lawsuit, Snider vs. State Farm, goes to trial in Marion, Ill. The suit accuses State Farm of pressing shops and policyholders to use imitation parts that aren't equal in quality to OEM parts. That's "a breach of their promise to resote the vehicle to pre-loss condition," says Thomas Thrash, an attorney for the plaintiffs.

State Farm firmly denies this. "We believe these [non-OEM] parts are of the same quality as the manufacturer parts," says spokesman Dave Hurst.

Insurers haven't always looked kindly on non-OEM crash parts. In the early 1980s, State Farm's periodic repair reinspections revealed that many repair shops were charging for OEM parts but installing cheaper imitations and pocketing the difference.

"The shops were making a very long dollar," says Stan Rodman, director of the Automotive Body Parts Association, which represents manufacturers and distributors of imitation parts—and which was briefly the predecessor of CAPA. "They were getting a non-OEM fender for 90 bucks that the insurance company was paying them \$400 for."

By the mid-'80s, however, insurers began recommending imitation parts. Their repair estimates assured policyholders that the parts were as good as OEM parts.

The plaintiffs in the State Farm suit allege that the insurer knew better. In June and August 1986, for example, State Farm consultant Franklin Schoonover warned the company's research department that a sampling of imitation crash parts tested earlier that year by the Detroit Testing Laboratory represented a "major risk for consumer usage when compared to the GM OEM parts."

The lab found that some of the imitation parts weren't as strong, were more likely to have problems with cracking and peeling paint, and showed weight differences, indicating a wide variation in quality control.

In 1987, Ford sued Keystone Automotive Industries, the largest distributor of non-OEM body parts in the U.S., for using the phrase "like kind and quality" to compare its imitation parts with OEM parts. In 1992, a U.S. District Court ruling found that Keystone's claims were "false" and "made with the deliberate intention of misleading the public." In a \$1.8 million settlement, Keystone agreed to allow Ford to state in its advertising, "Crash parts from Keystone do not meet Ford OEM quality."

"We should not have made those statements," says Charles Hogarty, president and CEO of Keystone, which now uses the term "functionally equivalent" to describe its products. Hogarty says the description is "probably loose enough to mean whatever you want it to mean . . . it's not identical and there may be some minor, we'd say insignificant, differences."

THE CONSUMER CONNECTION

After it was established in 1987, CAPA compiled a manual that spells out quality controls, test procedures, and other steps required for manufacturers to get its seal.

In 1988, CAPA added consumer advocate Clarence M. Ditlow to its nine-member board. Ditlow is executive director of the Center for Auto Safety, a nonprofit watchdog group founded in 1970. (He is also on the board of directors of Consumers Union, Publisher of Consumer Reports. The center received funding from CU during its early years.)

In 1989, CAPA hired Jack Gillis as its executive director. Gillis is also director of public affairs for the Consumer Federation of America and the author of a long list of consumer-oriented books.

Ditlow says that CAPA parts are better quality than non-CAPA imitation parts "by virtue of the fact that you set a standard." But when asked, neither he nor Gillis provided compelling evidence to support that claim.

Gillis also says that CAPA parts are of "like kind and quality" to OEM parts. But CAPA's quality-standards manual requires only "functionally equivalent" parts. Such a careful choice of words is significant: A Saturn may be functionally equivalent to a BMW, but the two are hardly equal.

A twice-a-year survey of 500 repair shops done for the auto industry by Industrial Marketing Research of Clarendon Hills, Ill., does suggest that CAPA parts are better than non-CAPA and that the quality of all imitation parts is improving. But according to the same study, only one-third of repair shops termed CAPA parts an acceptable substitute for OEM parts. Two-thirds judged the quality of CAPA parts "somewhat worse" or "much worse" than OEM parts.

In the IMR study, repairers also indicated that customers came back twice as often with complaints about imitation parts, and that shops often must absorb the cost of extra labor.

Last March, the Automotive Service Association (ASA), representing more than 12,500 repair shops, withdrew its support of CAPA because "CAPA has failed in its mission" and hasn't assured imitation crash parts that are equal in quality and consistency to OEM.

"ASA is no friend of the consumer," says Ditlow. "These are people who have an agenda, and that agenda is higher repair costs." But CAPA board member Clark Plucinski, who oversees a network of 30 repair shops, says that ASA has grown frustrated with the slowness of CAPA's progress, despite the fact that CAPA is improving the quality of all imitation parts.

Gillis says that CAPA has an "aggressive" program to solicit complaints from repair shops, but that last year it received only 1,055 complaint forms on some 2.3 million CAPA parts used. However, Plucinski says that hands-on collision-repair people are more likely to chew out the parts supplier than to fill out a complaint form.

ONE SIZE FITS NONE

Collision repairers we talked to almost universally complained that too many imitation parts, whether CAPA-certified or not, leave noticeable gaps and don't always match the car's contours. They "fit like a sock on a rooster's foot," says a Scottsdale, Ariz., collision repairer who fixes almost 200 cars each month.

"Fifty to 70 percent of the time the darn things don't fit," says John Loftus, executive director of the 8,000-member Society of Collision Repair Specialists, a trade association.

Jerry Dalton, owner of the Craftsman Auto Body chain in Virginia, says, "I like the idea of alternate parts other than OEM to keep pricing in line, and we try to use them as often as we can. But we still have to return a large percentage of them."

In a demonstration in Colorado Springs, Colo., last October by the Collision Industry Conference (CIC), a repair-shop education and training group, a CAPA hood and fender and a non-CAPA imitation headlight assembly didn't fit properly on an undamaged 1994 Toyota Camry, though a non-CAPA parking light and grille did fit. (Gillis, who was at the demonstration, says that the fender had

been decertified just days earlier, and that he himself decertified the hood on the spot.) At another CIC demonstration in Dallas last December, all the CAPA and non-CAPA substitute parts fit well.

Of 160 repairs shops surveyed last year by Frost & Sullivan, an independent international marketing consulting firm in Mountain View, Calif., 89 percent said that it takes about two hours longer to install an imitation part, costing \$60 to \$90 extra in labor.

HOW CAPA TESTS

CAPA uses Entela Laboratories, an independent test lab in Grand Rapids, Mich., to verify adherence to its standards. Entela has industry-standard equipment and the capability for testing materials.

Reports provided by Entela detail various side-by-side tests of materials in parts being considered for CAPA certification and their OEM counterparts. Entela reports for the Honda and Ford fenders we evaluated include material thickness, chemical composition, tensile strength, and corrosion resistance. The imitation part must be within certain limits of the OEM part in order to be granted certification.

The other half of the certification process is inspection of fit, done at the factory. The Entela fender reports we read list measurements of gaps, flushness with mating parts, and size and location of holes and slots. Each report gives the range of dimensions that the CAPA part must fall within.

The Ford and Honda fenders like those we evaluated appeared to have fallen within CAPA limits in the reports, and they were certified. We did find inconsistencies in the number of holes and slots among the same CAPA-certified part made by different manufacturers.

There may be two reasons for the poor fit of CAPA parts that repair shops complain about. One is "reverse engineering"—where manufacturers make copies of OEM parts. Although Gillis didn't acknowledge problems of fit with CAPA parts, he blames OEM parts for being inconsistent.

But Greg Marshall, Entela's research and development manager, says the OEM parts variations are perhaps 0.060 inch. Even when magnified by the copying process, that shouldn't account for the fit problems we found in CAPA fenders.

The second problem is that CAPA sheet-metal parts are tested for fit on a jig rather than on a car. Gillis says CAPA is changing its standards to require that each part be designed and fit-tested to its intended vehicle as of April. If implemented, that should improve fit. But Gillis says that the requirement will be only for newly certified parts. Parts already certified aren't affected by this change unless CAPA receives at least five complaints about the part in one year.

Repair-shop owner Dalton, a CAPA adviser and a former member of its technical committee who has visited plants in Asia, raises another issue. He says that CAPA isn't able to exercise sufficient control over quality "because they don't buy or sell the parts, and CAPA is a voluntary program."

To assess the claims and counter-claims of the controversy, we installed a sampling of replacement fenders and bumpers on cars and simulated several real-world challenges.

CR'S TEST RESULTS: FENDERS

Our engineers mounted three OEM and six CAPA left fenders on each of two popular cars, a 1993 Honda Accord and a 1993 Ford Taurus. (Our shoppers, who bought the fenders in the New York area and in California, couldn't find non-CAPA fenders for these cars.) Without making the extensive modifications a professional shop might have to carry out, we judged their appearance.

Two of the Ford OEM fenders matched up nicely, while the third didn't fit as well. By contrast, we found fit problems with all six CAPA fenders for the Ford. Some would require widening the holes or using shims. The worst didn't match the contour of the car and would require significant reworking.

All three Honda OEM fenders fit well. Three of the CAPA fenders for the Honda also fit well, but the other three had problems similar to those for the Ford.

We then had a repair shop install one OEM fender and two CAPA fenders on each car, allowing the professionals to work the metal as they ordinarily would to make it fit. The shop found problems similar to the ones we found with the CAPA fenders. After working for an extra 30 to 60 minutes, the shop judged the resulting fit acceptable, though not as good as that of the OEM fenders.

Rust resistance. To simulate what rocks, vandals, or a shopping cart might do in the real world, we scratched a grid down to bare metal on four primed but unpainted fenders—two OEM and two CAPA-certified. We then hired a lab to put them through a cyclic 168-hour salt-spray fog test, in accordance with industry test standards. Both CAPA fenders showed heavy red rust by the end of the test. The Ford OEM fender showed only moderate white corrosion; the Honda OEM fender, nearly none.

The superior performance of the OEM fenders (and the telltale white corrosion) resulted from galvanization, in which a zinc coating is bonded to the steel. When the paint and primer are scratched, the zinc protects the steel by sacrificing itself, oxidizing into a white residue less damaging than rust. Most OEM parts are galvanized on both sides. The CAPA parts we tested aren't galvanized.

CAPA's corrosion test is different from ours. Entela engineers scratch an "X" in the primer and then expose the fender to a 500-hour salt-spray test. The parts get CAPA approval even when the X-ed area rusts, since the test is designed to evaluate the primer rather than the metal beneath. CAPA regards the results as problematic only if the rust spreads, making the primer blister or flake 3 mm beyond the "X," or if 10 percent of the entire fender shows red rust.

Gillis says galvanization is "not much of a value added because today's automotive paint processes are quite good." But Bruce Craig, a fellow of the National Association of Corrosion Engineers and author of the American Society of Metallurgists' Handbook of Corrosion Data, says, "It's kind of a slam dunk that galvanized is better. I'm perplexed why there would be a controversy."

That's a reason the Interinsurance Exchange of the Automobile Club of Southern California won't use imitation body parts: "You get bubbling, paint flaking off, premature rusting," says Gil Palmer, assistant group manager for physical damage claims.

Gillis told us that CAPA would begin requiring all sheet-metal parts manufactured starting January 1 to be galvanized to earn certification. That should be a major step toward equality with OEM parts. Meanwhile, distributors will continue to sell ungalvanized CAPA parts that are already in the sales pipeline.

Strength. We found the CAPA fenders comparable with OEM in one respect: Our tests for tensile strength uncovered no significant differences between CAPA and OEM fenders.

CR'S TEST RESULTS: BUMPERS

CAPA doesn't certify bumpers. A repair shop under our engineers' supervision installed a total of 4 OEM and 17 imitation bumpers, bought in the New York area and in California, on our Honda Accord and Ford Taurus. We saw startling deficiencies in the imitations.

How they fit. All the OEM bumpers fit nicely. But none of the imitations did, even after we redrilled or widened their holes as needed. All left large gaps or uneven surfaces.

How they protect. Our hydraulic bumper-basher simulated the thumps that might occur, say, in a parking lot—at 5 mph head-on, 5 mph offset, and 3 mph on the right corner. That's our standard test for new cars.

The OEM bumpers suffered only minor damage. Even so, repairing the scuffs and indentation on the Ford bumper would cost \$235, and replacing the Honda's scuffed bumper cover and underlying brackets would cost \$576. Those are pricey scuffs, but at least the OEM bumpers protected the cars themselves from damage.

In our 25 years of bashing hundreds of new-car bumpers, we've seen few perform as miserably as the imitations. Twelve of the 17 sustained so much damage in the first bash that we couldn't test them any further.

One imitation bumper shattered and allowed our basher to damage the Ford's headlight mounting panel, radiator support, and air-conditioner condenser. Repairs, using OEM parts, were estimated at \$1,350. Another imitation bumper allowed our basher to damage the Honda's radiator, air-conditioner condenser, radiator-support tie bar, and center lock support. Repairs, using OEM parts, were estimated at \$1,797.

LIMITED CHOICES

Most insurance adjusters don't clearly disclose that you're getting imitation parts of potentially lesser quality. ("Like kind and quality" or "LKQ" on the paperwork is a cryptic giveaway.) Some repair shops complain that they must follow the insurer's "recommendation" or risk losing customers from "direct repair programs"—the automotive equivalent of managed health care that most auto insurers use to cut costs.

The Automotive Service Association says that 33 states require repair shops to disclose the use of imitation parts to consumers. Six others—Arkansas, Indiana, Oregon, Rhode Island, West Virginia, and Wyoming—also require the consumer's written consent.

But disclosure and consent are meaningless if insurers promise higher quality than they deliver. The lawsuit against State Farm argues that the insurer did not restore damaged vehicles to pre-loss condition as promised.

Don Barrett, an attorney for the plaintiffs, says that cars repaired with "2/55 fenders"—an appraisers' disparaging term for fenders identifiable as imitations "from two miles away at 55 mph"—reduce appraised value by at least 10 percent.

John Donley, president of the Independent Automotive Damage Appraisers Association and a CAPA proponent, says that it's poor fit and poor corrosion resistance, not the mere fact that a part is an imitation, that hurts appraised value. Either way, that could be a problem not only at resale time but possibly at the end of a lease.

Industrial Marketing Research found that insurers call for imitation parts 59 percent of the time. We surveyed 19 of the nation's largest private auto insurers, who wrote 68 percent of the \$115 billion in policies in 1997, and asked if they require or recommend imitation body parts for covered repairs. Nine didn't respond (American Family, California State Auto Assn., CNA, GEICO, GMAC, Metropolitan, Progressive, Prudential, and Safeco). Of the ten that did, Allstate, Erie, Farmers, State Farm, and USAA said they recommend but didn't require imitation parts.

Allstate says that if a customer insists on OEM parts, it will pick up the bill. Erie, State Farm, and Travelers make the customer pay the difference.

The Hartford said it doesn't recommend imitations for safety-related parts but does allow them for noncritical applications. And Travelers Insurance doesn't recommend imitations for cars less than two years old or with less than 20,000 miles.

The Interinsurance Exchange of the Automobile Club of Southern California, which writes policies only in Arizona, California, New Mexico, and Texas, calls for imitation parts only for nonmetal trim items like bumper covers and moldings.

INSURERS AND CONSUMERS

Many of the insurers maintain that imitation parts keep premiums down, but none provided hard data to prove it.

CAPA and auto insurers have spent the last decade promoting imitation parts as purely pro-consumer. By breaking the automakers' "strangle-hold monopoly" over crash parts, says one recent release from the Alliance of American Insurers, auto insurers protect consumers from high parts prices and high insurance premiums.

"There is absolutely no question the insurance industry is on the side of the angels on this issue," says Gillis.

But there is a question.

Buying imitation parts simply diverts money from the pockets of one big industry—automobile manufacturing—to the pockets of another big industry—auto insurance. The insurers won't earn their wings until they demonstrate that a fair share of the money they save ends up in the pockets of consumers.

And CAPA, whose executive director often accuses automakers and repair shops of having a financial interest in promoting OEM parts, has its own financial interests. Half of its \$3.9 million budget comes from insurance companies (the other half comes from the sale of CAPA seals to parts manufacturers). And six of the nine CAPA board members are insurance-industry executives.

The Center for Auto Safety—whose executive director, Clarence Ditlow, is a CAPA board member and a staunch advocate of CAPA parts—also receives funding from the insurance industry, though to a much lesser extent. In 1998, State Farm and Allstate contributed some \$50,000 to CAS, according to Ditlow. (He says that amounts to only five percent of annual revenues. He also says that CAS' insurance funding has steadily decreased since the mid-1970s.)

Where's the consumer in all this? For now, stuck in a bind between automakers that charge high prices for factory body parts and auto insurers that push less-expensive parts of questionable quality. Until things change, car owners—including used-car buyers who may inherit the inferior crash parts—are being ill served.

CELEBRATING THE 10TH ANNIVERSARY OF VA'S CABINET DESIGNATION

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. FILNER. Mr. Speaker, I rise today to recognize Monday, March 15th as the 10th anniversary of the Department of Veterans Affairs (VA) as a Cabinet-level position.

Because by 1988, VA had become the largest independent agency in government, thought was given to its recognition as a member of the President's Cabinet.

Serving a population of 27.5 million veterans with a budget of \$28.3 billion, with 245,000

employees, it was second only to the Department of Defense in the number of staff providing service to our citizens.

At the urging of both Congress and many veterans' service organizations, the current President endorsed the idea that the time had come for the VA to become a part of the Cabinet. It was time to give our nation's veterans their seat at this highest table of government.

Elevating the Department of Veterans Affairs to Cabinet level status provided the Department the opportunity to have greater national impact for veterans in the fields of health care, education, housing, and insurance. It was a move that cost virtually nothing in that era of tight budgets, yet gave veterans a prominent voice in the issues that dominate the national agenda.

I congratulate the Department of Veterans Affairs on a decade of growth in service to our nation's veterans, the dedicated men and women who accepted the challenge to protect their country, many of which gave the ultimate sacrifice for our freedom and liberty. I further encourage the Secretary of the Department of Veterans Affairs and his staff to continue to take full advantage of the opportunity that Cabinet-level status provides to advocate on behalf of these brave men and women.

REFORESTATION TAX ACT OF 1999

HON. JENNIFER DUNN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Ms. DUNN. Mr. Speaker, I am introducing today the Reforestation Tax Act of 1999 along with 16 of my colleagues who are deeply concerned about the future of our forest products companies. With the global marketplace becoming more competitive, we must take positive steps to remove barriers to our companies' ability to compete abroad. In the case of forest products, one of the largest impediments to success is our nation's tax code.

Beginning with changes brought about by the Tax Reform Act of 1986, America has been struggling to competitively produce timber in a global market. Despite a tax system that gives U.S. forest products companies one of the highest effective tax rates in the world, they have been one of the most visionary sectors in helping to expand trade into new markets. During the recent negotiations over sectoral liberalization in the Asia Pacific Economic Cooperative forum, forest products companies worked closely with Congress and the Administration to try to develop a long-term agreement to benefit American workers. Unfortunately, this process has not come to fruition due to disagreements among competing nations, something common when we solely rely on multilateral trade agreements to increase our competitiveness. It is time to focus on what we can do unilaterally: adjust our tax code so that our companies are not disadvantaged in the global marketplace.

The Reforestation Tax Act recognizes the unique nature of timber and the overwhelming risks that accompany investment in the industry. It will reduce the capital gains paid on timber for individuals and corporations by 3 percent each year up to 50 percent. Because this reduction would apply to all companies, we minimize the current inequity whereby neighboring tracks of the same timber are taxed at

different rates simply because of the business form of their investment. For timber companies, the capital gain on these forest products can be enormous. In some regions, tree farmers must wait more than 50 years from the planting of a relatively worthless seedling to the harvest of a mature tree. No other industry faces the extreme risks from wind, fire, and disease in protecting their asset over such an expansive period of time so they can realize a profit.

In addition, the Reforestation Tax Act rewards those environmentally-conscious companies that choose to use their dollars for reforestation of their lands. By extending tax credits for all reforestation expenses, and shortening the amortization period for reforestation costs, Congress encourages and assists those companies that are making a conscious effort to operate in an ecologically-sound manner.

The Reforestation Tax Act represents the best of tax, global competitiveness, and environmental policy. I urge my colleagues to support this important initiative.

IN MEMORY OF JOSEPH PAUL
DIMAGGIO

HON. KAREN MCCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Ms. MCCARTHY of Missouri. Ms. Speaker, I rise today to honor the memory of the greatest baseball player who ever lived. Joe DiMaggio was my hero and a hero to our Nation. I am saddened by his passing, and I extend my heartfelt sympathy to his friends and family. The Yankee Clipper personified dignity and greatness. He understood the importance of having both guts and grace, and he took his responsibility as a national figure seriously.

DiMaggio and dignity are synonyms. Mr. DiMaggio viewed his position as an example to the young people of America and was always careful about the impression he made. He never lost control in public and was always conscious of his reputation and responsibility. He played every game as if it were the last game of the World Series, so someone seeing him for the first time would not be disappointed.

The people of my district in Kansas City, MO, were fortunate enough to see Mr. DiMaggio play in an exhibition game against the Kansas City Blues. A Yankee teammate and Kansas City resident Hank Bauer said of DiMaggio, "He was the most outstanding center fielder I have seen." He taught America what it means to embrace excellence and strive for greatness without seeking acclaim. I and others of my generation are in public service today because of role models like Joe DiMaggio.

Joe DiMaggio served as an inspiration to my generation. Simon and Garfunkel memorialized his leadership in their song *Mrs. Robinson*. The lyrics, "Where have you gone Joe DiMaggio? Our Nation turns its lonely eyes to you," express dismay at the absence of heroes like the Yankee Clipper to lead our Nation to peace and prosperity.

The number five will always hold a special place in the hearts of Yankee fans everywhere. His record of safe hits in 56 consecu-

tive games might never be broken. His lifetime batting average of .325 and his 361 career home runs remain impressive numbers even when we have new heroes such as Mark McGwire and Sammy Sosa. He led his Yankee to nine World Series titles and was the American League's Most Valuable Player three times. As our Nation turns its lonely eyes once more toward this hero, let us learn from his life and his example of heroism. In the words of the Negro League Legend Buck O'Neil, "I don't cry for Joe. I cry for the people who never got to see him play."

MILLS-PENINSULA HOSPITAL HONORED FOR OUTSTANDING CARE AND PERFORMANCE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. LANTOS. Mr. Speaker, it is my distinct privilege today to recognize the Mills-Peninsula Hospital, which is located in my congressional district. In an annual study, "100 Top Hospitals: Benchmarks for Success," Mills-Peninsula was named one of the top hospitals for 1998 in the United States. The study was conducted by HCIA, a health care information company based in Baltimore, and William M. Mercer, a New York-based human resources management consulting firm. Nine measures of clinical, operational, and financial performance were used in the study to determine accurately the best hospitals.

Mills-Peninsula is a not-for-profit health service organization, and it has managed to improve and maintain existing services, despite battling extreme difficulties associated with the costs of managed care. By combining the highest quality care with the most cost-efficient operation, Mills-Peninsula has increased the standard of medical care and quality of life in the Bay Area. We are truly honored to have such an outstanding hospital located in our area.

Managed health care has sought to improve cost reductions and to streamline operations. The standards of excellence in health care management are becoming ever higher. Mills-Peninsula has thrived in this challenging atmosphere and continued to deliver a high level of care, and at the same time shown an ability to respond to change.

Mr. Speaker, the recognition of Mills-Peninsula Hospital has only confirmed the high value which residents of my district already place on the hospital's services. I offer my deepest and warmest congratulation to those individuals that have contributed to the success of Mills-Peninsula Hospital.

Mr. Speaker, I ask that the editorial praising Mills-Peninsula Hospital from *The Independent* be placed in the RECORD.

PENINSULA HOSPITAL AMONG TOP 100

Bravo to Peninsula Hospital for being named among the top 100 performing hospitals in the nation by the consulting firm of William M. Mercer Inc., of New York, NY, the honor is one that should reassure residents in the area that they have one of the top hospitals in the country taking care of their health needs.

The study, naming Peninsula Hospital, was published in the December issue of *Modern Health care* magazine. This assessment of

the nations benchmark acute care hospitals is published annually by Mercer and HCIA Inc., a data processing company based in Baltimore.

The study considers three separate categories including financial management, operations and clinical practice. Each category is then broken down into smaller components and evaluated.

The elements considered under clinical practices include mortality rates of complications during treatment. The information is published to show legitimate health care data about patients and health care facilities to measure performance.

This is a study that is in its sixth year of identifying the top management teams and best run facilities in the country. The longer the publication studies industry trends, the more established and prestigious its list becomes. People throughout the country are concerned and interested in the performance of their community hospitals and this rating hospital care.

In an interview with this newspaper, Mills-Peninsula CEO Robert Merwin explained the price pressures Peninsula is under, to maintain services at the hospital. Merwin explained that the business community, Medicare and the costs of managed care, put pressure on all hospitals throughout the country, so maintaining standards of excellence was a major challenge.

We are happy to see that Peninsula has met that challenge and among the thousands of hospitals throughout the nation, been rated one of the best. That makes us proud of Peninsula and of the management and staff at the hospital who have carried the ball of excellence in recent years while the health care industry has been in radical change.

We know what happens when change comes to an industry, when economic pressures for change bring so many disruptions to the way a hospital does business. We commend the folks at Peninsula for not letting these changes disrupt the quality of health care they provide to the community. This rating is welcome news, especially in light of the fact that a decision must be made soon to spend millions of dollars either retrofitting peninsula or rearing it down to build a new facility.

We don't know which decision the powers to be will make but we do know that Peninsula is a very special hospital facility that is valued by everyone in the community. The rating only bears out the fact that its management and staff have been outstanding in face of unbelievable stress in the industry. We congratulate the people, all of them, that made this rating possible and look forward to the continuation of an evaluation that places Peninsula among the top 100 hospitals in the nation.

INTRODUCTION OF THE WATER POLLUTION CONTROL AND ESTUARINE RESTORATION ACT

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. CROWLEY. Mr. Speaker, I rise in strong support of the Water Pollution Control and Estuarine Restoration Act being re-introduced today by the gentlelady from New York, Mrs. LOWEY, and gentlelady from Connecticut, Ms. DELAURO. I compliment and applaud my colleagues for their untiring efforts on behalf of our Nation's valuable fresh and estuarine water bodies.

Mr. Speaker, the protection of America's lakes, rivers, streams, and near coastal waters should indeed be one of our top concerns as a Nation, and I am proud and honored to be an original cosponsor of this important piece of legislation. The DeLauro-Lowey bill is a reasonable, straightforward measure that seeks to build upon past successes under the Clean Water Act (CWA). This measure will continue and strengthen several progressive programs to protect and enhance water bodies throughout our country, and I urge my colleagues to support this common sense and cost effective means of cleaning-up and protecting our water resources.

The DeLauro-Lowey bill will ensure that the existing State Revolving Loan Fund (SRF) program continues to be adequately funded to provide the financial wherewithal for States and municipalities to maintain and upgrade their wastewater treatment facilities to protect America's water bodies. This program has achieved tremendous success in the past and clearly deserves to be maintained and enhanced.

While fresh water is important for life itself, and clean lakes and rivers provide a multitude of recreational benefits to society, the vitality of our estuaries is also of great importance. Estuaries, near coastal waters, play a dual function of protecting coastal lands as well as serving as the all important nursery grounds for most marine species. Of course, these waters also provide many important recreational activities.

The Congresswomen's legislation will serve to strengthen the U.S. Environmental Protection Agency's existing National Estuary Program (NEP) that is widely regarded as a model for watershed-based pollution control. In addition, the legislation will clarify EPA's responsibility to assist States in developing and implementing their estuary management plans.

Mr. Speaker, as the Representative of the 7th Congressional District of New York, which includes a substantial portion of the Long Island Sound coastline, and a Member of the House Committee on Resources, I can think of few efforts more important to our environment. I intend to work closely with Congresswoman LOWEY and Congresswoman DELAURO to ensure we enact this vital measure into law early on in the 106th Congress.

TRIBUTE TO QUENTIN AND ELLEN
BURKE

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. HUNTER. Mr. Speaker, I rise today to recognize the outstanding service and dedication of two of my constituents, Quentin and Ellen Burke of Imperial County. It is my understanding that Mr. and Mrs. Burke will be retiring after working for 34 years with the American Field Service (AFS), the international student exchange program.

Mr. and Mrs. Burke, who were publishers of the Holtville Tribune for 25 years, began their dedicated service to AFS in 1964 when they interviewed a visiting student, Helen Keel, from Switzerland and became excited about the program. Soon thereafter, they began to regularly print articles and photographs in their

weekly newspaper regarding AFS activities and events. For 15 years, Ellen acted as liaison between the Imperial Valley chapter and AFS international.

During the past three decades, Quentin and Ellen Burke have served as hosts for foreign students, worked with local families to open their homes and encouraged American students to travel abroad for the opportunity and experience to learn about other lands and cultures. I firmly believe that through their efforts with AFS, Mr. and Mrs. Burke have made a contribution to promoting peace through the global exchange of ideas, the sharing of customs and the collaboration of knowledge. On March 21, friends and family will gather in El Centro to honor this generous and caring couple. I would like to join with these individuals in honoring Mr. and Mrs. Burke for all their remarkable achievements and wishing them great happiness and success in all their future endeavors.

TRIBUTE TO BEN ALEXANDER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. McINNIS. Mr. Speaker, I wanted to take this opportunity to recognize former state Senator Ben Alexander who, for the last four years, has provided strong leadership and a dynamic voice for Western Colorado in the Colorado General Assembly. In doing so, I would like to pay tribute to my friend for his distinguished service and wish him well in all of his future endeavors.

Following his election to the state Senate in 1994, Senator Alexander rose through the rank and file with unprecedented speed serving as Vice-chairman of the Senate Finance Committee in his first year in the legislature. In just his third year, Senator Alexander was named Chairman of the powerful Senate Education Committee where he would play a leading role in shaping Colorado's education policy for the next two years. In addition to his duties as chairman, Senator Alexander also provided powerful leadership on the Senate's Finance and Business Affairs and Labor committees.

In addition to his service in the Colorado legislature, Senator Alexander also served his country distinguishedly and with great valor as an F-111 pilot for the Air Force during the Vietnam War. Senator Alexander's remarkable bravery during his 69 air combat missions earned him the Distinguished Flying Cross and Air Medal with three Oak Leaf Clusters as well as the respect and gratitude of those familiar with his extraordinary sacrifices.

Senator Alexander's eagerness to serve the American people, both as a pilot and legislator, has won him the unwavering esteem and admiration of friends and colleagues alike. It is clear that Colorado is a better place because of his remarkable service.

It is with this, Mr. Speaker, that I pay tribute to this true public servant and friend for his extraordinary efforts and wish him all the best in each of his future endeavors.

INTRODUCTION OF THE MEDICARE
FULL ACCESS TO CANCER
TREATMENT ACT

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. GREEN of Texas. Mr. Speaker, today I am introducing the Medicare Full Access to Cancer Treatment Act. This bill is critical to protect the Medicare beneficiary's access to the newest and best treatments for cancer.

The BBA of 1997 directed HCFA to implement a prospective payment system (PPS) for hospital outpatient services provided through the Medicare program. When Congress passed this requirement, we recognized that some services would be difficult or impossible to include in a PPS and therefore authorized HCFA to use its discretion to exclude certain services from the payment system. Unfortunately, under their proposed rule, HCFA would bundle the costs of all cancer drugs into a small number of Ambulatory Payment Categories (APCs) and pay hospitals only for the average cost of these services.

The main problem with this proposal is that it fails to recognize the complexities of cancer treatments and the wide range and individual needs of each patient with cancer. As a result, the new payment system could threaten the quality and availability of cancer treatment for Medicare beneficiaries. In fact, under HCFA's plan, the lowest reimbursement rate for some cancer treatments would be only \$52.70 (which is expected to include supportive care such as anti-nausea drugs)! Moreover, under the proposal, new drugs, which are defined as anything after 1996, would be reimbursed at this lowest rate. Such a policy would have a crippling effect on research and development for new drug therapies.

This policy will create an overall reduction in the quality of patient care since hospitals will be pressured to provide the least expensive, rather than the most effective treatment. Moreover, research and development for new drug therapies may be diminished or delayed, ultimately denying the patients of today and those of future generations access to more effective treatments.

To correct this problem, the Medicare Full Access to Cancer Treatment Act would carve-out cancer treatment from the outpatient PPS. This simple yet sensible action would fully protect Medicare beneficiaries' continued access to the best and most effective cancer care.

I am pleased to introduce this legislation with over twenty bipartisan original cosponsors as well as the support of several patient and provider organizations, including Center for Patient Advocacy, National Alliance of Breast Cancer Organizations, Cancer Care, Inc., Cancer Research Foundation of America, Oncology Nursing Society, Association of Community Cancer Centers, Lymphoma Research Foundation of America, Alliance for Lung Cancer Advocacy, Support and Education, Lupus Foundation of America, US-TOO International and the Multiple Myeloma Research Foundation.

CONSUMER PROTECTION
LEGISLATION**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. PAUL. Mr. Speaker, I rise to introduce my Consumer Protection Package—consisting of two pieces of legislation which will benefit consumers by repealing federal regulations. The first piece of legislation, the Consumer Health Free Speech Act, stops the Food and Drug Administration (FDA) from interfering with consumers' access to truthful information about foods and dietary supplements in order to make informed choices about their health. The second bill, the Television Consumer Freedom Act, repeals federal regulations which interfere with a consumers ability to avail themselves of desired television programming.

The Consumer Health Free Speech Act accomplishes its goal by making two simple changes in the Food and Drug Act. First, it adds the six words "other than foods, including dietary supplements" to the statutory definition of "drug," thus allowing food and dietary supplement producers to provide consumers with more information regarding the health benefits of their products, without having to go through the time-consuming and costly process of getting FDA approval. This bill does not affect the FDA's jurisdiction over those who make false claims about their products.

Scientific research in nutrition over the past few years has demonstrated how various foods and other dietary supplements are safe and effective in preventing or mitigating many diseases. Currently, however, disclosure of these well-documented statements triggers more extensive drug-like FDA regulation. The result is consumers cannot learn about simple and inexpensive ways to improve their health. Just last year, the FDA dragged manufacturers of Cholestin, a dietary supplement containing lovastatin, which is helpful in lowering cholesterol, into court. The FDA did not dispute the benefits of Cholestin, rather the FDA attempted to deny consumers access to this helpful product simply because the manufacturers did not submit Cholestin to the FDA's drug approval process!

The FDA's treatment of the manufacturers of Cholestin is not an isolated example of how current FDA policy harms consumers. Even though coronary heart disease is the nation's number-one killer, the FDA waited nine years until it allowed consumers to learn about how consumption of foods and dietary supplements containing soluble fiber from the husk of psyllium seeds can reduce the risk of coronary heart disease! The Consumer Health Free Speech Act ends this breakfast table censorship.

The bill's second provision prevents the FDA's arbitrary removal of a product from the marketplace, absent finding a dietary supplement "presents a significant and unreasonable risk of illness or injury." Current law allows the FDA to remove a supplement if it prevents a "significant or unreasonable" risk of disease. This standard has allowed the FDA to easily remove a targeted herb or dietary supplement since every food, herb, or dietary supplement contains some risk to at least a few sensitive or allergic persons. Under this bill, the FDA

will maintain its ability to remove products from the marketplace under an expedited process if they determine the product causes an "imminent danger."

Allowing American consumers access to information about the benefits of foods and dietary supplements will help America's consumers improve their health. However, this bill is about more than physical health, it is about freedom. The first amendment forbids Congress from abridging freedom of all speech, including commercial speech.

My second bill, the Television Consumer Freedom Act, repeals federal regulations which interfere with a consumers ability to avail themselves of desired television programming. For the last several weeks, congressional offices have been flooded with calls from rural satellite TV customers who are upset because their satellite service providers have informed them that they will lose access to certain network television programs.

In an attempt to protect the rights of network program creators and affiliate local stations, a federal court in Florida properly granted an injunction to prevent the satellite service industry from making certain programming available to its customers. This is programming for which the satellite service providers had not secured from the program creator-owners the right to rebroadcast. At the root of this problem, of course, is that we have a so-called marketplace fraught with interventionism at every level. Cable companies have historically been granted franchises of monopoly privilege at the local level. Government has previously intervened to invalidate "exclusive dealings" contracts between private parties, namely cable service providers and program creators, and have most recently assumed the role of price setter. The Library of Congress, if you can imagine, has been delegated the power to determine prices at which program suppliers must make their programs available to cable and satellite programming service providers.

It is, of course, within the constitutionally enumerated powers of Congress to "promote the Progress of Science and useful Arts by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries." However, operating a clearing-house for the subsequent transfer of such property rights in the name of setting a just price or "instilling competition" via "central planning" seems not to be an economically prudent nor justifiable action under this enumerated power. This process is one best reserved to the competitive marketplace.

Government's attempt to set the just price for satellite programming outside the market mechanism is inherently impossible. This has resulted in competition among service providers for government privilege rather than consumer-benefits inherent to the genuine free market. Currently, while federal regulation does leave satellite programming service providers free to bypass the governmental royalty distribution scheme and negotiate directly with owners of programming for program rights, there is a federal prohibition on satellite service providers making local network affiliate's programs available to nearby satellite subscribers. This bill repeals that federal prohibition and allows satellite service providers to more freely negotiate with program owners for programming desired by satellite service subscribers. Technology is now available by which viewers will be able to view network

programs via satellite as presented by their nearest network affiliate. This market-generated technology will remove a major stumbling block to negotiations that should currently be taking place between network program owners and satellite service providers.

Mr. Speaker, these two bills take a step toward restoring the right of free speech in the marketplace and restoring the American consumer's control over the means by which they cast their "dollar votes." In a free society, the federal government must not be allowed to prevent people from receiving information enabling them to make informed decisions about whether or not to use dietary supplements or eat certain foods. The federal government should also not interfere with a consumer's ability to purchase services such as satellite or cable television on the free market. I, therefore, urge my colleagues to take a step toward restoring freedom by cosponsoring my Consumer Protection Package: the Consumer Health Free Speech Act and the Television Consumer Freedom Act.

"AUDIOLOGIST" FOR MEDICAID**HON. ED WHITFIELD**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. WHITFIELD. Mr. Speaker, today I am introducing a bill with my good friend from Ohio, Mr. SHERROD BROWN, that would establish a Medicaid definition of "audiologist" used for Medicare reimbursement. Congress updated the definition of "audiologist" for Medicare reimbursement in 1994, but the same update has not yet occurred for Medicaid. The definition used by Medicare, and which I am proposing to be used for Medicaid purposes, relies primarily on state licensure or registration as the mechanism for identifying audiologists who are qualified to participate in the program.

Currently, under Health Care Financing Administration (HCFA) regulations, the Medicaid program uses a definition of "audiologist" that is nearly thirty years old and relies upon certification from third party organizations. HCFA's Medicaid definition has not kept pace with the significant changes that have occurred in audiology credentialing over the last three decades. The current definition also does not reflect the critical role that state licensure/registration now plays in assuring the quality of audiology services. State licensure/registration statutes currently exist in 49 of the 50 states.

Today, there are approximately 28 million Americans with some degree of hearing loss. While this number will grow along with the aging of the Baby Boomers, hearing loss is not exclusively an "older" person's problem. A recent article in the Washington Post entitled "Hearing Loss Touches A Younger Generation" points out that more and more Americans are suffering from various degrees of hearing loss at a younger age. The article refers to a Journal of the American Medical Association study which found that nearly 15% of children ages 6 to 19 who were tested showed some hearing deficit in either low or high frequencies. Audiologists are specifically trained and licensed to provide a broad range of diagnostic and rehabilitative services to persons

with hearing loss and related disorders (e.g. vestibular/balance disorders).

The legislation would not expand or change the scope of practice for an audiologist, or alter the important relationship that exists between audiologists and Ear, Nose and Throat physicians. There would be no new benefits or services under this legislation. The bill I am introducing today, while technical in nature, would help establish uniform professional qualifications for audiologists, and a more reliable standard for the more than 28 million people with a hearing loss who may use audiological services.

EDUCATION FLEXIBILITY
PARTNERSHIP ACT OF 1999

SPEECH OF

HON. DAVID D. PHELPS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 800) to provide for education flexibility partnerships:

Mr. PHELPS. Mr. Chairman, I rise today to express my strong support for H.R. 800, the Education Flexibility Partnership Act, of which I am proud to be a co-sponsor. I have made the improvement of our nation's public education system one of my top priorities as a legislator, and I believe that the Ed-Flex bill represents an important step towards the fulfillment of this goal. This legislation should not be viewed as a solution to the myriad problems which plague our schools, but I wholeheartedly support it and hope that the valuable debate it generates will catalyze our continued efforts on critical education issues.

H.R. 800 extends to all 50 states the opportunity to participate in the "Ed-Flex" program, currently in place as a demonstration program in 12 states. Under Ed-Flex, the Department of Education allows states to grant local school districts waivers to certain federal regulations if the state believes such a waiver would enhance local school reform efforts. I believe it is important for those of us in Washington to recognize that local officials, parents, teachers and students are often in a better position to creatively and effectively address the particular educational issues being faced in their communities. H.R. 800 will allow localities the flexibility to begin responding to the unique needs of their school systems, and I embrace any measure that will help our children obtain the top-quality education they need and deserve.

I must voice some concern that the accountability provisions of H.R. 800 are not as strong as they should be. I am, for example, disappointed that this body did not agree to the Miller-Kildee amendment, which would have required states to have in place a viable plan for assessing student achievement, as well as concrete goals for such achievement. In addition, it must be clearly understood that, although Ed-Flex can be an important component of our education reform efforts this session, many critical issues remain to be addressed, such as class size, school safety and student discipline.

Mr. Chairman, I urge my colleagues to join me in supporting Ed-Flex today, not because

it solves all of our problems, but because it represents a substantive bipartisan effort to begin addressing the many difficulties which plague our local school systems. I am pleased that we are getting an early start in meeting our obligations to America's students, and I look forward to confronting these crucial education issues as the 106th Congress continues.

EDUCATION FLEXIBILITY
PARTNERSHIP ACT OF 1999

SPEECH OF

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 800) to provide for education flexibility partnerships:

Mr. CROWLEY. Mr. Chairman, I take this time to state for the record my reasons for voting against H.R. 800 the Ed-Flex bill.

Mr. Chairman, I am not opposed to the idea of flexibility in education. I laud my colleagues for their desire to work on the education issues facing our country. Ed-Flex has the potential to be a workable program that provides states and local school districts with the flexibility to improve academic achievements and the quality of education for their students.

However, I believe that we need to protect those students who come from families in need. The intent of Congress, through Title I of the Elementary and Secondary School Act, was to target funds toward low-income students, in order to help them have a chance at success in life. I could not vote for Ed-Flex unless I was sure that students from low-income families are not going to lose their funds through waivers. This is why I supported the Scott-Payne amendment, which would have required that only schools in which at least 35% of the students come from low-income families may seek a waiver to use their Title I funds to operate a school-wide program. For my New York City District, this provision is especially important. We have many students coming from low-income families in the Bronx and Queens, and I cannot support a program that does not have provision to prohibit funds being taken away from those needy students.

I am also concerned about the timing of this legislation. In the coming year, we need to reauthorize the Elementary and Secondary Education Act. It does not make sense to me that we pass legislation to waive the requirements that we have not even written yet! The best solution would have been to consider Ed-Flex and ESEA together. Then, we could have worked to alleviate my concerns, and those of my colleagues, regarding the targeting of ESEA funds under the provisions of the Ed-Flex program.

Finally, I would like to express my dismay that the majority did not allow class-size reduction and school construction initiatives to be attached to H.R. 800. Public schools are working hard to raise academic standards and improve student achievement, but in many schools their efforts are hampered by overcrowded classes and inadequate and deteriorating facilities. Smaller class sizes improve student learning and are effective in improving

student achievement. But we cannot reduce class size without considering the condition and lack of space in school facilities. These issues go hand-in-hand. This is why I feel Ed-Flex should not have been considered now, but rather considered along with ESEA and school construction.

I strongly support bipartisan efforts to strengthen our school systems and help our students. I look forward to working with my colleagues on school construction legislation and on reauthorizing the Elementary and Secondary Education Act. It is with regret that I had to vote against the first education bill on the floor of the House in the 106th Congress and I thank you for allowing me the opportunity to outline my reasons for my opposition to H.R. 800.

HONORING REVEREND DR. H.M.
CRENSHAW

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Ms. KAPTUR. Mr. Speaker, I rise today to recognize the work and achievements of a shepherd to our entire community, Reverend Dr. H.M. Crenshaw, a spiritual leader of enormous dimension. Reverend Crenshaw's 30 years of personal ministry to the Jerusalem Missionary Baptist Church congregation is to be recognized in a special celebration in Toledo, OH on March 13, 1999.

After his ordination as a minister in 1952, Reverend Crenshaw pastored in the First Baptist Church of Rossford, Ohio from 1953 until 1958. He then went on to First Baptist Church in Fostoria, OH, and during his decade-long tenure there he led the congregation in the building of a new church as well as the purchase of additional land. In December of 1968, Reverend Crenshaw was called to minister to the congregation of Jerusalem Missionary Baptist Church, where he remains today.

A true community leader, Reverend Crenshaw has guided his congregation through growth, property acquisition, and building expansion and enhancement. Through it all, he has been a revitalizing force both in the community and the church. Recognizing the deeper needs of the youth in the church's neighborhood, Reverend Crenshaw founded the Jerusalem Outreach Center in 1982. With a goal to motivate and direct young people not targeted by other programs to fully realize their greatest potential, Reverend Crenshaw and the Jerusalem Outreach Center staff have helped over 1,675 at-risk youth and their families. Working through referrals from the juvenile court and juvenile justice systems, the local school system and an area mentoring program, the Jerusalem Outreach Center has redirected the path for these young people and their families. Further, the center serves as a beacon in the neighborhood: a welcoming place for the youth.

Ever mindful of the need to provide stewardship to promising young people, Reverend and Mrs. Crenshaw established the Crenshaw Scholarship Fund in memory of their deceased daughter Marilyn. This fund has contributed over \$12,500.00 toward the college education of students in the church.

The holder of a Bachelor of Theology from the International Bible Institute and Seminary,

a Master of Arts in Psychology and Counseling from Ashland Theological Seminary, a Doctorate of Divinity from Calvary Bible College, and an Honorary Doctorate from Selma University, Reverend Crenshaw is the author of a book, "A Reality Roadmap for Delinquent Youth" and a teaching video, "The Reality of Therapeutic Techniques in Working with Delinquent Youth."

In addition to pastoring to his congregation, engaging in outreach to troubled youth, and raising a family, Reverend Crenshaw has also found time to serve on several key area boards including the Lucas County Criminal Justice Coordinating Council, Lucas County Mental Health Advisory Council, Baptist Pastors' Conference, Interdenominational Ministerial Alliance, Interracial Religious Coalition, Board of Community Relations, the Board of Education's Alternative School Programming Committee, Baptist Ministers Conference, and Chairman of the Advisory Board of the American Baptist Theological Seminary Extension of Toledo.

His unwavering commitment to the causes of social justice, his dedication to God and living His Word, and his deep involvement in the fabric of our community have earned Reverend Crenshaw the admiration of many in our area who hold him in high esteem. He has been showered with honors too numerous to mention, has received commendations from federal, state, and city officials, and has received accolades from his peers in the psychology, counseling, and ministerial fields.

Reverend Crenshaw is married to Frances, and together they have raised five children: Marvin, Shirley, the late Marilyn, Vanessa and Kay. They are also proud and loving grandparents to O'Shai and O'Lajidai, and great grandson O'Mauryai.

The constant thread through Reverend Crenshaw's life of service is his devotion to "his ministry in saving souls." I am greatly honored and deeply humbled to join his congregation and community in offering thanks for his 30 years as pastor of Jerusalem Missionary Baptist Church. May God continue to bless him, his wife, their family and the Jerusalem Missionary Baptist Church congregation.

INTRODUCTION OF HATE CRIMES
PREVENTION ACT OF 1999

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. CONYERS. Mr. Speaker, I am pleased to be introducing the Hate Crimes Prevention Act of 1999, along with Representatives MORELLA, BALDWIN and FORBES. As of today there are 118 original cosponsors. This legislation will amend Federal law to enhance the ability of Federal prosecutors to combat racial and religious savagery, and will permit Federal prosecution of violence motivated by prejudice against the victim's sexual orientation, gender or disability.

In 1963, the Sixteenth Street Baptist Church in Birmingham, was dynamited by the Ku Klux Klan. The killing of four African-American girls preparing for a religious ceremony shocked the Nation and acted as a catalyst for the civil rights movement. Last month, 36 years after the brutal bombing in Birmingham, Alabama

was witness to another heinous act of violence motivated by base bigotry. The beating and burning of Billy Jack Gaither is testament to the reality that a guarantee of civil rights is not enough if violence motivated by hatred and prejudice continues. The atrocity, coming on the heels of last year's torture and murder of James Byrd in Jasper, TX and Matthew Shepard in Laramie, WY illustrates the need for the passage of the Hate Crimes Prevention Act of 1999.

Current Federal hate crimes law only covers crimes motivated by racial, religious or ethnic prejudice. Our bill adds violence motivated by prejudice against the victim's sexual orientation, gender or disability. This legislation also makes it easier for Federal authorities to prosecute racial, religious and ethnic violence, in the same way that the Church Arson Prevention Act of 1996 helped Federal prosecutors combat church arson by loosening the unduly rigid jurisdictional requirements under Federal law for prosecuting church arson.

Under my legislation, States will continue to take the lead in the persecution of hate crimes. In the years 1991 through 1997 there were more than 50,000 hate crimes reported. From 1990 through 1998, there were 42 Federal hate crimes prosecutions nationwide under the original hate crimes statute. Our bill will result only in a modest increase in the number of Federal prosecutions of hate crimes. The Attorney General or other high ranking Justice Department officials must approve all prosecution under this law. This requirement ensures Federal restraint, and ensures that States will continue to take the lead.

At one time lynchings were commonplace in our Nation. Nearly 4,000 African Americans were tortured and killed between 1880 and 1930. Today, Americans are being tortured and killed not only because of their race, but also because of their religion, their disability, their sex, and their sexual orientation. It is long past time that Congress passed a comprehensive law banning such contemptible acts. It is a Federal crime to hijack an automobile or to possess cocaine and it ought to be a Federal crime to drag a man to death because of his race or to hang a man because of his sexual orientation. These are crimes that shock and shame our national conscience and they should be subject to Federal law enforcement assistance and prosecution. There certainly is a role for the States, but far too many States have no hate crimes laws and many existing laws do not specify sexual orientation as a category for protection.

This problem cuts across party lines, and I am glad to be joined by so many of my colleagues on both sides of the aisle in proposing this legislation today. This is a battle we cannot afford to lose—we owe it to the thousands of African Americans who have been lynched, and we owe it to the families of James Byrd, Matthew Shepard and Billy Jack Gaither.

SOCIAL SECURITY

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. SANDERS. Mr. Speaker, I would like to call your attention to an article printed in the

March edition of the Labor Party Press, and submit the article to the CONGRESSIONAL RECORD for my colleagues' benefit:

[Labor Party Press, Volume 4, Number 2,
March 1999]

"DON'T BLOW AWAY SOCIAL SECURITY" (PART
2 OF 3)

WHAT'S WRONG WITH PRIVATIZING SOCIAL
SECURITY?

1. The stock market is volatile.

The stock market goes up and up. And sometimes it goes down and down. Even without an economic catastrophe, the stock market's volatility would make our retirement income entirely unpredictable. Dean Baker has noted that if the economy grows as slowly as the Social Security trustees are predicting, then the prognosis for the stock market isn't too rosy either. Social Security barely covers seniors' expenses as it is now.

Former Congressional Budget Office director Robert Reischauer has pointed out that if we had private Social Security accounts back in 1969, a person retiring in that year would have had a 60 percent larger payout upon retirement than someone retiring seven years later, after the market dipped. John Mueller, a former economic advisor to the House Republicans, makes a similar observation. Since 1900, he notes, there have been three 20-year periods in which returns on the stock market fell to about zero. In between were periods of positive returns. "This meant that some people earned a negative real return from investing in the stock market, while others received a real pretax return as high as 10 percent." For retirees, it would be the luck of the draw.

Under our current system, the government bears the risk of economic downturn, and we're all promised a constant monthly amount of retirement income. Under a privatized system, we each individually bear the risk. Even the cleverest investor will likely lose money in a major financial downturn. And not all of us are so clever—or can afford to spend our time playing amateur Wall Street trader.

2. Shifting to a privatized system would require a hugely expensive period of transition.

Say we begin establishing private Social Security accounts for all of us Americans who are currently working and under 65. Who will generate funds to cover the current retirees? You and me. Essentially, the next several generations of Americans would have to pay twice—once into our own fund, and again to sustain current retirees. According to one estimate, full-scale privatization of Social Security would require about \$6.5 trillion in additional taxes over the next seventy-two years. The Employee Benefits Research Institute estimates that transition costs could amount to something like 5 percent of the nation's Gross Domestic Product for the next 40 years. By instituting privatization, we'd be starting a Social Security crisis, not ending one.

3. Maintaining private accounts will be costly.

Many of us tend to think that any federal program must be incredibly inefficient and bureaucratic. A Roper poll asked Americans to estimate the administrative costs of Social Security as a percentage of benefits. They guessed, on average, 50 percent. The real answer is one percent. Only one percent of the money that goes into Social Security is spent on administration. By comparison, the administrative costs for private insurance are about 13 percent of annual benefit amounts.

The main reason Social Security administration is so cheap is that the whole fund is invested in one place, the U.S. Treasury. Imagine the administrative cost of managing

millions of separate accounts invested in a myriad of stocks and bonds. Much of the money would go to Wall Street investment houses which is why they like the privatization idea so much.

In Chile, which privatized its retirement system in 1981, people pay between 10 and 20 percent of their annual retirement contribution just to maintain their account. The stock market would have to perform spectacularly to make up for that kind of expense.

WHAT'S WRONG WITH INVESTING THE SOCIAL SECURITY FUND IN STOCKS?

Clinton and others are advocating that part of the Social Security system's extra money be invested in the stock market instead of the Treasury, hoping that it would collect more interest there. Because the money would still stay in one big lump, the administrative costs wouldn't stack up the way they would if everyone had their own account.

But again, the stock market is volatile. There's no guarantee that the gamble would pay off.

Dean Baker and others also worry that investing the Social Security Fund in the stock market just opens the door to further privatization. "I think it plays into the hands of people who want individual accounts," he says. "It logically leads people to believe that there's a fortune to be made in the stock market. And if there's a fortune to be made, well then, let me get access to that as an individual. But in fact, there isn't a fortune to be made, because they've overestimated the returns."

As it happens, financial institutions hate this aspect of Clinton's plan. If dollars are going to be invested in the stock market, they want to get a cut. But that won't happen if the government does the investing in one big lump. Financial types have also complained about the "danger" of having the government controlling such a big chunk of change on Wall St.

Because so much of the Social Security reform debate is being driven by Wall Street, Baker believes this plan isn't going anywhere. And he's glad.

RAISING THE RETIREMENT AGE & OTHER "POPULAR IDEAS"

There are many other proposals afloat for "saving" Social Security. There's Clinton's idea of setting up voluntary "Universal Savings Accounts" outside the Social Security system. Workers could contribute through payroll deduction and the government would match their contribution. Workers could then invest this pot of money in the stock market. What's ironic about this plan is that it does nothing to address the alleged crisis in the Social Security system. But it does address the deep desire of Wall Street brokers to get a massive new influx of commissions. And it would also ease the way for cutting back Social Security in the years to come.

Some people have proposed shoring up Social Security by cutting back or even eliminating rich people's access to Social Security. At a time when the rich are filthy rich, this does sound appetizing. But politically, it's probably poison. Because these days, any program that's perceived as a poor people's program is likely to end up on the chopping block—just like Medicaid and welfare.

Some of our elected officials propose raising the eligibility age to get full Social Security benefits as a way of keeping money in the system. The retirement age is already slated to rise from 65 to 67 in the coming years, but they want to force us to work even longer. Proponents of this idea think it's only fair, since Americans are living longer than they used to.

Anyone who can make this argument has probably never worked in a hospital, a refinery, or on a railroad. No one should be forced to do this work at the age of 70! The average black man can't possibly like this idea, since in this country a black man born in 1950 was expected at birth to live only 59 years, on average: he'll never see a dime of Social Security money. Instead, we should be talking about lowering the retirement age to match that in other industrialized countries—and to reflect our growing productivity (See "But Other Countries Do Better.")

One plan by two leading Democrats, Sen. Daniel Patrick Moynihan of New York and Sen. Bob Kerrey of Nebraska, would both increase the retirement age to 68 and reduce Social Security's cost-of-living adjustment by a percentage point. Dean Baker points out that such a COLA cut would really add up for people who live into their 80s and 90s. By the time someone reaches 85, they would see their annual benefit reduced by 19 percent. That makes it hard to pay the rent.

There are more equitable ways to being more money into the Social Security system. The Labor Party and others advocate eliminating the cap on the payroll tax. But our main message is this: When it comes to Social Security, our most popular and efficient social program . . . if it ain't broke, don't fix it.

EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

SPEECH OF

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 800) to provide for education flexibility partnerships:

Ms. PELOSI. Mr. Chairman, I rise in support of the Miller Amendment to the Ed Flex Bill to promote educational accountability. We all recognize that education is central to the lives of America's children and is central in our effort to develop healthy communities. At today's Appropriations Subcommittee Labor-HHS-Education Hearing, I listened to the Department of Education's testimony.

They stress the importance of results and performance based educational instruction and funding. While Federal education programs should be administered with flexibility, this flexibility must be met with effective accountability provisions and assurances funds targeted for America's impoverished children.

For these reasons, I support Democratic amendments to strengthen educational reporting and accountability requirements and to require local districts to target funds to economically disadvantaged students. To be effective and accountable, states and schools must develop and maintain effective management and information systems, collect student data, design and implement effective assessment plans, and issue timely and parent-friendly reports.

I support Representative MILLER's amendment to require States that seek waivers to first have in place a viable plan to assess student achievement. It also requires States to use the same plan throughout H.R. 800's full five-year flexibility plan. States must establish, as they determine appropriate, concrete quan-

tifiable goals for all their students as well as specific student subgroups, such as impoverished students. If states find achievement gaps between student subgroups, they must set goals to close these gaps.

We must not choose between flexibility and accountability. America's children deserve both. We must work for both and target our education funds effectively. I urge my colleagues to support the Miller amendment.

EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

SPEECH OF

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 800) to provide for education flexibility partnerships:

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of H.R. 800, the Education Flexibility Partnership Act. This bill would expand the "Ed Flex" demonstration program, which is currently in use in 12 states, to allow all 50 states to participate, and has broad, bipartisan support from a number of groups from our governors to our local school boards.

I support this bill because I believe that our states need more flexibility when it comes to making decisions on spending Federal education dollars. Local school board members and school administrators are better positioned than Federal bureaucrats in Washington to make decisions that will lead to positive improvements in our children's education.

The "Ed Flex" bill will allow local school districts to have greater flexibility in how they spend Federal education dollars. It empowers them to determine how to best meet the needs of their students. In exchange, states will get greater accountability from local school districts on how that money is being spent, and whether the flexible spending has improved results.

We hear of numerous examples from the pilot states that have benefitted from the "Ed Flex" program. In these states, scores have increased and students have excelled, even in the poorest areas. My governor in New Jersey, Christine Todd Whitman, has made clear what "Ed Flex" will mean to our students. She said, "Ed Flex would be another tool in our arsenal to better coordinate state and Federal requirements to provide maximum support for our reform efforts with the specific goal of improving student performance."

"Ed Flex" is an idea whose time has come. The flexibility will allow school districts to stretch limited dollars farther, and use money where it is most needed. There must still be accountability from our local school districts on how the money is being spent, and whether core needs—such as math and science education—are being met. This bill provides that accountability.

Mr. Chairman, I support H.R. 800, and urge my colleagues to do the same.

EDUCATION FLEXIBILITY
PARTNERSHIP ACT OF 1999

SPEECH OF

HON. MATT SALMON

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 800) to provide for education flexibility partnerships:

Mr. SALMON. Mr. Chairman, I rise today in support of the Education Flexibility Partnership Act (H.R. 800). This legislation, as the title implies, empowers states with greater flexibility in administering certain federal education programs. When one considers that federal dollars represent only about seven percent of total primary and secondary education funds, but 50 percent of the time districts spend on paperwork, common sense demands a more flexible process of distributing federal resources.

Federal education programs have been more successful in creating jobs for bureaucrats—over 25,000 a year—than in improving the educational performance of America's children. The results of the Third International Mathematics and Science Study (TIMSS), released last year, emphasize this point. TIMSS revealed that U.S. 12th-graders scored next to last in advanced math and dead last in physics. Reading scores, which were not measured by the international tests, were equally disappointing. Forty percent of fourth graders can't even read at the basic level. Unfortunately, the increased federal contribution in education over the past 30 years has not resulted in a corresponding improvement in the quality of the education our children receive. Hopefully, passage of Ed-Flex will mark the first of many steps taken by the 106th Congress to reform antiquated federal education programs.

Only 12 states currently participate in Ed-Flex. As constructed, Ed-Flex provides greater state and local flexibility in utilizing federal dollars. The legislation before us provides for the expansion of this program to all 50 states.

In a letter to me dated March 9th (which I will have included in the CONGRESSIONAL RECORD) Arizona Superintendent of Public Instruction Lisa Graham Keegan expressed support for H.R. 800 and stated that Arizona will apply for Ed-Flex status. There is one potential glitch that needs to be resolved so that Arizona can participate. A November 1998 GAO report on Ed-Flex concluded that Arizona did not qualify for this program because the state did not have the authority to waive state statutes or regulations—a prerequisite to participate in the program. I have been assured by the Education Committee that report language to accompany the bill will clarify that Arizona is eligible to participate in Ed-Flex.

Passage of Ed-Flex marks progress in the effort to loosen the federal strings that have strangled innovative and effective education programs. We've taken a positive step today and I look forward to working on additional legislation that will remove administrative burdens so that schools can spend more time teaching kids.

DEPARTMENT OF EDUCATION,
Phoenix, AZ, March 9, 1999.

Hon. MATT SALMON,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN SALMON: Later this week, the U.S. House of Representatives will begin its debate on H.R. 800, the Education Flexibility Partnership Act of 1999. While this legislation still falls short of giving State and local education agencies the full flexibility they need to deliver the best education to children, it is, nevertheless, a step in the right direction. For this reason, the Arizona Department of Education (ADE) urges you and your colleagues to support this legislation.

Given the opportunity afforded by this legislation, Arizona will apply for Ed-Flex status. According to the General Accounting Office's November 1998 report on Ed-Flex, Arizona did not qualify for the Ed-Flex program because the State did not have the authority to waive State statutes or regulations. While the Arizona State Board of Education has never asserted its right to waive State statute, Arizona Administrative Code R7-2-801 clearly gives the Board the authority to issue waivers from administrative rules. I have enclosed a copy of this rule for your reference.

We are uncertain if whether upon review of Arizona's administrative structure it was determined that the State Board of Education's authority to waive regulations did not sufficiently meet the Ed-Flex Act requirement that the "State" have such waiver authority. As our State Board has the authority to act as the "State" when it comes to accepting federal dollars, we feel its ability to waive state regulations should also clearly mean that the "State" has such an authority when it comes to meeting the requirements of Ed-Flex. We therefore support including report language to clarify that, in states where a State Education Agency is defined as the State Board of Education, the authority of the State Board to waive regulations should be considered adequate authority to qualify for Ed-Flex.

While ADE will, as mentioned above, apply for Ed-Flex status, I must bring to your attention one provision of this legislation that is still of serious concern to Arizona

Under Section 4(c)(1)(E) of H.R. 800, States are prohibited from waiving any statutory or regulatory requirements relating to the distribution of funds to States or to local education agencies. There are a number of reasons this explicit prohibition will directly obstruct our efforts to improve the quality of education in Arizona.

As you know, Arizona is home to more charter schools than any other state in the nation, with 311 schools serving more than 30,000 students across our State. New charter schools are being created and chartered regularly, and it is our policy to provide to the charter school the federal funding that its attending students generate as soon as the charter school comes into existence. This is what we call "real time" funding. We do not wait for the charter school to report its student data to us at the end of the year, and then fund the school based on prior year data. However, in order to ensure that we will have funding on hand to provide to these charter schools that crop up, it is ADE's policy to reserve a portion of its Title I funding at the State level to be used specifically for this purpose.

The federal government recently changed the way it allocates Title I funding, so that these dollars now flow directly to the existing LEAs. In most circumstances, I strongly support efforts that leave the SEA out of the equation and provide as much funding as possible to the local level. However, this al-

location method does not take into account any charter schools that might come into existence at a later date. That means that these new charter schools, and the children attending them, are left holding the bag without any funding—and that, I can tell you, I do not support.

For this reason, ADE would like the flexibility to continue with its unique policy of reserving funds at the State level for the sole purpose of funding newly-created charter schools. However, even Ed-Flex, with its explicit prohibition on waiving requirements related to the distribution of funds, will not allow us to do this. The current proposal will not allow us to fund charter schools in a way that is consistent with our state policy and which aligns itself with our philosophy of sending funding directly to the school where that student is being taught as quickly as possible.

I find it ironic, and a bit discouraging, to know that even as the President and the Administration are encouraging the creation of 3,000 charter schools by the year 2000, they are, at the same time, impeding the efforts of states to fund them. Nonetheless, even with the prohibitive language included in this bill, we plan to include a request to waive some restrictions on the allocation of federal funds in our Ed-Flex proposal. As I understand it, flexibility and accountability are at the heart of Ed-Flex. It is our intention, then, to allocate dollars in a manner consistent with Arizona's philosophy of funding students while at the same time remaining fully accountable for these funds. I know we can count on your support for these efforts, and I hope we can count on the Congress' support as well.

The Arizona Department of Education prides itself in helping educators across our State concentrate on the task of teaching students, not conforming with burdensome regulations and reporting requirements. For this reason, we are supportive of any efforts by the Congress to give schools and State and local education agencies the flexibility they need to do their jobs well. H.R. 800 is a good start, and deserves the support of Congress.

I urge swift passage of this legislation.

Sincerely,

LISA GRAHAM KEEGAN,
Superintendent of Public Instruction.

THE HEALTHY KIDS 2000 ACT

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mrs. EMERSON. Mr. Speaker, today I join my colleague, Senator KIT BOND, in introducing legislation that addresses one of the greatest challenges of our Nation: assuring quality health care for pregnant women and appropriate pediatric care for infants. Our bill, the Healthy Kids 2000 Act, builds upon the Birth Defects Prevention Act signed into law last April, by consolidating programs and providing more funds for local initiatives to prevent birth defects and maternal mortality.

The idea behind our proposal is simple: we want pregnant women to be healthy, and we want children to be healthy. To accomplish this, we must remove some of the barriers women and children encounter in receiving adequate, appropriate health care.

The Healthy Kids 2000 Act will allow States greater flexibility in ensuring quality prenatal care by allowing States to enroll eligible pregnant women in the State Children's Health Insurance Program (CHIP), for which Congress

provided \$25 billion in 1997 to assist 10 million uninsured children in receiving the most basic health care. A recent study by the March of Dimes estimates that 45,000 uninsured pregnant women who are not eligible for Medicaid could be covered by S-CHIP if States were given the flexibility of extending coverage to income eligible pregnant women age 19 or older.

Additionally, the bill increases enrollment of Medicaid-eligible pregnant women. Currently, approximately 77 percent of uninsured pregnant women are eligible for Medicaid but are not enrolled. The bill also ensures direct access to obstetric care for women, and direct access to pediatric care, since children have health needs that are very different than those of the adult population.

Another crucial element of our bill allows our Nation's independent children's hospitals to receive Federal funding for graduate medical education. Currently, children's hospitals receive almost no Federal GME funding. With few Medicare patients, these children's hospitals receive less than \$400 in Federal funds for each medical resident they train, while other teaching hospitals receive on average more than \$79,000 for each resident—creating a serious inequity in the competitive market for these children's hospitals. As these hospitals try to fulfill their teaching missions, competitive market pressures provide little incentive for private payers to contribute toward teaching costs.

In an effort to reduce our Nation's infant death rate and to improve the chances of healthy birth outcomes, the Healthy Kids 2000 Act establishes a National Center for Birth Defects Research and Prevention, and strengthens local initiatives for drug, alcohol, and smoking prevention and cessation programs for pregnant mothers. An estimated 150,000 infants are born each year with a birth defect, resulting in one out of every five infant deaths. More children die in the U.S. from birth defects in the first year of life than from any other cause. Effective locally-based programs will prevent these horrific outcomes by equipping mothers, families, and health care providers with information and approaches needed to ensure women safer pregnancies.

Furthermore, our bill increases funding for the National Institutes of Health by creating the Pediatric Research Initiative, which will provide further money to research efforts on diseases and conditions which afflict our Nation's children, such as birth defects, SIDS, cystic fibrosis, juvenile diabetes, and muscular dystrophy.

Our health care professionals in southern Missouri and across the Nation work very hard to provide the highest quality care for our children. The reality is that pediatric care, like all health care, does cost money. We need to take positive steps to ensure that every mother-to-be and their children are able to access this quality care. I am very pleased to again

be working with Senator BOND on an important children's health initiative. On behalf of our youngest and most vulnerable citizens, I urge my colleagues to review the Healthy Kids 2000 Act, to discuss this bill with families in their districts, and to join me in cosponsoring this important legislation.

DELAURO-LOWEY WATER POLLUTION CONTROL AND ESTUARY RESTORATION ACT

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mrs. LOWEY. Mr. Speaker, today Congresswoman DELAURO, Congressman SHAYS, and I are once again joining with a geographically diverse group of our colleagues in reintroducing legislation to renew and expand the Federal Government's role in controlling pollution and in stewarding our coastal resources.

Without question, much remains to be done to take our Nation's estuaries off the endangered list. Nationally, we face an appalling backlog of water quality infrastructure upgrade needs that threatens to choke our economy just as it is robbing our waters of life-giving oxygen. Quite simply, we need leadership at the Federal level to match the energy and ingenuity of our communities that are working toward a better environmental and economic future. Without strong Federal leadership and substantial funds to back it up, we run the risk of squandering over 20 years of progress in cleaning up and protecting our waters.

Therefore, our legislation will re-ignite Federal, State, and local cooperation in water pollution control by significantly increasing annual authorization levels for the State Revolving Fund [SRF] Program to \$4 billion in 2005, thereby providing the resources to expand and modernize the Nation's water pollution control infrastructure.

Moreover, our legislation would strengthen section 320 of the Clean Water Act, which authorizes the National Estuary Program. First established under the Water Quality Act of 1987, the NEP provides a mechanism for bringing together Federal, State, and local authorities—and interested citizens—to develop comprehensive, watershed-based plans for cleaning up and protecting nationally significant estuaries. In Long Island Sound, Puget Sound, Massachusetts Bay, and a number of other estuaries, the NEP has helped bring about unprecedented cooperation aimed at saving these threatened waters and the economies that rely on them.

Our bill would build on the success of the NEP by clarifying the funding and staffing responsibilities of Federal agencies concerned with the program, including the Environmental Protection Agency [EPA] and the National

Oceanic and Atmospheric Administration [NOAA]. Specifically, the bill states that implementation of estuary management plans is a nondiscretionary duty of the EPA. The measure seeks to improve Federal leadership in the NEP by directing the EPA to promulgate guidelines for development, approval, and implementation of comprehensive management plans. Other important proposed changes include measures to improve coordination of clean-up efforts with other Federal activities in estuaries. In short, this bill is designed to make certain that those plans do not end up on shelves in bureaucrats' offices, but instead truly clean up these critical bodies of water.

Mr. Speaker, our legislation is a call to action that says through sensible investments in water pollution control we can help ensure our economic and environmental future. Without Federal assistance, our estuaries will die while the long-term growth of our economies suffers.

The time has come to act, Mr. Speaker.

MILITARY RESERVE (DUAL STATUS) TECHNICIANS RETIREMENT EQUITY BILL

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. ABERCROMBIE. Mr. Speaker, our National Guard and Reservists have performed admirably whenever called upon to assist our military at home and abroad and to aid federal, state and local emergencies. Serving side by side with active military personnel, fire fighters and other professional counterparts, some Guard and Reservists are exposed to hazardous and physically demanding duty as a routine part of their job. A well-earned and timely retirement should be a welcome relief from a job that requires youth, strength and virgo. Yet, for a select group of talented individuals, known as Dual Status Technicians, retirement eligibility is several years beyond that of their counterparts.

Dual Status Technicians are held to the same physical and mental criteria as their military counterparts and the jobs they perform are likewise challenging. Although active military personnel, fire fighters and federal police can retire after 20 years of service, Technicians must work until age 55 with 30 years of service to receive full benefits. This bill gives Dual Status Technicians retirement eligibility equity with their counterparts.

The Military Reserve (Dual Status) Technicians Retirement Equity Bill allows qualified National Guard and Reservists the option to retire under the same criteria as other professionals in similar challenging careers.