

CONGRATULATIONS TO THE UNIVERSITY OF WISCONSIN'S FOOTBALL TEAM

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 17, 1999

Ms. BALDWIN. Mr. Speaker, I rise today to congratulate the University of Wisconsin's football team. This has been an exceptional season for the Badgers in many respects.

For the second straight year, the Badgers are off to play in a major NCAA Bowl Game. The Badgers could go to the Rose Bowl, just as they did last year, or to another major bowl, depending on how other college teams fare in the closing weeks of the season. On Saturday, a beautiful and unusually balmy day at Camp Randall, the Badgers sealed their ticket to a bowl game by defeating the Iowa Hawkeyes, 41 to 3, and winning the Big Ten championship.

But securing the championship was not all that was celebrated on Saturday. Before nearly 80,000 screaming Badger fans, tailback Ron Dayne made history as he became the all-time rushing leader in NCAA Division I football. Ron Dayne has finished his collegiate career with 6,397 yards—and is the favorite for winning this year's Heisman Trophy.

Ron Dayne's historic record and going to a major bowl game for the second straight year are only part of the triumphant season. The whole team created this championship. It was particularly heartening to see the team come together when Coach Barry Alvarez was either coaching from his hospital bed or the coach's box while waiting for knee replacement surgery.

The Badgers end the regular season with a 9–2 record. Congratulations to all the players, students and fans at the University of Wisconsin. I look forward to enjoying the Fifth Quarter at the bowl game. On Wisconsin!

STOPPING ABUSE OF COMPREHENSIVE OUTPATIENT REHABILITATION FACILITY PROGRAM

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 17, 1999

Mr. STARK. Mr. Speaker, one of the good services in Medicare is the CORF (Comprehensive Outpatient Rehabilitation Facility) program, where beneficiaries recovering from an illness or operation can get a wide range of quality rehab services.

Unfortunately, there appears to be a loophole in the law allowing the establishment of "satellite" CORFs. In this scheme, doctors are getting letters offering to rent part of their office for the placement of a therapist. The rent offered is often sight-unseen and is far above what is a reasonable rental rate. It is, in my opinion, a violation of the anti-kickback laws and is a way to get referrals that greatly drives up utilization and costs for Medicare.

To stop this proliferation of services we never knew we needed, I am introducing a bill, with an effective date of today, to require that all CORF services be provided at one site. I submit a letter from the HCFA Deputy Admin-

istrator on this issue and on the steps Medicare is taking to avoid fraudulent utilization in this area. The Administration is to be commended for its efforts to prevent abuse in this area—but clarifying the law will also be helpful.

DEPARTMENT OF HEALTH AND HUMAN SERVICES, HEALTH CARE FINANCING ADMINISTRATION, DEPUTY ADMINISTRATOR

Washington, DC, Oct. 27, 1999.

Hon. PETE STARK,
House of Representatives, Washington, DC.

DEAR MR. STARK: Thank you for your letter to the Administrator regarding contracts being mailed to doctors to open uncertified mini-Comprehensive Outpatient Rehabilitation Facilities (CORFs) in physicians' offices. I am responding on her behalf, and I apologize for the delay in this response. You also stated that you earlier copied the Administrator on a letter you sent to the Department of Health and Human Services' (DHHS) Office of the Inspector General regarding this matter. You are requesting that the Administrator immediately put a halt to the proliferation of these "satellite" CORFs.

I share your concern with the apparent proliferation of satellite CORFs. Based on the information furnished, the establishment of satellite facilities is consistent with section 1861(cc) of the Social Security Act (the Act). Section 1861(cc)(1) of the Act states that in the case of physical therapy (PT), occupational therapy (OT), and speech pathology (SP) services there shall be no requirement that the item or service be furnished at any single, fixed location. All other CORF services must be provided at the site of the CORF approved for Medicare participation.

It should be noted that although the Act exempts these services from the single, fixed location requirement, it does not exempt them from any of the other CORF requirements. Since the CORF must make documentation available to the state survey agency surveyor demonstrating that it furnishes all services in compliance with the CORF requirements, we would expect the documentation at the CORF for services furnished off-site would not be unlike that for services furnished at the CORF. Also, state survey agencies are not precluded from making visits to the off-site locations as necessary, to ensure that the CORF requirements are met.

Recently, a briefing on CORFs and outpatient rehabilitation facilities was held for Kevin Thurm, Deputy Secretary of DHHS. I presented the Health Care Financing Administration' (HCFA's) program integrity action plan based on analysis we had initiated with the HCFA Miami Satellite Office. The plan includes intensified medical review in targeted areas, education of providers and fiscal intermediaries, and increased reviews of off-site locations. I believe these interventions and the increased oversight will curb inappropriate growth of the providers until HCFA is granted statutory authority to require that PT, OT, or SP be furnished at a single, fixed location.

Thank you for your interest in this matter.
Sincerely,

MICHAEL M. HASH,
Deputy Administrator.

A TRIBUTE TO BILL SHIVELY ON HIS RETIREMENT

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 17, 1999

Mr. RAMSTAD. Mr. Speaker, I rise today to pay tribute to one of our nation's best and brightest business leaders.

By any measure of merit, William C. Shively, is a truly visionary business leader. His hard work and pioneering efforts in the area of financial management and commitment to public service are absolutely exemplary—as well as an inspiration to us all.

Mr. Speaker, Bill Shively is retiring as Executive Vice President of the nationally recognized Gelco Information Network in my Third District of Minnesota.

Bill had the vision in 1992 to bring corporate America's soundest financial management practices to the federal government. In his book *Best Practices*, Bill Shively identified areas for immediate improvement and re-engineering. He targeted official business travel within government since, in the corporate world, travel is the third largest business expense behind payroll and data processing.

Mr. Speaker, in 1995 the federal government was spending over \$7 billion on official business travel. Mr. Shively realized the government was spending unnecessary overhead based on the outdated business processes that governed federal travel.

The need for improvement in this arena, Mr. Speaker, was the source for Bill's vision to create a business unit dedicated to identifying improvements and recommending solutions to save taxpayer money. The vision's underlying theme was to save taxpayer money through the implementation of re-engineered systems and processes.

Mr. Speaker, the Government Services Division of Gelco was born on March 1, 1995 and was comprised of Bill and one other employee. Since 1995, the business has grown to close to 100 employees, supporting products and services utilized today within every single federal executive agency within our government.

Bill helped the Department of Defense through the evolutionary stages of defining its vision, leading to one of the largest non-weapons procurements—DTS.

Mr. Speaker, Bill Shively leaves a legacy of public service that will be long remembered. But, more important to Bill, he leaves a legacy to that is sure to inspire his family for generations to come. Despite the impact of his visionary actions around the world, Bill Shively's No. 1 priority has been his family. Bill has been a dedicated father of three sons and a devoted husband to his wife, Betty.

Mr. Speaker, Bill Shively has done much for his country. We must take the time to pay tribute to great Americans like Bill, citizens who share their special skills to make outstanding contributions to their nation. Bill Shively may be retiring, but he has improved federal processes and driven down costs to taxpayer—truly lasting contributions that will benefit our country for generations to come.

At a time when good role models are few and far between, a time when people of integrity are needed more than ever, Bill Shively is a shining example of how to achieve success in our personal, professional and public lives.

Mr. Speaker, please join with me today to honor William Shively for all he has done to help others. We wish him and his family all the best in his retirement and in all his future endeavors.

RESIGNATION OF NATIONAL FOREST SUPERVISOR GLORIA FLORA

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 17, 1999

Mr. GEORGE MILLER of California. Mr. Speaker, Gloria Flora, forest Supervisor of the Humboldt-Toiyabe National Forest in Nevada resigned last week, citing relentless "fed-bashing." Since becoming Supervisor of the largest national forest in the lower 48 just over a year ago, Ms. Flora has become embroiled in disputes over grazing, endangered species protection, and road closures. One of these disputes recently culminated in Elko County residents, including public officials, illegally rebuilding a forest road without federal permits, an act which in turn triggered a U.S. Fish and Wildlife Service emergency listing of the bull trout. At the forefront of these disputes are extremists whose radical anti-government stance has translated into several instances of intimidation and harassment of federal land managers and acts of violence against public servants and property.

It is deeply distressing that public servants who are administering and enforcing the law are subjected to such hostile circumstances that they are forced to leave their jobs and homes. We should keep in mind that federal land managers like Ms. Flora are charged with enforcing laws passed by the Congress and entrusted with public lands and natural resources that belong to all the people of this country.

For twenty years, the wise use movement in its various forms—the Sagebrush rebellion, states' rights, county supremacy—has fomented hostility and hatred toward officials enforcing the laws of Congress. Rather than perpetuate the disregard and disdain for the government and its laws, I urge my colleagues to use their good offices to create a climate of decency and cooperation.

Mr. Speaker, while I deeply regret that Ms. Flora has chosen to resign, I sincerely hope that we take this opportunity to express our support for her and for the many Forest Service employees who share her concerns. I submit Ms. Flora's letter to her fellow employees.

OPEN LETTER TO EMPLOYEES OF THE HUMBOLDT-TOIYABE NATIONAL FOREST

NOVEMBER 8, 1999

There is no easy way to say good-bye to a group of hard-working, dedicated employees and friends. But the time has come when I must do just that. The best part of working on this Forest is watching each of you perform your work so well. The results speak for themselves in the outstanding land stewardship and exemplary business practices found on this Forest.

I have become increasingly troubled by the difficult conditions that so many of us face in the state of Nevada. We now accept as commonplace unwarranted criticisms of and verbal attacks on federal employees. Officials at all levels of government in Nevada participate in this irresponsible fed-bashing.

The public is largely silent, watching as if this were a spectator sport. This level of anti-federal fervor is simply not acceptable.

It is not like this in other places! As you know, I've worked throughout the Intermountain West: Montana, Idaho, Utah and Wyoming. Yes, there are arguments and strong disagreements over land use policy, but they usually stay within the bounds of reason. As tensions escalate, others weigh in with their opinions and the media does in-depth investigative reporting. There is a sense of balance. Outlandish words and acts, regardless of the origin, are repudiated openly by reasonable community members. Constructive collaboration and discourse are recognized as the methods to resolve complex natural resource issues. Yes, things may get heated but all people have a voice.

The attitude towards federal employees and federal laws in Nevada is pitiful. People in rural communities who do respect the law and accept responsibility for complying with it are often rebuked or ridiculed. They are compared to collaborators with the Vichy government in Nazi-controlled France! People who support the federal government or conservation of natural resources ask that they not be identified for fear of retaliation. When I speak against the diatribes and half-truths of the Sagebrush Rebellion, I am labeled a liar and personally vilified in an attempt to silence me. When I express concerns for Forest Service employees' safety, I am accused of inciting violence.

This is the United States of America. All people have a right to speak and all people have a right to protection from discrimination. However, I learned that in Nevada, as a federal employee, you have no right to speak, no right to do your job and certainly no right to be treated with respect. I could go on and on with examples of those of you who have been castigated in public, shunned in your communities, refused service in restaurants, kicked out of motels . . . just because of who you work for. And we cannot forget those who have been harassed, called before kangaroo courts, or had their very lives threatened.

It disturbs me to think that two million people in this state watch silently, or worse, in amusement, as a small percent of their number break laws and trounce the rights of others with impunity. Worse yet, there are elected officials who actively support these offenders. Those whose responsibility it is to help us enforce the laws passed by Congress and do our mandated jobs, always seem to have a reason why action must be postponed.

The Jarbidge situation is just another example of how certain elements would rather fight and excoriate the federal government than work towards a solution. These people need an "evil empire" to attack. When a member of the United States Congress joins forces with them, using the power of the office to stage a public inquisition of federal employees followed by a political fundraiser, I must protest. This member and others continue to do this, and we, as an agency, believe that it is best to keep turning the other cheek. Enough is enough. I am not promoting conflict; I'm simply advocating that our agency demands fairness and common decency. It's time to speak up.

But speaking up and continuing to work here are not compatible. By speaking out, I cannot provide you, my employees, with a safe working environment. And to date, I have not been able to convince others that the current atmosphere is unacceptable and requires a proactive response. I refuse to continue to participate in this charade of normalcy.

Equally troubling is our limited ability to perform the mission of the Forest Service under these conditions. As stewards for pub-

lic lands, entrusted with protecting and restoring natural resources for present and future generations, we must be able to perform those functions in a collaborative and cooperative manner. The health of the land is paramount.

I am choosing to leave for my principles, for my personal well-being, and so I can actualize my commitment to natural resource management in a setting where respect and civil discourse is the norm. I have no definite plans and I am not seeking special treatment from the agency. I will stay at least until the end of the year to help ensure a smoother transition to new leadership.

I leave you with my fondest wishes for continuing your excellent work and gaining the fulfillment and respect that you all deserve. As I told you when I first arrived, simply demonstrate honesty, integrity and ethical behavior and you will succeed. Thank you for the tremendous support you have given me, I couldn't have asked for more from you.

Sincerely,

GLORIA E. FLORA,
Forest Supervisor.

TRIBUTE TO BRIAN LANCE GOTLIEB

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 17, 1999

Mr. WEINER. Mr. Speaker, I rise today to recognize an upstanding member of our community who is being recognized by the Brighton-Atlantic Unit #1671 of B'nai B'rith on the occasion of its 1999 Youth Services Award Breakfast.

Brian Lance Gotlieb has earned a well-deserved reputation as a tireless fighter on behalf of the youth in our community, and is rightfully honored for his achievements by B'nai B'rith on this special occasion.

Gotlieb, who serves as the liaison to Intermediate School 303 and Public Schools 90, 100, 209 and 253, is currently working on different ways to protect our community's children. As a member of the District 21 School Board, he has initiated the process of identifying unsafe streets throughout District 21 to ensure the safety of all pedestrians. And, throughout this school year, Gotlieb will be hosting a series of Child Safety Programs that will provide parents with free copies of their children's fingerprints along with Polaroid pictures to present to law enforcement personnel in the event of an emergency.

Further, as my Deputy Chief of Staff, Brian Lance Gotlieb has served as my liaison to the Board of Education and School Construction Authority for the last three years. In addition, he is primarily responsible for the intake and resolution of constituent concerns in my Community Office located in the Sheepshead Bay section of Brooklyn.

Gotlieb, who credits his late mother, Myrna, with teaching him the importance of helping others and being active in the community, created the highly successful organization Shorefront Toys for Tots in 1995. Founded in his mother's memory, Shorefront Toys for Tots has helped bring Chanukah cheer to more than 7,500 underprivileged children in the Shorefront community.

As a student at the Rabbi Harry Halpern Day School and its Talmud Torah High School division, Gotlieb packed and delivered Pass-over packages to aid needy senior citizens.