

same contribution and covered employment records regardless of their individual wage histories.

A second assumption underlying the compensation-based limit is that workers' salaries increase steadily over the course of their careers so that the three highest salary years will be the last three consecutive years. While this salary history may be the norm in the corporate world, it is unusual in the multiemployer plan world. In multiemployer plan industries like building and construction, workers' wage earnings typically fluctuate from year-to-year according to several variables, including the availability of covered work and whether the worker is unable to work due to illness or disability. An individual worker's wage history may include many dramatic ups-and-downs. Because of these fluctuations, the three highest years of compensation for many multiemployer plan participants are not consecutive. Consequently, the Section 415 compensation-based limit for these workers is artificially low; lower than it would be if they were covered by corporate plans.

Thus, the premises on which the compensation-based limit is founded do not fit the reality of workers covered by multiemployer plans. And, the limit should not apply.

My bill would exempt workers covered by multiemployer plans from the compensation-based limit, just as government employees are now exempt.

EARLY RETIREMENT LIMIT

Section 415's dollar limit is forcing severe cutbacks in the earned pensions of workers who retire under multiemployer pension plans before they reach age 65.

Construction work is physically hard, and is often performed under harsh climatic conditions. Workers are worn down sooner than in most other industries. Often, early retirement is a must. Multiemployer pension plans accommodate these needs of their covered workers by providing for early retirement, disability, and service pensions that provide a subsidized, partial or full pension benefit.

Section 415 is forcing cutbacks in these pensions because the dollar limit is severely reduced for each year younger than the Social Security normal retirement age that a worker is when he retires. For a worker who retires at age 50, the reduced dollar limit is now about \$40,000 per year.

This reduced limit applies regardless of the circumstances under which the worker retires and regardless of his plan's rules regarding retirement age. A multiemployer plan participant worn out after years of physical challenge who is forced into early retirement is nonetheless subject to a reduced limit. A construction worker who, after 30 years of demanding labor, has well earned a 30-and-out service pension at age 50 is nonetheless subject to the reduced limit.

My bill will ease this early retirement benefit cutback by extending to workers covered by multiemployer plans some of the more favorable early retirement rules that now apply to government employee pension plans and other retirement plans. These rules still provide for a reduced dollar limit for retirements earlier than age 62, but the reduction is less severe than under the current rules that apply to multiemployer plans.

Finally, I am particularly concerned that early retirees who suffer pension benefit cutbacks will not be able to afford the health care coverage they need. Workers who retire before the Medicare eligibility age of 65 are typically required to pay all or a substantial part of the cost of their health insurance. Section 415 pension cutbacks deprive workers of income they need to bear these health care costs. This is contrary to the sound public policy of encouraging workers and retirees to responsibly provide for their health care.

THURGOOD MARSHALL UNITED STATES COURTHOUSE

SPEECH OF

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1999

Mr. RANGEL. Mr. Speaker, I rise today to support H.R. 130, a bipartisan bill which would "designate the United States Courthouse located at 40 Centre Street in New York, New York as the 'Thurgood Marshall United States Courthouse.'"

It is most fitting to honor this great American with this distinction as he was not only the first African American Justice of the U.S. Supreme Court, but was also one of the greatest trial and appellate lawyers in this nation. It was through his knowledge, advocacy, and devotion to the cause of civil rights, that propelled Thurgood Marshall into leading the charge for equality for African Americans.

Born in Baltimore, Maryland on July 2, 1908, Thurgood Marshall graduated cum laude from Lincoln University in Pennsylvania and went on to receive his law degree from Howard University here in Washington, DC where he graduated first in his class.

In 1936, Thurgood Marshall was appointed as Special Counsel to the National Association for the Advancement of Colored People (NAACP). A short time later, he founded the NAACP Legal Defense and Education Fund.

While at the NAACP, Thurgood Marshall was successful in winning 29 of 32 cases he argued before the U.S. Supreme Court. However, the victory for which he will best be remembered, was *Brown vs. The Board of Education*, in which Marshall convinced the Supreme Court to declare segregation in public schools unconstitutional.

In 1961, President John F. Kennedy appointed Marshall to the Second Circuit Court of Appeals. After only four years of receiving this appointment, President Lyndon B. Johnson chose Justice Marshall to be the nation's first black Solicitor General. Just 2 years later on June 13, 1967, President Johnson nominated Marshall to become the first black justice of the Supreme Court where he would serve until his retirement in 1991.

As my colleagues may remember, the bill passed the House last year, but did not come to the floor of the Senate before the session ended.

As Dean of the New York State delegation, it is my hope that my colleagues here in the House on both sides of the aisle, will support H.R. 130 for I can think of no greater tribute

to the late Justice Thurgood Marshall, a man who stood for integrity, justice, and equality for all.

TRIBUTE TO SCOTT ANDERSON

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. OBERSTAR. Mr. Speaker, I rise today to pay tribute to Scott Anderson, a Duluth resident and pioneer in general aviation. On March 23rd, Scott died at the age of 33 following a tragic crash that occurred while he was testing a new aircraft in Northern Minnesota.

Scott was fatally injured when the first SR20 airplane to come off Cirrus Design's production line, which he was piloting, crashed just short of the Duluth International Airport. The plane crash is not only a serious disappointment for Cirrus Design, but is also a tragedy for general aviation aircraft development, testing and evaluation—the most critical phase of bringing a new type and model of aircraft into the mainstream of aviation.

A major in the Air National Guard, Scott was an experienced test pilot who flew F-16s for the military, in addition to his job as Director of Flight Operations and Chief Test Pilot for Cirrus Design. Test pilots are heroes of aviation who pioneer the testing of new, pre-production aircraft to ensure that all systems comply with Federal Aviation Administration regulations. Scott made history last year when he piloted the SR20 during the first test of an innovative parachute recovery system; ironically, that safety device was not on board the aircraft he was flying at the time of the crash.

While we must await the evaluation and findings of the National Transportation Safety Board regarding the causes of the crash, we know that Scott did everything humanly possible to bring the plane down safely so that innocent lives on the ground would not be lost. I offer my heartfelt sympathy to Scott's wife, Laurie, his parents, Paul and Carol, and siblings, Catherine and Todd Anderson, as well as to the Cirrus Design team, for their loss. I hope, in their grief, they know that Scott made a profound difference to the State of Minnesota and to the national aviation community.

As a tribute to the memory and contribution Scott made to general aviation, which will benefit future generations, I submit an article written by Sam Cook that appeared in the Duluth News Tribune on March 24, 1999. Mr. Cook is a talented writer who knew Scott Anderson for many years and with whom he shared a love of Minnesota's great outdoors.

[From the Duluth News Tribune, Mar. 24, 1999]

ANDERSON BLESSED OTHERS WITH LIFE

(By Sam Cook)

I can't recall exactly how Scott Anderson came into my life. He just appeared, and once Scott Anderson appears in your life it's never quite the same.

He and his friend Steve Baker were planning a canoe trip from Duluth to Hudson Bay. This was 1987. They were college kids home for the summer, and they didn't know