

June 9, 2000

ministries, outreach evangelism to the surrounding communities, and leadership training seminars. He has orchestrated a Mens and Boys Breakfast with over three hundred people in attendance. The church has formed a Mass Choir, a Bible Study of over eight hundred people, and car pooling for college students who wish to attend services.

Reverend Jefferson has built a strong and diverse graduate level of education. Upon leaving Grambling State, Reverend Jefferson immediately enrolled in the University of Dayton in Dayton, Ohio. Here he earned a Master of Business Administration degree in Marketing and Finance. He then received a Juris Doctorate of Law from Capital University in Columbus, Ohio and a Master of Divinity from Drew University in Madison, New Jersey. In 1988 he was awarded a fellowship to the prestigious "Sloan Fellows Program" at the Massachusetts Institute of Technology. Here Dr. Jefferson completed his Master of Science in Management in 1989.

Reverend Jefferson is happily married to the former Linda Mouton of Jennings, LA. They are the proud parents of four beautiful children; Kimberly, David Jr., Lou Ella, and Jasmine. He is a member of the New Jersey Bar and American Bar Associations, and Alpha Phi Alpha Fraternity, Inc.

Mr. Speaker, I call upon my colleagues to join me on June 11th, in congratulating Reverend Dr. David Jefferson, Sr. on his outstanding accomplishments in expressing our appreciation for his dedicated community service. Let us extend our best wishes to Dr. Jefferson for continued success and fulfillment.

FURTHER EVIDENCE OF NEED TO
CREATE INDEPENDENT FEDERAL
AGENCY TO INVESTIGATE THE
JUSTICE DEPARTMENT

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2000

Mr. TRAFICANT. Mr. Speaker, earlier this year I introduced legislation, H.R. 4105, to establish an independent federal agency to investigate allegations of wrongdoing on the part of Justice Department personnel. As part of my ongoing efforts to have this important legislation enacted into law, I have been investigating allegations of wrongdoing within the Justice Department that have not been appropriately and completed investigated and prosecuted.

One of the incidents I uncovered occurred in my own Congressional District, and it involves serious allegations of misconduct on the part of the Federal Bureau of Investigation agents in Youngstown, Ohio. The attached sworn affidavit makes serious allegations that should be aggressively investigated by the Justice Department and Congress.

STATE OF OHIO, COUNTY OF TRUMBULL—
AFFIDAVIT OF JAMES A. KERCHUM

After having been duly sworn in accordance with law, I, James A. Kerchum, hereby depose and say:

(1) I, James A. Kerchum, was an active participant of the Mahoning Valley Corruption

EXTENSIONS OF REMARKS

Task Force during the approximate period of February 1998 thru April 23, 1999.

(2) During the period of February 1998 thru April 23, 1999, I primarily planned and worked with the following people: Louis Slay, Director Supervisor U.S. Dept. of Justice; Anthony Spozanza, Special Agent FBI; Mike Cizmar, Special Agent FBI; Pete Proach, Special Agent FBI; Wally Sines, Special Agent FBI; and Dennis Dizenzo, Agent BCI & I

(3) During the hereinabove written time period I was primarily a paid informant for the FBI and my FBI Code Name was Cheeze 1. My main FBI contact was Special Agent Mike Cizmar.

(4) During the hereinabove written time period, FBI Special Agent Mike Cizmar related the following to me:

(a) Congressman Jim Traficant was the FBI's number one target across the United States because he beat them in a Federal Court in Cleveland, Ohio in 1983 and that he was an embarrassment to the FBI.

(b) The FBI investigated Jim Traficant from the time he was the Mahoning County Sheriff and that the FBI was going to get him one way or another.

(c) When you go to Quantico, Virginia there is one special class you take and that's on getting Jim Traficant.

(d) If I got Jim Traficant, they would build a monument for me in Washington, D.C.

FBI Special Agent Anthony Spozanza also made statements in support of the hereinabove written.

(5) Within the hereinabove written time period FBI Special Agent Mike Cizmar asked me to kill Girard, Ohio Police Detective Anthony Zuppo.

Further Affiant Sayeth Naught.

TRIBUTE TO WESLEY RHODES

HON. SAXBY CHAMBLISS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2000

Mr. CHAMBLISS. Mr. Speaker, I want to honor Wesley Rhodes of Pineview, GA. Wesley, a student at Fullington Academy, was named a National Award Winner in Science. This special award recognizes fewer than ten percent of all American high school students. Wesley was recommended for the award by teachers and school staff for his outstanding academic performance in science, interest and aptitude, leadership qualities, responsibility, enthusiasm, motivation to learn and improve, citizenship, attitude and cooperative spirit, and dependability.

I would like to take this opportunity to recognize Wesley for his achievements in science and for his exemplary leadership at Fullington Academy. He is an exceptional student and has made the people of my district and myself proud.

10291

DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES,
AND EDUCATION, AND RELATED
AGENCIES APPROPRIATIONS
ACT, 2001

SPEECH OF

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4577) making appropriations for the Departments of Labor, Health and Human Service, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes,

Mr. STARK. Mr. Chairman, reducing fraud and abuse in Medicare has been identified by the Majority Leader as a major initiative. The Budget Committee has a Medicare Fraud Task Force to look into ways to reduce Medicare fraud. The Ways and Means and Commerce Committee has held hearings on reducing Medicare fraud.

And yet, this bill would actually reduce already appropriated funds for fighting fraud and abuse in Medicare by \$50 million. These funds were appropriated in advance when the Health Insurance Portability and Accountability Act (HIPAA) was enacted in 1996 and intended to fight Medicare fraud. This program has returned \$17 for every dollar invested in it. Because of our fraud-fighting efforts, we have experienced the lowest growth in Medicare spending ever.

Obviously, the Appropriations Committee disagrees with the Majority Leader and other Committee Chairmen who want to reduce Medicare fraud. Instead, the Committee would reduce our anti-fraud efforts. Evidently, the Committee feels that there is not enough fraud in Medicare, so we should let it grow.

Second, Mr. Chairman, the General Accounting Office and others have issued numerous reports recently about the alarming abuses and poor quality of care of senior citizens in nursing homes—the care of our mothers and fathers and our constituents. GAO said that one in four nursing homes actually harm our senior citizens or place them in danger of being harmed. The GAO recommended stronger enforcement of quality standards.

In Northern California, only 6 percent of nursing homes were found by State inspectors to be in full or substantial compliance with requirements.

The President proposed additional funding to support a Nursing Home Initiative for enforcing nursing home standards more strictly.

Yet this bill would eliminate the funding for this Nursing Home Initiative.

Obviously, the Appropriations Committee simply does not care what happens to our senior citizens in nursing homes.

Mr. Chairman, I urge my colleagues to support the DeLauro amendment to restore funds for fighting Medicare fraud and for the Nursing Home Initiative.

Mr. Chairman, I submit into the RECORD a letter sent to me by the National Citizens' Coalition for Nursing Home Reform.

NATIONAL CITIZENS' COALITION
FOR NURSING HOME REFORM,
Washington, DC, June 1, 2000.

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

DEAR REPRESENTATIVE STARK: The National Citizens' Coalition for Nursing Home Reform (NCCNHR) urges you to vote no on the Labor/HHS/Education bill because it fails to provide funding for the Nursing Home Initiative.

The Nursing Home Initiative was established to increase funding for improvement in nursing home quality nationwide. As part of the Nursing Home Initiative, new survey protocols were put in place such as improved federal oversight over state survey efforts, staggered inspections, and expedited investigation of resident complaints.

For FY 2001, the Administration proposed a major funding increase that would invest \$70.1 million in improving oversight of nursing homes. It would include (1) training surveyors in effective inspection of nursing homes; (2) surveying nursing homes during evenings and weekends; and (3) surveying substandard facilities more frequently than other facilities. However, in Subcommittee, the discretionary funding was virtually eliminated for the Initiative.

By passing an appropriations bill without funding for the Nursing Home Initiative, the House would be ignoring overwhelming evidence of harm to residents that is occurring because of lack of adequate enforcement. The 1998 GAO report on California nursing homes showed that one in three facilities has violations that cause either actual harm to residents or place them at risk for serious injury or death. This report launched the Nursing Home Initiative to address the poor care in nursing homes. We cannot abandon these efforts, which are now beginning to have an effect. Otherwise, we are abandoning the most vulnerable and frail population in this country who need protection from a strengthened enforcement system.

Sincerely,

SARAH GREENE BURGER,
Executive Director.

STATEMENT ON A BILL TO AMEND
TITLE II OF THE SOCIAL SECURITY
ACT TO IMPROVE THE SOCIAL
SECURITY ADMINISTRATION'S
PAYMENT SYSTEM FOR
REPRESENTATION OF CLAIMANTS

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2000

Mr. MATSUI. Mr. Speaker, I am pleased today to join with Congressman CLAY SHAW, the Chairman of the Subcommittee on Social Security, to introduce legislation regarding fees owed to attorneys who represent Social Security disability claimants. This bill would require the Social Security Administration to pay the attorney fees it owes in a timely fashion or else grant those attorneys an exemption from the administrative assessment that SSA charges in exchange for handling such fees.

Under current law, when an attorney successfully represents a Social Security disability claimant and that claimant is entitled to past-due benefits, SSA retains a portion of those

past-due benefits in order to pay the attorney for the services he or she provided. Specifically, SSA withholds and certifies for direct payment to the claimant's attorney an amount equal to the lesser of 25 percent of the past-due benefits or the fee that SSA had previously authorized the attorney to charge his or her client. (Fees authorized by SSA may not exceed 25 percent of past-due benefits or \$4,000, whichever is lower).

As a result of the Ticket to Work and Work Incentives Act of 1999 (P.L. 106-170), SSA is now required to impose an administrative assessment of 6.3 percent on all such fee payments to attorneys. Some maintain that this 6.3 percent assessment is necessary to cover the costs that SSA incurs in withholding and processing fee payments to attorneys. If this is indeed the case and the 6.3 percent assessment is simply compensation for services rendered, then it is not unreasonable to expect that SSA will process fee payments to attorneys in a timely fashion.

The legislation we are introducing today simply seeks to put that reasonable expectation into law. H.R. xxxx would prohibit the Social Security Administration from charging an attorney the 6.3 percent assessment unless the agency certifies his or her fee for payment within 30 days of the award of past-due benefits to his or her client. Without this common-sense legislation, SSA would be permitted to charge the 6.3 percent assessment without regard to how long the agency takes to process attorneys' fee payments.

As necessary as this legislation may be, it is not all that is required of this and future Congresses. We in Congress must also remain vigilant and ensure that the new administrative assessment imposed by the Work Incentives Improvement Act does not deter attorneys from representing disability claimants. Given the complexities of the disability determination process, if claimants are unable to secure professional legal representation, the results could be disastrous.

Claimants without professional legal representation appear to be far less likely to receive the benefits to which they are entitled. For example, in 1998, 57.6 percent of claimants represented by an attorney, but only 35.7 percent of those without one, were awarded benefits at the hearing level.

As mandated by the Work Incentives Improvement Act, the General Accounting Office will examine the impact of this new administrative assessment upon claimants' access to legal representation. If the GAO finds that the assessment does impair claimants' access, I fully expect that, consistent with the conference agreement on the Work Incentives Improvement Act, Congress will revisit this issue once more.

In closing, I look forward to working with Chairman SHAW on this piece of legislation in the same bipartisan manner that characterized our successful efforts last fall on the Work Incentives Improvement Act and again this spring on the repeal of the Social Security retirement earnings test. With this sort of collaboration, I am certain that we can pass this bill as well, thereby creating incentives for SSA to improve its procedures for making payments to attorneys and ensuring that disability claimants have qualified and reliable attorneys to whom they can turn for assistance.

MAKE-A-WISH FOUNDATION 20TH
ANNIVERSARY

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2000

Mr. CUMMINGS. Mr. Speaker, it is my honor to recognize and join in the celebration of the Make-A-Wish Foundation's 20th Anniversary. In its twentieth year, the Make-A-Wish Foundation is a non-profit organization that fulfills the wishes of children fighting life-threatening illnesses. This organization provides once in a lifetime experiences to children, under the age of 18, who may not have the rest of their lives to seek opportunity. Born out of a wish made by a seven-year-old fighting Leukemia in Arizona, the Make-A-Wish Foundation has grown to 80 chapters in the United States and 20 international affiliates on five continents and is the largest wish granting foundation in the world. In its twenty years of existence, the Make-A-Wish Foundation has granted wishes to over 66,000 children worldwide. The Make-A-Wish Foundation of the Mid-Atlantic, Inc., in particular, helps to serve children in my district as well as other children throughout the entire state of Maryland.

The Make-A-Wish Foundation has granted wishes to children as simple as trips to Disney World and other amusement parks to meeting their favorite entertainer or role model. One young man from my district had his wish fulfilled when he met South African leader and political figure Nelson Mandela. He remarked that there was no better way to learn about blacks and whites living together in peace than to learn firsthand about the life of someone so oppressed yet as unbroken as Mr. Mandela.

The Make-A-Wish Foundation gives children that are fighting life-threatening illnesses a positive break from a world of doctors, hospitals and medicine. I salute the Make-A-Wish Foundation's volunteers and supporters who work to make wishes come true not only in Baltimore City and Baltimore County, but literally all over the world. Congratulations on 20 years of making wishes come true.

HONORING ANITA HINOJOSA

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2000

Mr. ORTIZ. Mr. Speaker, today I pay tribute to a South Texas educator, Anita Hinojosa, who will retire in July after 31 years in vocational and adult education. Anita helped make Corpus Christi a better place by virtue of her lifetime commitment to education.

After working as a home economics teacher after graduating from Texas A&I University at Kingsville, and as a consultant, Anita became the Vocational Education Coordinator while also working as an adjunct Professor of Occupational Education at Corpus Christi State University.

In 1990, she became the Career and Technology Education Director for the Corpus