

And for those in Belle Harbor, not even that.

And then . . . And then tragedy.

Close to 300 individuals, some as families, some as couples, some as friends, some alone. Gone.

Tragedy, finality, shock and tears.

How do we cope? How can we cope? So much sadness. So much grief. So many questions. So few answers. So much emptiness.

In the second chapter of the Book of Lamentations, *Eicha*, we read: "*Horidi chanachal dim'a yomam valayla.*" Shed tears like a river, day and night.

What binds us together today, as what has bound us together at the Ramada, at the Javits Center, and while even at home, are the tears. A river of tears, day and night.

Tears are not shed in English. Tears are not shed in Spanish. Tears are not shed in Hebrew. The tears themselves are a common language. Crying itself is a language of grief.

We shed rivers of tears for the children whose lives had been so fresh, whose promise had been so abounding, whose future had been so bright.

We shed rivers of tears for the mothers and fathers, wives and husbands, who had longed to watch their children grow, who had worked so hard to make a better life, who had given so much love to each other and to so many.

We shed rivers of tears for brothers and sisters, friends and lovers whose companionship had been torn away so suddenly.

We shed rivers of tears, day and night, for never having the opportunity to share a last hug, a kiss, a smile; to say goodbye; I'm sorry; I love you.

We shed rivers of tears, day and night, and we pray.

As the liturgy for the closing *Ne'ilah* prayers of the Jewish Day of Atonement, *Yom Kippur*, reads: "*Yehi ratzon milfanecha shomaiya kol bechiyot shetasim dimoteinu benodcha l'hiyot.*" May it be Your will, You who hears the sound of weeping, That You place our tears in Your flask for safe keeping.

And we pray, O Lord, that the waters of our tears, like the incoming tide, draw the souls of these innocents close to You.

Lord, protect them, guard them, watch over them, and bless them—now and for eternity. "*V'yanuchu b'shalom al mishkavam.*"

May their repose be peace.

And let us say—Amen.

## INTRODUCTION OF THE MEDICARE SUBSTITUTE ADULT DAY CARE SERVICES ACT

**HON. GERALD D. KLECZKA**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2001

Mr. KLECZKA. Mr. Speaker, today Mr. STARK from California and I are introducing the Medicare Substitute Adult Day Care Services Act. This critical legislation would expand home health rehabilitation options for Medicare beneficiaries while simultaneously assisting family caregivers with the very real difficulties in caring for a homebound family member.

Specifically, this bill would update the Medicare home health benefit by allowing beneficiaries the option of substituting some, or all, of their Medicare home health services for care in an adult day care center (ADC).

The ADC would be paid the same rate that would have been paid for the service had it been delivered in the patient's home. In addition, the ADC would be required, with that one payment, to provide a full day of care to the patient at no additional cost to the Medicare program. That care would include the home health benefit as well as transportation, meals, medication management, and a program of supervised activities.

The ADC is capable of providing these additional services at the same payment rate as home health care because there are additional inherent cost savings in the ADC setting. In the home care arena, a skilled nurse, a physical therapist, or any home health provider must travel from home to home providing services to one patient per site. There are significant transportation costs and time costs associated with that method of care. In an ADC, the patients are brought to the providers so that a provider can see a larger number of patients in a shorter period of time.

It is important to note that this bill is not an expansion of the home health benefit. It would not make any new people eligible for the Medicare home health benefit. Nor would it expand the definition of what qualifies for reimbursement by Medicare for home health services.

To be eligible for this new ADC option, a patient would still need to qualify for Medicare home health benefits just like they do today. They would need to be homebound and they would need to have a certification from a doctor for skilled therapy in the home.

This legislation simply recognizes that adult day care facilities can provide the same health services with the added benefits of social interaction, activities, meals, and a therapeutic environment, in which a group of trained professionals can treat, monitor and support Medicare beneficiaries who would otherwise be monitored at home by a single caregiver. Rehabilitation is enhanced by such comprehensive care.

Not only does ADC aid in the rehabilitation of the patient, it provides an added benefit to the family caregiver. When a beneficiary receives the Medicare home health benefit in the home, the provider does not remain there all day. They provide the service they are paid for and leave to treat their next patient.

Because many frail seniors cannot be left alone for long periods of time, this prevents the caregiver from having a respite or being able to maintain employment outside of the home. If the senior could utilize ADC services, they would receive supervised care for the whole day and the caregiver would have the flexibility to maintain a job and/or be able to leave the home for longer periods of time.

Adult day care centers are proving to be effective, and often preferable, alternatives to complete confinement in the home. I urge my colleagues to cosponsor and support this important legislation.

## PROTECTING OUR COMMUNITIES FROM PREDATORY LENDING PRACTICES ACT

**HON. MAXINE WATERS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2001

Ms. WATERS. Mr. Speaker, today I rise to introduce the "Protecting Our Communities From Predatory Lending Act," much needed legislation to prevent predatory lending. This year, my home state of California became the third state in the nation to pass a law regulating predatory lending practices. Reverse redlining or predatory lending encompasses a number of lending practices that target minority communities, employing interest rates and service fee charges that are significantly higher than those prevailing in white communities. Such predatory lending practices are prevalent in many areas across the country and federal action in this area is long overdue.

Home equity loans have historically been the privilege of the middle class and wealthy, who generally have high credit ratings, income, and home equity. However, beginning in the 1980s, non-depository finance companies—lending institutions other than commercial banks, thrifts, and credit unions—began to provide home-equity loans to lower-income communities, which were not served by mainstream lenders.

Persons in low-income communities typically have little disposable income, but may have substantial home equity as a result of paying down their mortgages or through the appreciation of their property values. This equity can secure sizable loans. While offering loans to low-income and minority communities can benefit these communities, predatory lending practices, which oftentimes use the borrowers' home as collateral, have milked the last drops of wealth from many of these neighborhoods, leading to increased poverty and public dependence.

My bill adds important protections to the law that will save many people from losing their homes. My legislation would prohibit the industry from making false, deceptive or misleading statements or engaging in unfair or deceptive acts or practices, and prohibit blank terms in credit agreements that are filled in after the consumer has signed. In addition, it would prohibit prepayment penalties and the financing of credit insurance.

My bill will prohibit the "flipping" of consumer loans, in which the borrower refinances an existing loan when the new loan does not have a reasonable, tangible benefit to the consumer. This practice of flipping often costs the consumer thousands of dollars in fees and frequently leads to foreclosure. My bill will eliminate the practice of charging fees for services or products not actually provided. It will also prevent collusion between lenders and appraisers or home improvement contractors by prohibiting direct payments to home improvement contractors without a consumer cosignature and prohibits creditors from influencing the judgement of an appraiser.

My legislation will remove the shroud of secrecy that currently surrounds the application process by requiring that a consumer receive

disclosure of his or her credit score and an explanation of the methodology used to calculate the credit score, if one is used by the lender.

My legislation will impose restrictions on late payments and apply additional safeguards by lowering the threshold for high cost mortgages.

Finally, my legislation will prohibit steering consumers into loans with higher risk grades than the consumer would qualify for under prudent underwriting standards. This is merely the latest in a long line of practices that have targeted minorities and low and moderate income families, shutting them out of the American Dream of homeownership.

This problem is getting worse, not better. According to an ACORN study, *Separate and Unequal 2001: Predatory Lending in America*, which was released last month, African-American homeowners who refinanced in the Los Angeles area were 2.5 times more likely to receive a subprime loan than white homeowners were and Latinos were 1.5 times more likely to receive a subprime refinance loan. And this is not merely a function of income: Upper-income African-Americans and middle-income African-Americans were more likely to receive a subprime loan than low-income white homeowners when refinancing. Middle-income Latinos were also more likely to receive a subprime refinance loan than low-income whites.

We must continue to scrutinize predatory lending practices and protect American consumers who are easy targets for the predatory lending industry. Congress and federal agencies must recommit our efforts to ensure that greater opportunity to credit access means an increase in quality of life, not an increase in predatory lending and foreclosure. I will continue fighting on the federal level until predatory lending is eliminated and the term will only have relevance in history books. I encourage my colleagues to support my legislation and look forward to working with you to eliminating this blight from our communities.

TRIBUTE TO K. ROSS CHILDS ON THE OCCASION OF HIS RETIREMENT AS COUNTY ADMINISTRATOR FOR GRAND TRAVERSE COUNTY, MICHIGAN

### HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, December 20, 2001*

Mr. STUPAK. Mr. Speaker, I rise tonight to pay tribute to a dedicated public servant, K. Ross Childs, who is retiring after serving as County Administrator for Grand Traverse County, Michigan, since 1976. Ross will be honored on January 5 at a special celebration in Traverse City by the many friends and colleagues he has touched in his long career.

A review of Ross' professional resume reveals an individual who acquired a broad base of skills that ably suited him for the job of county administrator. A Canadian citizen by birth, he did his undergraduate studies in the community of Owen Sound, Ontario. He came to the U.S. in 1955 to earn an engineering degree at the University of Michigan, and his

postgraduate studies included courses in engineering, business administration and public administration at U. of M. and Detroit's Wayne State University.

This resume also reveals an administrator who recognized that being in charge of a diverse and growing county required close coordination with local public and private organizations. At various times Ross has served as a member or officer of, among others, the Michigan Leadership Institute, the Grand Traverse Commons Redevelopment Corporation, Leadership Grand Traverse, the Traverse Bay Economic Development Authority, the Traverse City Convention and Visitors Bureau, the Traverse City Area Chamber of Commerce, National City Bank, Blue Cross Blue Shield, and Munson Medical Center. Ross has also been extremely active in Rotary International and will serve as district governor for 2002-2003.

But, Mr. Speaker, when I worked with Ross Childs, I wasn't working with a resume or a list of titles. I worked with a dedicated public servant, a man who was a consummate advocate for his Grand Traverse County, whether he was laboring on behalf of an individual or for the county's largest employer, Munson Healthcare.

I have worked with Ross on numerous issues, including funding for a new airport terminal at Cherry Capital Airport, funding for roads in the county, and projects at the Coast Guard air station in Traverse City. In between dealing with major projects or problems, I always knew that when the National Association of Counties met in Washington, D.C., Ross would arrive with a list of county issues for me to work on.

Ross and his wife Helen have two daughters, Mary and Susan. As a change from our usual meetings in Washington, it was a pleasure for my staff and me to be able to show Ross, Helen and Susan some of the sights of this great city when they came here on a family visit.

That doesn't mean we haven't had our differences, Mr. Speaker. I ask you to recall that Ross in an alumni of the University of Michigan, a school he not only attended but represented on the hockey rink. Waving those Michigan school colors of maize and blue in front of a Michigan State supporter like me is like waving the proverbial red flag in front of a bull.

Mr. Speaker, let me add a personal note of appreciation. Ross and Helen lost their son Scott, a hockey player like his father, in an auto accident some years ago. When my own son BJ died last year, Ross was there at the funeral to lend his support. We share a profound loss that never quite heals, and I will always remember and appreciate his true expression of sympathy and genuine concern.

So, Mr. Speaker, K. Ross Childs is giving up the reins of power in Grand Traverse County, and in one of his final acts as administrator he has helped hire and mentor Dennis Aloia, who comes from Marquette in the Upper Peninsula of Michigan. As a U.P. resident myself, I am pleased to see that Ross has learned what a great value and resource the U.P. can be for Grand Traverse County.

While Ross may be leaving his post as county administrator, he will remain active in

northern Michigan as regional governor of Rotary, a organization to which he has been extremely dedicated for many years.

I ask you, Mr. Speaker, and our House colleagues to join me in congratulating this public servant on a job well done and in wishing Ross and Helen Childs the best in their retirement years.

CONGRATULATIONS TO MR. AND MRS. FLORENIO BACA

### HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, December 20, 2001*

Mr. BACA. Mr. Speaker, it is my privilege to announce to you and to the rest of my esteemed colleagues, that on January 5, 2002, Florenio and Escolastica Baca will celebrate their 50th wedding anniversary. The couple will renew their wedding vows in a ceremony at Mt. Saint Joseph's Catholic Church in Barstow, California.

Florenio and Escolastica were both born in New Mexico. Florenio was one of thirteen children born to Seledon and Isabeleta Baca, while Escolastica was only one of two children born to her parents, Rafael and Eufelia Garcia. Eufelia, now 89 years old, is the couple's only surviving parent.

Florenio and Escolastica married on January 28, 1951 in La Joya, New Mexico, and shortly afterwards the pair moved to Barstow, California. Florenio worked for the Santa Fe Railway and later went to work for a civil service position only to return to the Santa Fe Railway until his retirement. A hardworking couple, Florenio and Escolastica were pioneers of the dual income family as Escolastica worked a variety of jobs until her retirement from a civil service position in Nebo, California. All the while, Florenio and Escolastica raised a loving family.

The couple was blessed with three children, Gilbert, Sally and Evelyn. Today their children are grown and married. Florenio and Escolastica's family now includes Gilbert's wife, Tracy Marcum, Sally's husband, Scott Stapp, and Evelyn's husband, Joe Bensie. Their children have given the Baca's eight grandchildren, Lindsay, Courtney, Brandy, Larry, Erica, Adrian, Ryan and Mathew, and one great-grandchild, Brooklyn.

I commend Florenio and Escolastica for demonstrating their commitment to marriage and family. The couple has provided love and ongoing support to their children, grandchildren and great-grandchild playing an active role in all of their raising.

Today the Baca's spend most of their time relaxing at home and visiting their family. Escolastica remains very active at Mt. Saint Joseph's Catholic Church.

Mr. Speaker, on behalf of the United States Congress and the people of California, I extend our sincere congratulations to Mr. and Mrs. Florenio Baca.