

While many children will clearly need help, so will the testing industry if it is called upon to carry out Mr. Bush's plan, education specialists said.

Currently, only 13 states test for reading and math in all six grades required by the Bush plan. If Mr. Bush's plan is carried out—the industry's workload will grow by more than 50 percent.

Ms. Jax, Minnesota's top school official, says she is not close to being ready. "It's just impossible to find enough people," she said, "I will have to add at least four tests. I don't have the capacity for that, and I'm not convinced that the industry does either."

Certainly the industry has been generating revenues that could support some expansion. In 1999, its last full year as an independent company, NCS reported revenues of more than \$620 million, up 30 percent from the previous year. The other major players, all corporate units, do not disclose revenues.

Several of the largest testing companies have assured the administration that the industry can handle the additional work. "It's taken the testing industry a while to gear up for this," said Dr. Paslov of Harcourt. "But we are ready."

Other executives are far less optimistic. "I don't know how anyone can say that we can do this now," said Mr. Landgraf of the Educational Testing Service.

Russell Hagen, chief executive of the Data Recognition Corporation, a midsize testing company in Maple Grove, Minn., worries that the added workload from the Bush proposal would create even more quality control problems, with increasingly serious consequences for students. "Take the Minnesota experience and put it in 50 states," he said.

The Minnesota experience is still a fresh fact of life for students like Jake Plumley, who is working nights for Federal Express and hoping to find another union job like the one he gave up last summer.

But despite his difficult experience, he does not oppose the kind of testing that derailed his post-graduation plans. "The high-stakes test—it keeps kids motivated. So I understand the idea of the test," he said. "But they need to do it right."

LETTER TO THE NATIONAL ACADEMY OF SCIENCES REGARDING ARSENIC

**HON. DOUG BEREUTER**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2001

Mr. BEREUTER. Mr. Speaker, this Member submits this letter he sent on May 17, 2001, to Dr. Bruce Alberts, President of the National Academy of Sciences regarding a meeting of the National Research Council's arsenic review subcommittee. The letter expresses strong concerns about the agenda and participants.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 17, 2001.

DR. BRUCE ALBERTS,  
President, National Academy of Sciences,  
Washington, DC.

DEAR DR. ALBERTS: I am writing to express concerns about the meeting scheduled to be held on May 21st by the National Research Council's arsenic review subcommittee.

As you know, the Environmental Protection Agency (EPA) has asked the National

Academy of Sciences to review new studies regarding the health effects of arsenic in drinking water and to review the EPA's risk analysis of arsenic. Unfortunately, it has come to my attention that there are significant concerns about the upcoming review. There is a growing appearance that the process may not be as balanced as it needs to be and questions have been raised about the objectivity of the review.

Several specific and troubling concerns have been recently relayed to me. First, it is my understanding that a representative of the Natural Resources Defense Council is on the agenda for the May 21st meeting, but no one representing state or local interests has been invited. Second, I have been informed that certain scientists who expressed concerns about the proposed lower levels of arsenic in drinking water were not invited back to serve on the panel while those supporting a significant decrease were included on the subcommittee. Finally, it has been brought to my attention that the panel will only be hearing from those EPA representatives who favor advocating a lower standard for arsenic in drinking water.

Because of the seriousness of this issue, I believe it requires immediate attention and I would appreciate a prompt response addressing these concerns. I strongly support a scientific approach to addressing this issue which is of great interest to many Nebraskans. However, I believe it must be done in an objective manner which takes into account a wide variety of scientific viewpoints.

Thank you for your attention in this matter. Additionally, I want you to know I will place this letter in the CONGRESSIONAL RECORD.

Best wishes,

DOUG BEREUTER,  
Member of Congress.

INTRODUCTION OF THE SOLID WASTE INTERNATIONAL TRANSPORTATION ACT OF 2001

**HON. MIKE ROGERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2001

Mr. ROGERS of Michigan. Mr. Speaker, in 1999, more than 2 million cubic yards of foreign municipal waste was imported to the State of Michigan, with the citizens of the state having no say in the process. The citizens of Michigan have made it clear: they want the power to regulate incoming foreign waste. Through their elected officials, Michigan citizens have attempted to gain some control of the importation of municipal waste to Michigan. Each time though, these legislative actions have been deemed unconstitutional in court, as states have not been granted the necessary authority by Congress. The Solid Waste International Transportation Act of 2001 is designed to give every state the authority to prohibit or limit the influx of foreign municipal waste through state legislative action.

A Supreme Court decision in 1978, *City of Philadelphia v. New Jersey*, struck down a New Jersey statute which prohibited the importation of most out of state municipal waste, partially on the basis that the Federal Solid Waste Disposal Act, had no "clear and manifest purpose of Congress to preempt the entire field of interstate waste, either by express

statutory command, or by implicit legislative design." The Solid Waste International Transportation Act of 2001 would amend the Solid Waste Disposal Act to provide that express statutory command.

*Northeast Bancorp v. Board of Governors of the Federal Reserve System* 472 U.S. 159, 174 (1985) said "When Congress so chooses, state actions which it plainly authorizes are invulnerable to constitutional attack under the Commerce Clause." The Solid Waste International Transportation Act of 2001 would be a plain authorization of the state's authority to prohibit or limit incoming foreign municipal waste.

Every state in this nation should have the ability to regulate the influx of foreign municipal waste. If a state wants to prohibit the importation of foreign waste, they ought to have that power. If a state wants to import large amounts of foreign waste, they ought to have that power. Or if a state wants to restrict the importation of foreign municipal waste, they ought to have that power too. Through their elected representatives, let's give the citizens of their respective states a say in the importation of foreign municipal waste.

WOMEN'S BREAST CANCER RECOVERY ACT, H.R. 1485

**HON. FRANK A. LOBIONDO**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2001

Mr. LOBIONDO. Mr. Speaker, I rise today to speak on behalf of a bill I recently introduced, H.R. 1485, the Women's Breast Cancer Recovery Act of 2001, along with my colleague, Representative Sue Myrick. This important piece of legislation would provide a significant measure of relief for women across our nation who are confronted by breast cancer. We introduce this bill on behalf of women who are now fighting the battle against breast cancer, and for any friends and relatives who may have lost a loved one to this terrible disease.

Specifically, our legislation would require insurance plans that currently provide breast cancer medical and surgical benefits to guarantee medically appropriate and adequate inpatient care following a mastectomy, lumpectomy or lymph node dissection. In particular, our bill will stop the practice of "drive-through" mastectomies. This legislation will also protect doctors from any penalties or reductions in reimbursement from insurance plans when they follow their judgment on what is medically appropriate and necessary for the patient.

Most importantly, group health insurers will not be able to provide "bonuses" or any other financial incentives to a physician in order to keep in-patient stays below certain limits, or limit referrals to second opinions.

Our legislation also requires health care providers to pay for secondary consultations when test results come back either negative or positive. This provision will give all patients the benefit of a second opinion in relation to diagnosing all types of cancer, not just breast cancer.

I am proud to say that the Women's Cancer Recovery Act will empower women to determine the best course of care. Recovery time

from a mastectomy will not be decided by an insurance company actuary. Rather, it will be decided by someone with medical expertise, which, in most cases, is the familiar face of the woman's doctor.

I hope that this legislation will at least ease some of the fear associated with mastectomies. Breast cancer is devastating enough for a woman and her family to cope with, without the added burden of overcoming obstacles to treatment.

I urge my colleagues to support and adopt H.R. 1485.

HONORING GENEVA TAYLOR ON  
HER RETIREMENT

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2001

Mr. McINNIS. Mr. Speaker, I would like to take this moment to recognize an individual who throughout the course of her career has served the citizens of Colorado with great distinction, Mrs. Geneva Taylor. After almost 40 years of service in the banking industry and eight as the senior vice president of loans for Community 1st National Bank, Geneva is set to begin a much-deserved retirement at the end of this month as family, friends and colleagues gather to celebrate her accomplished tenure with the banking industry and the community, I too would like to pay tribute to Geneva and thank her for her service. Clearly, her hard work is deserving of thanks and praise of Congress.

Born in Scott City, Kansas, Geneva moved to Colorado with her family at the age of 3. Eventually her family moved to Yampa, Colorado where she graduated from high school. In 1961 she graduated from Parks Business School in Denver, where she received her secretary's business certificate in nine months.

Along with her daily schedule, Geneva was heavily involved in the community. Throughout the years, Geneva has worked with numerous community organizations. Geneva served on the Board of Directors of the Perry-Mansfield Performing Arts Camp and the Rotary Club. She was also instrumental in keeping the Toast Mistress Club for Women running.

In 1998, Geneva was given the HAZIE Werner Award for Excellence for all of her outstanding Community Service. This year the United States Department of Agriculture presented her three awards for her service to senior citizens communities, the USDA Rural Development Special Recognition award, the USDA Rural Development Site Manager of the Year award and the USDA Rural Development award in acknowledgement of her achievement in maintaining 0% average vacancy for the Mountain View Estates. Geneva was instrumental in obtaining monetary funds for special needs at the Selbe and Mountain View Manor complexes.

After 39 years in the banking industry, Geneva has decided to retire so she can spend more time with her daughter Vicki and her grandchildren Brianna and Dakin. "Geneva is always helping people, and now she will have the time to do more of that," said her husband, state Senator Jack Taylor.

Mr. Speaker, I wanted to take this opportunity to thank Geneva for her service to our community. I know that her husband Jack, her daughter Vicki, and her grandchildren couldn't possibly be prouder of her. That, Mr. Speaker, is a sentiment shared by Geneva's friends, colleagues and associates, as well as the United States Congress.

Geneva, congratulations on a job well done and best wishes for continued success and happiness during your well deserved retirement!

TRIBUTE TO HORACE HEIDT, SR.  
ON THE ANNIVERSARY OF HIS  
100TH BIRTHDAY

**HON. BRAD SHERMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2001

Mr. SHERMAN. Mr. Speaker, I rise today to commemorate Mr. Horace Heidt, Sr. of Los Angeles on the 100th anniversary of his birth. On May 19th, 2001 a plaque on the Walk of Stars in Palm Springs, California was dedicated to the memory of Horace Heidt, Sr. In addition, his memory and great array of accomplishments are to be saluted at a special reception on May 26th in Los Angeles.

Early in his music career, Horace started the famous Musical Knights, who were once one of the most popular Show Bands in the United States. This group was known for performances at landmark hotel venues in Chicago and New York. The Musical Knights also aired on radio in the 1930s and 1940s on such shows as Horace Heidt and the Alemite, Treasure Chest, and The Pot o' Gold. The Pot o' Gold was America's first "give-away money" game show and later turned into a movie starring Jimmy Stewart.

In the 1950's, Horace created The Original Youth Opportunity Program, which was a celebrated talent show that aired both on radio and television. Through this program, Horace discovered many great talents which earned him the nickname "The Starmaker".

The Musical Knights created many great hits and fostered several famous projects such as Gone With the Wind (1937), Ti-Pi-Tin (1938) and I Don't Want to Set the World on Fire (1941).

Mr. Speaker, please join me in paying tribute to an unforgettable musician, father, and true American, Horace Heidt, Sr.

TRIBUTE TO CESAR CHAVEZ  
LEADERSHIP AWARD WINNER:  
VOLUME SERVICES

**HON. BOB FILNER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2001

Mr. FILNER. Mr. Speaker, I rise today to recognize Volume Services as they are honored as the San Diego-Imperial Counties Labor Council, AFL-CIO Spirit of Cooperation Award winner.

Standing shoulder-to-shoulder with workers, Volume Services, formally Service America, is

a strong and courageous supporter of the labor movement. Under the leadership of Convention Center General Manager John Vingus, Volume Services has given numerous contributions to labor, including food for the SEIU 2028 janitors during their four-week strike last year. Vingus is a management trustee on health and welfare, pension, and labor union trust funds to help secure better benefits for union members and their families. He also sits on the Training Trust Fund as a management trustee.

In addition, Vingus is a strong advocate for the Hotel Employee and Restaurant Employees hospitality training program. Volume Services contributes on an hourly basis to the fund and places people in a variety of union jobs.

"Volume Services is an advocate for employee rights," says Jef Eatchel, Business Manager for HERE Local 30. "When they went to the Convention Center Board to bid on a service contract, they told the board that they were proud to be a union employer with medical benefits, stabilized wages, and retirement and urged the board to contract only with employers that meet those standards. Volume Services is definitely on our side."

My congratulations goes to Volume Services for their significant contributions to the labor movement. They are truly deserving of the San Diego-Imperial Counties Labor Council, AFL-CIO Spirit of Cooperation Award.

IN SPECIAL RECOGNITION OF  
THOMAS M. DUFFY ON HIS AP-  
POINTMENT TO ATTEND THE  
UNITED STATES AIR FORCE  
ACADEMY

**HON. PAUL E. GILLMOR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2001

Mr. GILLMOR. Mr. Speaker, I rise today to pay special tribute to an outstanding young man from Ohio's Fifth Congressional District. I am happy to announce that Thomas M. Duffy of Grafton, Ohio, has been offered an appointment to attend the United States Air Force Academy in Colorado Springs, Colorado.

Mr. Speaker, Thomas' offer of appointment poises him to attend the United States Air Force Academy this fall with the incoming cadet class of 2005. Attending one of our nation's military academies is an invaluable experience that offers a world-class education and demands the very best that these young men and women have to offer. Truly, it is one of the most challenging and rewarding undertakings of their lives.

Thomas brings an enormous amount of leadership, service, and dedication to the incoming class of Air Force cadets. While attending Elyria Catholic High School in Elyria, Thomas attained a grade point average of 3.86, which places him eighteenth in a class of one hundred thirty-three. Thomas is a member of the National Honors Society, a high honor for any high school student.

Outside the classroom, Thomas has distinguished himself as an excellent student-athlete. On the fields of competition, Thomas has earned a position on the varsity football, wrestling, and track teams. Thomas has also been