Mr. Speaker, several years ago when my father died, I found the words of Angelo Patri, the American educator and columnist very comforting. He said, ''in one sense there is no death. You will always feel her life touching yours, her voice speaking to you, her spirit looking out other eyes, talking to you in the familiar things she touched, worked with, loved as familiar friends. She lives on in your life and in the lives of all others who knew her.''

Jean's passing will truly be a loss to our country and our students. My thoughts and prayers go out to Jean's husband, John, as well their family and friends. She has left behind many who respected and admired her, and her absence will certainly be felt by all.

## BLACK LUNG BENEFITS SURVIVORS EQUITY ACT

### HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 6, 1999*

Mr. RAHALL. Mr. Speaker, today I am introducing legislation aimed at providing equity in the treatment of benefits for eligible survivors of recipients of black lung benefits. In past Congresses, I have introduced legislation to make more comprehensive reforms to the federal black lung benefits program in an effort to make it more responsive to those who suffer from this crippling disease. However, in light of a pending Labor Department rulemaking in this area, I am withholding the introduction of that comprehensive bill at this time. In this regard, I believe that some comity is in order as we wait the promulgation of final rules under that proceeding. In the interim, the bill I am introducing today is very limited in scope.

In 1981, Congress amended the Black Lung Benefits Act in several respects. Facing insolvency, at the time the driving motivation for the legislation was to shore up the Black Lung Disability Trust Fund through which benefit payments are made to beneficiaries where mine employment terminated prior to 1970, or where no mine operator can be assigned liability. Through a variety of measures, solvency was restored as a result of those 1981 amendments which had the support of the United Mine Workers of America as well as most of the coal industry. Yet, one provision of the 1981 Act in particular was most troublesome. This provision involved the treatment of surviving spouses of deceased coal miner beneficiaries and the manner by which they could continue to receive black lung benefits.

As it now stands, due to the 1981 amendments, there is a dual and inequitable standard governing how benefits are handled for surviving spouses of deceased beneficiaries. In the event a beneficiary died prior to January 1, 1982—the effective date of the 1981 Act—benefits continued uninterrupted to the surviving spouse. However, if the beneficiary dies after January 1, 1982, the surviving spouse must file a new claim in order to try to continue receiving the benefits and must prove that the miner died as a result of black lung disease despite the fact that the miner was already deemed eligible to receive benefits prior to death. This is illogical, unfair and outright insane.

The legislation I am introducing today simply removes the requirement that a surviving spouse must refile a claim in order to continue receiving benefits. It provides for equitable treatment and recognizes that since the Black Lung Trust Fund is very solvent, there is no need to penalize beneficiaries any further.

## SEATS BELTS ON SCHOOL BUSES

### HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 6, 1999*

Mr. KLECZKA. Mr. Speaker, I rise today to reintroduce legislation to require seat belts on school buses. My bill would prohibit the manufacture, sale, delivery, or importation of school buses that do not have seat belts, and impose civil penalties for those that do not comply.

The children of this country deserve safe transportation to and from school, and their parents deserve peace of mind. My fellow colleagues, we have the responsibility to do all we can to give it to them.

Since 1985, nearly 1,500 people have died in school bus-related crashes. School bus occupants accounted for 11 percent of these deaths.

Every year, approximately 394,000 public school buses travel about 4.3 billion miles to transport 23.5 million children to and from school-related activities. These numbers argue for the highest level of safety we can provide. I believe my bill is a step in the right direction.

I urge my colleagues to also support this important legislation, which has been endorsed by the American Medical Association and the American College of Emergency Physicians.

New Jersey and New York are the only two states that have school bus seat belt laws, but only New Jersey makes their use mandatory and enforces the law statewide. A New Jersey study concluded that despite the relative safety of school buses, they could be made safer. I agree, and so did the AMA when it wrote me, ''We believe that, if enacted, your bill would provide millions of American school children with the same basic safeguard which has long been mandatory in all automobiles.''

We must work together, at the local, State, and Federal level to prevent school bus injuries.

## THREE NORTH CAROLINIANS HONOR FORGOTTEN AMERICAN HERO

### HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 6, 1999*

Mr. ETHERIDGE. Mr. Speaker, so often the brave men and women who fought on the front lines of American wars are forgotten by our government and ignored in our society. People who risked everything to preserve our freedom now make up a significant portion of the homeless population, languish in hospital suffering from multiple disorders, and are laid to rest without the honors they have rightly earned. I rise today to honor three strong North Carolinians who fought to ensure that such a veteran received a proper burial.

Robert Joseph Burke, known around his community as Sarge, was a highly decorated, but down on his luck, veteran of the Korean War who passed away on November 5, 1998 in an apartment fire. His body laid unclaimed for weeks, the victim of government bureaucracy, until Dennis Rogers, a journalist for Raleigh's The News & Observer, learned of his plight from Mr. Burke's friends at the Scramble Dog Inn, his local hangout. Debbie Jernigan, the owner, had helped him over the years with food and medical care and was there with him the night he died from his burns. Mr. Rogers contacted a member of my staff, Miyoshi Jones for help. Ms. Jones worked untiringly fighting the bureaucratic red tape that held his remains hostage, and her efforts resulted in Mr. Burke's burial at the Sandhills Veterans Cemetery at Fort Bragg.

I would like to enter into the record two articles written by Mr. Rogers that beautifully articulate the story of the valiant efforts of these brave North Carolinians to honor the memory of one of America's heroes.

[News & Observer, December 23, 1998]

DENNIS ROGERS: LIFE'S LESSONS, PART ONE

Every day at 2 p.m., Robert Joseph Burke would come through the doors of the Scramble Dog Inn on Western Boulevard. The bartender didn't have to ask: a hot beer and a bottle of Texas Pete on the side.

He'd leave about dark, easing his way to his nearby apartment. There he'd try again to chase the memories away with cheap wine.

The cops say he was drunk Nov. 5 when he fell asleep in his apartment with a cigarette in his hand. They took him to the burn center in Chapel Hill, but he died the next day.

He was 68.

He was also a pain in the neck, a hopeless flirt and a proud man who once was a hero. Oh my, the stories he could weave of those days when he was a kid from Brooklyn, back when he was a soldier and young and sober.

He liked to be called Sarge.

''You'd sit there all day and listen to his stories,'' said Debbie Jernigan, his friend and the owner of the Scramble Dog. ''There was so much kindness in him. And so much bull.''

But barroom war stories don't earn you the Silver Star for heroism. Or the Bronze Star, either. His military records say he once wore them both, along with the two Purple Hearts he earned for being twice wounded in combat in Korea. And there was his Combat Infantryman Badge and his Ranger insignia, solid proof that once this tale-telling old man was as tough as a cob, and brave, too.

That could be the end of this story, I guess.

But a remarkable thing happened when Sarge died. He may have lived his later years as a forgotten man from a forgotten war, a barfly taking up space, talking to anyone who'd listen and killing himself one beer and one cigarette at a time in a roadside tavern. But because of two strong women, he did not go quietly into that long, long night. Not Sarge.

The first is Debbie Jernigan, the den mother of the Scramble Dog crew. She is the best friend a down-and-outer ever had. She had turned the old bar that opened in 1956 into a working-class refuge, a place to see a friendly face smile when the real world turned mean and cold.

She is quick to give others the credit, but they know what she's done for them, how she nagged and mothered and fed them and paid for a cab to take them home on those nights when the beer and good times got too good. That's why they felt such a loss when the Dog burned to the ground earlier this year.

''We took care of each other there.'' Debbie said. ''We took up collections or held cookouts or poker runs. We tried to help people