

We have an opportunity this year to make improvements to the Medicare+Choice program that will protect beneficiaries when health plans make business decisions about whether to continue participating in Medicare. This bill makes those improvements without senselessly increasing Medicare expenditures on a program that already costs more than traditional Medicare. I look forward to working with my colleagues to make these important, reasonable, and necessary fixes to the Medicare+Choice program.

#### CURRENT MEDICARE OVERPAYMENTS TO MANAGED CARE PLANS

[Prepared by Rep. Pete Stark staff]

Source of overpayment	Cost to medicare	Source of analysis
Overpayments due to BBA change that removed HCFA's ability to recover overpayments when health care inflation is lower than expected.	\$800 million in 1997 .. \$8.7 billion over 5 years. \$31 billion over 10 years.	Congressional Budget Office.
Overpayments due to lack of risk adjustment.	5-6% overpayment to HMOs per beneficiary who is enrolled.	Physician Payment Review Commission (now MedPAC) 1996 Annual Report.
Overpayments due to inflation of Medicare's share of plan administrative costs.	More than \$1 billion annually.	HHS Office of Inspector General July 1998.
Overpayments due to inclusion of fraud, waste and abuse dollars from FFS payments. Managed care plans should better "manage" and therefore avoid such fraud, waste and abuse.	7% annual overpayment. Annual savings with a corrected 1997 base year would be: \$5 billion in 2002 ... \$10 billion in 2007	HHS Office of Inspector General Sept. 11, 1998.

#### INTERNATIONAL CUSTOMS DAY

### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 2, 1999*

Mr. CRANE. Mr. Speaker, The World Customs Organization [WCO] designated January 26 as International Customs Day, a time to give recognition to customs services around the world for the role they play in generating revenue and protecting national borders from unauthorized imports.

The U.S. Customs Service represents the United States in the World Customs Organization which, since 1953, has grown into a 142-member international organization. The WCO's purpose is to facilitate international trade, promote cooperation between governments on customs matters, and standardize and simplify customs procedures internationally. It also offers technical assistance in the areas of customs validation, nomenclature, and law enforcement. The organization's objective is to obtain the highest possible level of uniformity among the customs systems of its member countries. The involvement of the U.S. Customs Service in the WCO reflects the recognition that our country and its trading partners benefit when international trade is facilitated by simple, unambiguous customs operations around the world.

I take this opportunity to offer my congratulations to the World Customs Organization on its past accomplishments and wish it well in its ambitious efforts to further harmonize and simplify customs regulations. I also congratulate the U.S. Customs Service for its many years of fine work both domestically and internationally.

#### THE 509TH BOMB WING—SECOND TO NONE

### HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 2, 1999*

Mr. SKELTON. Mr. Speaker, let me take this means to pay tribute to the successful leadership of the 509th Bomb Wing at Whiteman Air Force Base, MO. This superb military unit, located in West-Central Missouri and in the heart of my Congressional District, is home to the B-2 Stealth Bombers.

The history of Whiteman AFB is rich in tradition. In 1981, I began my work to make sure Whiteman AFB would have a future in the rapidly changing military arena, insisting on modernizing what was then becoming a run-down missile base. This modernization set the stage for 21 B-2 bombers that will eventually be based at Whiteman.

People living in the proximity of Whiteman AFB have a great opportunity to observe regularly what can be described as the premier United States Air Force Base. Attesting to the top quality of the base's 509th Bomb Wing was a recent mission in which three B-2s were deployed to Guam for a month of training exercises with 250 troops and other Air Force bombers. The returning B-2s were met at Whiteman by an honor guard and their two commanders, Lt. General Ronald C. Marcotte, the commander of the 8th Air Force, and Brig. General Leroy Barnidge, Jr., present commander of the 509th Wing.

Both commanders praised the success of the training exercise which combined a global power mission with precision bombing training on targets in the South Pacific. The praise of the 509th was given for good reason. Their team performed flawlessly and received high praise on every daily report.

Mr. Speaker, the success of the 509th is due to the high caliber leadership at both the 8th Air Force and Whiteman AFB. Lt. General Marcotte and Brig. General Barnidge possess the expertise and high quality leadership that makes our national defense second to none. The U.S. Air Force and other branches of military service merit the support of every American, including all Members of Congress.

#### HONORING MARTIN L. KING, FIREFIGHTER, CITY OF NEW HAVEN

### HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 2, 1999*

Ms. DELAURO. Mr. Speaker, on Tuesday, November 17, 1998, family and friends will come together to hold a testimonial dinner to honor Martin L. King, who retired from the New Haven Fire Department after forty-eight years. It is with great pleasure that I salute Marty King and his notable career of service to the New Haven Fire Department.

Marty King's career as a firefighter began in 1953 when he was transferred from his first public service job with the New Haven Police Department. Marty served the police department with distinction for two years, but his heart was with the fire service. In 1954, Marty was assigned to the old Central Fire Station

on Court Street. It was from this point that he launched his long career of courage and commitment to his community.

Because of Marty's hard work and strong devotion, he was promoted to lieutenant in 1967 where he was assigned to the Lombard Street Station. Following his duty there, he was transferred to headquarters as a veteran firefighter. For the past ten years, Marty worked as an administrative aide in the fire chief's office.

Marty earned a number of awards during the course of his career. He received many citations and a commendation for his bravery, and was also honored as the Fireman of the Year in 1993. Most notably, Marty was presented with the 35-year award from the Connecticut State Fireman's Association in 1987. His awards serve as a testament to his dedication to fire fighting and to protecting residents of New Haven. In addition to his outstanding record with the Department, Marty proudly served his country by joining the Navy during World War II.

Marty remains a legend to many, being the oldest member of the department in years of service, and the last active fireman who fought the most devastating fire the City had ever witnessed. The incident occurred when the factory on Franklin Street caught fire. Tragically, 15 people lost their lives.

I am very pleased to join Marty's colleagues and friends, his wife Kathryn, his six children, and his grandchildren in congratulating him on his retirement. His departure is a great loss to the Department. His efforts have made this City a better and safer place to live. Indeed, Marty, has left an indelible mark on the City of New Haven. I thank you for a lifetime of extraordinary services to the public, and I wish you much health and happiness in your retirement.

#### INTRODUCTION OF THE JOSEPH BOYD PRIVATE RELIEF BILL

### HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 2, 1999*

Ms. SANCHEZ. Mr. Speaker, it is with great sadness that I must introduce a private relief bill for the Boyd family. This legislation will clarify the status of Joseph Samuel Boyd as a public safety officer for purposes of payment of death benefits by the Bureau of Justice Assistance (BJA). Joseph Boyd, the dedicated and highly decorated Rangemaster for the Santa Ana Police Department (SAPD), tragically died on-duty while testing an illegal firearm.

I wholeheartedly support awarding the Boyd family death benefits under the Public Safety Officers' Benefit Program due to the contributions Rangemaster Boyd made to the Santa Ana Police Department and our community. Joe Boyd was not only a committed husband and father, he was a critical component of the Santa Ana police force.

In 1995, the Bureau of Justice Assistance awarded SAPD a grant under the Firearms Trafficking Program. The Santa Ana firearms program, along with the Santa Ana Weapons Inspection Team (WIT) has developed into one of the nation's premiere firearms trafficking programs as a result of this grant. Joe was

an integral part of this Weapons Inspection Team, and as part of his duties, Joe examined and tested firearms to confirm their nomenclature and help prove the elements of a crime.

Joe Boyd was an indispensable resource to the investigators assigned to the Team and he performed exceptionally in his duties. At the time of his death, Joe was assisting the SAPD, in conjunction with the firearms program, in testing a fully automatic MAC-11 weapon. The faulty construction of this weapon led to his untimely death.

As we come upon the one year anniversary of Joe's death, we can recount with pride the innumerable contributions he made to SAPD and the city of Santa Ana. The unusual circumstances surrounding his death call for the Boyd family to be compensated for their tragic loss. While this legislation may not make the loss of Joe Boyd any less painful, it will honor his work and legacy as a man dedicated to the safety of his community and his fellow officers. Thank you Mr. Speaker, and I would like to add the following materials to the RECORD.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, August 4, 1998.

ASHTON FLEMMINGS,  
*Public Safety Officers' Benefits Program, Bureau of Justice Assistance, Washington, DC.*  
Re: Claim for benefits—Joseph Samuel Boyd, File #98-185

DEAR MR. FLEMMINGS: I am writing to you on behalf of the Santa Ana Police Department (SAPD) and the Boyd family. In January of 1998, Rangemaster Joseph Samuel Boyd died while on-duty. Although Joseph Boyd was not a sworn peace officer at the time, he contributed his expertise and dedication to the Santa Ana firearms program. I highly advise and fully support awarding Joseph Boyd's family benefits, under the Bureau of Justice Assistance (BJA) Public Safety Officers' Benefit Program.

It is my understanding that the Santa Ana Police Department has already submitted the Report of Public Safety Officer's Death and a Statement of Circumstances, and the Boyd family has submitted a Claim for Death Benefits. At the time of his death, Joseph Boyd was assisting the Santa Ana Police Department, in conjunction with the firearms program, in testing a fully automatic MAC-11 weapon. The poor construction of this weapon led to his untimely death.

In 1995, the BJA awarded SAPD a grant under the Firearms Trafficking Program. The Santa Ana firearms program has developed into a national success made possible by a grant offered by the Bureau of Justice Assistance. Rangemaster Joseph Boyd, a civilian, was an integral part of SAPD's Weapon Inspection Team (WIT). As part of his duties, he examined and tested the firearms to confirm their nomenclature and help prove the elements of the crime. Joseph Boyd was an indispensable resource to the investigators assigned to WIT and performed exceptionally in his duties.

Joseph Boyd's contributions to the Santa Ana Police Department and the BJA grant enforcement program are innumerable. Therefore, I respectfully request that the BJA award death benefits to the Boyd family. If you have any further questions regarding this matter, please do not hesitate to contact me or Aylin Kuyumcu of my staff at (202) 225-2965. Thank you for your consideration, and I look forward to your response.

Very truly yours,

LORETTA SANCHEZ,  
*Member of Congress.*

CITY OF SANTA ANA  
POLICE DEPARTMENT,  
Santa Ana, CA, July 1, 1998.

ASHTON FLEMMINGS,  
*Public Safety Officers' Benefits Program, Bureau of Justice Assistance, Washington, DC.*  
Re: Claim for benefits—Joseph Samuel Boyd, File #98-185

DEAR MR. FLEMMINGS: As you know, in January of 1998, the Santa Ana Police Department suffered a great loss with the accidental on-duty death of Rangemaster Joseph Boyd. The Department hereby respectfully submits the Report of Public Safety Officer's Death, and the Boyd Family submits the Claim for Death Benefits. Also attached to the respective applications, please find all of the documents you requested in your letter. Although we acknowledge that Joseph Boyd was not a sworn peace officer at the time of his death, we believe there are extenuating and extraordinary circumstances that will prompt the Bureau of Justice Assistance to award benefits to the family. Please find below a comprehensive Statement of Circumstances as requested. Should you need additional information, please feel free to call me at (714) 245-8003. Thank you for your assistance, and we look forward to hearing from you regarding this matter.

DETAILED STATEMENT OF CIRCUMSTANCES

In 1995, the United States Bureau of Justice Assistance (BJA) awarded the Santa Ana Police Department a grant under the Firearms Trafficking Program. The Department's Weapons Interdiction Team (WIT) has worked closely in joint operations with the Bureau of Alcohol, Tobacco and Firearms (BATF), as well as the Federal Bureau of Investigations (FBI), to combat illegal firearms trafficking. The Santa Ana grant program has proven to be an unqualified success, and one of the most effective firearms programs in the Nation. Rangemaster Joseph Samuel Boyd, a civilian, was an integral part of the WIT Team's effectiveness, as he examined and tested the firearms to confirm their nomenclature and help prove the elements of the crime. Rangemaster Boyd performed these duties above and beyond his customary functions in the Department, and proved to be a critical and indispensable resource to the investigators assigned to the Weapons Interdiction Team.

During an undercover operation in January 1998, investigators from the Santa Ana Police Department's WIT team purchased a purportedly fully automatic MAC-11 type of weapon with a silencer. The firearm was put together from a variety of parts that can be ordered through the mail, and was consequently poorly constructed. As usual, the investigators requested Joe Boyd's assistance in testing the weapon. During that test, one of the investigators reported that the weapon malfunctioned, and Rangemaster Boyd stepped in to try and resolve the problem. Boyd took control of the weapon and was in the process of trying to fire it, when the weapon began firing in fully automatic mode. As is the tendency for these weapons to behave, the muzzle moved upward and one of the rounds struck Joe Boyd in the neck. Despite efforts by the investigators to save his life, Rangemaster Boyd died of his injuries at the scene.

As you can tell from the attached biography, Joseph Samuel Boyd was an extraordinary individual who not only served his Nation with distinction in Vietnam, but also made law enforcement his civilian career. Joe graduated from the full-time San Diego Sheriff's Basic Academy, and worked for the Orange County Sheriff and Marshall's Office as a Rangemaster. His contributions to the Orange County Law Enforcement Community are significant, especially to the Santa

Ana Police Department. We believe that the circumstances surrounding his death, which occurred during his active participation in a BJA grant enforcement program, merits the awarding of benefits under the BJA Public Safety Officers' Benefits Program. As I said earlier in this letter, even though Joseph Boyd was not a sworn peace officer, the extraordinary circumstances surrounding his death are worthy of serious consideration under this program.

Sincerely,

PAUL M. WALTERS,  
*Chief of Police.*

IN MEMORIAM OF JOSEPH S. BOYD, SANTA ANA  
POLICE DEPARTMENT, 1943-1998

It is with great regret that I must report the death of a beloved friend, father, husband, grandfather, brother, co-worker, dedicated instructor and ASLET Member. Joe Boyd, the Rangemaster for the Santa Ana (California) Police department was tragically killed on January 28, 1998 while attempting to make safe an illegally converted machine pistol. During test firing, the weapon had a stoppage, and while attempting to make the weapon safe, the weapon malfunctioned and unexpectedly fired uncontrollably in full-auto.

Joseph Samuel Boyd, one of four children, was born March 26, 1943 in New York City to Patrick and Albina Boyd. He graduated from the New York School of Printing in 1961 and enlisted that same year in the United States Marine Corps. After attending boot camp at Parris Island, South Carolina, Joe served the next ten years primarily in the infantry and included combat duty in Vietnam.

Upon returning to the United States, Joe was assigned as a Drill Instructor at the Marine Corps Recruit Depot in San Diego, California where he was meritoriously promoted to the rank of Gunnery Sergeant and in 1970 was awarded a commission as a 2nd Lieutenant. While having a very busy schedule and family life, Joe was somehow able to also attend the 109th session of the FBI National Academy, not to mention both the San Diego Community College Police Induction Training Course and the San Diego County Sheriff's Basic Academy, graduating with 560 hours.

In 1972, Joe decided on a career change in the Marine Corps and entered the field of Military Police. He continued his advancement attaining the rank of Major and retiring from the Marine Corps in 1985 with 24 years of honorable service to his country. At the time of Joe's retirement, he was responsible for base security at the Marine Corps Air Station El Toro.

Some of the awards Joe received during his career include the Meritorious Service Medal, Navy Commendation Medal, Vietnamese Cross of Gallantry, Combat Ribbon Citation, Presidential Unit Citation and Good Conduct Medal. He also received numerous awards for his expertise in weapons competition and was a member of the Marine Corps Pistol Team.

As Joe's extensive knowledge and interest of weapons and training grew, he also recognized a strong desire to work with law enforcement officers on weapons proficiency and officer safety. After his retirement, he became a firearms instructor and worked for the Orange County Sheriff's Department at their training academy, the Orange County Shooting and Training Center and Orange County Marshal's Department between 1985 and 1993.

In 1993, Joe was hired by the Santa Ana Police Department as the Rangemaster. He immediately set out to develop a comprehensive training curriculum in firearm proficiency and safety for the department's 400

officers. Joe's number one goal was to insure that each and every officer, regardless of position or rank, was properly equipped and mentally prepared to confront any situation they might encounter.

When involved in training scenarios, he always stressed officer safety and demanded that each and every person practice safe weapons handling. To bring as much realism as possible to the training, he made available to the department a state-of-the-art system he was responsible for designing. The training scenarios simulate real life situations officers encounter daily and require them to rapidly evaluate and assess a set of circumstances in complex "shoot/don't shoot" situations. Joe believed this type of decision-making training was essential for every police officer.

While the new Police Department Administration Building and Jail were being planned, Joe was busy assisting with the design of the range. It was obvious to everyone this was his "love" and he gave totally of himself as the facility was under construction and the range was opened for operation in August 1997.

In recognition of Joe's contributions to the Police Department and City of Santa Ana, he received top honors as the 1997 Exceptional Quality Service Award winner. When not involved in range training, Joe enjoyed shooting, bicycle riding, camping, rock climbing and weightlifting. Perhaps the most enjoyment in Joe's life came from spending time with his twin three-year-old grandsons, Patrick John and Shane Joseph. They were the joy of his life and he never passed up an opportunity to tell you how proud a grandfather he was. In a personal biography Joe wrote to the Department when he was hired, he said the following: "My interests are in police training and my goal is to make a positive contribution to the field of law enforcement." Let there be no doubt that the many contributions Joe Boyd has made to all of law enforcement are appreciated and will never be forgotten.

Joe is survived by this loving wife, Marion, whom he married 34 years ago; his son, Keith, who was recently married to Kim; his daughter, Cynthia Journeay and her husband John; twin grandchildren Patrick John and Shane Joseph Journeay; his sister, Patricia Frankenberg; and brothers Andrew and Robert Boyd.

A Memorial Fund has been established to assist the family. Please send any donations to the Joe Boyd Memorial Fund, c/o Security First Bank, 141 W. Bastanchury Road, Fullerton, CA 92835.

#### COMMENDING THE TENTH ANNIVERSARY OF SK DESIGN GROUP

### HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 2, 1999*

Mr. MOORE. Mr. Speaker, I rise today to take note of the tenth anniversary in business of SK Design Group, Inc., of Overland Park, Kansas.

SK Design Group, Inc., was established in 1989 and since its founding has provided professional engineering services to such clients as the Stowers Institute, the City of Kansas City, Missouri, the Department of Defense, the Blue Valley School District, the University of Missouri, and many more. SK Design provides a full range of civil engineering and construction phase services, including site designs, storm sewers, roadways, sanitary sewers, and water lines.

Mr. Speaker, I join with SK Design Group's employees in congratulating the firm's president, Sassan Mahobian, and its vice president, Katerah Mahobian, for their ten years of successful service in providing civil engineering and professional design services to the Kansas City community. We wish them many more successful years to come.

#### IN MEMORY OF REVEREND FRANCIS M. BEDNAR

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 2, 1999*

Mr. KUCINICH. Mr. Speaker, I rise today to honor the memory of Rev. Francis M. Bednar for his many years of service and countless contributions to his community.

Father Bednar, a Cleveland native, graduated from Cathedral Latin School and studied for the priesthood at Borromeo College and St. Mary Seminary. In 1974, after his ordination to the priesthood, he became the associate pastor at the St. Justin Martyr parish in Eastlake, Ohio. Between 1979-1985 he served at the St. Clement Church in Lakewood, Ohio. Since 1989 Rev. Bednar has served as pastor of Sacred Heart of Jesus Church in Cleveland.

In addition to his service with the Church, Father Bednar was diocesan director of the Perpetual Adoration of the Blessed Sacrament. In 1982 he was named spiritual director of the Cleveland Division of the Blue Army of Fatima. In July 1997, he was elected district chairman of the Southeast District.

Rev. Bednar was a wonderful man who was warm, caring, and deeply devoted to the Church. Away from his duties to the Church Rev. Bednar was also deeply devoted to his family. In recent years Rev. Bednar provided care for his parents with the same passion and determination that he pledged to the Church. His dedication was an inspiration to all who knew him. He touched many lives and his passing is a great loss.

Rev. Bednar is survived by his parents, Michael and Agnes; brothers Richard, Philip, Jerome, and Michael; and sisters Mary and Bernadette.

My fellow colleagues, I ask that we remember Rev. Bednar for his service to the Catholic Church and to the Cleveland community.

#### CONGRATULATIONS TO NARAL ON 30 YEARS OF PRO-CHOICE ADVOCACY

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 2, 1999*

Mr. STARK. Mr. Speaker, as the National Abortion and Reproductive Rights Action League (NARAL) celebrates 30 years of pro-choice advocacy, those of us dedicated to preserving a woman's right to choose know that the need for pro-choice advocacy and activism is greater than ever.

America recently commemorated the 25th anniversary of *Roe v. Wade*, the Supreme Court decision that recognized the freedom to

choose as a fundamental right, while opponents of choice worked to put the private decision about abortion into the hands of government. The anti-choice Congress has pushed a wave of legislation requiring women to endure increasing obstacles in order to exercise a right that should be non-negotiable. Reproductive choice continues to be debated on the floor of the House on a near-daily basis.

NARAL has long been a fierce defender against infringements on the right to choose. For thirty years, NARAL has worked to increase Title X funding for federal family planning programs, promote contraceptive research and the development of contraceptive options for women and men, to protect the right of Medicaid-eligible women to make choices about their reproductive health, and to ensure that women have safe access to reproductive health facilities by condemning clinic violence and harassment.

Pro-choice Members of Congress have never underestimated the powerful impact of NARAL's message, that we all want to see abortion made less necessary. NARAL tirelessly exposes the irony of the abortion debate—that the strongest opponents of the right to choose also oppose programs promoting comprehensive sex education and birth control, which actually reduce unplanned pregnancies. Instead, anti-choice politicians would make access to family planning options more difficult, more dangerous, more expensive and more humiliating.

We must continue to support legislation to help reduce the number of unplanned pregnancies. Specifically, we must rededicate our efforts to require that health insurance plans provide coverage for contraceptives to the same extent that they provide coverage for other prescription drugs.

Our job in Congress is to move our nation toward a reproductive health care policy that promises to make abortion less necessary and protects the right of Americans to do what they believe is best for their families. We congratulate you on thirty years of advocacy, and look to NARAL for leadership as the 106th Congress prepares to defend a woman's right to choose.

#### AFRICAN GROWTH AND OPPORTUNITY ACT

### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 2, 1999*

Mr. CRANE. Mr. Speaker, today I join with 65 of my colleagues in reintroducing bipartisan legislation that the House passed last year to firmly establish sub-Saharan Africa on the U.S. trade and investment policy agenda.

Overall, the African Growth and Opportunity Act represents a trade-centered approach to development that will complement traditional forms of assistance. Increased U.S.-African trade and investment is a win-win proposition, one that can facilitate and strengthen the development of sub-Saharan African countries and create opportunities for U.S. firms and workers. Already, U.S. exports to the sub-Saharan region exceed by 20 percent those of all the former Soviet states combined. Sub-Saharan Africa is a continent with vast opportunities for U.S. companies and many U.S. businesses