

EXTENSIONS OF REMARKS

HONORING OUR ARMED FORCES ON MEMORIAL DAY

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. HOYER. Mr. Speaker, I rise today to recognize and remember the millions of women and men who have given their lives to serve in our Nation's Armed Forces. Their courageous efforts have been honored at this time of year since the fighting of the Civil War. During the Civil War numerous families began their heartfelt commemorative efforts and since then the countless events which followed have generated an uncompromising level of respect and reverence for our beloved soldiers.

Yet we must not forget the reasons for which our Armed Forces have fought for our Nation: to preserve and protect the blanket of freedom under which we have rested with security for over 200 years. Since the end of the Civil War so much has changed, and yet so much in our society remains the same. Those Soldiers fought to protect our inalienable rights as humans and have continued to do so from that day to this.

Even today our men and women sacrifice their lives to protect our interests overseas. We must remember them in these times of conflict. Our sentiments go out not only to the soldiers who have fought in our conflicts of yesteryear. We must include today's Armed Forces in our thoughts and our prayers for they continue to struggle and rightfully defend our beliefs in life, liberty, and freedom in Europe and around the world.

Entering into the 21st century we look forward to a time of peace in which our decisions to take direction are reserved for reflection. I remind you Mr. Speaker that we do not remember in joy, but in sorrow. We do not reflect with happiness, we reflect in pain. The millions of men and women dedicated their lives to fight so that we can look forward to a time in which we shall fight no more and we must never forget them.

Since the first official commemoration of our soldiers of war on May 30, 1868, as Decoration Day, our Country has devoted a continuous and conscious effort to support our troops and the battles they have fought. In 1971, to recognize the weight of their importance, Congress declared Memorial Day a National holiday.

Mr. Speaker, to continue our recognition of our soldiers' tireless efforts, I am currently introducing a bill to grant the Korean Veterans Association a Federal Charter. Granting this Federal Charter is a small expression of appreciation that, we as a Nation, can offer to these men and women to show our continued support, one which will enable them to work as a unified front to ensure that the "Forgotten War" is forgotten no more.

Please join with me in expressing full recognition and thanks to those who have served

our Nation and its Armed Forces on this Memorial Day. The respect and debt of gratitude we owe these honorable men and women for preserving our Nation and our freedom is immeasurable.

**TRIBUTE TO DR. AARON S. GOLD:
RABBI, TEACHER, SCHOLAR,
SPIRITUAL LEADER**

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. FILNER. Mr. Speaker and colleagues, I rise today to congratulate Rabbi Dr. Aaron S. Gold on his retirement after serving the Rabbinate for 50 years, and for his dedication and service to the San Diego community. Rabbi Gold has been a spiritual and community leader to many individuals in San Diego—and I would like to take a moment to honor him and his accomplishments.

Rabbi Gold was born in Poland and came to America during the depression years, prior to World War II. He graduated from Wisconsin State College with Highest Honors in the English and Speech Departments. He later received his M.A. from Columbia University where he studied Education for Marriage and Family Life, and later completed his Ph.D in Family Education.

Rabbi Gold came to San Diego in 1974, and immediately became an active community leader. He was invited to join the boards of the United Jewish Federation, Jewish Community Relations Council and the Bureau of Jewish Education. He is particularly known for his work in promoting spiritual harmony and understanding among all religions, and has been active with the National Conference of Christians and Jews and the Ecumenical Council. He has also appeared on a number of radio and television shows to promote interfaith activities.

His initiation of a joint Thanksgiving Service with the San Carlos United Methodist Church was so successful that it became the annual Thanksgiving service for the Tifereth and many churches of the Navajo Interfaith Association—he is lovingly called "our Rabbi" by the members of the San Carlos United Methodist Church. His ecumenical efforts have been recognized with a number of plaques and citations.

Rabbi Gold has also reached out to the youth in our community by helping establish the Coalition for the Jewish Youth for San Diego, San Diego Jewish Academy and the Community High School of Jewish Studies.

He also served as the President of the San Diego Rabbinical Association for two years, and he and his wife Jeanne were Rabbinic Couple for Jewish Encounter weekend in the San Diego area, where they helped 1,000 couples enhance theirs and their childrens' lives.

In addition to his many contributions to the San Diego community, he has served our

country as the Chaplain for Suffolk County Air Force Base in Long Island; Cancer patients in Long Island; the Boy Scouts Councils in Wisconsin, Long Island, Philadelphia, and Pennsylvania; and Nellis Air Force Base in Nevada.

Rabbi Gold has had an amazing life and an incredible career. He has touched the lives of many people and has served our country well. I congratulate Rabbi Gold on all of his accomplishments and wish him the best in his retirement.

**CHELTENHAM ELEMENTARY
SCHOOL, MCKINLEY ELEMEN-
TARY SCHOOL, AND THOMAS
FITZWATER ELEMENTARY
SCHOOL ARE WINNERS OF THE
BLUE RIBBON SCHOOLS AWARD**

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. HOEFFEL. Mr. Speaker, I rise today to recognize the outstanding efforts of three elementary schools in Pennsylvania's Thirteenth Congressional District, which I am proud to represent.

On behalf of the entire Montgomery County community, I congratulate these schools for winning a national competition to earn recognition as Blue Ribbon Schools of excellence. The U.S. Department of Education recently named Cheltenham Elementary School in Cheltenham, Pennsylvania; McKinley Elementary School in Elkins Park, Pennsylvania; and Thomas Fitzwater Elementary School of Willow Grove, Pennsylvania as 1998–1999 winners of the prestigious Blue Ribbon Schools Award.

The Blue Ribbon Schools Program was established by the U.S. Secretary of Education in 1982 with three goals in mind: identify and recognize outstanding public and private schools across the United States, offer a comprehensive framework of key criteria for school effectiveness, and facilitate the sharing of best practices among schools. Over the years, the program has developed a reputation of offering a powerful tool for school improvement in addition to providing recognition.

Before winning the national Blue Ribbon Schools Award, Cheltenham, McKinley, and Thomas Fitzwater Elementary Schools all were named as Pennsylvania Blue Ribbon schools and were nominated for national recognition by the Pennsylvania Department of Education. Each school had to work very hard to earn the Blue Ribbon status, going through a demanding self-assessment experience that involved the entire school community, including students, teachers, parents, administrators, and business leaders.

Each of these schools have been judged particularly effective in meeting local, state, and national goals. In addition, each school displayed strong leadership, clear vision and a sense of mission shared by the entire school

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

community, high quality teaching, challenging and up-to-date curriculum, policies that ensure a safe environment conducive to learning, family involvement, and equity in education to assure that all students are helped to achieve high standards.

Blue Ribbon schools do not rest on their laurels. Each is committed to sharing best practices with other schools, and to helping to identify their strengths and weaknesses.

Special congratulations are due to Cheltenham Elementary School for designing a curriculum that encourages students to research their community. Cheltenham students take field trips to historic homes, the police station, the township building, the library, and the local judge. Their learning also makes the students aware of needs of the less fortunate through activities such as providing food baskets and visits to nursing homes. As a result of these projects, Cheltenham students have gathered money to build a wall for a school in Ecuador and to purchase materials for a school devastated by a hurricane in Florida. They have also written letters to governments officials on behalf of a Native American group. Cheltenham students are learning civic responsibility at a young age.

McKinley Elementary School has demonstrated excellence in creating a safe school environment. The McKinley community understands that academic success can only grow in a violence-free class-rooms, and has been a leader in these issues. They have taken a proactive approach to violence prevention by developing non-violent conflict resolution strategies, peer mediation program, parenting workshops, and school and police collaboration. The importance of McKinley's work in this area has been underscored by recent tragedies in schools across the nation.

Thomas Fitzwater Elementary School has taken special steps to meet the needs of all students. This commitment to have every child experience success is exemplified by the programs and accomplishments such as Thomas Fitzwater's Support One Student initiative, a child advocacy program to assist at-risk students. Each identified student is matched with a volunteer staff member. These members include professional, custodial, secretarial, and cafeteria staff. Regular personal contact by caring and supportive staff member promotes a positive environment and guides the student away from inappropriate and possibly destructive behavior. Another example of Thomas Fitzwater's inclusive policies is the collaboration between the Montgomery County Intermediate Unit special education classes and the regular education classes in our school. Throughout the county, the Intermediate Unit provides classes for children with low-incidence handicaps. Four of these classes are housed in Thomas Fitzwater's school building. Regular education children assist in these classes and are very sensitive to these exceptional children's needs. As a result of this collaboration, many special education students have been integrated into regular education classes. McKinley sets the bar high with its motto, "Success for All Students," and every school in the country should endeavor to meet this standard.

INTRODUCTION OF THE MEDICARE COMMUNITY NURSING DEMONSTRATION EXTENSION ACT OF 1999

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. RAMSTAD. Mr. Speaker, as a strong supporter of home- and community-based services for the elderly and individuals with disabilities, I rise to re-introduce legislation similar to that which I sponsored in the 104th and 105th Congresses to extend the demonstration authority under the Medicare program for Community Nursing Organization (CNO) projects.

CNO projects serve Medicare beneficiaries in home- and community-based settings under contracts that provide a fixed, monthly capitation payment for each beneficiary who elects to enroll. The benefits include not only Medicare-covered home care and medical equipment and supplies, but other services not presently covered by traditional Medicare, including patient education, case management and health assessments. CNOs are able to offer extra benefits without increasing Medicare costs because of their emphasis on primary and preventative care and their coordinated management of the patient's care.

The current CNO demonstration program, which was authorized by Congress in 1987 and extended for 2 years in the Balanced Budget Act of 1997, involves more than 6,000 Medicare beneficiaries in Arizona, Illinois, Minnesota, and New York. It is designed to determine the practicality of prepaid community nursing as a means to improve home health care and reduce the need for costly institutional care for Medicare beneficiaries.

To date, the projects have been effective in collecting valuable data to determine whether the combination of capitated payments and nurse-case management will promote timely and appropriate use of community nursing and ambulatory care services and reduce the use of costly acute care services. Authority for these effective programs is now set to expire on December 31, 1999.

Mr. Speaker, while I am glad Congress extended the demonstration authority for the CNO projects last session, I am disappointed that the Health Care Financing Administration is so anxious to terminate this important and effective program. In 1996, HCFA extended the demonstration for one year to allow them to better evaluate the costs or savings of the services available under the program, learn more about the benefits or barriers of a partially capitated program for post-acute care, review Medicare payments for out-of-plan services covered in a capitation rate, and provide greater opportunity for beneficiaries to participate in these programs.

Frankly, in order to do all this analysis of the program, we need more time to evaluate the extensive data that has been collected. We should not let the program die as the data is reviewed. We need to act now to extend this demonstration authority for another three years.

This experiment provides an important example of how coordinated care can provide additional benefits without increasing Medicare costs. For Medicare enrollees, extra benefits

include expanded coverage for physical and occupational therapy, health education, routine assessments and case management services—all for an average monthly capitation rate of about \$89. In my home State of Minnesota, the Health Seniors Project is a CNO serving over 1,600 enrollees in four sites, two of which are urban and two rural.

These demonstrations should also be extended in order to ensure a full and fair test of the CNO managed care concept. These demonstrations are consistent with our efforts to introduce a wider range of managed care options for Medicare beneficiaries. I believe we need more time to evaluate the impact of CNOs on patient outcomes and to assess their capacity for operating under fixed budgets.

Mr. Speaker, it is important to recognize that the extension of this demonstration will not increase Medicare expenditures for care. CNOs actually save Medicare dollars by providing better and more accessible care in home and community settings, allowing beneficiaries to avoid unnecessary hospitalizations and nursing home admissions. By demonstrating what a primary care oriented nursing practice can accomplish with enrollees who are elderly or disabled, CNOs are helping show us how to increase benefits, save scarce dollars and improve the quality of life for patients.

Mr. Speaker, I urge my colleagues to consider this bill carefully and join me in seeking to extend these cost-savings and health care-enhancing CNO demonstrations for another three years.

DEDICATION OF THE NEW CITY HALL

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. KINGSTON. Mr. Speaker, the volunteer efforts of so many people in Offerman have been so extraordinary that one is tempted to suggest that the federal government consider this method of putting up new buildings in order to save ourselves from the cost overruns, delays, and problems that seem to plague this kind of enterprise all too often.

The efforts of people like the Edward Daniel family, Mrs. Lucille Chancey, Mrs. Ethel Roberson, the Sam Cason family, the Ray Cason family, the Harvey Dixon family, the Ellis Denison family, and so many, many others have been so inspiring that the entire community has created a feeling of togetherness that is similar to the feeling one experiences at a family reunion.

And speaking of families, the extended Cason family contributed to the enterprise in a way that brought generations together.

Sam and Susie Cason helped with the painting, the carpentry, the sheet rock, the landscaping, the insulation, and countless other tasks.

And they were joined by their children, and the Ray Cason family and grandchildren, with some as young as the 1st grade helping with their little tool sets in the best way they could.

Many of those who volunteered their time had full-time jobs, and so they came to help on Saturdays.

Evenings and weekends—any time that was free—went into the task of completing a job whose progress was open to all to see.

Communities used to come together during the Middle Ages to construct spectacular cathedrals, for they were the center of public life and the beautiful churches they built were the pride of the community.

The cathedrals were often multi-year projects, and they called upon the labors of virtually everyone in the community.

The famous cathedrals of Notre Dame in Paris, for example, was built over a period of 157 years by the time it was finally completed.

It was the pride of kingdom, and artists and carpenters came from great distances to have the honor of participating in such a spectacular undertaking.

Another famous cathedral is the stunningly beautiful cathedral of Chartres, also in France.

50 years after it was built, it was completely destroyed by fire.

So the community decided it would have to be rebuilt—even better than before.

It took 26 years, but as generations to follow would attest, it was worth the effort.

The same spirit of common enterprise evident back then has been evident in the construction of Offerman's new city hall.

The entire community was involved, and for the past two years, there was no escaping the progress of the project, as the results were there for all to see.

Well, today we see the final result of so many labors.

The citizens of this great city have devoted time, materials, labor, and not a few blisters, overcoming many obstacles and unanticipated hiccups along the way.

This new addition to Offerman will be much more than a new building we call city hall.

It will include a branch library and computer facilities for students and adults; and it stands next to a public park with picnic and other recreational facilities that are tailor-made for Offerman families.

This facility promises to be a new center of public activity for the citizens of Offerman, and it is with great enthusiasm and pride that I join you in dedicating this new city hall and declaring "Open House" to all.

Thank you very much for allowing me an opportunity to share in the celebration of all your hard work and perseverance.

INTRODUCTION OF THE FAIR ACCESS TO INDEMNITY AND REIMBURSEMENT (FAIR) ACT

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. GOODLING. Mr. Speaker, I rise today to introduce a bill that will level the playing field for small businesses as they face two aggressive federal agencies with vast expertise and resources—the National Labor Relations Board (NLRB) and the Occupational Safety and Health Administration (OSHA). The Fair Access to Indemnity and Reimbursement Act—the FAIR Act—is about being fair to small businesses. It is about giving small entities, including labor organizations, the incentive they need to fight meritless claims brought against them by intimidating bureaucracies that sometimes strong-arm those having limited resources to defend themselves.

The FAIR Act is similar to Title IV of my Fairness for Small Business and Employees

Act from last Congress, H.R. 3246, which passed the House last March. This new legislation, however, amends both the National Labor Relations Act (NLRA) and the Occupational Safety and Health Act (OSH Act) to provide that a small business or labor organization which prevails in an action against the Board or OSHA will automatically be allowed to recoup the attorney's fees it spent defending itself. The FAIR Act applies to any employer who has not more than 100 employees and a net worth of not more than \$7 million. It is these small entities that are most in need of the FAIR Act's protection.

Mr. Speaker, the FAIR Act ensures that those with modest means will not be forced to capitulate in the face of frivolous actions brought by the Board or OSHA, while making those agencies' bureaucrats think long and hard before they start an action against a small business. By granting attorney's fees and expenses to small businesses who know the case against them is a loser, who know that they have done nothing wrong, the FAIR Act gives these entities an effective means to fight against abusive and unwarranted intrusions by the Board and OSHA. Government agencies the size of the NLRB and OSHA—well-staffed, with numerous lawyers—should more carefully evaluate the merits of a case before bringing a complaint or citation against a small business, which is ill-equipped to defend itself against an opponent with such superior expertise and resources. The FAIR Act will provide protection for an employer who feels strongly that its case merits full consideration. It will ensure the fair presentation of the issues.

The FAIR Act says to these two agencies that if they bring a case against a "little guy" they had better make sure the case is a winner, because if the Board or OSHA loses, if it puts the small entity through the time, expense and hardship of an action only to have the business or labor organization come out a winner in the end, then the Board or OSHA will have to reimburse the employer for its attorney's fees and expenses.

The FAIR Act's 100-employee eligibility limit represents a mere 20 percent of the 500-employee/\$7 million net worth limit that is in the Equal Access to Justice Act (EAJA)—an Act passed in 1980 with strong bipartisan support to level the playing field for small businesses by awarding fees and expenses to parties prevailing against agencies. Under the EAJA, however, the Board or OSHA—even if it loses its case—is able to escape paying fees and expenses to the winning party if the agency can show it was "substantially justified" in bringing the action.

When the EAJA was made permanent law in 1985, the Congress made it clear in committee report language that federal agencies should have to meet a high burden in order to escape paying fees and expenses to winning parties. Congress said that for an agency to be considered "substantially justified" it must have more than a "reasonable basis" for bringing the action. Unfortunately, however, courts have undermined that 1985 directive from Congress and have interpreted "substantially justified" to mean that an agency does not have to reimburse the winner if it had any "reasonable basis in law or fact" for bringing the action. The result of all this is that an agency easily is able to win an EAJA claim and the prevailing business is often left high

and dry. Even though the employer wins its case against the Board or OSHA, the agency can still avoid paying fees and expenses under the EAJA if it meets this lower burden. This low threshold has led to egregious cases in which the employer has won its case—or even where the NLRB, for example, has withdrawn its complaint after forcing the employer to endure a costly trial or changed its legal theory in the middle of its case—and the employer has lost its follow-up EAJA claim for fees and expenses.

Since a prevailing employer faces such a difficult task when attempting to recover fees under the EAJA, very few even try to recover. For example, Mr. Speaker, in Fiscal Year 1996 for example, the NLRB received only eight EAJA fee applications, and awarded fees to a single applicant—for a little more than \$11,000. Indeed, during the ten-year period from FY 1987 to FY 1996, the NLRB received a grand total of 100 applications for fees. This small number of EAJA applications and awards arises in an overall context of thousands of cases each year. In Fiscal Year 1996 alone, for example, the NLRB received nearly 33,000 unfair labor practice charges and issued more than 2,500 complaints, 2,204 of them settled at some point post-complaint. Similarly, at the OSHRC, for the thirteen fiscal years 1982 to 1994, only 79 EAJA applications were filed with 38 granted some relief. To put these numbers into context, of nearly 77,000 OSHA violations cited in Fiscal Year 1998, some 2,061 inspections resulting in citations were contested.

Since it is clear the EAJA is underutilized at best, and at worst simply not working, the FAIR Act imposes a flat rule: If you are a small business, or a small labor organization, and you prevail against the Board or OSHA, then you will automatically get your attorney's fees and expenses.

The FAIR Act adds new sections to the National Labor Relations Act and the Occupational Safety and Health Act. The new language simply states that a business or labor organization which has not more than 100 employees and a net worth of not more than \$7 million and is a "prevailing party" against the NLRB or the OSHRC in administrative proceedings "shall be" awarded fees as a prevailing party under the EAJA "without regard to whether the position" of the Board or Commission was "substantially justified."

The FAIR Act awards fees and expenses "in accordance with the provisions" of the EAJA and would thus require a party to file a fee application pursuant to existing NLRB and OSHRC EAJA regulations, but the prevailing party would not be precluded from receiving an award by any burden either agency could show. If the agency loses an action against the small entity, it pays the fees and expenses of the prevailing party.

The FAIR Act applies the same rule regarding the awarding of fees and expenses to a small employer or labor organization engaged in a civil court action with the NLRB or OSHA. This covers situations in which the party wins a case against either agency in civil court, including a proceeding for judicial review of agency action. The Act also makes clear that fees and expenses incurred appealing an actual fee determination under the FAIR Act would also be awarded to a prevailing party without regard to whether or not the agency could show it was "substantially justified."

In adopting EAJA case law and regulations for counting number of employees and assessing net worth, an employer's eligibility under the FAIR Act is determined for Board actions as of the date of the complaint in an unfair labor practice proceeding or the date of the notice in a backpay proceeding. For Commission actions, eligibility is determined as of the date the notice of contest was filed, or in the case of a petition for modification of abatement period, the date the petition was received by the Commission. In addition, in determining the 100-employee limit, the FAIR Act adopts the NLRB and OSHRC EAJA regulations, which count part-time employees on a "proportional basis."

Mr. Speaker, the FAIR Act will arm small entities—businesses and labor organizations alike—with the incentive to defend themselves against these two agencies. The FAIR Act will help prevent spurious lawsuits and ensure that small employers have the ability to effectively fight for themselves when they have actions brought against them by a vast bureaucracy with vast resources.

If the NLRB or the OSHA wins its case against a small employer then it has nothing to fear from the FAIR Act. If, however, one of these agencies drags an innocent small employer through the burden, expense, heartache and intrusion of an action that the employer ultimately wins, reimbursing the employer for its attorney's fees and expenses is the very least that should be done. It's the FAIR thing to do. I urge my colleagues in the House to support this important legislation and look forward to working with all Members in both the House and Senate in passing this bill.

INTRODUCTION OF THE AMERICAN HANDGUN STANDARDS ACT

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mrs. TAUSCHER. Mr. Speaker, today I am introducing the American Handgun Standards Act so we can finally eliminate junk guns from our streets by demanding that domestically produced handguns meet common sense consumer product protections standards. This bill is companion legislation to S. 193 introduced by Senator BARBARA BOXER.

I find it unbelievable that we subject toy guns to strict safety regulations, but we do not apply quality and safety standards to real handguns.

There are currently no quality and safety standards in place for domestically produced firearms. In fact, domestically produced handguns are specifically exempted from oversight by the Consumer Product Safety Commission; however, imported handguns are subject to quality and safety standards. This disparity in standards had led to the creation of a high-volume market for domestically manufactured junk guns.

Saturday night specials or junk guns are defined as non-sporting, low quality handguns with a barrel length of under three inches. These guns are not favored by sportsmen because their short barrels make them inaccurate and their low quality of construction make them dangerous and unreliable. These guns are favored by criminals because they

are cheap and easy to conceal. The American Handgun Standards Act, will amend current law to define a "junk gun" as any handgun which does not meet the standard imposed on imported handguns.

According to the Bureau of Alcohol, Tobacco, and Firearms, in 1996 approximately 242 million firearms were either available for sale or were possessed by civilians in the United States. This total includes 72 million handguns, 76 million rifles and 64 million shotguns. Most guns available for sale in the US are produced domestically. We need to make sure these guns are subject to very strict safety standards. My legislation will make it unlawful for a person to manufacture, transfer, or possess a junk gun that has been shipped or transported in interstate or foreign commerce.

I urge my colleagues to support this bicameral, commonsense legislation.

HOTEL DOHERTY IS A SHINING PIECE OF MID-MICHIGAN'S HIS- TORY

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. CAMP. Mr. Speaker, I rise today to speak about the Hotel Doherty, a building that has become a cherished landmark in the 4th Congressional District. I would like to bring to the attention of my colleagues this magnificent structure and the pride it has brought the people of Clare County.

In 1924, State Senator A.J. Doherty, grandfather of A.J. Doherty, built the hotel as a way to try to return to the people of Clare a fraction of what they had given to him. He had been given a piece of property in Clare with the sole requirement that he erect a hotel costing more than \$60,000. Mr. Doherty far exceeded this sum, building a massive and remarkable hotel that featured every modern amenity possible at that time. Such marvels as radios, hot and cold running water in every room and an Otis Elevator were just a few of its attractions.

As time passed, the Hotel Doherty secured its place as a symbol of pride for Clare. For 75 years, the Hotel Doherty's guests have enjoyed its fine food and luxurious decor. It serves as a central meeting place in the state, as a respite for travelers and as a site for tourists. Even during tough economic times, the Doherty has maintained a level of excellence that has kept it among mid-Michigan's premier hotel and restaurant establishments.

The Hotel Doherty is also exceptional because it has remained family operated since it opened. Its current operators are Dean and Jim Doherty, the fourth generation of Dohertys to hold that honor.

Through the years, the hotel has changed with the times. It has undergone four expansions and renovations in its existence, but has still retained the charm and class that has made it an institution in mid-Michigan.

It is a special privilege for me to be the Representative for a district that has such a magnificent establishment as the Hotel Doherty. In our quickly changing world, it is comforting to know that the Hotel Doherty has been a shining piece of mid-Michigan's history for 75 years. I am confident that under the Doherty's stewardship, it will continue to be a vital part of its future for many years to come.

PERSONAL EXPLANATION

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Ms. MILLENDER-McDONALD. Mr. Speaker, on Tuesday, May 25, 1999, I was unavoidably detained while conducting official business and missed rollcall votes 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, and 157. Had I been present I would have voted "yea" on rollcall votes 147, 148, 149, and 150.

I would have voted "present" on rollcall vote 151, the Quorum Call of the Committee.

Finally, I would have voted "nay" on rollcall votes 152, 153, 154, 155, 156, and 157.

WORKERS MEMORIAL DAY: LEADERSHIP AWARD

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. FILNER. Mr. Speaker and colleagues, I rise today to recognize Mary Grillo, as she is honored by the San Diego-Imperial Counties Labor Council, AFL-CIO, with its Leadership Award.

Mary helped rebuild a small local union over the last ten years to become one of the largest, most visible and powerful unions in San Diego, the Service Employees International Local 2028. Her efforts have created a new and strong force in San Diego's labor and political landscape.

Mary has been an enormous inspiration, particularly to those unions who represent women, Latinos, African Americans and Asian constituencies.

She has fought the County of San Diego's Executive Bonus plan, forced the County to make changes and won a new and improved contract for thousands of county employees. She also won a big victory in the convalescent home industry.

Her work has been an inspiration and example for others and have produced one of the largest delegations to the Labor to Neighbor. This vital program educates and involves union members and their families in the campaign to protect jobs and the future of working people in San Diego and Imperial Counties.

My congratulations go to Mary Grillo for these significant contributions. I can personally attest to Mary's dedication and commitment and believe her to be highly deserving of the San Diego-Imperial Counties Labor Council, AFL-CIO Leadership Award.

CONGRATULATIONS TO ABINGTON SENIOR HIGH SCHOOL

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. HOEFFEL. Mr. Speaker, I rise today to recognize the outstanding accomplishments of a High School in my District, Pennsylvania's Thirteenth Congressional District.

On behalf of the entire Montgomery County community, I congratulate Abington Senior

High School in Abington, PA, for being selected by the Corporation for National Service as a National Service-Learning Leaders Schools. Abington is one of only two schools in Pennsylvania to receive this honor, and has been selected as part of the first-ever class of Service-Learning Leader Schools.

This designation is only awarded to schools that have broad-based service-learning activities throughout the school, and who have thoughtfully and effectively integrated service into school life and curriculum, promoted civic responsibility, improved school and student performance, and strengthened the surrounding communities with their participation.

National Service-Learning Leader Schools do not simply hold an honorary title. Along with the honor, Abington accepts responsibility for helping other schools integrate service into their curriculum. During Abington's 2-year term as a Service-Learning Leader, it will serve as a model of best practices to other schools and actively help them incorporate service-learning into their school life and curriculum. Specifically, Abington will lead, mentor, and coach other schools by sharing materials, making presentations, and participating in peer exchanges.

As part of its Service-Learning Leader activities, Abington will send representatives to Washington, DC this June in order to attend a Leader Schools Leadership Institute, during which delegates will receive specific training on establishing service programs in their schools, and in helping other schools to do the same.

Once again, congratulations to Abington Senior High School. The entire Thirteenth District is proud of them, and commends them for their excellent work in instilling civic responsibility in students and for serving the community.

INTRODUCTION OF H.R. 1977, THE HAROLD HUGHES, BILL EMERSON SUBSTANCE ABUSE TREATMENT PARITY ACT

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. RAMSTAD. Mr. Speaker, every day, politicians talk about the goal of a "drug-free America."

Mr. Speaker, let's get real! We will never even come close to a drug-free America until we knock down the barriers to chemical dependency treatment for the 26 million American people presently addicted to drugs and/or alcohol.

That's right, Mr. Speaker. 26 million alcoholics and addicts in the United States today.

150,000 Americans died last year from drug and alcohol addiction.

Alcohol and drug addiction, in economic terms, cost the American people \$246 billion last year. American taxpayers paid over \$150 billion for drug-related criminal and medical costs alone in 1997—more than they spent on education, transportation, agriculture, energy, space and foreign aid combined.

According to the Health Insurance Association of America, each delivery of a new child that is complicated by chemical addiction results in an expenditure of \$48,000 to \$150,000

in maternity care, physicians' fees and hospital charges. We also know that 65 percent of emergency room visits are drug/alcohol related.

The National Center on Addiction and Substance Abuse found that 80 percent of the 1.7 million prisoners in America are behind bars because of drugs and/or alcohol addiction.

Another recent study showed that 85 percent of child abuse cases involve a parent who abuses alcohol or other drugs. 70 percent of all people arrested test positive for drugs. Two-thirds of all murders are drug-related.

Mr. Speaker, how much evidence does Congress need that we have a national epidemic of addiction? An epidemic crying out for a solution that works. Not more cheap political rhetoric. Not more simplistic, quick fixes that obviously are not working.

Mr. Speaker, we must get to the root cause of addiction and treat it like other diseases. The American Medical Association told Congress and the nation in 1956 that alcoholism and drug addiction are a disease that requires treatment to recover.

Yet today in America only 2 percent of the 16 million alcoholics and addicts covered by health plans are able to receive adequate treatment.

That's right. Only 2 percent of alcoholics and addicts covered by health insurance plans are receiving effective treatment for their chemical dependency, notwithstanding the purported "coverage" of treatment by their health plans.

That's because of discriminatory caps, artificially high deductibles and copayments, limited treatment stays as well as other restrictions on chemical dependency treatment that are different from other diseases.

If we are really serious about reducing illegal drug use in America, we must address the disease of addiction by putting chemical dependency treatment on par with treatment for other diseases. Providing equal access to chemical dependency treatment is not only the prescribed medical approach; it's also the cost-effective approach.

We have all the empirical data, including actuarial studies, to prove that parity for chemical dependency treatment will save billions of dollars nationally while not raising premiums more than one-half of one percent, in the worst case scenario!

It's well-documented that every dollar spent for treatment saves \$7 in health care costs, criminal justice costs and lost productivity from job absenteeism, injuries and sub-par work performance.

A number of studies have shown that health care costs, alone, are 100 percent higher for untreated alcoholics and addicts compared to recovering people who have received treatment.

Mr. Speaker, as a recovering alcoholic myself, I know firsthand the value of treatment. As a recovering person of almost 18 years, I am absolutely alarmed by the dwindling access to treatment for people who need it. Over half of the treatment beds are gone that were available 10 years ago. Even more alarming, 60 percent of the adolescent treatment beds are gone.

Mr. Speaker, we must act now to reverse this alarming trend. We must act now to provide greater access to chemical dependency treatment.

That's why today I am introducing the Harold Hughes, Bill Emerson Substance Abuse

Treatment Parity Act—the same bill that had the broad, bipartisan support last year of 95 cosponsors.

This legislation would provide access to treatment by prohibiting discrimination against the disease of addiction. The bill prohibits discriminatory caps, higher deductibles and copayments, limited treatment stays and other restrictions on chemical dependency treatment that are different from other diseases.

This is not another mandate because it does not require any health plan which does not already cover chemical dependency treatment to provide such coverage. It merely says those which offer chemical dependency coverage cannot treat it differently from coverage for medical or surgical services for other diseases.

In addition, the legislation waives the parity for substance abuse treatment if premiums increase by more than 1 percent and exempts small businesses with fewer than 50 employees.

Mr. Speaker, it's time to knock down the barriers to chemical dependency treatment. It's time to end the discrimination against people with addiction.

It's time to provide access to treatment to deal with America's No. 1 public health and public safety problem.

We can deal with this epidemic now or deal with it later.

But it will only get worse if we continue to allow discrimination against the disease of addiction.

As last year's television documentary by Bill Moyers pointed out, medical experts and treatment professionals agree that providing access to chemical dependency treatment is the only way to combat addiction in America. We can build all the fences on our borders and all the prison cells that money can buy. We can hire thousands of new border guards and drug enforcement officers. But simply dealing with the supply side of this problem will never solve it.

That's because our nation's supply side emphasis does not adequately attack the underlying problem. The problem is more than illegal drugs coming into our country; the problem is the addiction that causes people to crave and demand those drugs. We need more than simply tough law enforcement and interdiction; we need extensive education and access to treatment.

Drug czar Barry McCaffrey understands. He said recently, "Chemical dependency treatment is more effective than cancer treatment, and it's cheaper." General McCaffrey also said, "We need to redouble our efforts to insure that quality treatment is available."

Mr. Speaker, General McCaffrey is right and all the studies back him up. Treatment does work and it is cost-effective.

Last September, the first national study of chemical dependency treatment results confirmed that illegal drug and alcohol use are substantially reduced following treatment. This study, by the Substance Abuse and Mental Health Services Administration, shows that treatment rebuilds lives, puts families back together and restores substance abusers to productivity.

According to Dr. Ronald Smith, Captain, Navy Medical Corps and former Vice Chairman of Psychiatry at the National Naval Medical Center, the U.S. Navy substance abuse treatment program has an overall recovery rate of 75 percent.

The Journal of the American Medical Association (JAMA) on April 15, 1998 reported that a major review of more than 600 research articles and original data conclusively showed that "addiction conforms to the common expectations for chronic illness and addiction treatment has outcomes comparable to other chronic conditions." It states that relapse rates for treatment for drug/alcohol addiction (40%) compare favorably with those for 3 other chronic disorders: adult-onset diabetes (50%), hypertension (30%) and adult asthma (30%).

A March 1998 GAO report also surveyed the various studies on the effectiveness of treatment and concluded that treatment is effective and beneficial in the majority of cases.

A number of state studies also show that treatment is cost-effective and good preventive medicine.

A Minnesota study extensively evaluated the effectiveness of its treatment programs and found that Minnesota saves \$22 million in annual health care costs because of treatment.

A California study reported a 17 percent improvement in other health conditions following treatment—and dramatic decreases in hospitalizations.

A New Jersey study by Rutgers University found that untreated alcoholics incur general health care costs 100 percent higher than those who receive treatment.

So, the cost savings and effectiveness of chemical dependency treatment are well-documented. But putting the huge cost-savings aside for a minute, what will treatment parity cost?

First, there is no cost to the federal budget. Parity does not apply to FEHBP, Medicare or Medicaid.

First, there is no cost to the federal budget. Parity does not apply to FEHBP, Medicare or Medicaid.

According to a national research study that based projected costs on data from states which have already enacted chemical dependency treatment parity, the average premium increase due to full parity would be 0.2 percent. (Mathematical Policy Research study, March 1998)

A Milliman and Robertson study projected the worst-case increase to be 0.5 percent, or 66 cents a month per insured.

That means, under the worst-case scenario, 16 million alcoholics and addicts could receive treatment for the price of a cup of coffee per month to the 113 million Americans covered by health plans. At the same time, the American people would realize \$5.4 billion in cost-savings from treatment parity, according to the California Drug and Alcohol Treatment Assessment.

U.S. companies that provide treatment have already achieved substantial savings. Chevron reports saving \$10 for each \$1 spent on treatment. GPU saved \$6 for every \$1 spent. United Airlines reports a \$17 return for every dollar spent on treatment.

And, Mr. Speaker, no dollar value can quantify the impact that greater access to treatment will have on the spouses, children and families who have been affected by the ravages of addiction. Broken families, shattered lives, messed-up kids, ruined careers.

Mr. Speaker, this is not just another policy issue. This is a life-or-death issue for 16 million Americans who are chemically dependent, covered by health insurance but unable to access treatment.

We know one thing for sure. Addiction, if not treated, is fatal. That's right—addiction is a fatal disease.

Last year, 95 House members from both sides of the political aisle co-sponsored this substance abuse treatment parity legislation.

This year, let's knock down the barriers to treatment for 16 million Americans.

This year, let's do the right thing and the cost effective thing and provide access to treatment.

This year, let's pass treatment parity legislation to deal with the epidemic of addiction in America.

Mr. Speaker, the American people cannot afford to wait any longer.

I urge all members to cosponsor the Harold Hughes, Bill Emerson Substance Abuse Treatment Parity Act.

SOUTHSIDE SAVANNAH RAIDERS—
H.R. NO. 566

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. KINGSTON. Mr. Speaker, today, I rise to recognize the outstanding achievements of the Southside Savannah Raiders, and I present to you this resolution.

Whereas, the Southside Savannah Raiders, the terrific youth baseball team for boys 14 years old and under, won the 1998 State Baseball Championship promoted by the Georgia Association of Recreation and Parks Departments; and

Whereas, the victorious Raiders are sponsored by the Vietnam Veterans of America Chapter 671, but all of Savannah shared in their victory in Brunswick on July 18, 1998; and

Whereas, the Southside Savannah Raiders had an overall record of 32 wins and five losses during the 1998 season while clinching the League, City, District 2, and Georgia Games titles; and

Whereas, these fine young athletes demonstrated exceptional ability, motivation, and team spirit throughout their rigorous season, and the experience they have shared has provided them many wonderful memories, friendships, and values; and

Whereas, the members of the 1998 Raiders are Joey Boaen, Christopher Burnsed, Brady Cannon, Robert Cole, Brian Crider, Matthew Dotson, Kevin Edge, Michael Hall, Mark Hamilton, Garrett Harvey, Zach Hillard, Bobby Keel, Corey Kessler, Chris Palmer, Matt Thomas, and Ellis Waters; and the coaches are Linn Burnsed, Danny Boaen, and Gene Dotson, *now therefore, be it resolved by the House of Representatives*; that the members of this body congratulate the Southside Savannah Raiders on their state championship and wish each member of the team all the success in the future.

Be it further resolved that the Clerk of the House of Representatives is authorized and directed to transmit an appropriate copy of this resolution to the Southside Savannah Raiders.

CHILDREN'S LEAD SCREENING ACCOUNTABILITY FOR EARLY-INTERVENTION ACT OF 1999

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. MENENDEZ. Mr. Speaker, I am pleased today to introduce the Children's Lead Screening Accountability for Early-Intervention Act of 1999. This important legislation will strengthen federal mandates designed to protect our children from lead poisoning—a preventable tragedy that continues to threaten the health of our children.

Childhood lead poisoning has long been considered the number one environmental health threat facing children in the United States, and despite dramatic reductions in blood lead levels over the past 20 years, lead poisoning continues to be a significant health risk for young children. CDC has estimated that about 890,000, or 4.4 percent of children between the ages of one and five have harmful levels of lead in their blood. Even at low levels, lead can have harmful effects on a child's intelligence and his, or her, ability to learn.

Children can be exposed to lead from a number of sources. We are all cognizant of lead-based paint found in older homes and buildings. However, children may also be exposed to non-paint sources of lead, as well as lead dust. Poor and minority children, who typically live in older housing, are at highest risk of lead poisoning. Therefore, this health threat is of particular concern to states, like New Jersey, where more than 35 percent of homes were built prior to 1950.

In 1996, New Jersey implemented a law requiring health care providers to test all children under the age of 6 for lead exposure. But during the first year of this requirement, there were actually fewer children screened than the year before, when there was no requirement at all. Between July 1997 and July 1998, 13,596 children were tested for lead poisoning. The year before that more than 17,000 tests were done.

At the federal level, the Health Care Financing Administration (HCFA) has mandated that Medicaid children under 2 years of age be screened for elevated blood lead levels. However, recent General Accounting Office (GAO) reports indicate that this is not being done. For example, the GAO has found that only about 21% of Medicaid children between the ages of one and two have been screened. In the state of New Jersey, only about 39% of children enrolled in Medicaid have been screened.

Based on these reviews at both the state and federal levels, it is obvious that improvements must be made to ensure that children are screened early and receive follow up treatment if lead is detected. That is why I am introducing this legislation which I believe will address some of the shortcomings that have been identified in existing requirements.

The legislation will require Medicaid providers to screen children and cover treatment for children found to have elevated levels of lead in their blood. It will also require improved data reporting of children who re tested, so that we can accurately monitor the results of the program. Because more than 75%—or nearly 700,000—of the children found to have

elevated blood lead levels are part of federally funded health care programs, our bill targets not only Medicaid, but also Head Start, Early Head Start and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). Head Start and WIC programs would be allowed to perform screening or to mandate that parents show proof of screenings in order to enroll their children.

Education, early screening and prompt follow-up care will save millions in health care costs; but, more importantly will save our greatest resource—our children.

PERSONAL EXPLANATION

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Ms. STABENOW. Mr. Speaker, I was unavoidably detained on May 24, 1999 and was not able to vote on H.R. 1251 and H.R. 100.

Had I been present, I would have voted "yea" on H.R. 1251.

Had I been present, I would have voted "yea" on H.R. 100.

INTRODUCTION OF THE TEACHER EMPOWERMENT ACT

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. GOODLING. Mr. Speaker, today I am joining with the distinguished Chairman of the Subcommittee on Postsecondary Education, Training and Life-long Learning, Mr. MCKEON, Mr. CASTLE, the Speaker of the House, the Majority Leader, Mr. WATTS, Mr. BLUNT, Ms. PRYCE, and other distinguished Members of the House to introduce the Teacher Empowerment Act. As someone who has spent a lifetime in education as a parent, a teacher, a school administrator, and a Member of Congress, I know that after parents, the most important factor in whether a child succeeds in school is the quality of the teachers in the classroom. An inspirational, knowledgeable, and qualified teacher is worth more than anything else we could give a student to ensure academic achievement.

The Teacher Empowerment Act will go a long way toward helping local schools improve the quality of their teachers, or to hire additional qualified teachers, and to do this in the way that best meets their needs. The Teacher Empowerment Act will provide \$2 billion per year over 5 years to States and local school districts to help pay for the costs of high quality teacher training and for the hiring of new teachers. We do this by consolidating the following programs: Eisenhower Professional Development, Goals 2000, and "100,000 New Teachers."

We have tried to develop legislation that will have bipartisan support, and we will continue to do so as the bill moves along. However, our approach differs significantly from the Administration's. The Administration's legislative proposal is prescriptive and centered on Washington. We lift restrictions and encourage local innovation.

The Administration's proposal is so focused on reducing class size that it loses sight of the bigger quality issue. We try to find the right balance between reducing class size, retaining, and retraining quality teachers. And in our bill, class size is a local issue, not a Washington issue.

In math and science, the Administration increases set-asides and makes no provision for local school districts that do not have significant needs in those areas. Our approach is different because we maintain the focus on math and science, but also provide additional flexibility for schools that have met their needs in those subject areas.

The Administration takes dollars from the classroom by allowing the Secretary of Education to maintain half of all funds for discretionary grants and to expand funding for national projects. Our bill reduces funding for national projects and sends 95 percent of the funds to local school districts.

The Administration wants to put 100,000 new teachers into classrooms, but requiring this would force States and local school districts to put many unqualified teachers in the classroom. We allow schools to decide whether they should use the funds to reduce class size, or improve the quality of their existing teachers, or hire additional special education teachers.

Finally, one point that I would like to make is that improving the quality of our teachers does not mean that we need national certification. In fact, our bill prohibits it. Again, it's a question of who controls our schools: bureaucracies in Washington, or people at the State and local level who know the needs of their communities.

The Teacher Empowerment Act is good legislation. It provides a needed balance between the quality and quantity of our teaching force. I hope that we can work together on this legislation, in a bipartisan manner, so that we see enactment of this legislation, along with our other reforms in ESEA, in this Congress.

RECTIFYING IRS RULING FOR VETERANS

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mrs. TAUSCHER. Mr. Speaker, I am pleased to join with my colleague from California, Mr. BRIAN BILBRAY, to introduce a bill to rectify an unjust Internal Revenue Service (IRS) ruling which adversely affected our nation's veterans.

In a 1962 IRS ruling, an allowance was made for the deduction of flight training expenses from a veteran's income tax even if veterans' benefits were received to pay the training costs. Subsequently, many veterans used their G.I. benefits to go to flight school and correctly deducted these expenses on their income tax forms. In 1980, the IRS revised its 1962 ruling by terminating this tax deduction in Revenue Ruling 80-173. However, the IRS decided to apply this new ruling retroactively, which meant the veterans who had utilized this deduction would now have to pay back their tax refund to the IRS. This decision was detrimental to the taxpayers who took the deduction as instructed, and therefore simply unfair.

Naturally, these taxpayers took their case to court. In April 1985, the 11th Circuit Court of Appeals, in *Baker v. United States*, considered this issue and sided with the taxpayer. The IRS did not appeal the decision to the U.S. Supreme Court. Consequently, the veterans who fought the battle in the 11th Circuit Court of Appeals received refunds of the tax they had been required to pay. At the same time, however, veterans who suffered from the retroactive IRS ruling but who fell outside the purview of that court decision were not given refunds. Similarly situated veterans were therefore being treated differently by the IRS due to geographic location.

This bipartisan legislation will permit those veterans who settled with the IRS on less favorable terms or were precluded from having the IRS consider their claims because of the time limits in the law, a one-time opportunity to file for a refund. This way the remaining veterans and the IRS would have a second chance to come to a much more equitable settlement.

Nationwide, this legislation will affect the approximately 200 remaining veterans who have still not received an equitable settlement from the IRS—roughly 1/3 of these veterans reside in the State of California.

Basically this legislation boils down to restoring a sense of fairness. We need to do what is right and put an end to this inequitable situation once and for all. These veterans stood up for America—it's time we stand up for them.

TRIBUTE TO LIEUTENANT GENERAL LESTER L. LYLES

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Ms. LEE. Mr. Speaker, I rise today to pay tribute to Lieutenant General Lester L. Lyles, United States Air Force, on the occasion of his promotion to General. On May 27, 1999, LTG Lyles will become only the 2nd African American four star commander in the United States Air Force currently on active duty.

LTG Lyles has fought tirelessly and contributed greatly to the defense of our nation and to equal opportunity for other soldiers of color.

He currently is serving as the director of the Ballistic Missile Defense Organization, Department of Defense at the Pentagon. The organization is presidentially chartered and mandated by Congress to acquire highly effective ballistic missile defense systems for forward-deployed and expeditionary elements of the U.S. Armed Forces.

LTG Lyles entered the Air Force in 1968 as a distinguished graduate of the Air Force Reserve Officer Training Corps program. He served in a variety of both tactical and staff positions throughout his illustrious career. In 1992, LTG Lyles became the vice-commander of Ogden Air Logistics Center, Hill Air Force Base. He served as commander of the center from 1993-1994, then was assigned to command the Headquarters Space and Missile Systems Center, Los Angeles Air Force Base. He served in this capacity until August 1996 when he assumed his current position.

LTG Lyles is a highly decorated soldier. He has received the department's Distinguished Service Medal, the Defense Superior Service Medal, the Legion of Merit with oak leaf cluster, the Meritorious Service Medal with two oak leaf clusters, and a myriad of other awards.

LTG Lyles has an impressive educational background. He is a graduate of prestigious senior service schools including the Armed Forces Staff College, the National War College, and the Defense Systems Management College. He also holds a Bachelor of Science degree in mechanical engineering from Howard University, Washington, DC, and a Master of Science degree in mechanical and nuclear engineering from the Air Force Institute of Technology, at New Mexico State University, Las Cruces.

LGT Lyles serves proudly as a member of the United States Armed Forces. He is a distinguished soldier whose accomplishments reflect great credit upon himself, the United States Air Force, and the United States of America.

On this occasion, Mr. Speaker, I am honored to join his family, friends, and colleagues as we recognize LTG Lester Lyles on his promotion to four star General in the United States Air Force.

THE 150TH ANNIVERSARY OF THE
DEATH OF FREDERIC CHOPIN

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. DINGELL. Mr. Speaker, this year marks the occasion of the 150th anniversary of the death of one of the world's most enduring musicians. Frédéric Chopin. Chopin was born in Zelazowa Wola, a village six miles from Warsaw, Poland on March 1, 1810. He suffered from tuberculosis and died in Paris at the age of 39 on October 17, 1849. This year his life and work will be celebrated around the world, and it brings me and my Polish heritage great pride to recognize this event.

Chopin's abilities were recognized at an early age. At 9, he played a concerto at a public concert. He published his first composition at 15. And at the age of 21, Chopin moved to Paris where he was well-received. He taught piano lessons and often played in private homes, preferring this to public concerts.

One of the best-known and best-loved composers of the romantic period, Chopin was devoted to the piano, and his more than 200 compositions demonstrate his grace and skill. And his admirers included fellow composer Franz List and Robert Schumann. Chopin reportedly fell deeply in love with the novelist George Sand (Aurore Dudevant), and he described her as his inspiration.

His works include two sets of etudes, two sonatas, four ballads, many pieces he titled preludes, impromptus, or scherzos, and a great number of dances. Included among the latter are a number of waltzes, but also mazurkas and six polonaises, dances from his native Poland. Some of these dance pieces are among Chopin's best-known works, including the Polonaise in A-flat major and the Waltz in C-sharp minor.

Among Chopin's most engaging works are the Préludes. Intended to serve as improvised beginnings to an intimate recital, these pieces range from gentle melancholy to the dramatic. Many of Chopin's most beautiful compositions come from the series of short, reflective pieces he called nocturnes. His nocturnes were usually gentle with a flowing bass and demonstrate Chopin's flair for elegant, song-like melodies.

Indeed, Chopin composed some of the most beautiful piano music ever written, and I applaud those who will pay tribute to this remarkable composer and his Polish heritage in this important anniversary year.

TRIBUTE TO TEACHING FELLOWS
FROM STANLY COUNTY, NORTH
CAROLINA

HON. ROBIN HAYES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. HAYES. Mr. Speaker, it is my pleasure to congratulate four Stanly County students who are among the 1999 recipients of the North Carolina Teaching Fellows scholarships. Each Fellow receives a \$26,000 scholarship loan from the state of North Carolina.

The full loan is forgiven after the recipient has completed 4 years of teaching in North Carolina public schools.

In addition, all Fellows take part in academic summer enrichment programs during their college careers.

The Teaching Fellows Scholarship program was created by the North Carolina General Assembly in 1986 and has become one of the top teacher recruiting programs in the country.

This innovative program attracts talented high school seniors to become public school teachers. This is a common sense, state based program that will help encourage our best and brightest to come back to their communities to teach.

The 1999 recipients from Stanly County, North Carolina are Catherine Ellen Hinson and Mai Lee Xiong, both of Albemarle High School, Adam Allen Cycotte of South Stanly High School, and Anna Beth Spence of West Stanly High School.

Mr. Speaker, I want to congratulate these individuals for the courage and desire to enter the teaching profession.

REMEMBRANCE OF OLD
MARBLEHEAD

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. TIERNEY. Mr. Speaker, recently I had the pleasure of joining with my constituents to celebrate Marblehead, Massachusetts' 350th Anniversary! At the festivities a remarkable young eighth grader from Marblehead Middle School shared her poem, "Remembrance of Old Marblehead" with those assembled. I can attest to the fact that her words and delivery truly "stole the show" and I take great pride in sharing Ms. Katherine Fowley's fine work with my Colleagues:

REMEMBRANCE OF OLD MARBLEHEAD

I stand on the rocks and I listen to the ancient whispers of the sea,
They sing the songs of fishermen, of cannon fire, of boats rich with merchandise.
I lie on the banks of Fort Sewall.
Suddenly, the benches transform into canons.

Trees become young soldiers.
Townspople cheer as the proud bow of the Constitution steers into harbor.

At night men gather around a blazing fire.
Their triumphant songs rise to meet the surge of ocean waves.

When I walk on the old roads, I hear the drumming of Glover's Regiment marching over faded cobblestones.

On the steps of the Town House the crier is ringing his bell.

It calls out in the salty air like a foghorn leading sailors home. . . .

When I walk by the historic houses, I see the spirits of Marblehead.

A woman stands on a widow's walk. Her white dress flaps around her like the wings of wild seagulls.

She is waiting for her husband to return.

She is waiting to see the tall mast emerge from the fog.

She is waiting.

The aged bricks and wooden clapboards of these houses are filled with voices.

And the song of these voices is remember.

STATEMENT FOR THE RECORD ON
THE INTRODUCTION OF A BILL
TO CLARIFY THAT NATURAL
GAS GATHERING LINES ARE 7-
YEAR PROPERTY FOR PURPOSES
OF DEPRECIATION

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. SAM JOHNSON of Texas. Mr. Speaker, today I am joined by Representatives MCCRERY, HOUGHTON, WATKINS, MCINNIS, and CAMP in the introduction of legislation that will clarify the proper treatment of natural gas gathering lines for purposes of depreciation.

For several years, a level of uncertainty has hampered the natural gas processing industry as well as imposed significant costs on the energy industry as a whole. Consequently, I have worked to bring certainty to the tax treatment of natural gas gathering lines. During this time, I have corresponded and met with a variety of people from the Department of Treasury in an effort to secure the issuance of much needed guidance for the members of the natural gas processing industry regarding the treatment of these assets.

Unfortunately, I have not received satisfactory responses. Protracted Internal Revenue Service audits and litigation on this issue continues without any end in sight. As a result, I chose to introduce legislation in the 105th Congress in order to clarify that, under current law, natural gas gathering lines are properly treated as seven-year assets for purposes of depreciation. This year, I introduced similar legislation, H.R. 674, as a part of the 106th Congress. Today's bill supersedes my earlier bill, H.R. 674, and contains a few minor technical changes that are necessary to ensure that this legislation achieves its intended effect.

This bill specifically provides that natural gas gathering lines are subject to a seven-

year cost recovery period. In addition, the legislation includes a proper definition of a "natural gas gathering line" in order to distinguish these assets from pipeline transportation lines for depreciation purposes. While I believe this result is clearly the correct result under current law, my bill will eliminate any remaining uncertainty regarding the treatment of natural gas gathering lines.

The need for certainty regarding the tax treatment of such a substantial investment is obvious in the face of the IRS's and Treasury's refusal to properly classify these assets. The Modified Accelerated Cost Recovery System (MACRS), the current depreciation system, includes "gathering pipelines and related production facilities" in the Asset Class for assets used in the exploration for and production of natural gas subject to a seven-year cost recovery period. Despite the plain language of the Asset Class description, the IRS and Treasury have repeatedly asserted that only gathering systems owned by producers are eligible for seven-year cost recovery and all other gathering systems should be treated as transmission pipeline assets subject to a fifteen-year cost recovery period.

The IRS's and the Treasury's position creates the absurd result of the same asset receiving disparate tax treatment based solely on who owns it. The distinction between gathering and transmission is well-established and recognized by the Federal Energy Regulatory Commission and other regulatory agencies. Their attempt to treat natural gas gathering lines as transmission pipelines ignores the integral role of gathering systems in production, and the different functional and physical attributes of gathering lines as compared to transmission pipelines.

Not surprisingly, the United States Court of Appeals for the Tenth Circuit recently held that natural gas gathering systems are subject to a seven-year cost recovery period under current law regardless of ownership. The potential for costly audits and litigation, however, still remains in other areas of the country. Given that even a midsize gathering system can consist of 1,200 miles of natural gas gathering lines, and that some companies own as much as 18,000 miles of natural gas gathering lines, these assets represent a substantial investment and expense. The IRS should not force businesses to incur any more additional expenses as well. My bill will ensure that these assets are properly treated under our country's tax laws.

I urge my colleagues to join me as cosponsors of this important legislation.

HONORING THE ANNIVERSARY OF
THE BIRTH OF SAMUEL S.
SCHMUCKER

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. GOODLING. Mr. Speaker, I rise today in recognition of the bicentennial of the birth of Samuel S. Schmucker, who made great contributions to American culture, religion, and education.

Mr. Samuel Schmucker was born 200 years ago on February 28, 1799 in Hagerstown, Maryland into a Lutheran parsonage family. At

age ten, he moved with the family to York, Pennsylvania. As a young man at a time when there were no colleges under Lutheran auspices, Samuel Schmucker attended the University of Pennsylvania and Princeton Theological Seminary. While attending these schools, he demonstrated exceptional intelligence and leadership skills. After leaving school, Mr. Schmucker was determined to do everything within his power to improve education in his denomination and in his commonwealth. In 1821, at the young age of 22, Samuel Schmucker was ordained and he quickly began to instruct candidates for the ministry. He founded and served the Lutheran Theological Seminary by preparing hundreds of men for the Lutheran ministry.

In 1832 Mr. Schmucker became the chief founder of Gettysburg College, one of the 50 oldest colleges in the United States today. Although the college was under Lutheran influence, he insisted that no student or faculty member be denied admission based on their religion. Samuel Schmucker remained an active member of the College Board of Trustees for more than 40 years. Throughout his life, he was an ardent supporter of education for women and minorities. He so adamantly opposed slavery and was outspoken on the subject that when confederate soldiers swept across the seminary campus on July 1, 1863, his home and library were ransacked.

I am pleased to recognize the sponsors of this special event: Gettysburg College, the Lutheran Historical Society, and Lutheran Theological Seminary at Gettysburg and I commend them for acknowledging the importance of Samuel Schmucker's accomplishments.

I am very proud of Samuel Schmucker's contribution to the educational system and culture of Pennsylvania. His legacy of leadership has benefited many generations of Americans.

INTRODUCTION OF THE MEDI-
CARE'S ELDERLY RECEIVING IN-
NOVATIVE TREATMENTS (MERIT)
ACT OF 1999

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. RAMSTAD. Mr. Speaker, I rise today to introduce legislation to promote the coverage of frail elderly Medicare beneficiaries enrolled in innovative Medicare+Choice programs.

This bill will exempt certain innovative programs specifically designed for the frail elderly living in nursing homes from being impacted by the new risk-adjusted payment methodology designed by the Health Care Financing Administration (HCFA) during its phase-in period.

While the concept of a risk-adjusted payment methodology would actually be beneficial for such programs, the interim methodology is limited in scope and is primarily based on hospital encounter data. This focus on hospitalizations will put programs that are designed to provide care in non-hospital settings, thus reducing the need for expensive hospitalizations, at a distinct disadvantage.

One such program is EverCare, an innovative health care program for the frail elderly in Minnesota and other states. A recent study by the Long Term Care Data Institute (LTCDI)

has concluded that EverCare's revenue alone will decrease 42% under this new methodology. The program could not continue with such dramatic cuts.

Recognizing that EverCare and programs like it may be adversely impacted by the new methodology, HCFA granted certain programs limited exemptions. However, HCFA acknowledged that additional steps may be necessary by stating they would also be "assessing possible refinements to the risk adjustment methodology" as it relates to these programs and was considering developing a 'hybrid' payment methodology for them.

I appreciate HCFA's understanding of the uniqueness of the programs and the need to treat them differently than traditional Medicare+Choice plans. However, I am concerned that over four months have passed and we have not seen action on the part of HCFA to develop such a methodology. In addition, I am concerned that they have not applied the exemption to other similar programs specifically designed for the frail elderly living in nursing homes.

Along with the bill and statement today, I am submitting some testimonials I have received from those involved with this critical program. I believe they will do a better job than I could of explaining the uniqueness and importance of these programs.

Mr. Speaker, the risk adjusted payment methodology is intended to ensure reimbursements which reflect the health care status and needs of Medicare beneficiaries, not deny access to pioneering new programs.

That's why I urge my colleagues to cosponsor this legislation to ensure cost-effective and care-enhancing programs like these are not unintentionally and fatally impacted as HCFA gradually moves into an appropriate, comprehensive methodology. I urge my colleagues to cosponsor this MERITorious bill.

THE EVERCARE STORY—CLINICAL SUCCESS
STORIES SUBMITTED BY SITE
PHOENIX SITE

Sara Roth was a 75 year old EverCare resident of Shadow Mountain Care Center. Sara's primary diagnosis was S/P frontotemporal craniotomy for a massive subdural hematoma. She was now essentially bedridden and as a result had pressure sores complicating her current medical status. Less than 9 months prior to her enrolling with EverCare, she had been essentially alert and dependent. Sara's family was pursuing legal interventions with her previous health care providers.

Sara's family felt isolated, tremendously frustrated and out of control prior to her enrolling in EverCare. Sue was able to help this family who had unrealistic expectations, make difficult, but informed decisions. Ultimately, Sara was able to die with compassion and dignity. The family was comforted and supported by the team during this difficult time, as their attached letter attests.

This example truly represents the unique aspects of the EverCare model in action—protecting the quality of life, and when this is no longer possible, creating the most therapeutic environment to protect life's end.

SCOTTSDALE, AZ

July 20, 1998.

Re Ms. Sue Freeman, nurse practitioner.

Ms. KATHRYNE BARNOSKI,
Clinical Director,
EverCare, Phoenix, AZ.

DEAR MS. BARNOSKI: I write this letter to express our family's deep appreciation for all

of Ms. Freeman's help in regard to our mother, Sara Roth, who passed away on July 1 at the Shadow Mountain Nursing Home in Scottsdale.

Prior to EverCare, our family felt alone and frustrated in dealing with all Sara's medical needs at Shadow Mountain. It was difficult reach a doctor or getting answers from her nurses regarding her condition or explanation of medications. EverCare became like a fairy godmother who orchestrated a wonderful team approach to caring for our mother. Communication between Dr. Sapp, Ms. Freeman and myself was excellent and that in itself did wonders for my peace of mind.

I would like to take this opportunity to thank one of your shining stars—Ms. Sue Freeman. What a wonderful woman! She is articulate, highly skilled, organized, professional, and has a great heart! I always felt like Sara was a top priority with Sue and for that, we will always be grateful.

EverCare works. That is important for you to know. God only knows what would have happened to Sara's quality of life without Dr. Sapp and Ms. Freeman.

Thank you from the bottom of our hearts.
Sincerely,

Eleanor Shnier.

Rose Dealba is an 82-year old female resident of Mi Casa, patient of Dr. Greco with a history of cervical myopathy and chronic diarrhea. Mrs. Dealba was essentially bed-ridden and total care because of her cervical myopathy. Of note—Mrs. Dealba is cognitively intact. Her inability to care for herself had added depression to her problem list. Her quality of life was less than optimal due to her inability to get herself to the bathroom, to feed herself, etc. The patient and her family felt there was not hope for improvement in Mrs. Dealba's condition.

With slow and progressive/incremental physical therapy, occupational therapy and restorative nursing, Mrs. Dealba was able to feed herself, transfer and ambulate to the bathroom with a walker and assist of one. Her chronic diarrhea has finally been controlled. With another round of PT she has become more independent in her transfers and ability to get to the bathroom. She is now able to go outside with her family.

Both Mrs. Dealba and her family are thrilled with her progress. With Mrs. Dealba's previous medical carrier, physical therapy had been denied. She has been able to maintain these gains with assistance of the restorative nursing program.

It is very difficult to report only one success story. Team members report successes in practicing the EverCare model on a daily basis. A recent event leading to a letter of appreciation for Mary Ann Allan is one of many examples. Mary Ann has grown especially close to her residents and their families in a very short time as she joined EverCare in June of 1998.

Elizabeth DeBruler is an 89-year old resident at the Glencroft Care Center with a primary diagnosis of S/P CVA and Hypertension. Elizabeth is alert, oriented and very functional with no stroke residual. She is up and about daily in the facility ambulating with her walker. Mary Ann and Dr. Kaczar are the Primary Care Team and work together to monitor Elizabeth's blood pressure and medications.

In December, the nursing staff reported to Mary Ann that Elizabeth was confused with decreased food and fluid intakes. Mary Ann examined her, ordered a workup to rule out a treatable cause, and discussed a treatment plan with Dr. Kaczar. Labs showed a urinary tract infection and dehydration. The BUN

was 56, Creatinine 2.4. A family conference was convened with Elizabeth's daughter Arlene Latham, Dr. Kaczar, Mary Ann and the nursing staff. Potential treatments were discussed and Advanced Directives were reviewed. Elizabeth's wishes were considered as well as her daughter's. Everyone agreed on a plan. Antibiotics by mouth would be started and if no improvement in food/fluid intake short term, intravenous fluids for hydration would be given. Elizabeth would remain a do not resuscitate. Intravenous fluids would be given in the care center with full support of the Director of the Nursing and the staff rather than transport to the hospital. Elizabeth did not improve with antibiotics alone and did require intravenous fluids. Mary Ann contacted the Case Manager, Rose Larkin, and it was determined that Elizabeth would qualify for Intensive Service Days for a change in condition and to prevent a hospitalization. As Elizabeth improved, she was moved into a Skilled Nursing benefit. Mary Ann visited Elizabeth daily and updated Arlene on her condition. Elizabeth recovered with the assistance and support of the family, facility staff and the primary care team.

EVERCARE,

2222 E. Camelback Rd, Suite 120, Phoenix, AZ.

DEAR MS. BARNOSKI: I would like to express my appreciation for the interest taken and care given to my mother, Elizabeth DeBruler by Dr. Philip Kaczar and Mary Ann Allen. Dr. Kaczar's prompt attention to her recent physical problems have been commendable and the follow-up by Mary Ann has also been impressive. The close attention and efforts to make her comfortable have been very satisfying to me.

EverCare is to be commended for their foresight in selection of these individuals. I feel they are an asset to Ever Care and Glencroft Care Center.

Sincerely,

ARLENE LATHAM.

TAMPA SITE
AWAKENING

Coming "live" in a new facility is always an opportunity for everyone involved; the member and family, the facility, facility staff, EverCare staff, and the primary care team. There are many reservations. "Should I have signed my Mom up for this EverCare?" The staff is wondering how this will work. The nurse practitioner is thinking "how will I fit in with this group?"

One of my new members in a new facility was a 72-year-old woman. She lived there for six months, after suffering a severe CVA, leaving her aphasic, NPO with a feeding tube. She was dependent in all ADL's, and spent a good portion of her day in a geri chair, watching her soaps. She did respond by nodding her head, but it was extremely difficult to assess her level of orientation.

This member's son had a discussion with the primary care team and all of her medications, including cardiac and seizure, were discontinued, at his request. The member responded to this change, she woke up!

A team effort ensued. Physical therapy and occupational therapy screened the member and requested an evaluation. Indeed there were documented changes.

Therapy and the primary care team discussed a plan of care and put it into action. Case management became actively involved. Speech therapy came on board as the member demonstrated gains in other areas. Communication was the key to this plan.

The member worked very hard and made continual gains. She is now able to assist with bathing and grooming. She can propel her wheelchair throughout the facility and attends activities. She is able to use a pad to

communicate some of her needs. She still likes her soaps. Best of all, she is no longer a tube feeder and can feed herself after set-up.

The member was not just "the CVA." The office staff could visualize our member and truly felt great as she made gains.

The outcome of this team effort was an increase in the quality of life for our EverCare member.

EverCare can make a difference!

43RD ANNUAL PITTSBURGH FOLK FESTIVAL TO TAKE PLACE FROM MAY 28-30, 1999

HON. RON KLINK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. KLINK. Mr. Speaker, I rise to recognize an extraordinary event that will soon take place in Pittsburgh, Pennsylvania. From May 28-30, 1999, the Pittsburgh Folk Festival, Inc. will entertain the community with the 43rd Annual Pittsburgh Folk Festival. For nearly half a century, this non-profit organization has been dedicated to the preservation and sharing of international cultures and heritages in the Pittsburgh area.

Throughout this three-day festival, the music, dance, cuisine, and crafts of Latin American, Scandinavian, African, Asian, and European countries will be displayed for all to enjoy. The 43rd Annual Pittsburgh Folk Festival will provide not only entertainment, but will also be an opportunity for enlightenment and education about the cultures and heritages of the people of the Pittsburgh area and around the world.

Western Pennsylvania is filled with culturally and ethnically diverse people, and this gala event aims to recognize the different histories and heritages from which we come. Through this celebration, everyone involved will have the ability to learn and experience this multiculturalism.

Mr. Speaker, educating Americans about the diversity of this world must be a top priority. The Pittsburgh Folk Festival has championed this philosophy for 43 years, and I am confident it will continue to do so in the future. I ask my colleagues to please join me in applauding the dedication and hard work of the participants of the Pittsburgh Folk Festival. This organization deserves our thanks for its contributions to the education and enlightenment of my Congressional District and the national community.

HONORING MIMI MOSKOWITZ FOR HER SERVICE TO THE BAYSIDE JEWISH CENTER

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. ACKERMAN. Mr. Speaker, I rise today to note the accomplishments of Mimi Moskowitz, who will be honored by the Bayside Jewish Center, of Queens County, New York, at a testimonial dinner on Monday, June 7.

Mimi is stepping down after two years as President of the Sisterhood of the Bayside

Jewish Center, but she will continue to play an active role in the synagogue, as she has done for the past 22 years.

Since moving to Bayside from the Bronx in 1977, Mimi Moskowitz has plowed her energy and her limitless talent into the fundraising efforts and entertainment programs of the Bayside Jewish Center. For many years, she co-chaired the synagogue's highly successful New Year's Eve Dinner Dances. These annual events were routinely sold out, and attracted party-goers throughout New York City and Long Island.

In addition, Mimi served the Bayside Sisterhood as Program Vice President and Ways and Means Vice President, prior to her tenure as Sisterhood President. She has coordinated numerous Shabbat Dinners, Holiday Hootenannies, This is Your Life tributes, and Purim Parties; has helped edit the synagogue newsletter, the Voice; and has produced countless promotional flyers. The hours of service she has spent volunteering in the synagogue office are too numerous to count.

Before arriving in Bayside, Mimi honed her talents in service to the B'nai B'rith of Co-op City, and the Sisterhood of the Castle Hill Jewish Community Center.

However, Mimi Moskowitz is perhaps best known for her inventive song parodies and poems, which have been the hit of many an enjoyable evening at Jewish Centers in Queens and the Bronx for more than four decades. Who can forget such classics as *Passover is Coming to Town*, *It's Beginning to Look a Lot Like Purim*, *I'm Dreaming of a Full Sukka*, or her seminal work, the full-length production of *South Passaic*? Indeed, Mimi is believed to be the only person ever to use the phrase *Bronx Press Review* in a rhyming lyric!

Mr. Speaker, Mimi's legions of friends will be flocking to the Bayside Jewish Center on June 7 to honor her for her tireless devotion, boundless energy and limitless service to her synagogue and her community. I ask all my colleagues in the House of Representatives to join me now in honoring Mimi Moskowitz, congratulating her on the occasion of her testimonial, and extending our best wishes to her for her future health and success.

WORKERS MEMORIAL DAY:
LEADERSHIP AWARD

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. FILNER. Mr. Speaker, and colleagues, I rise today to recognize Art Lujan, as he is honored by the San Diego-Imperial Counties Labor Council, AFL-CIO for his leadership in the San Diego labor movement.

As the Business Manager of the San Diego Building and Construction Trades Council, Art has worked many years at uniting the twenty-six diverse building trade unions in San Diego. As an officer of the Labor Council, he has brought that commitment to promoting a strong labor movement in the County.

Art successfully secured a Project Labor Agreement with the County Water Authority resulting in over \$700 million in construction

projects throughout the next eight years. As a result of these efforts, Art won a \$750,000 grant from the Workforce Partnership to establish a groundbreaking pre-apprenticeship program that will create new pathways for low-income San Diegans—particularly women and people of color—into skilled construction jobs that pay living wages.

My congratulations go to Art Lujan for these significant contributions. I can attest to Art's dedication and commitment and believe him to be highly deserving of the San Diego-Imperial Counties Labor Council, AFL-CIO Leadership Award.

THANK YOU TERRY VANSUMEREN

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. BARCIA. Mr. Speaker, there is no doubt as to the value of the characteristics of dedication, loyalty and perseverance. These are traits that distinguish the ordinary from the extraordinary. Today, I rise to recognize Terry VanSumeren, an extraordinary individual who has served the Hampton Township community every day for the past 32 years.

Terry was born on September 19, 1937, to Lawrence and Mary VanSumeren. After growing up in the area where he would make a name for himself, he was hired by the Hampton Township Department of Public Works on June 5, 1967. This would begin one of the most impressive streaks ever by a local government employee. Since his date of hire, Terry VanSumeren has never taken a sick day—not one single day. Blessed with good health and an unmatched devotion to the residents of Hampton Township, Terry has been there every day for the people of his township. He has become a very well respected member of the community. Always looking to improve Hampton Township, he is an active member of the township board.

At a time when many people are skeptical about government, the excellent work done by Terry VanSumeren should instill a sense of confidence in the residents of Hampton Township. They have been extremely fortunate to have someone so hard working and devoted to attending to the needs of their community. Today, Terry retires as the Superintendent of the Hampton Township of Public Works, a position he has held for the past 15 years. There is no doubt that as he leaves this position, Terry has made the township a much stronger community. As he now enters into his retirement, Terry will have the opportunity to spend time in his workshop and, more importantly, to spend time with his charming wife, Margaret, his two daughters Kym and Keri, as well as his grandson Zane.

Mr. Speaker, dedication is defined as the act of being wholly committed to a particular course of thought or action. I know of no one who better exemplifies what it means to be dedicated than Terry VanSumeren. For the past 32 years, he has been wholly committed to the people of Hampton Township. I urge you and all of our colleagues to join with me to congratulate the outstanding accomplishments of Terry VanSumeren and to wish him continued health and happiness.

TRIBUTE TO THE TEACHERS, PARENTS, ADMINISTRATORS AND STUDENTS OF HOLLOW HILLS FUNDAMENTAL SCHOOL

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. GALLEGLY. Mr. Speaker, I rise to recognize the parents, students, faculty and staff whose dedication to excellence has earned Hollow Hills Fundamental School, in my hometown of Simi Valley, CA, recognition as a national Blue Ribbon School.

Hollow Hills Fundamental School is a shining example of what can happen when parents, teachers and administrators collaborate on the best approaches for providing a quality education. The school's motto—Committed to Excellence—is not merely a slogan. It's a way of life that other campuses would be well served to follow. A combination of a structured, consistent learning environment with an emphasis on basic skills and traditional American values ensures intelligent, socially responsible students and future adults.

Mr. Speaker, the school will be honored at the Ronald Reagan Presidential Library in Simi Valley on Tuesday. It's a particularly fitting tribute to Hollow Hills. President Reagan once made this statement to a group of educators:

Our leaders must remember that education doesn't begin with some isolated bureaucrat in Washington. It doesn't even begin with state or local officials. Education begins in the home, where it is a parental right and responsibility.

That principle is fully integrated into Hollow Hills' lesson plans. The school was founded in 1982 in collaboration with parents. Every year, Hollow Hills parents, students and educators formally rededicate themselves to quality education through a "Commitment to Excellence" agreement. The school boasts a strong PTA and dedicated parents who volunteer their spare time to enhance their children's education.

In addition to stressing basic reading and math skills, the school also emphasizes art, music and technology, guaranteeing students a well-balanced education.

Hollow Hills also stresses attributes that unfortunately are missing in many schools today: personal responsibility, diligence, courtesy, respect to authority, punctuality and respect for the law. These ingredients are just as important to raising intelligence and socially responsible adults.

Mr. Speaker, as our nation works in concert to better our education system, it would serve us well to study the successes of our Blue Ribbon Schools. They are the best of the best and a key to our future. I know my colleagues will join me in applauding Hollow Hills Principal Leslie Frank, her entire staff, and the parents and students of Hollow Hills for raising the bar and setting a strong example for others to follow.

HONORING OUR FALLEN MILITARY
PERSONNEL AT GLENDALE CEM-
ETERY

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. GREEN of Texas. Mr. Speaker, this weekend, in a solemn ceremony at Glendale Cemetery, families will gather to honor those who gave their lives so that future generations of Americans might live in freedom. America bows its head in thanks to our fallen heroes. With flags at half-mast, with flowers on a grave, and with quiet prayers, we take time to remember their achievements and renew our commitment to their ideals.

Across our country, Americans will be holding similar ceremonies in remembrance of those who have died under the colors of our Nation. We will remember the brave men and women whose sacrifices paved the way for us to live in a country like America. We will remember the families of our fallen heroes, and we will grieve for their losses. We will remember the men and women who are now serving in our Armed Forces.

Throughout our history, we have been blessed by the courage and commitment of Americans who were willing to pay the ultimate price. From Lexington and Concord to Iwo Jima and the Persian Gulf, on fields of battle across our nation and around the world, our men and women in uniform have risked—and lost—their lives to protect America's interests, to advance the ideals of democracy, and to defend the liberty we hold so dear.

For more than 200 years, the United States has remained the land of the free and the home of the brave. The NATO military operations in the former Yugoslavia have reaffirmed that international peace and security depend on our Nation's vigilance. Even in the post-Cold War era, we must be wary, for the world still remains a dangerous place.

This spirit of selfless sacrifice is an unbroken thread woven through our history. Whenever they came from, whenever they served, our fallen heroes knew they were fighting to preserve our freedom. On Memorial Day we remember them, and we acknowledge that we stand as a great, proud, and free Nation because of their devotion.

EXPOSING RACISM

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. THOMPSON of Mississippi. Mr. Speaker, in my continuing efforts to document and expose racism in America, I submit the following articles into the CONGRESSIONAL RECORD.

REPORTS: STATE OFFICIALS WILL ADMIT THAT
RACIAL PROFILING EXISTS

TRENTON, N.J. (AP).—State law enforcement officials this week will grudgingly admit that state troopers unfairly target minority motorists, according to published reports.

Officials in Gov. Christie Whitman's administration told several newspapers that a

report prepared by the Attorney General's office will acknowledge that some troopers have engaged in the practice known as racial profiling.

The same officials said the state will drop its appeal of a 1996 court decision asserting that troopers demonstrated race bias in making arrests along the New Jersey Turnpike in Gloucester County.

Attorney General Peter Verniero's office said his findings on the State Police's training and practices are due out Tuesday or Wednesday.

The report is expected to confirm what civil rights activists said they have known for years.

"Racial profiling is the worst-kept secret in New Jersey," Black Ministers Council of New Jersey executive director Rev. Reginald Jackson told The Star-Ledger of Newark for Tuesday's editions. "I don't think anybody reasonable will say that it doesn't happen."

State Police leaders have consistently argued that the agency does not engage in racial profiling. The issue cost State Police Superintendent Col. Carl Williams his job earlier this year and threatens to impact the political fate of both Whitman, who is expected to run for the U.S. Senate, and Verniero, who has been nominated for the state Supreme Court.

State officials face a Wednesday deadline to decide if they want to continue their appeal of the 1996 decision in state Superior Court in Gloucester County. The court decision, which could affect dozens of pending criminal cases, found evidence of racial profiling.

The newspaper reports come one day after state officials announced official misconduct indictments against the two troopers involved in last year's controversial shooting along the Turnpike in Mercer County.

Troopers John Hogan and James Kenna allegedly made false statements on the race of motorists they pulled over. Such data was being gathered in a State Police traffic stop survey prompted by the 1996 court decision.

Authorities said the indictments against Hogan and Kenna were not directly related to their involvement in the shooting near Exit 7A. Three young minority men were wounded when the troopers fired 11 shots at their van. The troopers said the van had backed up toward them suddenly.

Lawyers for Hogan and Kenna have said the pair are being used as scapegoats in the broader debate over racial profiling. Another lawyer who often represents troopers, Philip Moran, suggested that the real blame lies with the State Police top brass.

"The problem with this is that they indict the troopers at the bottom end," Moran told the Philadelphia inquirer for Tuesday's editions. "They don't indict the supervisors—who taught them to profile, who required them to profile, and who congratulated them for profiling."

The four occupants of the van have said they plan to file civil rights lawsuits against the troopers and the State Police.

The indictments against Hogan and Kenna may prompt courts to dismiss criminal charges against 26 minority defendants arrested by the two troopers in the past two years. Attorneys representing those suspects said prosecutors will be reluctant to call Hogan and Kenna as witnesses now that they face charges themselves.

"I don't think these cases will ever go to trial," defense lawyer John Weichsel told The Record of Hackensack for Tuesday's editions.

Sources told The Star-Ledger that the Attorney General's report will recommend sweeping reforms and continued monitoring of the State Police.

The state legislature's Black and Latino Caucus on Tuesday will host the second

round of its three-day hearings on racial profiling Tuesday in Newark.

BASE OFFICIALS INVESTIGATE RACIAL
EPITHETS DRAWN ON SLEEPING MARINE

JACKSONVILLE, N.C. (AP).—Officials at Camp Lejeune are investigating allegations that three white Marines drew racial epithets on the face and arm of a black Marine assigned to their unit.

A 20-year-old black Marine whose name has not been released, reported to city police last week the other Marines wrote the words "KKK" and "nigger" on his forehead and "Go back to Africa" on his left arm as he slept in a motel room.

The Marine told police April 11 he work up and found the scrawls on his body.

The three white Marines had left the motel when officers responding to the call arrived, "but they left behind the drawing tools apparently used as well as photos they took of the victim as he slept," said Deputy Police Chief Sammy Phillips.

An Onslow County magistrate determined the white Marines could have been charged with assault inflicting injury and ethnic intimidation, a felony. But the victim decided not to press charges.

Instead, he asked Onslow County Magistrate Shelby Jones to contact his battalion commander.

"When he made that decision, I found no probable cause. I did tell him that if the military did not take care of it, the state would," Jones said last week.

Maj. Scott B. Jack, a spokesman on base, said the battalion commander has investigated the allegations and is considering disciplinary action.

"The Marine who was subjected to this indignity has expressed his satisfaction with the action currently being taken by his command," Jack said.

A staff judge advocate is reviewing the case to determine whether it should be turned over to the Naval Criminal Investigation Service.

All four Marines are from the same unit currently deployed with the 26th Marine Expeditionary Unit to the Mediterranean.

WACO, OKLAHOMA CITY BOMBING ANNIVERSARY
KEEPS NEARLY ONE-THIRD OF JASPER STUDENTS AT HOME

JASPER, TEXAS (AP).—The school week is getting a later start for many students living near the East Texas scene of a dragging death.

Almost one-third of Jasper students stayed home, fearful that white supremacists would use the anniversary of the Branch Davidian fire in Waco and Oklahoma City bombing to stage another violent event.

Shannan Holmes sent her 8-year-old daughter, Meagan, to the baby sitter with her little brother, Monday instead of the second-grade class at Parnell Elementary.

"I just wanted the peace of mind," she told the Houston Chronicle. "There's all kinds of nasty rumors going around, but I just thought it was better to be safe. It's just one day."

Ms. Holmes said that her daughter could return to school today. Earlier this month, state officials revealed that a racist prison gang member called other like-minded individuals to gather in Jasper on the anniversary of the Oklahoma City bombing and Branch Davidian fire for "Jasper tractor pull and drag racing event."

Officials interpreted that to be a veiled reference to the June 7 murder of a Jasper black man, James Byrd Jr., whose body was found torn in two after being dragged behind a pickup truck for nearly three miles.

A pretrial hearing is scheduled today for the second of three white men accused in the murder of James Byrd Jr.

But at the Jasper County Courthouse on Monday, activity was slow. A handwritten sign taped inside the front door reminded the last person out to lock up.

An investigation found nothing to the inmate-generated threat, the school superintendent said Monday.

Nevertheless, worried parents kept 1,080 students, or 32 percent of those enrolled at Jasper's two elementary schools, the middle and high school, at home on Monday, said Doug Koebernick, superintendent of the Jasper Independent School District.

"Some parents picked up on that, so in the interest of the safety of their children, parents kept them from school," Koebernick said. "It was just rumor generated."

John William King, 24, an avowed white supremacist, was convicted and sentenced to death in February for Byrd's murder. Co-defendant Lawrence Russell Brewer, 32, faces the same fate when his capital murder trial begins May 17. A trial for the third defendant, 24-year-old Shawn Allen Berry, has not been scheduled.

DEFENSE BEGINS CASE IN TRIAL OF TWO WHITE SUPREMACISTS

LITTLE ROCK, ARK. (AP)—Defense attorneys for two white supremacists accused of murder and conspiracy to set up a whites-only nation have tried to deflect the prosecution's incriminating testimony by suggesting that others were responsible for the crimes.

This week, the defense gets to provide jurors a clearer view of its strategy for freeing Chevie Kehoe and Daniel Les, both 26, of the charges in federal court.

Kehoe, of Colville, Wash., and Lee, of Yukon, Okla., are charged with racketeering, conspiracy and murder. They are accused of killing three members of Arkansas gun dealer William Mueller's family as part of the plot.

Prosecutors say the two wanted to overthrow the federal government to set up a new nation in the Pacific Northwest, resorting to polygamy, gun trafficking, armed robbery, bombings and murder to carry out their plan.

The defense, which claims Kehoe and Lee are not dangerous racists, was scheduled to begin its case today.

Defense lawyers decided to delay opening statements until after the prosecution rested, which it did last Tuesday after Cheyenne Kehoe, Kehoe's younger brother, testified to what he said Chevie told him about he and Lee murdering an Arkansas family three years ago.

Federal prosecutors and defense lawyers haven't been able to discuss the case because of a gag order. But during a hearing, Lee's lawyer, Cathleen Compton, argued that the government had little physical evidence to connect the men to the crimes or show that they were part of any grand conspiracy.

"I think, without any disrespect to the court or anyone else, if these boys were in charge of conspiring to overthrow the government, we're all safe," Compton said.

Prosecutors called more than 150 witnesses and wheeled in shoulder-high stacks of exhibits. They are seeking the death penalty.

In the indictment, Chevie Kehoe and Lee are accused of the January 1996 robbery and deaths of Mueller, his wife, Nancy Mueller, and her 8-year-old daughter Sarah Powell. Other crimes mentioned in the indictment include a 1996 bombing of the Spokane, Wash., City Hall; a 1997 Ohio shootout with police that was videotaped and broadcast nationally; and the slayings of two associates.

FOUR MEN PLEAD GUILTY TO CROSS BURNING EMREDON

ALEXANDRIA, LA. (AP)—Four men pleaded guilty Monday to setting crosses afire in

front of a north Louisiana home whose white owners took in an interracial couple and their family seeking refuge from a hurricane.

Gary Delane Norman, 25; James Norris Friday, 23; Matthew Ryan Morgan, 19, and Huey Kenneth Martin, 18, all of Goldonna, admitted to a federal civil rights conspiracy.

Each faces up to 10 years in prison and a \$250,000 fine when sentenced July 21 by U.S. District Judge F.A. Little Jr. Mandatory sentencing guidelines are used in setting federal sentences, which are served without parole.

Authorities said crosses were burned in front of the house in Goldonna, where the family was staying on the nights of Sept. 27 and Sept. 28, 1998. The family had been given shelter after fleeing the approach of Hurricane Georges, authorities said.

The victims were a black man, his white wife and their children who were staying temporarily with the wife's sister after fleeing south Louisiana as Hurricane Georges approached.

The indictment alleged that one of the men said: "No blacks sleep in Goldonna."

Authorities alleged the scheme was hatched at a grocery store. After the cross was burned on the first night, a second, larger cross was built and burned the following night.

Whether a cross burning is illegal depends upon its purpose. Cross burning for ceremonial purposes is not illegal. But it is a federal crime to burn a cross for racial motives in an attempt to intimidate or oppress someone.

"While some may try to minimize this as nothing more than a prank, finding a burning cross on your front lawn in the middle of the night is no laughing matter," said U.S. Attorney Mike Skinner. "It is a tactic of federal and intimidation, and when it interferes with federally protected rights to every citizen, those responsible will be brought to justice."

BASKETBALL COACHES SUE TEXAS CITY, POLICE OVER DETAINMENT (By Sonja Barisic)

NORFOLK, VA (AP)—A women's basketball coach, her husband and an assistant coach have filed a \$30 million lawsuit alleging racial bias after being detained by police in Lubbock, Texas.

The lawsuit filed Monday contends that the city and its police engaged in racially discriminatory behavior when they stopped Hampton University coach Patricia Bibbs, her husband, Ezell, and assistant coach Vanetta Kelso on Nov. 16.

All three, who are black, have said they believe race played a role in how they were treated when police detained them during an investigation of an alleged scam.

The suit also says police violated their constitutional rights of due process, equal protection and protection from unreasonable and illegal arrests, searches and seizures.

"The city of Lubbock and its police department have known and tolerated . . . the selection and retention of police officers who have exhibited racist attitudes toward African-Americans and other minorities," the lawsuit said.

Tony Privett, a spokesman for the city of Lubbock, would not comment.

The Bibbss and Kelso were detained outside a Lubbock Wal-Mart by officers responding to a customer's complaint that someone tried to scam her. The three were handcuffed and held for several hours.

The three were suspected of trying a "pigeon drop," where a thief claims to have found a purse with cash in it and persuades the victim to put up money for a lawyer so they can both lay claim to the cash—and then disappears with the victim's money.

Police studied security tapes from the store, determined that the Bibbss and Kelso had no contact with the shopper and said no charges would be filed.

The Bibbss and Kelso had no comment on the suit Monday, said Victoria L. Jones, a spokeswoman for the university in southeastern Virginia.

RACIAL PROFILING BILL HEADS TO HOUSE AGSTFPR

(By Adam Gorlick)

HARTFORD, CT (AP)—Two competing bills, both designed to prevent police from pulling over motorists based on their race, are making their way through the general assembly.

Sen. Alvin Penn's bill would require police officers to record their observations about the gender and race of every driver they pull over. That information would be gathered by the Chief State's Attorney's office and used to determine whether the problem, known as "racial profiling" exists.

Another bill passed to the House by the Judiciary Committee Monday does not have those requirements.

"It's an ill-fated bill," Penn, D-Bridgeport, said. "It's a compromise, and this is something you can't compromise on."

Rep. Michael Lawlor, co-chairman of the Judiciary Committee, said the bills are not at odds with each other. He said there are questions about how police officers could compile racially sensitive information about drivers without offending them or creating an avalanche of paperwork.

"By what system are you going to identify who's in what category?" he said. "we have to make it clear that its not OK to target people based on their race or ethnicity. If it is happening, lets figure out how to monitor it in a way that does not unnecessarily burden the jobs that the cops do."

Minority drivers have complained they are sometimes stopped and queried by police because of their race, especially when driving an expensive car or driving through affluent neighborhoods.

Penn, who says he was a target of profiling in Trumbull three years ago, also wants police departments to set up a system to deal with complaints about profiling. If they don't, he wants the towns to be fined.

Complaints that Trumbull police have illegally targeted black and Hispanic motorists have prompted an FBI probe.

The investigation follows complaints from minority drivers and a memo by police Chief Theodore Ambrosini suggesting officers watch for people who don't fit into the community.

MAYOR OPPOSES DESEGREGATION PROGRAM

MILWAUKEE (AP)—Racial guidelines in a court-approved desegregation plan for the Milwaukee School District ought to be abandoned, Mayor John O. Norquist said.

The Chapter 220 program was adopted in the 1970s by the district in response to a federal lawsuit to bus black children to suburban districts. Hundreds of Milwaukee white children are ineligible for the state-subsidized transportation.

The lack of opportunity for white children encourages their families to move to the suburbs, Norquist said Monday, recalling he opposed the Chapter 220 plan when the Legislature adopted it while he was a state senator.

"I don't think there should be any racial quotas," he said. Some members of the newly elected Milwaukee school board propose ending the racial guidelines. Gov. Tommy Thompson recommends the Legislature reduce the funding available to districts that participate in Chapter 220.

School administrators and the National Association for the Advancement of Colored People favor preserving the program.

More than 5,100 Milwaukee minority children attend suburban schools under the program this year while 540 suburban whites attend Milwaukee schools.

H.R. 1817: RURAL CELLULAR
LEGISLATION

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. GILMAN. Mr. Speaker, today I'm introducing H.R. 1817, legislation to improve cellular telephone service in three rural areas located in Pennsylvania, Minnesota, and Florida. Joining me as cosponsors are Representatives CAROLYN MALONEY and ANNA ESHOO.

Most rural areas of this country have two cellular licensees competing to provide quality service over their respective service territories. Competition between two licensees improves service for businesses, governments, and private users, at the same time, improves response times for emergency services.

Unfortunately, three rural service areas in Pennsylvania, Minnesota, and Florida do not enjoy the benefit of this competition. The Pennsylvania rural service area has only one cellular operator. The Minnesota rural service area and the Florida rural service area each have two operators, but one of the operators in each area is operating under a temporary license and thus lacks the incentive to optimize service. The reason for this lack of competition is that in 1992 the FCC disqualified three partnerships that had won the licenses, after finding that they had not complied with its "letter-perfect" application rule under the foreign ownership restrictions of the Communications Act of 1934. Significantly, the FCC has allowed other similarly situated licensees to correct their applications and, moreover, Congress repealed the relevant foreign ownership restrictions in the Telecommunications Act of 1996.

In the 105th Congress, former Representative Joe McDade, joined by Representative ANNA ESHOO and former Representative Scott Klug, introduced H.R. 2901 to address this problem. In September 1998, the Telecommunications Subcommittee of the Commerce Committee held a hearing on FCC spectrum management that included testimony on and discussion of H.R. 2901. Later that month, the full Commerce Committee incorporated a modified version of H.R. 2901 into H.R. 3888, the Anti-Slamming bill. In October 1998, the House approved H.R. 3888, incorporating a further modified version of H.R. 2901, by voice vote on suspension (CONGRESSIONAL RECORD, Oct. 12, 1998, H10606-H10615). Unfortunately, the bill died in the Senate in the last few days prior to adjournment for reasons unrelated to the rural cellular provision.

H.R. 1817 is based on the rural cellular provision contained in H.R. 3888, as approved by the House. The legislation would direct the FCC to allow the partnerships denied licenses to serve the Pennsylvania, Minnesota, and Florida rural service areas to resubmit their application consistent with FCC rules and procedures. The partnerships would pay fees to the FCC consistent with previous FCC auctions and settlements with other similarly situ-

ated licensees. To ensure speedy service to cellular customers, the FCC would have 90 days from date of enactment to award permanent licenses, and if any company failed to comply with FCC requirements the FCC would auction the license. The licenses would be subject to a 5-year transfer restriction, and the Minnesota and Florida licenses would be subject to accelerated build-out requirements.

H.R. 1817

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REINSTATEMENT OF APPLICANTS AS TENTATIVE SELECTEES.

(a) IN GENERAL.—Notwithstanding the order of the Federal Communications Commission in the proceeding described in subsection (c), the Commission shall—

(1) reinstate each applicant as a tentative selectee under the covered rural service area licensing proceeding; and

(2) permit each applicant to amend its application, to the extent necessary to update factual information and to comply with the rules of the Commission, at any time before the Commission's final licensing action in the covered rural service area licensing proceeding.

(b) EXEMPTION FROM PETITIONS TO DENY.—For purposes of the amended applications filed pursuant to subsection (a)(2), the provisions of section 309(d)(1) of the Communications Act of 1934 (47 U.S.C. 309(d)(1)) shall not apply.

(c) PROCEEDING.—The proceeding described in this subsection is the proceeding of the Commission in re Applications of Cellwave Telephone Services L.P., Futurewave General Partners L.P., and Great Western Cellular Partners, 7 FCC Rcd No. 19 (1992).

SEC. 2. CONTINUATION OF LICENSE PROCEEDING; FEE ASSESSMENT.

(a) AWARD OF LICENSES.—The Commission shall award licenses under the covered rural service area licensing proceeding within 90 days after the date of the enactment of this Act.

(b) SERVICE REQUIREMENTS.—The Commission shall provide that, as a condition of an applicant receiving a license pursuant to a covered rural service area licensing proceeding, the applicant shall provide cellular radio-telephone service to subscribers in accordance with sections 22.946 and 22.947 of the Commission's rules (47 CFR 22.946, 22.947); except that the time period applicable under section 22.947 of the Commission's rules (or any successor rule) to the applicants identified in subparagraphs (A) and (B) of section 4(1) shall be 3 years rather than 5 years and the waiver authority of the Commission shall apply to such 3-year period.

(c) CALCULATION OF LICENSE FEE.—

(1) FEE REQUIRED.—The Commission shall establish a fee for each of the licenses under the covered rural service area licensing proceeding. In determining the amount of the fee, the Commission shall consider—

(A) the average price paid per person served in the Commission's Cellular Unserved Auction (Auction No. 12); and

(B) the settlement payments required to be paid by the permittees pursuant to the consent decree set forth in the Commission's order, In re the Telleis Partners (7 FCC Rcd 3168 (1992)), multiplying such payments by two.

(2) NOTICE OF FEE.—Within 30 days after the date an applicant files the amended application permitted by section 1(a)(2), the Commission shall notify each applicant of the fee established for the license associated with its application.

(d) PAYMENT FOR LICENSES.—No later than 18 months after the date that an applicant is

granted a license, each applicant shall pay to the Commission the fee established pursuant to subsection (c) of this section for the license granted to the applicant under subsection (a).

(e) AUCTION AUTHORITY.—If, after the amendment of an application pursuant to section 1(a)(2) of this Act, the Commission finds that the applicant is ineligible for grant of a license to provide cellular radio-telephone services for a rural service area or the applicant does not meet the requirements under subsection (b) of this section, the Commission shall grant the license for which the applicant is the tentative selectee (pursuant to section 1(a)(1)) by competitive bidding pursuant to section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)).

SEC. 3. PROHIBITION OF TRANSFER.

During the 5-year period that begins on the date that an applicant is granted any license pursuant to section 1, the Commission may not authorize the transfer or assignment of that license under section 310 of the Communications Act of 1934 (47 U.S.C. 310). Nothing in this Act may be construed to prohibit any applicant granted a license pursuant to section 1 from contracting with other licensees to improve cellular telephone service.

SEC. 4. DEFINITIONS.

For the purposes of this Act, the following definitions shall apply:

(1) APPLICANT.—The term "applicant" means—

(A) Great Western Cellular Partners, a California general partnership chosen by the Commission as tentative selectee for RSA #492 on May 4, 1989;

(B) Monroe Telephone Services L.P., a Delaware limited partnership chosen by the Commission as tentative selectee for RSA #370 on August 24, 1989 (formerly Cellwave Telephone Services L.P.); and

(C) FutureWave General Partners L.P., a Delaware limited partnership chosen by the Commission as tentative selectee for RSA #615 on May 25, 1990.

(2) COMMISSION.—The term "Commission" means the Federal Communications Commission.

(3) COVERED RURAL SERVICE AREA LICENSING PROCEEDING.—The term "covered rural service area licensing proceeding" mean the proceeding of the Commission for the grant of cellular radiotelephone licenses for rural service areas #492 (Minnesota 11), #370 (Florida 11), and #615 (Pennsylvania 4).

(4) TENTATIVE SELECTEE.—The term "tentative selectee" means a party that has been selected by the Commission under a licensing proceeding for grant of a license, but has not yet been granted the license because the Commission has not yet determined whether the party is qualified under the Commission's rules for grant of the license.

HONORING ROSE ANN VUICH

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to introduce a brief biography on Senator Rose Ann Vuich, who, for her ethical leadership, has been honored with an award in her namesake. The Rose Ann Vuich Ethical Leadership Award is designed to increase ethical sensitivity, raise expectations for behavior and acknowledge personal integrity. The first recipient of the award was Fresno County Supervisor Sharon Levy. This year's recipient is Lindsay Mayor Valeriano Saucedo.

Rose Ann Vuich was the daughter of immigrant parents who grew up on a farm in rural Tulare County. She became a small-town accountant and went on to the California State Senate as the first woman ever to serve in that body. Although at first she was reluctant to run for the office, she eventually (in her own words) "tore into that campaign and campaigned from morning till night, in my own grass-roots, down-to-earth way * * *" Rose Ann won the primary by only 242 votes and faced an uphill battle in the run-off. Despite comments from political pros that said she didn't have a chance, she kept moving forward in a very simple and effective campaign and eventually won the election by more than 2,600 votes in 1976.

Rose Ann's first election was the last hard-fought election she would face. She so handily beat her challengers in 1980 and 1984 that nobody ran against her in 1988. Had she chosen to run in 1992, it's likely she would have run unopposed again.

The reason she became progressively more unbeatable came not only out of the deep roots and wide networks she had in her home district, but because she served in public office in exactly the way she promised she would.

In 1992, after a 16-year career as one of the most respected and esteemed legislators in California history, Senator Vuich retired from office and returned to her home, here in the Valley.

Rose Ann Vuich was more than honest. She was a person of extremely high integrity who took her public responsibilities very seriously and believed in giving the voter, the constituent, what they deserve: fair, ethical consideration of issues and conscientious, cost-effective delivery of service.

In addendum to her biography, I would be remiss if I failed to recognize Rose Ann for the recent dedication to her of the Rose Ann Vuich Interchange. The Interchange, which links three major Fresno freeways, was named after the lawmaker who got it built. Vuich made the completion of Freeway 41 the centerpiece of her 1976 election campaign. Her vision has finally been realized.

Mr. Speaker, it is with great pleasure that I recognize Rose Ann Vuich, a woman of vision and integrity. I urge my colleagues to join me in wishing her a bright future, and many years of continued success.

CONGRATULATING THE CITY OF
HALEYVILLE, ALABAMA AS THE
HOME OF 911

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. ADERHOLT. Mr. Speaker, I would like to pay tribute to the City of Haleyville, Alabama as it holds the annual 911/Heritage Festival in June of each year. On Friday February 16, 1968 the Speaker of the Alabama House, Rankin Fite dialed 911 in Haleyville Mayor James Whitt's office and Congressman Tom Bevill picked up the receiver in the Haleyville Police Station resulting in America's first emergency dial telephone service.

Since that first call in 1968, the overall plan to establish this service nationwide has been

implemented and become second nature to the American people. Today anyone can dial 911 in any type of emergency, such as sickness, fire, police, or ambulance and a policeman on duty will immediately summon the help needed. Although there are no specific figures available, it is clear the 911 service has saved countless lives across the country. This impressive accomplishment all began in the city of Haleyville which is in the Fourth Congressional District of Alabama. As a lifelong resident of the city of Haleyville, I am proud of this achievement and pay tribute to this accomplishment which is something we can all support.

HONORING ROBERT ROGERS' UPON
HIS RETIREMENT FROM THE
EWING MARION KAUFFMAN
FOUNDATION

HON. KAREN MCCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise today to honor Robert "Bob" Rogers upon his retirement from the position of Chairman of the Board of the Ewing Marion Kauffman Foundation, which he has held since 1993. Fortunately, Mr. Rogers will continue to serve as the Chairman Emeritus on the Board and pursue his involvement in civic and community service at a national level. I know his valuable work will continue as he serves on the boards of the Independent Sector, the Council on Foundations, America's Promise, the Alliance for Youth, American College Testing, and the Corporation for National Service.

During his tenure as Chairman of the Board for the Ewing Marion Kauffman Foundation, Mr. Rogers was instrumental in the development of the strategic direction of both Foundation operating divisions: Youth Development and the Kauffman Center for Entrepreneurial Leadership. Under his guidance, these two divisions have effectively impacted youth development and entrepreneurial causes.

Before his career with Ewing Marion Kauffman, Mr. Rogers had a distinguished career in the private sector, working for Coopers and Lybrand, TWA, Waddell and Reed, and Gateway Sporting Goods. This experiences, as well as his personal life experiences have allowed him to shape and guide the Ewing Marion Kauffman Foundation to a position as an effective leader of youth development programming and entrepreneurship training into the new millennium.

Mr. Rogers is an inspiration to me—his dedication and commitment to public service serves as example to all of us who work to make our constituents lives better. Please join me in thanking him for his service to our community and the nation, Mr. Speaker.

A TRIBUTE TO THE MAXEY
FAMILY

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to pay tribute to the Maxey Family in the 4th

District of Colorado. Started by Loren Maxey in 1969, Maxey Companies will celebrate their thirtieth anniversary this June.

When Maxey Companies was started thirty years ago it was comprised of one division. Today Carl Maxey, Loren's son, and his wife Marla have expanded the company to four divisions. This expansion took twelve years of labor which I believe mirrors the work ethic of Colorado's 4th District.

Today Maxey Companies' four divisions manufacture, equip, distribute and sell trailers, truck bodies, truck equipment and snow removal equipment. Mr. Speaker, on June 4th, 1999, Maxey Companies will officially open the doors to an expansion of Max-Air Trailer Sales, 9715 Brighton Road, Brighton, Colorado.

On a personal note Mr. Speaker, I have known the Maxey family for many years and am proud to count them among the best of my friends. The Maxeys are known widely as a family dedicated to their community.

The Maxeys are always there for their friends, neighbors and associates. I know of no family that outpaces the Maxeys when it comes to volunteerism and leadership. Loren, for example, has punctuated his community dedication by distinguished service on the Fort Collins City Council. Carl, has emerged as one of Fort Collins' most respected business leaders.

Kathy Maxey, and Marla Maxey have accumulated countless hours of volunteer time too, serving area youth and those suffering mental illness and developmental disabilities.

As a strong close-knit family, the Maxeys are the finest example of real America. The loving bond of the Maxey family is their trademark. A model for all, the Maxeys inspire those who know them through their honesty, hard work, generosity, kindness, and peity.

I hereby commend the example of the Maxeys to my colleagues in Congress and salute this brilliant Colorado Family upon their great success.

The entire Maxey family, their business, employees, and their collective good works are truly among Colorado's greatest assets.

IN RECOGNITION OF ELMER LEE
CHANEY ON THE OCCASION OF
HIS RETIREMENT FROM JACK-
SONVILLE STATE UNIVERSITY

HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. RILEY. Mr. Speaker, I rise today to recognize Elmer Lee Chaney, Professor of Educational Psychology and Educational Resources at Jacksonville State University, Jacksonville, Alabama, on the occasion of his retirement from the university after 37 years.

Elmer Chaney came to Jacksonville State University from North Carolina where he attained his Bachelor of Arts degree from Elon College and his Masters of Education and Guidance degree from the University of North Carolina. He was also certified as a Licensed Guidance Counselor in North Carolina. He started his teaching career as a teacher of English and French at Bethany High School and Wadesboro High School in North Carolina and was honored as Teacher of the Year at Bethany High School in 1958.

Elmer Chaney began his college teaching career at Jacksonville State University in 1962 as Assistant Professor of Educational Psychology. In addition to his duties as a professor, he has served on and chaired a number of committees at the university including screening committees for educational faculty members, the Committees for Educational Resources, the Off Campus Commuter College Committee, and the Assessment Committee.

Elmer Chaney has also been involved in community activities. He has always been a fundraiser for Big Brothers and Big Sisters, but his greatest contribution to the community is his love of the reed organ. Mr. Chaney is an accomplished organist and carillonneur at the Church of St. Michael and All Angeles in Anniston, Alabama. He is a member of the Reed Organ Society and owns a number of outstanding instruments.

Elmer Chaney has been a vital part of Jacksonville State University. His presence at the university is felt in so many ways. I salute him for his dedication to his students, to Jacksonville State University and to the field of Education.

JOHN F. BARRETT: BOYS HOPE/
GIRLS HOPE HEART OF GOLD
AWARD RECIPIENT

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. PORTMAN. Mr. Speaker, I rise to recognize the contributions of John Barrett, a friend, distinguished constituent and community leader who will receive Cincinnati's Boys Hope/Girls Hope's highest honor the Heart of Gold Award, on June 1, 1999.

As a member of the Board of Boys Hope/Girls Hope in Cincinnati, John Barrett has given countless hours of his personal time to further the organization's important mission of helping vulnerable young people in our area. Boys Hope/Girls Hope works to overcome the obstacles of poverty, abuse and neglect and provide a structured, caring educational experience for those deserving students through high school and college. John's enthusiasm for this organization is contagious and he has been instrumental in attracting others in the business community to this most worthy cause.

John Barrett believes in giving back to his community and he is particularly committed to improving the lives of the young people in our area. In addition to the tremendous work he does for Boys Hope/Girls Hope, he serves on the boards of the Children's Hospital, the Dan Beard Council/Boy Scouts of America, and the Greater Cincinnati Scholarship Association.

All of us in Greater Cincinnati owe John a debt of gratitude and congratulate him on receiving the Heart of Gold Award.

INTRODUCTION OF THE FEDERAL
OIL AND GAS LEASE MANAGE-
MENT IMPROVEMENT ACT OF
1999

HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mrs. CUBIN. Mr. Speaker, production of oil and gas from our public lands is fast becoming a rarity. Today I am introducing a bill, together with Rep. JOE SKEEN of New Mexico, which we trust will stem this decline, and encourage investment in federal mineral leases. We call it the Federal Oil and Gas Lease Management Improvement Act of 1999. Senator MURKOWSKI has already introduced a companion bill in the other body.

The "oil patch" in the United States is in tough shape. Consumers blissfully enjoyed record low gasoline prices until very recently, but producers have suffered immeasurably from the diminished proceeds they have received for their crude oil for many, many months. Even the recent slow climb back to semi-respectable oil and gas prices in the last few weeks has turned back down again in the last week of trading. Our bill, it will provide some incentives to federal oil and gas lessees to "stay the course" when prices drop below \$18 per barrel, or \$2.30 per million BTU's for natural gas. Furthermore, our bill says to producers "you know better than the government what your make or break price threshold is, so if low prices are sustained your lease terms are suspended, *at your option*, not the Secretary of the Interior's."

But, Mr. Speaker, its not just producers who are being squeezed by today's global oil price environment. So are the oil patch states for which their share of federal mineral receipts are critical in meeting budget priorities. For many public land states, these receipts are dedicated to education trust funds, yet since 1991 these states have had to "share" in the burden of the federal government's costs to administer the Mineral Leasing Act before receiving their half of the remaining revenue. My home state of Wyoming has had over seven million dollars annually taken from the receipts flowing into its Treasury because of this law. And, these states, until now have had no option to take over the federal government's responsibilities and perform the same tasks more cost effectively.

That will change with the Federal Oil and Gas Lease Management Improvement Act. This bill offers states the opportunity to take over post-lease issuance duties from the federal Bureau of Land Management and allow the state's oil and gas conservation commission to perform those functions on federal leases within their borders, if they so choose. As an incentive to take over the fed program, thereby saving federal budget outlays, volunteering states would no longer have to share in the federal administrative burden which unfairly diminishes their school funds.

Mr. Speaker, I urge my colleagues from other public land states to cosponsor this legislation and work with me toward its passage. This bill seeks the balance necessary to keep a domestic oil and gas industry working to explore and develop our public mineral resources. Without such balance, the long term decline in domestic production will continue to

worsen and the royalties the taxpayers receive for such production will decline as well. Our oil patch states have shown the way this year by passing numerous severance tax reductions and other legislation designed to keep production on-stream and the workers associated with that production paying taxes. The Federal Oil and Gas Lease Management Improvement Act of 1999 is a small step in that direction by the federal government, and I urge its adoption.

INTRODUCTION OF THE ANES-
THESIA OUTCOMES STUDY ACT
OF 1999

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. STARK. Mr. Speaker, I rise today with several of my colleagues from the Ways and Means Committee—Representative MATSUI, Representative LEWIS (GA), Representative THURMAN, and Representative BECERRA—to introduce the Anesthesia Outcomes Study Act of 1999.

When the Health Care Financing Administration issued regulations to remove a Federal requirement of physician supervision of nurse anesthetists and instead leave that decision up to State rules, it threw a technical, medical debate into the realm of Congress.

I have absolutely no idea who is right or wrong on the issue or whether there is a quality difference with or without physician supervision. Yet, we are being asked to choose sides and advocate for the nurse anesthetists or for the anesthesiologists on this matter. I am very uncomfortable with Congress making decisions about which type of health professional should provide which type of service.

My colleagues and I advocate that this issue be resolved on a scientific, rather than political, basis. For that reason, we are introducing the Anesthesia Outcomes Study Act of 1999. This bill calls for the Secretary of HHS to conduct a study of mortality and adverse outcome rates of Medicare patients by providers of anesthesia services. In conducting such a study, the Secretary is to take into account the supervision, or lack of physician supervision, on such mortality and adverse outcome rates. This report is due to the Congress no later than June 30, 2000.

Once again, our intent with this legislation is absolutely neutral. We are not medical experts and we do not know whether physician supervision is a factor in the provision of anesthesia services. This study will provide us with the facts that are lacking today so that the final decision on this matter is a medically appropriate decision. Congress should not take action without that data.

HONORING EMMA BUCK

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in honoring Emma Buck, who recently celebrated her 95th

birthday at her farm in my congressional district.

To visit Miss Buck's farm and the stories that it bears, is also a visit to a quiet memory of the early American experience. This farm, a virtual self-contained world, is both the foundation and legacy of a woman for whom complete self-sufficiency is essential to survival.

Her family's story begins as many American families do. It starts with her great-grandparents, young and hopeful pioneers, who left their Native Germany aboard a ship with hundreds of other immigrants to America. Across the Mississippi River her maternal grandparents, the Henkes, and her paternal great-grandparents, the Bucks, both settled in neighboring communities in rural, southern Illinois.

Rather than fading to lore, as the heritage of many families do, Emma Buck embraced and sustained the life that her great-grandparents began in Monroe County. She still lives in the log cabin that her grandfather built. She still works in the farm that has provided so much for her family's sustenance for so long. This is not a farm transformed by the power of modern technology; rather it is one that honors the rudimentary tools of the past.

Miss Buck remains the sole curator of this farm, which was named a national landmark of our nation. As she has for over 90 years, in accordance with the methodical teaching of her father and grandfather, Emma rises each morning to the tasks at hand. She fixes the split-rail fences, she weeds the gardens, she prunes the trees. Farming has since been left to interested neighbors, but the fields, the tools, and the dedication of her ancestors remain in the Buck Farm's name.

As the 20th Century ends and the beginning of the new millennium approaches, Emma Buck reminds us of our nation's heritage. The advances in technology made each day continue to fortify our nation's capabilities, but it is the individual life stories of simplicity and complete fulfillment, in which our future generations may find inspiration.

Mr. Speaker, I ask my colleagues to join me in honoring Emma Buck, and in doing so honoring our nation's history.

TRIBUTE TO FRESNO ELKS LODGE
#439

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to the Fresno Elks Lodge as they continue in their 100th year of service. The Fresno Elks Lodge was founded May 12, 1898, and has remained true to the mission of the "Benevolent and Protective Order of Elks," dedicated to responsible and charitable interaction in their communities, and the preservation of American heritage.

Maintaining its emphasis on charity, justice, brotherly love, and fidelity, the order provides millions of dollars in charitable goods and services. It services disabled children through the Elks Major Project by offering scholarships and in-home therapies. It provides active youth programs, veterans assistance programs, community service programs, drug abuse awareness education and alternative activity programs for inner-city youth. Also, the

Elks are second to the Federal Government in providing scholarships to students pursuing a college education.

During times of national crisis such as natural disasters or the bombing of the Federal building in Oklahoma, the Elks are among the first to respond with offers of help both in manpower and money to communities and their families.

Proud of its patriotism, the order is the first to come to the defense of its nation and flag. From building and staffing the first V.A. Hospital in the United States, to helping to restore the Statue of Liberty, Elks continue to guide America forward.

Mr. Speaker, I rise today to congratulate and pay tribute to the Fresno Elks Lodge #439 on occasion of its 100th year of continued service. I urge my colleagues to join me in wishing the Fresno Elks Lodge continued success in their quest to uphold and improve the American community.

TRIBUTE TO DR. HOWARD CAREY:
A GOOD NEIGHBOR

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. FILNER. Mr. Speaker and colleagues, I rise today to recognize the 30th anniversary of Dr. Howard Carey's commitment to the Neighborhood House Association and to his role as President and Chief Executive Officer since 1972. Dr. Carey brings more than 35 years of experience in the field of social work, from both administrative and program perspectives, to this leadership position.

Serving more than 300,000 San Diego residents, Neighborhood House is one of the largest non-profit organizations in San Diego, a multi-purpose social welfare agency whose goal is to improve the quality of life of the people served. Since Dr. Carey assumed leadership, Neighborhood House has grown from a budget of \$400,000 and a staff of 35 to the current budget of \$50 million with 800 employees.

Its multitude of services to strengthen families and to assist them in becoming self-sufficient include not only the two for which it is best known—Head Start which reaches 6500 preschoolers in 70 centers and its Food Bank Program which collects and distributes 12 million pounds of food annually—but also housing, counseling, adult day-care centers, emergency food and shelter, an inner city youth-enrichment program, employment training services, health services for the mentally ill and elderly, and a senior citizen service center.

Dr. Carey's motto—being a good neighbor—is emulated by the extended family of employees at Neighborhood House and reaches from the Mexican border to the northern reaches of San Diego County. His legacy is one of excellence. A professional in the best sense of this word, he is a man of honor, strength, and determination. He is dedicated to service and to making life better for his neighbors who are in need.

Dr. Carey is a native of Lexington, Mississippi, a graduate of Atlanta's Morehouse College, and holds graduate degrees from Atlanta University and United States International University. He became enchanted

with San Diego during his four years of military service with the United States Navy and returned with his wife, the former Yvonne Arnold of Newnan, Georgia, a graduate of Spelman College. Dr. Carey and his wife are the parents of two adult children who are themselves graduates of Morehouse and Spelman.

One would think that his service to the community through his work at the Neighborhood House would fill his days. But Dr. Carey's service extends to leadership and participation in many community organizations and local activities. He is Chairman of the Board of Neighborhood National Bank, a San Diego based community bank which spurs development in inner city neighborhoods. He was a founding member of Union Bank of California's Community Advisory Board to advise bank managers on the financial needs of low income and under-served communities.

He has held policy-making and advisory positions at the Neighborhood Development Bank, San Diego Unified School District, United Way, the Minority Relations Committee, the Black Leadership Council, former San Diego Mayor Maureen O'Connor's Black Advisory Committee, a Congressional Black Affairs Subcommittee, the Black-Jewish Dialogue, the National Conference of Christians and Jews, the Coalition for Equity, and San Diego County's Child Care Task Force.

Professionally, he has contributed as a Professor at San Diego State University, as Lecturer at the University of California, San Diego (UCSD) and at National University of San Diego, and as Instructor for Wooster College in Ohio and at San Diego City College.

His further professional associations include charter membership in LEAD, the National Association of Social Workers, the National Association of Black Social Workers, founding member of the San Diego Chapter of Alpha Pi Phi Fraternity, Sigma Pi Phi Fraternity, Alpha Kappa Delta, Morehouse College Alumni Association (San Diego Chapter), San Diego Dialogue, and the National Conference of Social Welfare.

As impressive as this list is, it does not do justice to Dr. Carey. It is his passion for service that leads him into these activities. He knows that extraordinary measures are sometimes needed to strengthen communities and families, and he is willing to go that extra mile.

Because Dr. Carey and the work of Neighborhood House reaches deep into the hearts and minds of his neighbors and changes lives, his contributions to the community are far-reaching, long lasting and immeasurable. I sincerely appreciate this opportunity to honor Dr. Carey and his many contributions to San Diego during the past three decades.

PERSONAL EXPLANATION

HON. RUBEN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. HINOJOSA. Mr. Speaker, on Tuesday, May 25, I had the pleasure of hosting President Clinton and Vice-President GORE in my congressional district. This resulted in my missing several votes. Had I been present I would have voted as follows:

S. 249, "yea."

H.R. 1833, "yea."
 H. Res. 178 "yea."
 Rollcall vote No. 152, "no."
 Rollcall vote No. 153, "no."
 Rollcall vote No. 154, "no."
 Rollcall vote No. 155, "no."
 Rollcall vote No. 156, "no."
 Rollcall vote No. 157, "no."

TRIBUTE TO CAPTAIN STEPHEN
 ERIC BENSON OF THE UNITED
 STATES NAVY

HON. OWEN B. PICKETT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. PICKETT. Mr. Speaker, I rise today to pay tribute to Captain Stephen Eric Benson, Commanding Officer of Naval Air Station Oceana, who has served in the United States Navy for twenty-five years of faithful duty to his country.

For the past three years, Captain Benson has served as the Commanding Officer of Naval Air Station Oceana Virginia Beach, Virginia located in my congressional district. During his tenure as Commanding Officer, Captain Benson has distinguished himself by his exceptional efforts to establish and improve upon the relationship between the community and the Naval Air Station. It is a testimony to these efforts that as he leaves his post in June of this year, the relationship between the base and the City of Virginia Beach is one of the best in the nation.

The tenacious efforts of Captain Benson to enhance the cooperation with the surrounding community and his goal of serving as a "good neighbor" has not only helped the Navy achieve its mission, but also has made a direct contribution to the goals of the City of Virginia Beach. His open communication policy with both the Mayor of Virginia Beach and with the local congressional delegation has been exemplary and productive for all concerned.

Captain Benson has worked tirelessly to improve the quality of life for the sailors stationed under his command. New living quarters and recreational improvements have been either built or have been funded. With the assistance of congressional leadership, local political leaders and businesses, a new Barracks for enlisted personnel and a new recreational facility have either been funded or are near completion as he executes his next assignment.

Captain Benson has overseen the movement of ten F/A-18 squadrons and their families to Naval Air Station Oceana from Naval Air Station Cecil Field, Florida. A total of one hundred fifty-six aircraft and nearly nine thousand personnel and dependents have made the transition to their new home in Virginia Beach with minimum impact to operations and family members.

Again enhancing community relations, he has developed and nurtured the local Military Air show into a community affair, aligned with the City of Virginia Beach's Neptune Festival. This event, once known as the NAS Oceana Air Show is now known as the Neptune Festival Air Show. The show has been not only profitable to the Military Welfare and Recreation Fund which has a direct impact on the improvement of quality of life issues for the

sailors at NAS Oceana, but was awarded the Best Military Air Show in North America for 1998 by the International Council of Air Shows. This is a true win-win scenario which has brought recognition to not only the base, but to the community at large.

Captain Benson has personally conducted hundreds of community presentations fostering the best base-community relationships within the Hampton Roads region. He has been lauded by both the Mayor of the City of Virginia Beach and myself for his efforts in working with the local political groups and businesses for the betterment of all concerned.

Under his charge, Naval Air Station Oceana has won two consecutive Environmental Awards in 1998 and 1999 for efforts to maintain the environment on this installation. From these efforts, to rapid response teams for fuel spills, to responses to Environmental Protection Agency (EPA) inquiries, NAS Oceana has been praised on all fronts.

Captain Benson is an active member of the Hampton Roads Rotary and the City of Virginia Beach Neptune Festival Committee, further enhancing the cooperation and community leadership between the base and the public at large.

A totally dedicated professional, Captain Benson has set a superior personal example of all military leaders to emulate. His many contributions will continue to be felt for many years to come in the Hampton Roads area. Because of his outstanding and distinguished record of accomplishments, his tenacious efforts to keep the local community informed and his outgoing personality, Captain Benson is truly worthy of recognition. We will surely miss him at Oceana Naval Air Station.

IN RECOGNITION OF JOSEPH
 POSEDEL

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. THOMPSON of California. Mr. Speaker, I am pleased today to recognize Joseph F. Posedel who is retiring as Business Manager of Plumbers and Steamfitters Local 343 under the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry.

In his 36 years with the union, Mr. Posedel has worked to create a solid foundation for Local 343.

He joined the union in 1963 as a building trades apprentice. He became a trustee for the Trust Fund in 1970. Subsequently, he served as Vice President, President, Business Agent and Apprenticeship Coordinator for the union. In January 1996 he assumed the important leadership position of Business Manager.

As Business Manager, Mr. Posedel successfully negotiated an improved wage package, including health, welfare, and pension benefits, for union members.

Mr. Posedel is a native of the San Francisco Bay area. He grew up in Rodeo and attended St. Mary's High School, graduating in 1955. He also attended St. Mary's College in the same community.

He and his wife, Patricia, have been married for 39 years. They have three children and six grandchildren.

Following his retirement, Mr. Posedel will continue to serve Local 343 as a Trustee of the Trust Fund.

Mr. Speaker, because of Joseph F. Posedel's long and devoted service to Local 343 of the Plumbers and Steamfitters Union, it is fitting and proper to honor him today for his accomplishments, and to wish him well in his retirement.

THIRD ANNIVERSARY OF TAI-
 WANESE PRESIDENT LEE IN OF-
 FICE

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. GILMAN. Mr. Speaker, permit me to take this opportunity to convey to Taiwanese President Lee Teng-hui, on the eve of his third anniversary in office, our best wishes and congratulations. Taiwan is very fortunate to have Dr. Lee as its President.

A man of vision, President Lee supports the reunion of Taiwan and mainland China according to the principles of democracy, freedom, and the equitable distribution of wealth. During his tenure in office, he has made every effort to resume the cross Strait dialogue and to maintain peace and security in the Taiwan Strait.

Accordingly, I invite my colleagues to join in extending congratulations and best wishes to President Lee and we look forward to his continuing accomplishments in the coming years.

INTRODUCTION OF THE TEACHER
 EMPOWERMENT ACT

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. McKEON. Mr. Speaker, today I am joining with the distinguished Chairman of the Committee on Education and the Workforce, Mr. GOODLING, Mr. CASTLE, the Speaker of the House, the Majority Leader, Mr. WATTS, Mr. BLUNT, Ms. PRYCE, and other distinguished Members of the House to introduce the Teacher Empowerment Act. This legislation will make a significant and positive impact on how we prepare our Nation's teaching force by providing States and local school districts with needed funding for the provision of high quality teacher training and for the hiring of new teachers, where necessary.

In the development of the Teacher Empowerment Act, we have made every effort to put together a bill that is in the best interests of children, parents, and teachers. We have also tried to include the best elements of teacher training proposals from the Governors, the Administration, and different Members of Congress, on a bipartisan basis. I hope that by the time this legislation is considered by the full House, we will have a bipartisan proposal that will vastly expand training opportunities for our Nation's teachers and increase the achievement of all of our Nation's students. I intend to work closely with Mr. Martinez, the Ranking Democrat Member on the Subcommittee on Postsecondary Education,

Training and Life-long Learning, and others, on a bipartisan basis, to bring this bill to the floor of the House as rapidly as possible.

We believe that parents and other taxpayers have the right to information about student achievement and the quality of the teachers in their schools. Our bill holds schools accountable for raising student academic achievement, and we ensure that parents know the quality of their children's teachers.

We encourage intensive, long-term teacher training programs, focused on the subject matter taught by the teacher. We know that this works. If localities are unable to provide such professional development, teachers will be given the choice to select their own high quality teacher training programs. For the first time, we're giving teachers a choice in how they upgrade their skills. Our Teacher Opportunity Payments will empower individual teachers, or groups of teachers, to choose the training methods that best meets their classroom needs.

The Teacher Empowerment Act maintains an important focus on math and science, as under current law, but the legislation expands teacher training beyond just the subjects of math and science. The legislation ensures that teachers will be provided with training of the highest quality in all of the core academic subjects.

By combining the funding of several current Federal education programs, the Teacher Empowerment Act provides over \$2 billion annually over the next five years to give States, and more importantly local school districts, the flexibility they need to improve both teacher quality and student performance. This legislation also encourages innovation in how schools improve the quality of their teachers. Some localities may choose to pursue tenure reform or merit-based performance plans. Others may want to try differential and bonus pay for teachers qualified to teach subjects in high demand. Still others may want to explore alternative routes to certification.

The Teacher Empowerment Act continues to support local initiatives to reduce class size.

In fact, schools would be required to use a portion of their funds for hiring teachers to reduce class size. However, unlike the President's program, no set amount is required for the hiring of new teachers. Schools will be allowed to determine the right balance between quality teachers and reducing class size. Schools will also be allowed to hire special education teachers with these funds.

All of these are feasible in our legislation, because we don't try to tell schools what the approach should be. We don't want to impose any one system that every school must follow in order to upgrade the quality of its teachers. That won't work, because one size does not fit all.

The Teacher Empowerment Act is good, balanced legislation. It provides the flexibility that States and local school districts need to improve the quality of their teaching force with two goals in mind: increases in student achievement; and increases in the knowledge of teachers in the subjects they teach. I encourage all of my colleagues in the House to support this important legislation as we work to improve our nation's schools.

SAN FRANCISCO STATE
UNIVERSITY'S CENTENNIAL YEAR

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Ms. PELOSI. Mr. Speaker, I rise today to congratulate San Francisco State University and to celebrate the 100th anniversary of its founding. It has grown from a teacher training school in 1899 with a student body of 31, to its status today as a racially and ethnically diverse, major urban university serving more than 27,000 students. While San Francisco State University was founded on March 22, this year graduation will be held on May 29. As SFSU graduates its 100th class, I'd like to recognize their contributions during the last century.

Throughout its first century, this University has led the way in providing accessible higher education for California's residents, promoting excellence in teaching and learning, embracing diversity, and creating community partnerships that enrich the cultural and economic life of the Bay Area, while strengthening the educational experience of our students.

San Francisco State University should be commended for its many achievements including, making global headlines for discovering new planets outside our solar system; establishing the nation's first College of Ethnic Studies; creating the only academic research facility on the San Francisco Bay; building one of the nation's top two Conservation Genetics Laboratories; creating the largest multimedia studies program in the country; and housing nationally recognized biology, creative writing and journalism programs.

SFSU should be proud of the linkages that its programs and quality faculty have built for sustained community involvement and partnership throughout its history. SFSU serves as a national model of a community-engaged urban campus, housing more than 100 centers, institutes and other special programs and projects addressing such varied issues as the health of the San Francisco Bay; K-12 student math skills; and small business success and science skills for inner city youth throughout the state. The University has also sustained collaborative partnerships throughout San Francisco and the Bay Area, including the Valencia Health Clinic, Step to College, Community Science Workshops for California, the Visticion Valley Community Service Center, the Muir Alternative Teacher Education program, and the Community Outreach Partnership Center.

San Francisco State is truly a model institution, making significant contributions in the Bay Area and beyond. They deserve to be congratulated for all their successes during the last 100 years and we wish them the best for the next century.