

dollars for local charities while serving as the Chairman for numerous golf tournaments that benefited local groups such as the Fender Museum Foundation, the Boy Scouts, the ARC Angel Foundation and the Happy Hairston Youth Foundation. He has also served as a committee member on several other charity golf tournaments such as the American Cancer Societies, The Boys and Girls Club of Temecula, and the Corona Regional Medical Center.

In addition to his service on established charitable organizations, Bud initiated a new program called "The Cool Down Corona Program". During the hot summer months, senior citizens without air conditioning were suffering needlessly. Bud decided to go down to the local hardware store and purchase 30 window air conditioners. He then contacted the Corona Police Department, the Corona Fire Department and the Corona Senior Center and obtained the names of seniors in our community that did not have air conditioners. Over the past few years the program has grown and every year more seniors are helped during the summer months with much needed relief.

Bud also co-founded the At Risk Children Foundation, or ARC Angel Foundation and has raised and given back to the community over half a million dollars in goods and services. One of the first activities organized by ARC Angel was to take 700 children from low-income families to an Anaheim Angels ballgame at Edison Field, many of whom had never been out outside the city of Corona. Bud personally funded the tickets, food, souvenirs, and a mobile disc jockey.

One of the defining moments in Bud's charitable record, was his involvement after September 11, 2001. On the weekend following the tragedy, Bud gave away United States flags to anyone who came into his car dealership requesting a flag. He also offered to donate \$100 to the New York Relief Fund for each car that was sold in the name of that customer. On the week anniversary of September 11th, Bud closed the dealership at noon to have a brief program in remembrance of the victims. Local firefighters and police were honored and Bud announced he would match funds for anyone who would like to donate money to the relief efforts.

Bud has set a standard of excellence and commitment in his work with charity. His tireless passion for community service has contributed immensely to the betterment of the community of Corona, California. His involvement in the community makes me proud to call him a fellow community member, American and friend. I know that many community members are grateful for his service and salute him as he receives the "Ira D. Calvert Distinguished Service Award".

#### HONORING KEN GOODWIN

### HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 6, 2003*

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to recognize Ken Goodwin for exemplary service on the occasion of his retirement from Otero Junior College. Ken served in the college's technology department for thirty-two years, taking over as Director of

Computer Services in 1979. His leadership has kept OJC on the cutting edge of technology for over three decades.

Ken was born and raised in the Arkansas Valley. He graduated from Otero Junior College with an Associate's degree and completed his Bachelor's degree at Southern Colorado State College, now the University of Southern Colorado in Pueblo. He returned to OJC as a computer operator in 1971.

In his thirty-two years at OJC, Ken oversaw tremendous changes, watching his computers shrink from the size of a room to the size of his hand. Ken helped to connect OJC's computer network to the Colorado Community College System and expand the role played by technology in the daily life of the campus and its students. He also took the lead on technology issues on a region-wide basis. In 1998, the Colorado legislature established the Connect Colorado project to develop technology in rural Colorado by networking schools and non-profit organizations. Originally serving as a representative of OJC to the larger project, Ken eventually agreed to take over as project manager himself.

Mr. Speaker, it is a great privilege to recognize Ken Goodwin for his service to Otero Junior College and southeastern Colorado. Ken's efforts have provided the foundation for the continuing expansion of technology to students and citizens in rural Colorado. I wish him well in his retirement.

#### TRIBUTE TO WASHINGTON REDSKINS CORNERBACK DARRELL GREEN

### HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 6, 2003*

Mr. HINOJOSA. Mr. Speaker, it is with great pleasure that I rise today to honor Darrell Green. Mr. Green recently retired after 20 years, as a star cornerback, with the Washington Redskins. During that time he became one of the National Football League's all-time best, and most honored, players.

As a native of Houston, Texas, Darrell Green began his athletic career at Jones High School. From 1978–1983, he attended Texas A&I University, which is now Texas A&M Kingsville and is located in the 15th district. There he was an Associated Press Little All-America and American Football Coaches Association All-America first-team honoree. Mr. Green was on the All-Lone Star Conference first team as a junior and senior and was selected as the Lone Star Conference's most valuable player in 1982. He was selected to the Lone Star Conference Team of the Decade for the 1980s.

Much of Darrell Green's collegiate stardom came from his accomplishments not on the football field, but on the track, where his phenomenal speed as a sprinter made him one of the world's fastest runners. His mark in the 100-meter dash still stands as the all-time best in the Lone Star Conference. Mr. Green was named to the NCAA Division I All-America roster in 1981 and 1982, was on the NCAA Division II All-America team in five events in 1981 and 1982, was NAIA All-America in 1981 and 1982 in four events, and was named the most valuable track performer at the 1982 and 1983

Lone Star Conference Championships. He has been inducted into the Lone Star Conference Hall of Honor and the Javelina Hall of Fame.

In the spring of 1983, Darrell Green was a first-round draft choice of the Washington Redskins. During his first regular-season game with the Redskins, he electrified football fans everywhere when he crossed the field to chase down and tackle the legendary Dallas Cowboy running back, Tony Dorsett, preventing a sure touchdown. Similar exploits on the field that year earned him the title of NFL Rookie of the Year. Since then, he has been a seven-time All-Pro defensive back, four-time NFL Fastest Man honoree and two-time Super Bowl championship team member. Mr. Green holds a remarkable number of NFL and Redskins records, including first NFL player to make at least one interception in 19 consecutive seasons; first NFL player to return an interception for a touchdown at age 37; first NFL player to play cornerback at the age of 42; first Redskin to play 20 consecutive seasons, start in 254 games and play 279 games; first Redskin to have 54 interceptions; first Redskin to return a fumble 78 yards for a touchdown—the longest in Redskin history; and the first Redskin to return six interceptions for touchdowns in a season.

Darrell Green has also been a shining star off the field through his dedicated efforts to help at-risk youth. In 1988, he founded the Darrell Green Youth Life Foundation, which opens doors of opportunity for neglected children living in unsafe environments. The mission was accomplished through community-based, value-driven learning centers operating in urban, suburban and rural neighborhoods throughout America. The first Darrell Green Youth Life Learning Center was established in 1993 and has grown to six operating centers in three states. For his extraordinary humanitarian endeavors, Green has received an honorary doctorate from Marymount University. He has also received honorary doctorate degrees from George Washington University and American University. Darrell currently serves on the board for the Baltimore-Washington 2012 Olympic Games bid, NFL/NFLPA Sept. 11 Relief Fund and the Loudon Education Foundation. He has received numerous awards and was recently inducted into the Texas Sports Hall of Fame in 2001.

Mr. Speaker, I call upon my colleagues to join me in honoring my fellow Texan, Darrell Green, for his extraordinary accomplishments both on and off the football field. His alma mater, Texas A&M Kingsville, and I are justifiably proud not only of his fabulous football career, but of his long-standing commitment to help at-risk children reach their fullest potential and achieve their dreams.

#### TRIBUTE TO MAJOR JOSE RAMON BACA

### HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 6, 2003*

Mr. BACA. Mr. Speaker, I would like to pay tribute to Major Jose Ramon Baca, who is a very special individual to me. He was truly appreciated and loved by all who were fortunate enough to know him.

Jose "Ray" Baca was born in Las Nutrias, New Mexico, to Alberto and Josefita Peralta

Baca on March 19, 1940, and grew up in Albuquerque's South Broadway neighborhood. Ray graduated Albuquerque High School in 1958, and continued his education at the University of New Mexico. He graduated from the University in 1962 with a B.S. in chemical engineering and was a member of the Tau Beta Pi National Engineering Honor Society. After graduating, Ray married Victoria Morales in San Antonio, Texas on July 16, 1966. Together they raised their two sons, Rafael and Arthur.

Once joining the Air Force, Ray's ambition, brilliance, and passion poised him for success. During his 20-year career in the Air Force, he worked as a launch officer for the Atlas Missile Project in Roswell and in Turkey. He received a Masters of Science degree in 1968 in nuclear engineering from the Air Force Institute of Technology (AFIT) at Wright Patterson Air Force Base, Ohio. He also worked as a staff scientist at McClellan Air Force Base in California and later at the Air Force Missile Command in Washington, D.C.

His yearning for knowledge led him to return to the University of New Mexico. In 1987 he received a M.A. in History and Southwestern Studies and was a doctoral candidate in history. His dream was to continue to research and write about his native state.

Ray passed away on June 6, 2002 surrounded by his loving family. He was preceded in death by his father, Alberto Baca and sister, Viola Baca, and is survived by his wife of 35 years Victoria Baca; sons Rafael and Arthur; mother Josefita Baca; and sisters Dolores Padilla, Priscilla and Anna Mae Baca. His family, innumerable friends and community will miss him greatly.

He will be remembered as a loving and generous husband, father, son, brother, and friend. He valued his family above all things, and supported and encouraged them in all stages of their lives. He instilled in his children a strong sense of family, love, and respect, and he encouraged them to excel in their education. He was an exceptional, compassionate and motivating individual.

And so Mr. Speaker, I submit this loving memorial to be included in the archives of the history of this great nation.

#### THE MEDICAL MALPRACTICE INSURANCE AND LITIGATION REFORM ACT OF 2003

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 6, 2003*

Mr. CONYERS. Mr. Speaker, I am pleased to introduce the Medical Malpractice Insurance and Litigation Reform Act of 2003. This legislation responds to the real problems in the medical malpractice insurance market—namely, higher prices driven by lack of competition and investment losses by insurers leading to a boom bust cycle. To respond to these problems, Title I of the bill insures that the antitrust laws apply to medical malpractice insurers, price comparisons can be easily obtained, and procedural checks are in place to insure that premium increases are warranted and can be challenged by health care providers.

Above and beyond these requirements, the bill responds to concerns that medical mal-

practice is not available in parts of the country. As a result, Title II would create a Federal medical malpractice insurance association, housed within the Department of Health and Human Services, to provide medical malpractice insurance where it is not available at reasonable terms.

In addition, the bill responds to the complaint that medical malpractice insurance premiums are being driven higher as a result of frivolous complaints. Title III of the bill provides for a series of measures designed to insure that the lawsuit itself is not frivolous and that the pleadings filed in connection with the suit are accurate and meritorious. Title III also provides for alternative dispute resolution designed to encourage resolution of medical malpractice actions outside of court. The following is a more detailed description of the legislation.

#### SECTION-BY-SECTION ANALYSIS MEDICAL MALPRACTICE INSURANCE AND LITIGATION REFORM ACT

##### TITLE I—MEDICAL MALPRACTICE INSURANCE REFORM

This Title constitutes an effort to respond to some of the flaws apparent in the medical malpractice insurance marketplace and the regulation of that market. Among other things, the title insures that the antitrust laws apply to medical malpractice insurers, price comparisons can be easily obtained, and procedural checks are in place to insure that premium increases are warranted.

Section 101. Prohibition on Anticompetitive Activities by Medical Malpractice Insurers. Repeals McCarran-Ferguson to ensure that insurers don't engage in price fixing. The Act, enacted in 1945, exempts from the Federal antitrust laws all anticompetitive insurance industry practices except boycotts. Over the years, uneven oversight of the insurance industry by the States, coupled with no possibility of Federal antitrust enforcement, has created an environment that fosters a wide range of anticompetitive practices.

Section 102. Medical Malpractice Insurance Price Comparison. Creates an Internet site at which health care providers could obtain the price charged for the type of coverage the provider seeks from any malpractice insurer licensed in the doctor's state. This section specifies the availability of online forms and that all information will remain confidential.

Section 103. Procedural Requirements for Medical Malpractice Insurers' Proposed Rate Increases. Gives doctors standing in any state administrative proceeding to challenge proposed rate increases and requires insurance companies to provide justification for any rate increase prior to implementing such increase. Only a handful of states (Alabama, Arizona, Illinois, New York, Oklahoma, and possibly a few others) require that rates be filed and approved by the state insurance department before they can be used.

##### TITLE II—FEDERAL MEDICAL MALPRACTICE INSURANCE ASSOCIATION

There have been isolated reports that physicians are unable to obtain medical malpractice insurance at any rate and this title is designed to deal with that problem by providing a federal backstop. The title also provides for disclosure of information by private insurers so that more information can be obtained on the reasons for any problems in the malpractice insurance marketplace.

Section 201. Establishment; Purpose. Establishes an Association within the Department of Health and Human Services to provide medical malpractice insurance where it is not available at reasonable terms.

Section 202. Board of Directors. Creates a board of directors for the Association. The board has authority to run the Association and to act like a governing body of a private insurance carrier. This section sets out specifics as to the number of appointments, eligibility, and vacancies.

Section 203. Administration. An administrator is appointed to act as the Association's chief executive officer, in charge of day-to-day operations and management of the Association. The Association shall be fully operational no later than 180 days after the date of enactment of the Act.

Section 204. Rates. Gives the board authority to establish rates to be charged by the Association. The board will use an actuary to recommend rates, and rates shall be set at amounts sufficient, when invested, to carry all claims to maturity, meet reasonable expenses of conducting the business of the Association and maintain reasonable surplus. The insurance program shall be neither more nor less than self-supporting. The Association is authorized to purchase reinsurance.

Section 205. Investment Policy. Provides that the board of directors shall formulate and adopt an investment policy and supervise investment activities of the Association. Gives the Association the ability to retain independent investment counsel and requires the board to periodically review and appraise the investment strategy.

Section 206. Medical Malpractice Risk Management Program. Requires the administrator to develop a risk management program for all policyholders and to solicit input from the National Association of Insurance Commissioners in developing the program. Insurance may be refused or terminated if any insured disregards the plan and the administrator may consider compliance with the plan in determining premiums of the insured.

Section 207. Seed Money to be Funded by Treasury Department Loan. Provides for the funding of the Association by the Secretary of Treasury through one or more 5 year term loans in an amount not to exceed \$100,000,000 for start-up funding.

Section 208. Disclosure of Data by Medical Malpractice Insurers. This section requires each insurance provider to file a copy of its annual statement with the Chairperson of the Association. The insurer shall also provide information regarding (1) closed claims; (2) verdicts, payment, and severity of injury in connection with verdicts; (3) rate changes; (4) premiums and losses by medical speciality; (5) premiums and losses by experience of the insured; (6) performance of the investments of the insurer.

Section 209. Annual Report by Chairperson. Requires the Chairperson to file an annual report with the President and Congress that includes: (1) a statement of the Association's accounts, funds, and securities; (2) copies of reports required by the National Association of Insurance Carriers; (3) any requests for additional loans; (4) an assessment of the medical malpractice insurance marketplace; (5) an assessment as to why health care providers have been unable to obtain insurance at reasonable prices; and (6) a report summarizing the information disclosed pursuant to Section 208 and attaching the disclosed information.

Section 210. Financial Matters. Requires the administrator to submit to the board an estimated budget of the expenses of administering the Association. If assets exceed liabilities, necessary reserves and reasonable surplus, the Association shall declare a cash dividend or allow a credit to any health care provider that has complied with the risk management program.

Section 211. Definitions.