

members of First Baptist Church—would be proud to see this principle flourishing today in the churches of America and in communities like Gainesville, TX. Likewise, the present church members look back in appreciation for their rich heritage and for the hard work and dedication of all those who have come before them. They also look to the future—to the ministry and the opportunities for service in the years to come.

Mr. Speaker, it is my privilege as the Representative for the Fourth District of Texas to pay tribute to the First Baptist Church of Gainesville on the occasion of its 125th anniversary, and I ask my colleagues to join me in extending our best wishes to the First Baptist Church for a future that will be as blessed as its past.

IN HONOR OF BISHOP OZRO T. JONES, JR.

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 1996

Mr. FATTAH. Mr. Speaker, Bishop Ozro T. Jones, Jr. is to receive the 1995 Poor Richard Club Gold Medal at a formal dinner in his honor on May 10, 1996.

Bishop Jones is the second African-American to receive this award. The first was Pennsylvania Supreme Court Chief Justice Robert N.C. Nix, Jr. Other gold medal awardees have included: Thatcher Longstreth, Edward J. Piszczek [Mrs. Paul's Foods], Sam McKeel [Philadelphia Inquirer], Lee Iacocca, Gen. Dwight D. Eisenhower, Gen. Douglas MacArthur, Bob Hope, Walt Disney, Claire Booth Luce, Rogers & Hammerstein, and many others.

Bishop Jones preached his first sermon at 14, was ordained by his father, Bishop Ozro T. Jones, Sr. at 16, was a missionary to Africa [Liberia] and associate minister in Monrovia in 1949. Bishop Jones received a doctor of sacred theology [STD] degree from Temple University. He is a board member of the American Bible Society. He was elected as a member of the board of regents of Oral Roberts University in 1990. He currently serves as pastor, Holy Temple Church of God in Christ in West Philadelphia. He is a general board member and presiding Bishop, Church of God In Christ, Commonwealth of Pennsylvania jurisdiction.

Bishop Jones is also a member of the Poor Richard Club. The Poor Richard Club is reportedly America's oldest club of advertising, communication, and business professionals. It was founded on March 15, 1906. In 1926, the Poor Richard Club conceived the idea of a Benjamin Franklin Memorial Building. In just 2 weeks, the club raised \$5,000,000 for the project. On May 15, 1934, the memorial building was officially opened. That building is now called the Franklin Institute. The club has international members in Belgium, England, Bermuda, Haiti, South Africa, and Spain, and reciprocal clubs in London, Barcelona, Milan, and Czechoslovakia. In 1987 the club presented the International Medal to Bermuda Premier John Swan. In 1992, the second International Medal was presented to Chinese dissident and astrophysicist Fang Lizhi.

We congratulate Bishop Jones on being included in the most illustrious group, and we

look forward to his continued involvement in, and service to the city of Philadelphia.

#### THE OUTPATIENT PHYSICAL THERAPY STANDARDS ACT OF 1996

HON. SCOTT L. KLUG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 1996

Mr. KLUG. Mr. Speaker, Representative PETE STARK, Representative JIM NUSSLE, and I are introducing the Outpatient Physical Therapy Standards Act of 1996. This legislation would extend the current coverage standards that exist for independent practicing physical and occupational therapists to physicians' offices that also provide therapy services. This proposal was included in the Medicare Preservation Act which passed the House last October.

Currently, physical and occupational therapists must comply with certain standards. A study released by the Office of the Inspector General [OIG], however, has revealed certain abuses of these standards when the therapy was conducted within a doctor's office.

The study stated that, "Almost four out of five cases or reimbursement as physical therapy in physicians' offices do not represent true physical therapy services." The study also found that many physicians are billing the Medicare program for therapy services provided by unlicensed personnel. OIG estimated that \$47 million was inappropriately paid for therapy services performed in physicians' offices in 1991.

Physical and occupational therapy services should be held to the same standard of coverage regardless of the setting in which they are delivered. The Outpatient Physical Therapy Standards Act of 1996 will help close a loophole in Medicare policy that will save millions of dollars annually while ensuring the delivery of high quality physical and occupational therapy.

#### HONORING THE GRANVILLE VOLUNTEER FIRE DEPARTMENT

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 1996

Mr. GORDON. Mr. Speaker, I am taking this opportunity to applaud the invaluable services provided by the Granville Volunteer Fire Department. These brave, civic-minded people give freely of their time so that we may all feel safer at night.

Few realize the depth of training and hard work that goes into being a volunteer firefighter. To quote one of my local volunteers, "These firemen must have an overwhelming desire to do for others while expecting nothing in return."

Preparation includes twice-monthly training programs in which they have live drills, study the latest videos featuring the latest in fire-fighting tactics, as well as attend seminars where they can obtain the knowledge they need to save lives. Within a year of becoming a volunteer firefighter, most attend the Tennessee Fire Training School at Murfreesboro

where they undergo further, intensified training.

When the residents of my district go to bed at night, they know that should disaster strike and their home catch fire, well-trained and qualified volunteer fire departments are ready and willing to give so graciously and generously of themselves. This peace of mind should not be taken for granted.

By selflessly giving of themselves, they ensure a safer future for us all. We owe these volunteer fire departments a debt of gratitude for their service and sacrifice.

#### PERSONAL EXPLANATION

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 1996

Ms. HARMAN. Mr. Speaker, due to a family obligation the evening of May 8, I was unable to cast my vote on two bills.

If I had been present, I would have voted "yes" on rollcall No. 148, final passage of H.R. 2974, enhancing penalties for crimes against the elderly and children.

And I would have voted "yes" on rollcall No. 149, final passage of Megan's law.

#### CORRESPONDENCE

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 1996

Mr. McDERMOTT. Mr. Speaker, I am inserting for the RECORD a copy of the enclosed letter sent to Mr. John Linder.

HOUSE OF REPRESENTATIVES,  
Washington, DC, May 9, 1996.

Hon. JOHN LINDER,  
House of Representatives,  
Washington, DC.

DEAR JOHN: I respect the right of every Member to communicate with colleagues via "Dear Colleague" letters, but your letter of May 8, 1996 goes beyond the pale.

Your statement that I "would use [my] position on the Ethics Committee to promote these phony charges after taking money from" a fundraiser contains the implication, or at least the innuendo, that I committed a crime—a statement that is false and actionable. Of course, as you must know from your own experience, the money contributed at fundraising events does not accrue to me personally but to my campaign, and it did not come from Mr. Jost but rather from campaign contributors—all legally reported under the FECA. Further, your contention that I am obligated to disclose "these relationships" when performing my duties on the Ethics Committee is incorrect. The rules governing this subject (Ethics Committee Rule 7) do not require or even suggest that a Member on the Committee disclose the identity of this fundraiser, or that he recuse himself in instances in which a fundraiser has exercised his First Amendment rights in his personal capacity on a subject within the public domain.

I expect the rough and tumble of political outbursts but I will not tolerate

dissemination of false and defamatory statements such as those that you are circulating. Please be assured that I am fully prepared to take legal action if you do not immediately cease and desist these activities.

Sincerely,

JIM McDERMOTT.

#### UNFUNDED MANDATES AND CBO ESTIMATES

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 1996

Mr. HAMILTON. Mr. Speaker, the Unfunded Mandates Reform Act of 1995 was intended to assist Congress in its consideration of proposed legislation by providing information about the nature and size of possible mandates in those proposals. The Congressional Budget Office is directed by that statute to help in developing such information.

I wrote to the Congressional Budget Office to express my concerns about serious problems with the unfunded mandates information CBO provided on the conference report on H.R. 1561, the American Overseas Interest Act. That correspondence appears in the CONGRESSIONAL RECORD of March 22, 1996, at E426.

I would now like to submit the CBO response to my earlier letter. I am pleased that CBO acknowledges that it would be more useful to the Congress for CBO to provide the full cost estimate for any bill at one time, rather than in select parts, and that three of the four provisions in the conference report on H.R. 1561 would, in fact, increase costs to the States. I hope that in the future CBO will include such information in a single estimate at the time a bill is under consideration.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, April 18, 1996.

Hon. LEE H. HAMILTON,  
Ranking Minority Member, Committee on International Relations, U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN: I am writing in response to your letter of March 20, 1996, concerning CBO's intergovernmental mandates cost statement for the conference report on H.R. 1561, the Foreign Relations Authorization Act for Fiscal Years 1996 and 1997. Our mandates statement concluded that the conference report contained no intergovernmental mandates as defined by the Unfunded Mandates Reform Act of 1995 (Public Law 104-4).

In your letter, you raised two major concerns about CBO's estimate. First, you suggested that separating the mandates cost statement from the federal cost estimate for a bill or conference report diminishes the usefulness of the information for Members. I fully agree. As a general rule, CBO attempts to send out all information on a bill—the federal cost estimate, the intergovernmental mandate statement, and the private sector mandate statement—at the same time. Sometimes, however, we cannot complete all those statements at once, and in the interest of providing information in a timely manner, we send them separately.

Second, you questioned CBO's conclusion that H.R. 1561 would impose no intergovernmental mandates. Because the definition of mandate in Public Law 104-4 is a narrow one, a bill can increase costs for states and localities without imposing a mandate upon

them. In fact, H.R. 1561 is just such a case. As you suggest, states would face additional costs if more refugees enter the United States and receive benefits from AFDC, Medicaid, or other public programs. CBO's estimate should have indicated the likelihood of such costs, even though they would not be the direct result of new mandates imposed on the states.

The Unfunded Mandates Reform Act defines a federal intergovernmental mandate as any provision in legislation, statute, or regulation that would impose an enforceable duty upon state, local, or tribal governments, except as a condition of federal assistance or a duty arising from participation in a voluntary federal program. Under the act, a provision that relates to large federal entitlement grant programs constitutes a mandate only if that provision would increase the stringency of conditions of assistance to state, local, and tribal governments under those programs, and only if the affected governments lack authority under that program to amend their financial or programmatic responsibilities to continue providing required services that are affected by the provision. Furthermore, section 4 of Public Law 104-4 specifically excludes from CBO's analysis certain kinds of legislative provisions, including any provision that "is necessary for the national security or the ratification or implementation of international treaty obligations."

Three of the provisions cited in your letter as having the potential to expand the states' burden of caring for refugees (sections 1104, 1253, and 1255) do not meet the definition of an intergovernmental mandate in Public Law 104-4. These provisions relate instead to the operation of the State Department's refugee and migration assistance programs. While states would face additional costs if more refugees and asylees are allowed to remain in this country, these costs would result either from state public assistance requirements that are not controlled by the federal government, or from an increase in the number of people eligible for federal entitlement programs. Because the bill would not increase the stringency of conditions for these entitlement programs, these provisions do not constitute mandates under the law.

Section 1256, the remaining provision of the conference agreement cited in your letter, falls within the section 4 exclusion, because it is necessary for the implementation of the international obligations of the United States under the Convention Against Torture and Other Cruel, Inhuman, and Degrading Treatment or Punishment. Therefore, pursuant to the provisions of the act, CBO did not analyze its potential impact on state, local, and tribal governments.

Please let me know if you have further questions or concerns about this estimate or about the implementation of the Unfunded Mandates Reform Act. The CBO staff contact is Pepper Santalucia.

Sincerely,

JUNE E. O'NEILL,  
Director.

#### PERSONAL EXPLANATION

HON. JOHN N. HOSTETTLER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 1996

Mr. HOSTETTLER. Mr. Speaker, due to official business in my district, I missed two yeas and nay votes and one recorded vote on May 8, 1996. Had I been present, I would have

voted as follows and request that these appear at the appropriate place in the record:

I would have voted "yea" on rollcall No. 150, which ordered the previous question on House Resolution 416, a resolution to establish a Select Committee of the Committee on International Relations to investigate the United States role in Iranian arms transfer to Croatia and Bosnia.

I would have voted "yea" on rollcall No. 151, on passage of House Resolution 416, a resolution to establish a Select Committee of the Committee on International Relations to investigate the United States role in Iranian arms transfer to Croatia and Bosnia.

I would have voted "yea" on rollcall No. 152, on adoption of House Resolution 417 to provide amounts for the expenses of the Select Committee of the Committee on International Relations to investigate the United States role in Iranian arms transfer to Croatia and Bosnia.

#### HONORING THE LAFAYETTE VOLUNTEER FIRE DEPARTMENT

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 1996

Mr. GORDON. Mr. Speaker, I am taking this opportunity to applaud the invaluable services provided by the Lafayette Volunteer Fire Department. These brave, civic-minded people give freely of their time so that we may all feel safer at night.

Few realize the depth of training and hard work that goes into being a volunteer firefighter. To quote one of my local volunteers, "These firemen must have an overwhelming desire to do for others while expecting nothing in return."

Preparation includes twice monthly training programs in which they have live drills, study the latest videos featuring the latest in firefighting tactics, as well as attend seminars where they can obtain the knowledge they need to save lives. Within a year of becoming a volunteer firefighter, most attend the Tennessee Fire Training School in Murfreesboro where they undergo further, intensified training.

When the residents of my district go to bed at night, they know that should disaster strike and their home catch fire, well-trained and qualified volunteer fire departments are ready and willing to give so graciously and generously of themselves. This peace of mind should not be taken for granted.

By selflessly giving of themselves, they ensure a safer future for us all. We owe these volunteer fire departments a debt of gratitude for their service and sacrifice.

#### NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT OF 1996

HON. TIM JOHNSON

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 9, 1996

Mr. JOHNSON of South Dakota. Mr. Speaker, I rise today to express my strong support for the Native American Housing and Self-Determination Act offered as an amendment to