

Warmest personal regards.  
Sincerely,

JAMES L. OBERSTAR, M.C.,  
*Ranking Democratic Member.*

Mr. LIPINSKI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I may consume, and I certainly want to join in wishing Dara well. She not only has performed in a superb way, but I also understand that she was one of the best players on our committee's softball team, so we are certainly going to miss that as well.

Mr. Speaker, with that, I urge our colleagues to support this bipartisan legislation.

Mr. RAHALL. Mr. Speaker, the Senate amendments to H.R. 3159, legislation which would reauthorize the National Transportation Safety Board, contain provisions that are similar to a bill, H.R. 4040, passed by this body last week aimed at promoting greater compliance with our highway truck weight laws.

As we prepare to send this legislation to the President, I want to take this opportunity to note that the amendments to the Intermodal Safe Container Act of 1992 is the product of a consensus reached between the shipping, motor carrier and railroad industries. In this regard, I want to commend these entities for their good faith negotiations and willingness to compromise on what is today a product that is truly in the public interest.

Mr. Speaker, in 1992 we passed legislation to encourage compliance with U.S. highway weight limits by requiring that an entity which ships containerized cargo verify the weight of the containers. These containers often are transported in an intermodal fashion, from ship to truck, or ship to railroad to truck, with final delivery made by trucks subject to our highway weight laws. The truckers must depend on the accuracy of the weight certification in determining their compliance with highway weight limits. Yet, if those certifications are inaccurate, and the trucker is found to be overweight, it is the trucker who must pay the fine even though he or she had no involvement in the packing of the container.

Since 1992, DOT has attempted to issue regulations implementing the 1992 act. While a final rule has been devised, DOT has delayed its implementation due to shortcomings it cannot administratively address due to the language of the 1992 law.

The pending bill seeks to address these deficiencies by first, while continuing to require the shipper to certify the weight of the containers, the certification could be incorporated into shipping papers and may be in electronic form. If the certification is not made, or is incorrect, the shipper is liable for any violations which may occur of our highway weight laws.

And second, the weight threshold for container certification under this bill is set at 29,001 pounds. This limit, it is my understanding from both DOT and industry, is a more appropriate threshold than what is in current law. These are the major aspects of the legislation. I believe they will enhance compliance with our highway weight laws, and urge the adoption of this measure.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 3159, the National Transportation Safety Board [NTSB]

Authorization Act, and in support of the Senate amendments.

This bill provides a total of \$133.5 million over 3 years for the activities of the NTSB. This funding level will allow the NTSB to hire an additional 20 employees to investigate transportation accidents.

Given the recent crashes of a ValueJet flight in Florida and a TWA flight off the coast of Long Island, reauthorization of the National Transportation Safety Board and specifically, the hiring of 20 additional inspectors, are both timely and necessary.

This measure also prohibits the NTSB from releasing certain information on transportation accidents that occur overseas; exempts the NTSB from Freedom of Information Act requests for certain voluntarily provided safety information; allows the NTSB to charge fees for employees of other agencies to attend NTSB accident investigation classes; and clarifies implementation of the Intermodal Safe Container Transportation Act.

I urge my colleagues to adopt the Senate amendments and pass the NTSB authorization and make our highway and skyways safer and more secure.

Mr. SHUSTER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GUTKNECHT). The question is on the motion offered by the gentleman from Pennsylvania [Mr. SHUSTER] that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 3159.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurrent in.

A motion to reconsider was laid on the table.

#### CORRECTING ENROLLMENT OF H.R. 3159, NATIONAL TRANSPORTATION SAFETY BOARD AMENDMENTS OF 1996

Mr. SHUSTER. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 221) correcting the enrollment of H.R. 3159, and I ask unanimous consent for its immediate consideration.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the concurrent resolution, as follows:

#### H. CON RES. 221

*Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill H.R. 3159, the Clerk of the House of Representatives shall make the following corrections:*

(1) In section 5902(b) proposed to be inserted in title 49, United States Code, by section 204(b), strike "electric" and insert "electronic".

(2) In section 204(e)(1), by inserting after "respectively" the following: ", and by moving the text of paragraph (2), as so redesignated down 1 line and to the left, flush full measure and indenting such paragraph".

(3) In section 205(1), by inserting "in subsection (a)" before "a comma".

(4) In paragraph (4) of section 5905(a) proposed to be inserted in title 49, United States Code, by section 206, after "(c).", move the remainder of the text of the paragraph down 1 line and to the left flush full measure.

(5) In section 206(2), by striking "(b)(1)" and inserting "(b)(1)".

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### W. EDWARDS DEMING FEDERAL BUILDING

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 3535) to redesignate a Federal building in Suitland, MD, as the "W. Edwards Deming Federal Building."

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mr. TRAFICANT. Mr. Speaker, reserving the right to object, I will not object, and I would ask the gentleman from Maryland for an explanation of the bill.

Mr. GILCHREST. Mr. Speaker, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Maryland.

Mr. GILCHREST. Mr. Speaker, I rise in support of H.R. 3535, a bill designating the Federal building in Suitland, MD, as the W. Edwards Deming Federal Building.

Dr. William Edwards Deming was a renowned expert on business management. He began his public service career with the Department of Agriculture as a physicist, in 1927. He then moved to the Bureau of Census to become the mathematical advisor to the chief of the population division, where he developed and designed statistical sampling techniques for use in the national census. His interest in quality and management led him to introduce sampling as a quality measurement technique for punch card verification and other processing in the 1940 census.

It is a fitting tribute to name this Census Bureau facility in his honor.

This bill has bipartisan support and I would like to thank my colleagues on both sides of the aisle for their assistance in bringing this measure forward.

I urge my colleagues to support this bill.

Mr. TRAFICANT. Mr. Speaker, under my reservation of objection, I yield to the ranking member of our committee, the gentleman from Minnesota [Mr. OBERSTAR].

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)

Mr. OBERSTAR. Mr. Speaker, I support H.R. 3535, a bill to designate the Federal building in the Suitland Federal Center, 4700 Silver Hill Rd., Suitland, MD as the W. Edwards Deming Federal Building.

Mr. Deming, who died in 1993, was honored throughout the world as the quality management guru. Dr. Deming began his career as a

physics teacher at the University of Colorado, and from 1928 to 1939 held a Federal position as a mathematical physicist at the U.S. Department of Agriculture. He also presented special lectures on mathematics and statistics at the Graduate School of the National Bureau of Standards.

In 1931 Dr. Deming was inspired by the book "Economic Control of Quality of Manufactured Products" and he subsequently undertook the task of improving quality in manufacturing. His work in this area, as we are aware, strongly contributed to the economic renaissance of Japan.

Dr. Deming was a prolific writer, teacher, and lecturer. He has received numerous awards, honorary doctorates, and honors including the Second Order Medal of the Sacred Treasure, awarded by the Emperor of Japan.

It is fitting and proper to honor the distinguished career of this truly outstanding American by designating the Federal building in Suitland, MD as the W. Edwards Deming Federal Building. I thank Mr. WYNN of Maryland for introducing H.R. 3535 and urge support for its passage.

Mr. TRAFICANT. Mr. Speaker, this designation would honor the contributions and career of an outstanding American. It is fitting and proper to designate the Census Bureau facility in Suitland in Dr. Deming's honor. I want to commend the gentleman from Maryland, Congressman WYNN, for his work on this bill and urge support of this bill.

Mr. Speaker, I offer my statement in its entirety for the RECORD:

Mr. Speaker, reserving the right to object. However, I will not object and yield to the gentleman for an explanation of the bill.

Thank you, Mr. GILCREST. H.R. 3535 is a bill to designate the Federal building at the Suitland Federal Center, Suitland, MD, as the W. Edwards Deming Federal Building. This designation would honor the contributions and career of an outstanding American.

Dr. Deming's career included work at the Department of Agriculture, and the Bureau of Census, as well as statistical consulting work for many foreign countries such as Austria, France, India, and most notably Japan, where he is often cited as a leader in the Japanese renaissance. Dr. Deming's work supported the thesis that most product defects were the result of poor management practices not careless workers. He argued that motivated workers working with proper tools produced quality products.

Mr. WYNN. Mr. Speaker, I rise today to express my support for H.R. 3535, legislation to redesignate Federal office building No. 3, located in Suitland Federal Center, 4700 Silver Hill Road, Suitland, MD as the William Edwards Deming Federal Building.

By way of background, Dr. Deming received his B.S. degree from the University of Wyoming, his M.S. degree from the University of Colorado and his Ph.D. from Yale University. In 1927, he became a faithful civil servant joining the Department of Agriculture as a physicist and then moved on to the Bureau of the Census to become the mathematical adviser to the chief of the population division. In that position he developed and designed statistical sampling techniques for use in the census. His interest in quality management led him to introduce sampling as a quality measurement

technique for punch card verification and other processing activities in the 1940 census.

After leaving the Census Bureau in 1945 he began a second distinguished career as a consultant on statistics and management to several foreign governments, including those of Austria, France, Germany, India, Turkey, and most famously Japan.

Dr. Deming's theories were based on the premise that most product defects resulted from management shortcomings rather than careless workers, and that inspection after the fact was inferior to designing processes that would produce better quality. He argued that enlisting the efforts of willing workers to do things properly the first time and giving them the right tools were the real secrets of improving quality—not teams of inspectors.

His successes with industrial leaders in Japan, with Ford Motor Co. and Xerox Corp. are unmatched. As a civil servant he dedicated his life to designing innovative methods of statistical gathering.

I urge the Members of the House to support this legislation to rename the Federal office building in Suitland, MD after this renowned expert on business management, Dr. W. Edwards Deming.

I would also like to ask unanimous consent to include in the RECORD additional material detailing the life of Dr. Deming.

#### W. EDWARDS DEMING—1900-1993

William Edwards Deming, who was born in Sioux City, Iowa, on the 14th of October 1900, has been honored throughout the world as a "quality-management guru." Yet, until the end of his life he insisted upon being known as a "Consultant in Statistical Studies," the title that appeared on his letterhead. His path to the eminence that he attained as a statistician was circuitous and full of serendipity.

After Ed Deming's graduation from the University of Wyoming in 1921 as an engineer, he remained there another year to study mathematics. It was during that time that, as he once told me, he received a letter from the Colorado School of Mines informing him that he was known to be a good flute player and that the professor of physics wanted to have a band and therefore would like him to come to teach. He accepted the invitation and, after a year, decided to get a master's degree in mathematics and physics from the University of Colorado. Just before he completed his degree, one of his professors who had studied at Yale with Willard Gibbs, a famous mathematician and physicist recommended him to his alma mater. Yale subsequently offered him free tuition and a job as a part-time instructor, both of which were eagerly accepted.

Upon finishing the requirements for his Ph.D. at Yale in 1928, Ed Deming began his career in government as a mathematical physicist in the Fixed Nitrogen Research Laboratory of the U.S. Department of Agriculture (USDA), and he remained in that position until 1939. His 38 publications during the period had to do principally with the physical properties of matter, but there were several that reflected his interest in statistical methodology. I once asked him why he, a mathematical physicist, became a statistician. His answer was quite involved.

"Courses in engineering and surveying led me to the theory of errors, and in studying physics and mathematics, I learned a lot of probability. Kinetic theory of gases is a theory of probability. So are thermodynamics and astronomy. And so is geodesy, involving measurement of the earth's surface for the purpose of figuring the curvature or other

characteristics of the earth. It makes use of 'least squares.' And I had very good teachers in least squares.

"When people had problems with experimental data. I just worked on them and found myself able to make a contribution, of thought anyway. And I suppose that's the way I got eased into it."

Analysis of results of experimental work in bacteriology and chemistry gave him a chance to learn more about the statistical adjustment of data. There were three papers on "The Application of Least Squares," published in the "Philosophical Magazine." In his book "Statistical Adjustment of Data," published in 1943, he brought together, in readily usable form, the substance of these papers and of the earlier literature and his own studies on the subject. This text is still frequently consulted for guidance on the application of the method of least squares in various different situations.

From 1930 through 1946, Ed Deming was a special lecturer on mathematics and statistics in the Graduate School of the National Bureau of Standards. His courses, given from 8 to 9 a.m. at the Bureau, later inspired many lectures and articles by his students. These paved the way for the establishment in 1947 of the Statistical Engineering Laboratory within the Bureau of Standards. During an overlapping period that extended from 1933 through 1953, he was head of the Department of Mathematics and Statistics of the Graduate School of the USDA and made major contributions to the mathematical and statistical education of a whole generation. In 1936, he went to London to study the theory of statistics with Ronald Fisher at University College, the University of London.

While at University College, Ed Deming met and attended lectures by Jerzy Neyman, who had been Head of the Biometrics Laboratory of the Necki Institute in Warsaw, Poland. Neyman read, at a meeting of the Royal Statistical Society, a revolutionary paper: "On the Two Different Aspects of the Representative Method: The Method of Stratified Sampling and the Method of Purposive Selection." As a result of the lectures and particularly this paper, which marked the beginning of a new era in sampling, arrangements were made for Neyman to visit the USDA Graduate School in 1937 and lecture there.

Ed Deming took pains to ensure that Neyman's lectures in Washington were well attended by U.S. Government statisticians, and he worked an entire year to produce the book, *Lectures and Conferences on Mathematical Statistics*. The lectures and the book together had a tremendous impact on sampling theory.

The staff of the Bureau of the Census was already planning in the late 1930s for the 1940 Population Census. Users of census data have always wanted more information than can possibly be provided with a normal budget. Many of them were willing to accept sample results, but some of the old timers at the Bureau were opposed to the idea of sampling. "Sampling was abhorred," Ed Deming told me, "because the census had always been complete. It couldn't be anything other than complete. But sampling was in the air."

The final decision rested with Secretary of Commerce Harry Hopkins. After listening to the arguments pro and con, Hopkins decided in favor of sampling procedure that would be used in the 1940 population census. "Well," Ed told me, "one day in 1939 the telephone rang, and it was Dr. Philip Hauser, the Assistant Director of the Census Bureau, wanting to talk with me about a job. I said 'Right Away!' and joined the Bureau of the Census as Head Mathematician and Advisor in Sampling."

After leaving the Census Bureau in 1946, Ed Deming began his practice as a Consultant in Statistical Studies from an office in the basement of his home in Washington, DC. For the remainder of his life, he conducted his consulting from this office, aided for many years before her death in 1986 by his wife Lola, a distinguished mathematician in her own right. During the final nearly four decades of his life he was assisted by his extraordinary secretary, consultant and confidant, Cecelia Kilian, known to hundreds of people throughout the world as "Ceil."

At the same time that he began his consulting practice Ed Deming joined the Graduate School of Business Administration at New York University as a full professor. Before he "retired" from NYU in 1975 to become Professor Emeritus, he regularly taught two courses in survey sampling and one in quality control; and, moreover, he served as advisor to about 100 students who earned their master's and doctoral degrees. I asked him on one occasion if NYU didn't have some sort of policy concerning retirement of academic and other personnel at age 65 or 70. His response was, "Well, if they did have, they didn't tell me about it."

The fact is that until a few months before his death, Ed Deming continued to teach at NYU every Monday afternoon during the academic year and to direct studies of graduate students. He also taught Monday mornings during the last few years of his life as a "Distinguished Lecturer" at Columbia University, where a Deming Center has recently been established.

Ed Deming's entrance into the world of quality improvement was inspired by the 1931 book *Economic Control on Quality of Manufactured Product*, written by his friend and mentor Walter Shewhart, the father of statistical process control. In 1938, he arranged for Shewhart to deliver a series of four lectures entitled "Statistical Method from the View point of Quality Control" at the USDA Graduate School. These lectures were published by the Graduate School in 1939 "with the editorial assistance of W. Edwards Deming."

The crusade that Ed Deming subsequently undertook for the improvement of quality resulted, as we know, in the economic Renaissance of Japan and eventually in his own world-wide prominence as a "prophet of quality" and philosopher of management. This aspect of Ed Deming's life was highlighted by the media in the hundreds of commentaries upon his death. The present tribute to his memory therefore, has emphasized only what is pertinent to statisticians and was not mentioned in those commentaries.

Ed Deming's extensive contributions to statistical thinking are too voluminous to suit the present purpose. It suffices to say, that throughout his life, he championed the belief that statistical theory shows how mathematics, judgment, and substantive knowledge work together to the best advantage. Thus he, himself, was a master as logistician and architect of statistical stud-

ies. This was more than evident at the Deming Seminar for Statisticians held annually at NYU beginning in 1987.

Ed Deming died quickly in his sleep on December 20, 1993 at his home. His daughters, Diana and Linda, their husbands, and Diana's five children, along with their own spouses and children (16 in total), were to assemble at his home for what they feared might be his last Christmas. Most of them had arrived in Washington by the time of his passing.

Mr. TRAFICANT. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the bill, as follows:

H.R. 3535

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

#### SECTION 1. DESIGNATION.

Federal Office Building No. 3, located in the Suitland Federal Center at 4700 Silver Hill Road in Suitland, Maryland, shall be redesignated and known as the "W. Edwards Deming Federal Building".

#### SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "W. Edwards Deming Federal Building".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 3535.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

#### ROBERT KURTZ RODIBAUGH UNITED STATES COURTHOUSE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 3576) to designate the United States courthouse located at 401 South Michigan Street in South Bend, Indiana, as the "Robert Kurtz Rodibaugh United States Courthouse", as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

Mr. TRAFICANT. Mr. Speaker, reserving the right to object, however, I will not object, I would like the gentleman from Maryland to explain the bill.

Mr. GILCHREST. Mr. Speaker, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Maryland.

Mr. GILCHREST. Mr. Speaker, I thank the gentleman from Ohio [Mr. TRAFICANT] for yielding to me.

Mr. Speaker, I rise in support of H.R. 3576, as amended, a bill designating the United States courthouse located in South Bend, IN, as the Robert K. Rodibaugh United States Bankruptcy Courthouse.

Judge Rodibaugh has served the northern district of Indiana in the area of bankruptcy law since his appointment as a bankruptcy judge in 1960. During his tenure he oversaw the growth of the bankruptcy court from one small courtroom with a part-time referee and a clerk's office of 4 employees in South Bend, to 4 separate courtrooms located throughout northern Indiana. In 1985, Judge Rodibaugh was appointed chief bankruptcy judge, and assumed senior status in 1986.

Judge Rodibaugh has fulfilled his duties as a referee and a judge in bankruptcy proceedings with patience, fairness, dedication, and legal scholarship which is most worthy of recognition. It is a fitting tribute to honor him and his accomplishments in this manner.

This bill has bipartisan support and I would like to thank my colleagues on the both sides of the aisle for their assistance in bringing this measure to the floor.

I urge my colleagues to support this bill.

Mr. TRAFICANT. Mr. Speaker, under my reservation of objection, I yield to the gentleman from Minnesota [Mr. OBERSTAR].

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)

Mr. OBERSTAR. Mr. Speaker, I support this bill to name the U.S. Courthouse in South Bend, IN for Judge Robert Rodibaugh.

Judge Rodibaugh is a native of Goshen, IN and attended grade school and high school in South Bend, IN. He is an alumnus of Notre Dame University and received his law degree also from Notre Dame. From 1941 to 1946 during World War II he served in the military.

Judge Rodibaugh has served the citizens of Indiana for almost 40 years as a prosecuting attorney, and then as a Federal bankruptcy judge. During his service as Chief Bankruptcy Judge the bankruptcy court has grown from one courtroom in South Bend to four courtrooms in South Bend, Fort Wayne, Gary, and Lafayette, IN.

Known for his fairness and legal scholarship Judge Rodibaugh has set high standards for his law clerks and other judicial personnel.

It is fitting and proper to honor the judge by designating the U.S. courthouse in South Bend, IN as the "Judge Robert Kurtz Rodibaugh U.S. Courthouse."

Mr. TRAFICANT. Mr. Speaker, under my reservation of objection, I yield to the gentleman from Indiana [Mr. ROEMER], the sponsor of the bill.

(Mr. ROEMER asked and was given permission to revise and extend his remarks.)

Mr. ROEMER. Mr. Speaker, I thank the gentleman from Ohio for his help in getting this bill put before the House today.