

perc—is set at 5 parts per billion. Unfortunately, while that level might be appropriate for drinking water, it can hardly be considered necessary for protection from perchlorethylene in dirt.

As a result of the arbitrary, illogical situation of applying the drinking water standard in other cases, dry cleaners increasingly face clean-ups requiring staggering sums of money. In many cases, the dry cleaner may simply be forced to declare bankruptcy and walk away penniless. In such cases, the soil is not remediated, the environment is not improved, and the community is weakened.

Last fall, the House Commerce Committee, Subcommittee on Oversight and Investigations, which I chair, held hearings on this issue. We heard witnesses who testified that they had lost businesses built over a lifetime, suffered terrible emotional distress, spent millions of dollars chasing illusory risks, and been prevented from expanding their businesses because of this mismatched regulatory approach. Most disturbing, we repeatedly heard that many dry cleaners fear to pass their business along to their children, all because of the possibility of being caught in this bureaucratic web. This is not healthy for our communities or our environment.

To remedy this problem, the Small Business Remediation Act would like the soil remediation standard for perc to the Occupational Safety and Health Administration standard, which is currently set at 100 parts per million. This is the standard which OSHA has found to be protective of workers who are exposed to perc in the workplace everyday for their entire working lives.

The bill I am introducing today would set the remediation standard 10 times stricter than the OSHA standard. If OSHA strengthened its standard in the future, the soil remediation standard would be strengthened automatically. Therefore, it does not freeze science, and allows changes in new evidence dictates.

The bill does not change the Federal drinking water standard and does not prevent States or EPA from cleaning up dry cleaning sites.

Our approach will provide certainty to dry cleaners, their neighbors, surrounding businesses, banks, and the entire community. At the same time, by setting an achievable goal, the Small Business Remediation Act will lead to more efficient and timely improvements of the environment. By providing certainty, it will help focus resources on clean-ups, not lawyers.

Mr. Speaker, I encourage all Members to join us in this commonsense approach to a problem that affects all American communities. By supporting the Small Business Remediation Act, Members can help improve the environment, strengthen small business, and promote the prosperity of our neighborhoods and towns.

THE MANAGED CARE PLAN
ACCOUNTABILITY ACT OF 1997

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. STARK. Mr. Speaker, together with Mr. KILDEE, Mrs. LOWEY, Mr. MILLER of California,

Mr. FRANK of Massachusetts, Ms. PELOSI, Mr. SANDERS, Mr. TIERNEY, Mr. FROST, Mr. DELLUMS, Ms. CHRISTIAN-GREEN, Mr. LEWIS of Georgia, Mr. DEFAZIO, Mr. WAXMAN, Mr. RANGEL, Mr. KLECZKA, Mr. BERMAN, Mr. KENNEDY of Rhode Island, Ms. RIVERS, Mr. McGOVERN, Mr. KUCINICH, and Ms. TAUSCHER, I am proud to introduce the Managed Care Plan Accountability Act of 1997, a bill which amends ERISA to provide equality and fairness to the millions of Americans whose health benefits are regulated by the Federal Government.

ERISA was enacted in 1974 to uniformly govern employee benefit plans. To this end, ERISA includes a wide-ranging preemption provision that supersedes any and all State laws insofar as they relate to an employee benefit plan, including health insurance.

Under current law, ERISA managed care plans are often completely exempt from liability for any medical decision made as a result of plan policy. If a patient is injured as a direct result of a plan's cost-containment policy, for example, the patient is entitled to sue only for the value of the denied treatment. Patients in ERISA plans are not entitled to other compensation, such as lost wages or pain and suffering, as is currently available to patients in non-ERISA plans.

For example, Newsweek magazine recently reported a case in which a managed care plan denied a heart attack victim's request for surgery because the only hospital qualified to perform the needed procedure was located outside of the plan's service area. By the time the patient appealed the decision and received the necessary approval, it was too late. The patient's heart was damaged beyond repair, and he died shortly thereafter while awaiting a heart transplant. In this case, the patient's health insurance was part of an employer-sponsored benefits package and therefore, regulated by ERISA.

Under current law, the family was entitled only to the cost of the denied procedure. In other words, the most damaging thing that could happen to the HMO responsible for the loss of their loved one is the cost of the procedure that could have saved the person's life.

While a price tag should never be put on a human life, there should be some reasonable compensation paid to patients and their families who are victims of medical malpractice. This is especially true when victims suffer life-altering, if not fatal injuries due directly to the negligence of a plan executive attempting to save money.

Imagine if your child died of leukemia because your HMO would not authorize an early blood test. The twisted irony is that you could recover no more than approximately \$130—the cost of the test. A child's life is surely worth more than \$130. This is a travesty.

This bill would create a new cause of action under ERISA which would allow consumers to seek additional damages from employer-sponsored health plans. The new cause of action would have concurrent jurisdiction, allowing the action to be brought either in Federal or State court. Additionally, this legislation would protect physicians from unfair lawsuits by making the health plan responsible for constraints they place on providers.

Our legislation is fair and long overdue. Plans that actively manage the care of their enrollees must be held accountable for their decisions. Employees of ERISA-regulated health plans deserve the same rights and protections as people in non-ERISA plans.

HONORING DEWITT CLINTON HIGH SCHOOL

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. ENGEL. Mr. Speaker, DeWitt Clinton High School, in my congressional district, opened its doors for the first time in 1897 with about 500 boys and 21 faculty assembled to hear from the principal. Since that time the school has moved several times and its enrollment has grown to 3,850.

The school has also grown in stature and this year it was named one of the five most improved high schools in the United States. DeWitt Clinton was also praised because of its outstanding peer mediation and negotiation program.

The school meets or exceeds all of the chancellor's standards. Its college admission rate was 91.1 percent last June while its drop-out rate was only 2.8 percent. Its attendance rate is 90.8 percent. The students have also shown consistent improvement in the State regents exams over the past 4 years. Perhaps most significantly, it is one of only 11 New York City high schools, out of 136, given the highest 5-star rating by the New York Times.

A measure of a school's success is a list of its graduates and DeWitt Clinton's is most impressive with such alumni as James Baldwin, Burt Lancaster, Richard Rodgers, Neil Simon, A.M. Rosenthal, Paddy Chayefsky, Daniel Schorr, Arthur Gelb, Fats Waller, Jan Pearce, Nate Archibald, Bernard Kalb, and Stan Lee. These are people who have given to the country and to the world. The students at DeWitt Clinton have a strong tradition to uphold and show every indication of doing it.

I join my colleagues in congratulating the school, its faculty, its students, and their parents as representatives of a century of higher education.

TRIBUTE TO AARON HENRY

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. LEVIN. Mr. Speaker, on, May 19 a wonderful human being and a truly great American passed away in Clarksdale, MS—Aaron Henry.

I mention first his human qualities because of the unusual warmth of his personality and capacity for friendship. Had he only been a friend, as he was for so many of us from many walks of life, he would remain indelibly etched in our thoughts and memories. Of course, his life went far beyond private relationships and friendships. He dedicated so much of his time to the public arena, pursuing the American Dream of equal opportunity for all Americans.

He started in this pursuit, in the Army during World War II where he fought for integration and next as he obtained a degree in pharmacy under the GI bill. He then set up shop on Fourth Street in Clarksdale, which became his source of livelihood and a major hub for those working with him to bring equal opportunity and justice to Mississippi. I first saw

Aaron Henry in action at the 1964 Democratic Convention. The Michigan delegation was seated near that of Mississippi, and we witnessed his valiant efforts with Fannie Lou Hamer and others to end segregation in the Democratic Party of his home State.

He failed then, but never lost hope. A few years later I saw that first hand when I spent a week with Aaron Henry and his coworkers in Clarksdale in a project—the Mississippi-Michigan Alliance—which he and I had set up to obtain help in efforts to register voters in his hometown. It was a grassroot endeavor, succeeding in registering hundreds of new voters though failing to break down other barriers. There was an election held while I was there and I remember visiting one precinct where there were no minority voters and a minority candidate for the State legislature did not receive a single vote from that particular precinct. I had never before visited a precinct in a contested election where a unanimous vote had been cast for one of the candidates, whatever the nature of the contest.

But though personally involved in the election, Aaron Henry refused to give up or lose hope. Indeed, one reason he was such a great American was because he believed America's greatness would ultimately lead to the realization of the dreams of all of its people. So I left Clarksdale a few pounds heavier from all of the ice cream consumed at the old-fashioned soda fountain in his Fourth Street Pharmacy but also many degrees uplifted by the spirit and determination of Aaron Henry. As we met and talked now and then over the years, none of this ever ebbed.

Aaron Henry's death will be deeply mourned by the many of us privileged to be his friend and blessed by his example of fighting hard, with good will. Hopefully, his native State will mourn him across its cities and farms. He was born in its rural land, toiled in one of its important towns and journeyed it throughout, from border to border. His legacy is his hopefulness. The task now of his beloved State, of his beloved Nation and of all of us who loved him is to keep his faith and continue his battle.

TRIBUTE TO SGT. JOEL R. PRICE

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. SHERMAN. Mr. Speaker, it is a great honor for me today to rise and pay tribute to police officer, Joel R. Price, who has dedicated the last 20 years to serving our community and helping others. This esteemed officer and citizen truly embodies exceptional qualities of duty, sacrifice, and dedication, making him a model for fellow officers and the people of Los Angeles. For these reasons, Joel R. Price is being honored by the Reseda Chamber of Commerce as the 1997 Police Officer of the Year.

This award was achieved by Joel's long, distinguished career which he began by serving our community in 1977 as a station officer for the city of Los Angeles. His commitment and hard work quickly found an even higher calling after he graduated from the Police Academy and began working in the southwest and Van Nuys areas as a detective. His perseverance and distinguished service enabled

him to rise quickly through the ranks. Joel put in long hours as a detective where his reputation as a dedicated and skilled member of the force were quickly recognized.

Additionally, Joel patrolled Los Angeles during the 1984 Olympic games to ensure the safety of the participants. Thanks to people like Joel the games were a success.

An important aspect of our community is bridging racial gaps. Through his bilingual abilities, Joel has reached out to the Spanish-speaking community to ensure all Americans have an equal voice.

Joel remains ever vigilant in trying to help the youth in our community. He has worked extensively on antigang task forces to bring those who have committed crimes to justice and sought to provide a positive role for those young people at risk everyday.

Here Sergeant Price's activities transcend mere prevention. He has provided our young people in California an alternative to the violence which plagues our streets. Joel has also been a role model to the community, devoting countless hours to the Police Athletic League and the West Valley youth Center. Additionally, Joel took it upon himself to help the less fortunate during the holidays by collecting food during Thanksgiving and toys during the Christmas season for the police department's giveaway.

I am proud to honor Joel R. Price as Police Officer of the Year and thank him for his outstanding contributions both on the force and to our community.

TRIBUTE TO BOB LENT

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. BONIOR. Mr. Speaker, I take great pride in rising today to ask my colleagues to join me in recognizing Bob Lent, UAW Region 1 director, who will be honored by UAW Local 909 on June 29, 1997.

Through the years, Bob Lent has been a fighter. His tireless efforts have improved the lives of the working families throughout southeastern Michigan. Bob is a man who has dedicated his life to securing dignity and respect for all people. He has been a champion of civil rights and civil liberties, and has helped create a stronger, more united community.

In 1949, Bob Lent began a career with the UAW that has spanned 48 years. He started as a spray painter at the Dodge main plant of Local 3 in Hamtramck, MI. After serving his country as an Army paratrooper from 1951 to 1953, Bob returned to Michigan to become a millwright apprentice and a skilled tradesman at the Chrysler 9-Mile Road Press Plant, Local 869.

While at UAW Local 869, Bob's strong leadership and vision were recognized and he was chosen by his colleagues to serve in a distinguished list of appointed and elected positions. He was an alternate chief steward, trustee chairman, vice president, president, education representative, and assistant director. His vast knowledge and experience made him a logical choice for director.

Bob was first elected to the UAW executive board as a regional director at the UAW's 27th Constitutional Convention in May 1983, at Dal-

las, TX. After his re-election to a third term, Bob was elected director of UAW Region 1 which covers Detroit's East Side, Pontiac, Macomb, and St. Clair Counties and part of the "Thumb" area of southeastern Michigan, and including Canada.

Bob is not only an active union leader, but a community leader as well. He served on the labor advisory committee at both Oakland and Wayne State University. He has been a Democratic precinct delegate. He is a lifetime member of the NAACP. He also serves on the board of directors of the United Way of Pontiac-Oakland County and Detroit Area United Foundation.

Few people have given to their community with the vision and commitment that Bob Lent has given to his. He is a person who has inspired the admiration of many. I am honored to call him a friend. I want to congratulate Bob on his very distinguished career and I wish him and his family all of the best.

A TRIBUTE TO REV. FREDERICK EID: 50 YEARS OF SERVICE AS A MISSIONARY OF CHANGE

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to a truly exceptional gentleman, Rev. Frederick Eid, on the 50th anniversary of his ordination to the priesthood. This momentous occasion will be recognized during a mass to be celebrated on May 31, 1997 at Our Lady of Grace Church in Hoboken, NJ.

The story of Father Eid began 80 years ago on May 23, 1917, in my hometown of Union City, NJ. It was here that his desire to educate others was born. He was educated at local Catholic schools and subsequently attended Seton Hall University, after which he entered Holy Name Seminary. Father Eid was joyfully ordained into the priesthood on May 31, 1947.

Father Eid began his life's journey of service to others while on a mission to Latin America. He started out in Mexico and traveled to El Salvador and Honduras, where he ministered to the local communities. Father Eid gained his deep appreciation of Hispanic culture and learned to speak Spanish. Upon his return to the United States, Father Eid expanded his focus with both an African-American mission in Essex County and St. Mary's Parish in Jersey City.

The lives of the residents of Hoboken took a fortunate turn with Father Eid's arrival at Our Lady of Grace Church in December 1968. During his tenure at Our Lady of Grace Church, Father Eid has become a member of many families in the area. He has had a special affinity for those less fortunate than himself. Father Eid has worked tirelessly with the local court system, and the Division of Youth and Family Services in particular, to care for the needs of the children in the area. Additionally, Father Eid serves as chaplain to those charged with protecting and saving lives: the Hoboken Ambulance, Police, and Fire Departments.

It is an honor to have such a caring and dedicated individual work on behalf of the residents of my district. Father Frederick Eid's extraordinary efforts will be remembered for