

and cost nearly \$1 billion to fight. Although not the biggest fire season ever, that was 1930 when over 52 million acres were scorched, the 1996 fire season is regarded by many fire experts as the most severe. The reason is population growth and distribution, and the intensity of many of the fires occurring throughout the United States.

These intense fires are now frequently occurring in America's back yards. In the early part of the century, a clear delineation existed between the urban center and what was considered rural America. This no longer exists. Over time, cities have grown into suburbs, and suburbs have blended in to what was once considered rural. The complex landscape has come to be known as the wildland-urban interface. Forests and grasslands are intermixed with housing, businesses, farms, and other developments, posing new challenges for fire management and suppression.

The intensity of many of the wildfires witnessed in recent years are of a magnitude seldom seen before. These intense fires are the result of unnaturally high fuel loads, caused from years of aggressive suppression, forest disease, and grossly overstocked stands. This is an unhealthy condition that must be properly dealt with now.

Wildfires resulting from these unnatural fuels buildup not only threaten the destruction of communities, putting human life and property at risk, they also damage water supplies, destroy fish and wildlife habitat, and damage ambient air quality. The damage to the soil also substantially reduces the ability of the land to support future stands of trees and greatly increases the potential for massive soil erosion.

Regarding the importance of protecting our forests, President Teddy Roosevelt, one of our greatest conservationists said this, "If there is any one duty which more than any other we owe it to our children and our children's children to perform at once, it is to save the forests of this country, for they constitute the first and most important element in the conservation of the natural resources of this country."

The costs levied on society from wildfire are enormous. Loss of life is the ultimate price that we pay, but the human price paid does not end there. A lifetime of memories and cherished possessions can be incinerated in a matter of minutes. Over 25,000 Californians alone were left homeless before the fire season of 1993 had calmed. And in my own district, the 8th Street fire burned the foothills of Boise last year, causing devastation to human life and property.

As chairman of the Subcommittee on Forest and Forest Health, I have had the opportunity to tour many of our Nation's forests. Several weeks ago, Speaker GINGRICH, Majority Leader ARMEY and Majority Whip DELAY had the opportunity to witness the devastation that these intense wildfires cause due to unnatural levels of fuel.

I rise today to introduce the Community Protection and Hazardous Fuels Reduction Act of 1997 to help mitigate these problems. This bill will allow the U.S. Forest Service and the Bureau of Land Management [BLM] to issue timber sale contracts in the urban-wildland interface to reduce hazardous wildfire fuel buildup. It will also provide the Forest Service and BLM with the ability to use revenue generated from these sales to reduce noncommercial fuels buildup and conduct other forest management projects in the sale area to improve forest

health, wildlife and fish habitat, riparian areas, streams and water quality, or achieve other forest objectives.

To deal with special problems associated with grass buildup around communities, the legislation provides authority so that a country or unit of local government can work with the Secretary of Interior or Agriculture to properly deal with the potential fire danger from excessive levels of grasses and forbs in the wildland-urban interface.

This bill helps protect forests, fish and wildlife habitat, air quality, water quality, as well as its main objective of human life and property. In addition to taking care of the fire danger around communities, the bill also improves forest health and water quality by allowing the use of revenue generated from the authorized sales to be used for projects to achieve their objectives.

I urge my colleague's support for this measure that I am introducing today. In light of last year's severe fire season, now is the time to properly deal with the unnaturally high fuel loads that lead to fires that create most of the environmental damage and expenditures each year as well as the loss of human life and property.

**JACK WARD: LABOR LEADER OF THE YEAR SAN DIEGO BUILDING AND CONSTRUCTION TRADES COUNCIL**

**HON. BOB FILNER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 11, 1997*

Mr. FILNER. Mr. Speaker, I rise today to recognize Jack Ward, a labor leader, community activist, humanitarian, sportsman, and patriot. Mr. Ward is being recognized by the San Diego Building and Trades Council as Labor Leader of the Year.

His more-than-full-time job is secretary-treasurer and principal executive officer of Teamsters Local 36. Before he was elected to this top position in his local union, Mr. Ward was president, vice president, trustee, and shop steward while employed by Bechtel Construction Co. He has also been on staff as a business representative since 1984.

He has served in several capacities with the Teamsters—as delegate to Joint Council 42 and the Southwest Building Material and Construction Council. He has also been a delegate and committee member at conventions of the Teamsters International Union. In addition, he is delegate and officer of the San Diego Building and Construction Trades Council and an executive board member of the San Diego-Imperial Counties Labor Council, AFL-CIO.

His activities in the wider community include volunteering in political campaigns, serving on the board of the United Way, helping collect and distribute food for needy families with the letter carriers, giving of his time at Children's Hospital and at the Polinsky Center. He has been president of Pop Warner and Little League.

As a Member of the House of Representatives Committee on Veterans' Affairs, I would like to especially acknowledge his service as a marine veteran of Vietnam. I want to take this opportunity to thank Mr. Ward for his hard work, dedication, and contributions to the San

Diego region. I am also pleased to recognize his selection as Labor Leader of the Year by the San Diego Building and Construction Trades Council. My sincere congratulations go to him, his wife, Janet, and their two sons, Jack Jr. and Jeff.

**SISTER MARGHERITA MARCHIONE:  
HONORED AS ACADEMIAN AND  
HUMANITARIAN**

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 11, 1997*

Mr. FRELINGHUYSEN. Mr. Speaker, today, I rise to recognize Sister Margherita Marchione on being the 1997 recipient of the Religious Teachers Filippini Humanitarian Award at the Villa Walsh Academy Gala this Saturday evening hosted by comedian Joe Piscopo. I have spoken before the House floor about the work of Sister Margherita, she is one of New Jersey's great academic and humanitarian treasures. Although academia is her calling, her special talent is building bridges between different peoples through greater understanding and knowledge.

Born in the town of Little Ferry, NJ, in 1922, Sister Margherita became a member of the Filippini Sisters teaching order in 1941. A Fulbright Scholar, she received her own schooling at Georgian Court College in Lakewood, where she earned a B.A. and continued her education at Columbia University where she gained her M.A. and a Ph.D. Aside from the numerous books she has authored, including the acclaimed "L'immagine testa" and the 1986 biography of Lucy Filippini, "From the Land of the Etruscans," Sister Margherita serves as treasurer of the Villa Walsh Academy in Morris Township and is professor emerita of Italian Language and Literature at Fairleigh Dickinson University in Madison. She also lectures throughout the United States and abroad, including numerous radio and television appearances.

During the past few years, Sister Margherita has devoted much of her time to illuminating the efforts of Pope Pius XII and thousands of Italian Catholics to save Italian Jews and other persecuted peoples from Nazi concentration camps during World War II. In 1995, she organized an event to mark Holocaust Rescuers in Italy Day, held at Villa Walsh, which debuted the documentary film "Debt of Honor" narrated by New Jersey resident Alan Alda. Sister Margherita assisted "Debt of Honor" producer Sy Rotter in collecting the memories of Italy's Jewish survivors.

Her latest literary effort, "Yours Is a Precious Witness: Memoirs of Jews and Catholics in Wartime Italy," recognizes the extraordinary acts of courage exhibited by ordinary people during the Second World War. It is a little known fact that, although 67 percent of European Jews were killed by the Axis Powers during the war, more than 80 percent of Italy's Jews were saved. As the New World Press wrote, "Yours Is a Precious Witness" is helping to promote "better understanding and deeper relations between Catholics and Jews." In addition, the editors of the Association of Jewish Libraries Newsletter praised her book for reversing their previously derogatory view of Pope Pius XII.

As a member of the World Who's Who of Women, Sister Margherita Marchione's associations, accomplishments, awards and honors are too numerous to mention. However, I do want to personally congratulate Sister Margherita on receiving the Religious Teachers Filippini Humanitarian Award and have this House join me in honoring her collective work on behalf of promoting greater understanding among the human race.

#### TRIBUTE TO THE 50TH BATTALION DURING THE KOREAN WAR

#### HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 11, 1997*

Mr. PALLONE. Mr. Speaker, I would like to draw my colleagues' attention to a very important event that is taking place on September 16, 17, and 18 in Atlantic City, NJ.

On that day, about 80 members of the 50th Battalion—veterans of the Korean war—will reunite to commemorate the tremendous contribution of the 50th Battalion from 1950 to 1955 and honor the soldiers who were injured and who died in many critical offensives of the Korean war.

I am pleased to call as a friend the coordinator of the event, Peter A. Marone, and wish him great success for this reunion of Korean war heroes. These wishes also go out to the cocoordinator, Donald Sullivan of Absecon, NJ.

Mr. Marone, former mayor of St. Pleasant, NJ, has reminded me of the tremendous contribution made by the 50th Battalion and I want to share a brief account with you.

The goal of the initial invasion by our troops at Inchon in September, 1950, was to seize the vital rail and communications center of Seoul, seal off the main areas of escape to the north, and secure the port at Inchon and the airfields at Kimpo and Seoul.

This incredible series of battles and troop movements was followed shortly by what was called "The Christmas Miracle." By November 1950 the Korean war seemed all but over. The North Koreans were squeezed back to the Yalu River on the Manchurian border. It seemed the war was coming to an end.

But on November 27, Communist China sent 120,000 troops into North Korea and pitted them against 15,000 U.N. forces in the East. There were many casualties among Marines and Army troops. In the following days, of the 15,000 U.N. troops encircled by the Communist Chinese, 12,000 became casualties.

It was then that the chosen fighters of the 50th Battalion made their greatest contribution. By checking the Chinese forces in the mountains as part of a perimeter established around the besieged Hamhung, they enabled the escape of 100,000 North Korean men, women, and children to safety.

I would like to recognize the courage of the participants in the Christmas Miracle, as well as all those who nobly served in the battalion in the following years. It is so important that current and future generations never forget the sacrifices and the bravery of the soldiers of

the 50th Battalion as well as all the veterans of our wars.

#### THE MEDICARE AND MEDICAID RECOVERY ACT OF 1997

#### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 11, 1997*

Mr. STARK. Mr. Speaker, today I am introducing the Medicare and Medicaid Recovery Act of 1997.

Under current law, providers and suppliers are using the Bankruptcy Code as a vehicle to defeat the Secretary's efforts to battle fraud and abuse involving Medicare and Medicaid payments. Specifically, providers and suppliers who have acted improperly or have been overpaid by Medicare, are using the protections afforded by the Bankruptcy Code to stop short the imposition of administrative sanctions or recoupment of Medicare overpayments. Providers can make strategic use of two devices—the automatic stay and the discharge of all pre-bankruptcy obligations.

Under the Bankruptcy Code, the provider can respond to the threat or imposition of an administrative sanction by filing a petition in bankruptcy and then asserting that the automatic stay bars any further sanction activity. Regarding discharge, the provider can assert that any overpayment or civil monetary penalty due to the Medicare program is discharged and does not survive the bankruptcy proceeding.

The Federal Government has long enjoyed a priority for taxes, duties and related penalties. However, it does not have a priority for nontax claims, such as Medicare and Medicaid overpayments to providers. The Government's priority for nontax claims was abolished in 1979.

A 1992 report issued by the Office of Inspector General (OIG), entitled "Federal Recovery of Overpayments from Bankrupt Providers," found that as of March 1991, the Medicare Trust Fund lost \$109 million due to the ability of providers and suppliers to discharge their outstanding overpayments. While the report recommends giving Medicare claims a priority status in bankruptcy, better cost savings would be achieved by excepting these claims from discharge. Surely, we should favor the path that leads to greater cost savings.

The U.S. taxpayer spends \$191 billion each year to fund Medicare programs. However, an estimated \$20 billion, or 10 percent, is lost to fraud. Too many health providers are putting their hands into the public trough.

Mr. Speaker, this bill holds fraudulent providers accountable. It would amend the Social Security Act to specify that an administrative sanction imposed by the OIG on a health care provider, whether a civil monetary penalty or program exclusion, is not subject to the automatic stay provisions of the Bankruptcy Code. Second, this bill would also amend the Social Security Act to specify that any overpayment or civil monetary penalty amounts due to the Medicare program are not dischargeable under the Bankruptcy Code.

The Medicare Trust Fund has suffered losses from the bankruptcy discharge of pro-

viders' obligations to repay Medicare overpayments. The drafters of the Bankruptcy Code could not have foreseen or intended that the protections they afforded under the Code would be used to support and sustain Medicare fraud and abuse. Allowing medical professionals to use such loopholes as those discussed above only makes it more difficult for the Government to provide the types of programs that Americans deserve. With this bill we can force providers and suppliers to take responsibility for their actions while putting money back into the Medicare Trust Fund where it is desperately needed.

#### JERUSALEM TERRORISM

#### HON. RICK LAZIO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 11, 1997*

Mr. LAZIO of New York. Mr. Speaker, I rise today to strongly condemn the most recent terrorist attacks in Jerusalem's Rehov Ben-Yehuda pedestrian mall. I was deeply saddened to learn, once again, of such a horrible act carried out by a group so willing to claim responsibility. My heart goes out to the families of the victims.

At this critical point in the Middle East peace process we must do all that we can to promote this fragile initiative and move forward. This week, Secretary of State Albright will travel to the Middle East and will hold important meetings with leaders in that region. She needs to carry a strong message, backed by both the administration and the U.S. Congress, that the terror must stop. There is an end to our patience; we will not forever call for continuation of a process that is flawed and dangerous.

Those who are using terrorism as a tool must learn that it is not the way, and there is no excuse. Terrorism is not the way to accomplish any goal. Innocent people deserve to live their lives in peace, without the constant threat of terrorist attack. The responsibility for this falls on chairman Arafat. Simply put, Chairman Arafat must live up to the promises that he has already made as part of the Oslo accords.

In the Oslo accords, signed in 1993, the Palestinians committed to fighting terrorism and searching out those who commit acts of terrorism and punishing them accordingly. They have been negligent at fulfilling this promise, the most fundamental of the Oslo accords. Mr. Arafat has allowed these acts to go on, has allowed known terrorists to continue to operate, and has completely failed to live up to these promises. The United States must keep an even closer eye on the situation than it has in the past.

The time for Mr. Arafat to fulfill his commitments is now. The most recent tragedy in Jerusalem will only be repeated if he continues to operate as he has done in the past. I promise my colleagues that I will do all that I can to assure that the United States keeps a most watchful eye on Mr. Arafat, and that our aid to the Palestinians is carefully scrutinized based on his actions.