

TRIBUTE TO ATTORNEY MARJAN
R. KMIEC

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 21, 1997

Mr. KLECZKA. Mr. Speaker, I am pleased to rise today in tribute to Milwaukee attorney Marjan R. Kmiec, who is being honored by the Polish Legion of American Veterans, Woodrow Wilson Post 11, with their Heritage Appreciation Award.

For over three decades, Marty Kmiec has been actively involved in a variety of Polish heritage groups in my hometown, Milwaukee, including the Polish Legion of American Veterans, the Milwaukee Society and Polish Festivals, Inc. These organizations work to strengthen, preserve, and celebrate Polish heritage, an ethnicity Marty and I share. Marty was a founding member of Polish Fest, Milwaukee's summertime lakefront festival which successfully celebrates Polish-American customs and traditions, and served as its president for 10 years. He was actively involved in the land acquisition for the future construction of the Polish Community Center.

Marty Kmiec is also a respected attorney, specializing in personal injury litigation. He served as president of the Milwaukee Bar Association Litigation Section for 3 years, and has shared his vast experience and knowledge in the field during lectures at Milwaukee Bar Association and State of Wisconsin Bar Association seminars.

I am honored to join the Polish Legion of American Veterans, Marty's colleagues, family, and friends, in thanking him for his years of dedicated service to the Milwaukee community, and our city's Polish community, in particular.

Congratulations, Marty. God Bless and keep up the great work.

HONORING EDDIE AND BETTY
FELLABAUM ON THEIR 45TH
WEDDING ANNIVERSARY

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 21, 1997

Mr. NEY. Mr. Speaker, it is an honor to rise today to celebrate the 45th wedding anniversary of Eddie and Betty Fellabaum. It gives me great pleasure to congratulate Eddie and Betty on their special day.

In an era where marriages are too often short lived, it is wonderful to see a couple who has endured the trials and tribulations that can cause a marriage to fail. The love and commitment they have demonstrated should serve as an inspiration to couples everywhere.

Mr. Speaker, what an achievement to be married for 45 years. It is an honor to represent a couple like the Fellabaums. I am proud to call them my constituents.

DEDICATED FEDERAL EMPLOYEES

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 21, 1997

Mr. DOOLITTLE. Mr. Speaker, on Wednesday, October 8, 1997, eight employees of the Bureau of Reclamation and a pilot were tragically killed when their charter plane crashed en route from Montrose, CO to Page, AZ. The downed plane was not located until that Friday, at which time it was determined there were no survivors. I would like to offer my deepest sympathies to the families, friends, and coworkers of these dedicated Federal employees and the pilot.

The accident victims were: James L. Bloomfield, electrical engineer, Glen Canyon Field Division, Page, AZ, who was a Reclamation employee since 1983; William H. Duncan, Jr., manager, Glen Canyon Field Division, Page, AZ, a Reclamation employee since 1976; Delphina D. Holliman, computer clerk, Glen Canyon Field Division, Page, AZ, who was a Reclamation employee since 1996; Allen E. Inman, Jr. manager, Curecanti Field Division, Montrose, CO, who had been a Reclamation employee since 1980; Walter A. Kaltmaier, computer specialist, Glen Canyon Field Division, Page, AZ, a Reclamation employee since 1988; Jon E. Nees, safety and occupational health manager, human resources group of upper Colorado region, duty station at Montrose, CO, who was a Reclamation employee since 1979; Jeffrey E. Waite, power-plant operations manager, Glen Canyon Field Division, Page, AZ, a Reclamation employee since 1988; Catrina M. Wall, computer specialist, Glen Canyon Field Division, Page, AZ, a Reclamation employee since 1981; Robert Armstrong of Phoenix, AZ, a pilot with 10 years of experience with the airline.

Nothing can replace these individuals in the lives of those who loved them. I would like their loved ones to know, however, that their service and dedication has been remembered by the Congress. May the friends and family of all these victims be comforted in their time of sorrow.

TRIBUTE TO PASTOR EPHRAIM
WILLIAMS

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 21, 1997

Mr. MATSUI. Mr. Speaker, I rise today to pay tribute to one of California's great spiritual leaders, Pastor Ephraim Williams of St. Paul Missionary Baptist Church in Sacramento.

Today, Pastor Williams will conclude his 5-year tenure as president of the California State Baptist Convention. On this special occasion, I ask my colleagues to join me in saluting the remarkable evangelical contributions Dr. Williams has made while serving in this high position.

During his pastoral career at St. Paul, Dr. Williams has established a stellar reputation as a tireless spiritual and community leader in the Sacramento area. Yet his contributions extend far beyond St. Paul Missionary Baptist Church.

Through his roles as president of the California State Baptist Convention, and vice president of the National Baptist Convention, USA, Dr. Williams has proven to be a religious leader of State and national prominence.

Dr. Williams' accomplishments while president of the California State Baptist Convention include strengthening the spiritual growth of the individual members, pastors, and 230 churches which comprise that association. He has also provided non-pastors and laypeople with important opportunities to participate in the convention's activities and leadership roles.

Pastor Williams' success as president of the California State Baptist Convention is evident in the increasing attendance at the convention sessions, as well as in the mutual financial and evangelical support the member congregations are offering one another.

Under Dr. Williams' guidance, the California State Baptist Convention assisted churches affected by the spate of arson fires which occurred over the past several years. Additionally, he made sure that the congregations impacted by these heinous events received the financial support necessary to continue functioning.

Pastor Williams has furthered his religious and civic activities to include a broad array of important community-based and evangelical organizations. Among these are the California Southern Baptist African-American Network, for which he serves as first vice president, as well as the Christian Education Board, St. Hope Academy, the Sacramento City Unified School District Cluster of Schools, and the St. Paul and Oak Park Community Outreach Program.

In 1996, President Clinton hosted Pastor Williams for a meeting at the White House. He has also been honored by the California State Legislature, Sacramento Mayor Joe Serna, and the Urban League. The breadth of the awards and honors Pastor Williams has received is a testament to his significant community and evangelical endeavors.

Mr. Speaker, Dr. Ephraim Williams has contributed greatly to the spiritual and civic health of countless Baptist parishioners throughout the State of California and the entire Nation. As he steps down today as president of the California State Baptist Convention, I ask my colleagues to join me in saluting this truly exceptional religious leader.

HONORING THE OCCIDENTAL
CHEMICAL CORP. HOUSTON
CHEMICAL COMPLEX

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 21, 1997

Mr. BENTSEN. Mr. Speaker, I rise to congratulate the Occidental Chemical Corp. Houston chemical complex for their selection by the Deer Park Chamber of Commerce as the 1997 Industry of the Year. The Occidental Chemical Corp. Houston chemical complex's commitment to building a better future for our community has made it an example all industry can follow.

The Occidental Chemical Corp. Houston chemical complex [OXY] Deer Park facility has been an integral component of the area economy since its creation in 1948. Located along

the Houston Ship Channel in my district, OXY produces many of the building blocks our economy needs to thrive and grow, including chemicals for paper, housing, and automotive manufacturing; petroleum products; packaging; textiles; detergents; and food processing. The success of the Occidental Chemical Corp. Houston chemical complex, and companies like it, have helped the United States become the world leader in petrochemical exports.

The Occidental Chemical Corp. Houston chemical complex employees 900 full-time and contract workers from Deer Park and the Greater Houston area. Its employees are an integral part of our community, contributing to our schools through Junior Achievement, local mentoring programs, and science fairs, and to area charities such as the United Way, Boys & Girls Harbor, Little League, and holiday food and toy drives. They also serve on local community advisory councils, local emergency planning committees, and school boards. Through their commitment, the people of OXY have shown that they understand that our schools and our neighborhoods are made better when we take the time to get involved.

Dedication to worker safety and environmental performance has been a hallmark of the Occidental Chemical Corp. Houston chemical complex. Earlier this year, OXY was approved as a Star Work Site, the highest rating conferred by the Occupational Safety and Health Administration, for its outstanding worker safety record. In addition, OXY has been a long-time participant in the Chemical Manufacturers Association's Responsible Care program. The program mission is to continually improve safety, health, and environmental protection by the chemical industry, a goal OXY has fulfilled. OXY's efforts have helped set an example of how worker safety, environmental protection, and business growth can go hand-in-hand.

Mr. Speaker, I congratulate the Occidental Chemical Corp. Houston chemical complex for their work in expanding business and job opportunities, establishing safer conditions for our workers and environment, and building a better future for our community.

TO SAVE HEALTH CARE REQUIRES MALPRACTICE REFORM

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 21, 1997

Mr. THOMAS. Mr. Speaker, why do we need malpractice reform? Without it, the health care industry as a whole faces greater inflation and increases in costs, costs which Americans can not afford. With reform, however, both the consumer and medical practitioner alike benefit, both fiscally and physically.

Medical malpractice costs have risen 49 percent since 1990. At present, the estimated cost of such malpractice insurance is more than \$9 billion annually, and the costs continue to mount. Add to this number the billions of dollars for defensive medicine, and tort litigation becomes a major contributor to the financial woes of the health care industry. In reforming the tort system, we will free up funds and lower the costs of overall health care.

A recent study performed by Stanford University professors David Kessler and Mark

McClellan provides compelling evidence of the numerous cost-effective benefits of tort reform. By examining nearly almost 2 million cases of coronary illness among the elderly, over a time period spanning approximately 6 years, these analysts concluded that the Federal Government would have saved \$600 million a year in Medicare expenditures on heart disease alone. In fact, the annual overall savings projected by the study totaled \$10 billion to Medicare, an important reason why tort reform should be part of any effective strategy to save Medicare from bankruptcy. Even more phenomenal, however, are the figures projecting overall savings for the health care industry. By implementing tort reform, Kessler and McClellan estimate an astounding \$50 billion in savings to the health care industry as a whole.

Defensive medicine significantly forces up medical costs. Defensive medicine is the practice of ordering extra tests on patients in order to protect the health care provider from the risk of being sued. Tort reform that directly limits the liability of health care providers, according to Kessler and McClellan, could reduce hospital expenditures by 5 to 9 percent within 3 years of adoption. This would be done primarily by eliminating unnecessary testing associated with defensive medicine alone. An excellent example of an illness subject to such practices is coronary artery disease. Over the 7-year period examined in the Stanford study, States with serious tort reform saw real costs rise about 9 percent, as compared to those States which lacked reform which experienced an inflationary rate more than 10 percent higher, at 19. Given the often uncertain diagnosis of this ailment, many doctors order up batteries of tests and procedures. As with heart attacks, researchers found these tests to be mostly defensive measures, which proved unnecessary. In fact, readmission and mortality rates remained constant throughout the United States. These extra tests are just one example of defensive medicine driving up the costs of effective and safe health care.

Yet these savings in no way harm either private citizens or the health care industry. The health care liability system actually tends to stymie efforts to make health care safer and more accessible. Rising insurance premiums have long charted the rising cost of jury awards and out-of-court malpractice settlements. By issuing a cap on pain and suffering damages, by eliminating collateral source payments, and by placing limits on plaintiff attorney contingency fees, we will be able to not only lower health care costs, but also allow more than the mere 43 cents received for every dollar, at present, to reach injured patients.

In 1975, California, my home State, introduced a number of tort reforms applying to medical malpractice. The Medical Injury Compensation Act [MICRA] embodies a package of reforms, including a \$250,000 cap on non-economic damages, which set a precedent which national reform should be modeled after.

I propose that Congress take the following necessary measures in implementing tort reform. First and foremost, we must follow California's lead and adopt a \$250,000 cap on pain and suffering awards. This cap will in no way limit the amount of money that an injured plaintiff could receive to cover his or her hospital costs, doctor bills, lost wages, or other

medical expenses. Second, I would advise an elimination of collateral source payments. Plaintiffs, and their attorneys, often receive payments totaling two or more times the actual amount of damage ensued, simply by being paid by multiple insurers or defendants. As a third measure, I believe that we must place a limit on attorney contingency fees. In so doing, we will provide more money to the deserving injured patient. Finally, effective tort reform must allow for both periodic payments, and a fair statute of limitations.

In 1995 the House of Representatives passed the product liability bill and the Balanced Budget Act, in 1996 the Health Insurance Portability and Accountability Act, and in 1997 the Balanced Budget Act. Each of these important pieces of legislation included measures to instate medical malpractice reform, and each has received my support. Four times the House has passed tort reform legislation, and four times the Senate has removed such measures from the legislation. We cannot allow this pattern to continue.

By taking the bold steps necessary to reform the tort system, both the House and Senate would be bettering the lives of every individual. The health care system of this country plays an important role in all of our lives. It is the responsibility of the leaders of this Nation to maintain it in such a way as to provide the safest, most cost-effective, and highest quality medicine possible. Without medical malpractice reform we fall dangerously short of this goal.

FORTIETH ANNIVERSARY CELEBRATION FOR THE ENGLEWOOD BLOCK CLUB

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 21, 1997

Mr. RUSH. Mr. Speaker, I rise today to honor an extraordinary group of people from the 1st Congressional District of Illinois. They are part of the Englewood Community Block Club located at 61st and Sangamon Drive in Chicago, and they have dedicated their lives to community service. Block clubs have a rich history within the city of Chicago, and the Englewood Community Block Club has made a significant contribution to that history. Many of the founding members remain as an integral part of the organization, and many others have served for the past 30 years or more.

I was honored to have the opportunity this past weekend, to take part in their 40th anniversary celebration. I would like to recognize several individuals who received awards during the celebration banquet for their outstanding work over the years.

Mr. Horace C. Broy, Sr., received the Superior Presidential Award for his work as president in the block club. Mr. Broy is one of the original founding members of the Englewood Block Club and implemented a number of community service programs during his tenure.

Dr. Horace and Betty Broy received the award for Superior Achievement by a Husband and Wife in Education. The couple has been married for the past 27 years.

Mr. Henry Sanders received the Outstanding Treasury Service Award, for his role as treasurer for the past 25 years.