

I have been in office, I have already encountered dozens of constituents who are involved in disputes with the IRS. In a surprisingly large number of these cases, my constituents ended up seeking my assistance because they had cooperated fully with the IRS, but were getting nowhere. In fact, oftentimes their efforts to settle the problem were being stymied by the very agency with whom they were trying to comply.

I have one constituent by the name of Craig Dietz, a public school teacher in Denver, whose story is indicative of the kind of problems so many of us have had with the Internal Revenue Service. Earlier this year, Craig received a letter from the IRS stating that he owed over \$500 from income he received as a nonemployee of the Jewish Center in Columbus, OH. Not only has Craig never worked for the Jewish Center in Columbus, he has never even been to Ohio.

When he notified the IRS of their mistake, they responded with a very long and technical letter telling him it was his responsibility to contact the Jewish Center in Ohio, which he consequently did and received confirmation that there was no record of his employment. After receiving this information, the IRS still continued to pursue the case, and it was at this point that Craig contacted my office. Shortly after my office got involved, the IRS closed the case.

Throughout this entire ordeal, Craig was not able to speak to an actual person at the IRS in order to state his case in person because his repeated calls were never returned. It took 6 months of hassle and aggravation, and might have taken much longer without intervention, to settle what was a relatively simple mistake on the part of the IRS. This is just one example of the stories I have heard of honorable citizens who simply want to rectify a bad situation and move on.

We need to make sure that honest taxpayers are not unduly persecuted. This bill will provide some relief to a very serious problem and open the doors to a new era of taxpayer rights.

#### TRIBUTE TO MIRIAM JACKSON

#### HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 6, 1997

Mrs. LOWEY. Mr. Speaker, I rise today to honor the memory of Miriam Jackson, an extraordinary woman who devoted her life to community service and social justice.

Miriam possessed an unusual combination of qualities. She was, first, a vigorous and forceful advocate, quick to stand up for principle, to express a point of view, and to fight for a cause.

It was this steely resolve in the face of challenge and adversity which allowed her to run for county-wide office despite overwhelming odds, to delve into campaigns, and to confront the most daunting community problems with an unflinching determination to succeed.

And it was undoubtedly this same resolve which enabled Miriam to become one of only two women ever to chair a major political party in Westchester County.

Miriam was also a profoundly tender woman. She forged deep and meaningful rela-

tionships with countless individuals, whom she treated almost as adopted children. With time, this circle of friends and admirers grew to cross every imaginable boundary. A proud and observant Jew, Miriam counted as her closest friend a Roman Catholic nun, Sister Miriam Therese Peppin. And Miriam delighted always in pulling young people under her wing, while preserving decades-old relationships with their elders.

There was no admission requirement to this privileged court, save for a warm heart, a ready laugh, and an engaging personality. And from her friends, Miriam would withhold nothing: neither love, nor support, nor effort—nor a bit of pointed, well-phrased, and somewhat more than friendly advice.

There was a great tenderness also at the heart of her politics. This was a woman who identified at the most basic level with the least fortunate among us—who struggled to uplift the downtrodden, to achieve fairness for the victims of prejudice, to bring peace in times of strife, and, in her later years, to secure dignity for the elderly.

Miriam stood instinctively at the side of the underdog and recognized always that our character as individuals and as a community was measured by our compassion.

Miriam's legacy includes a host of Westchester leaders, ranging from city council members to party officials to Members of Congress. It includes a stronger network of community services, especially Meals-on-Wheels of New Rochelle, which Miriam co-founded with her very close friend, Sister Miriam, and the Hugh Doyle Senior Center to which Miriam Jackson was totally devoted. It includes the city of New Rochelle itself, blessed by her presence since she moved there in 1931. And it includes two remarkable granddaughters whose lives honor Miriam's values and spirit.

Mr. Speaker, Miriam Jackson knew great tragedy in her life. More than 30 years ago, she lost her only child and, in 1992, she mourned the death of her beloved husband, Murray. But Miriam refused to surrender to grief.

Her heart was large enough to accept and draw meaning from even the most painful experience and generous enough to share that meaning with others. In the end, she was a source of unbridled joy and inspiration to those who knew her or knew of her.

We are poorer now for Miriam Jackson's passing, but forever richer for her life.

#### FDA'S "DOUBLE STANDARD" ON CFC INHALERS COULD LEAVE ASTHMA PATIENTS GASPING FOR AIR

#### HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 6, 1997

Mr. SMITH of New Jersey. Mr. Speaker, when most of us think about the Food and Drug Administration [FDA], we envision an agency that works diligently to expand the universe of safe and effective medications. So when I discovered that the FDA was actually proposing to reduce the number of proven medicines available to treat asthma and cystic fibrosis patients, I knew Congress had to act on behalf of patients. As a legislator rep-

resenting thousands of asthma patients, and as a father of two daughters with asthma, I am appalled that FDA might ban medicines patients need to survive.

On March 6, 1997, the FDA initiated the first stage of a plan to phase-out the use of chlorofluorocarbons [CFC's] in metered-dose inhalers [MDI's], which are used by asthma and cystic fibrosis patients to breathe. This action was taken ostensibly to protect the ozone layer, despite the fact that less than 1 percent of all ozone-depleting substances in the atmosphere are caused by metered-dose inhalers.

In fact, the amount of CFC's that the EPA allows to be released from automobile air conditions over 1 year is about the same as 14 years of metered-dose inhaler emissions. If you combined all sources of CFCs allowed by the EPA in 1 year, it would equal 64 years of MDI emissions. And yet the only CFC products targeted for elimination this year are inhalers.

It is also interesting to note, Mr. Speaker, that while the FDA and EPA are rushing to eliminate CFC inhalers, they continue to allow the use of variety of CFC products, including bear-repellent pepper sprays, document preservation sprays, and certain fire extinguishers. This is clearly a case of misplaced priorities—how can historical document sprays be considered more essential than products that protect our children's lives? And while American children and senior citizens will have their treatment regimens disrupted by the FDA's plan, nations like China and Indonesia will be pumping tons of CFC's into the atmosphere from hair sprays and air conditioners until the year 2010.

Not surprisingly, the FDA's plan has generated a fire storm of opposition from patients, respiratory therapists, and physicians: nearly 10,000 letters in opposition have been received to date by the FDA. A coalition of stakeholder organizations reviewed the FDA proposal in May and concluded that the FDA's approach banning therapeutic classes was "flawed and must be re-evaluated." The patient and provider organizations also stated that the FDA plan "has the potential to disrupt therapeutic regimens \* \* \* and limit physician treatment options."

It is important to institute a transition strategy that will eventually eliminate the use of CFC's. However, the FDA's proposal is deeply flawed and should be scrapped in favor of a plan that puts patients—not international bureaucrats—first.

To ensure that the interests of patients are upheld throughout the formation of our country's MDI transition strategy, my colleague and friend from Florida, Congressman CLIFF STEARNS and I introduced legislation—H.R. 2221—that will temporarily suspend the FDA's proposed framework until a new proposal can be crafted. We have also urged the conferees working on the FDA reform bill—H.R. 1411—to include legislative language protecting the rights of 30 million respiratory patients to maintain access to the medications they need to survive.

Earlier today, I was honored to meet Tommy Farese. Tommy, who is 9 years old, and lives in Spring Lake, NJ., has had asthma since the age of 2. One of the asthma inhalers Tommy uses to breathe—Proventil—would be eliminated under the FDA plan in favor of a non-CFC version that has not been approved

by the FDA for use by children. Unless the FDA's proposal is changed, Tommy could lose access to the medicine he needs to breathe and live. Why should Tommy, and 5 million kids like him, have to face this dilemma?

In my view, any plan to remove safe and effective medications from the marketplace needs to place the interests of children like Tommy Farese first and foremost. Sadly, the FDA plan fails in this regard. Indeed, the FDA plan presumes that CFC-free inhalers serve all patient subpopulations—such as children and the elderly—equally well, despite the fact that children have special needs and many drug therapies are not interchangeable.

Mr. Speaker, I call upon the FDA to stop their proposed ban of asthma inhalers and put forward a new proposed rule only after Congress reconvenes. In addition, I urge the conferees to H.R. 1411 to include legislative language that will stop the FDA from implementing this terribly flawed and environmentally marginal proposal. If the FDA insists on moving forward with their antipatient plan anyway, Congress should debate and pass the Sterans-Smith bill—HR 221—to allow asthma patients like Tommy Farese retain access to their medicine.

KENT L. HUBER

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 6, 1997

Mr. BARCIA. Mr. Speaker, the people of Bay County suffered a tremendous loss this week with the unfortunate accident that took the life of Kent L. Huber, a gentleman who was a professional pilot who offered his skills to those in need. Memorial services are being held tomorrow, and I want to extend my deepest sympathies to his wife Sue Carol, their four daughters, and friends.

This tragedy reminds us of the limits that each of us face. We may take every day, every month, and every year for granted, even though we never know how many more we truly have remaining. We keep thinking that we can correct tomorrow, what we should have corrected today. Given enough time, we might remember to appreciate what people did for us, or people might forget what we did to them.

I am sure that Kent Huber was fortunate enough to not have had those regrets because of the way he lived his life. We all have demands on our time, and carefully guard whatever portion we have for ourselves. Kent Huber was most generous with his free moments, making sure that people who needed air transport for medical care had the benefit of his services. As a pilot for the national organization Wings of Mercy, he often provided transport, just as he did this past Sunday when he brought someone back from the Mayo Clinic. He also each Fourth of July offered a round-trip flight to Mackinac Island as a grand prize at the Bay City Fireworks Festival.

His family was very important to him, especially his concern for children. He carried this special love forward in his service on the Bangor Township Board of Education, where he devoted himself to improving the stepping stone of education for children.

Mr. Speaker, the loss of a loved one is a tragedy for any family. The loss of a caring, committed individual like Kent is a devastating one for the community. Kent Huber will be missed by all of us who knew him, and by those who benefited from his willingness to give so unselfishly of himself. I ask you and all of our colleagues to join me in offering our heartfelt sympathies to his family, and our wishes that the way Kent Huber lived his life will serve as a sterling example for others in our community.

## JOINT RESOLUTION—NAVY ASIATIC FLEET

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 6, 1997

Mr. JONES. Mr. Speaker, I am pleased to rise today to introduce legislation commending the sailors and marines who served in the U.S. Navy Asiatic Fleet. I commend the actions of Senator WARNER who first heard and responded to the call of these forgotten heroes with his introduction of Senate Joint Resolution 30.

While many of my colleagues may not be familiar with the efforts waged by the Asiatic Fleet, I am here today to tell you of their critical role in American security interests. From the early 1900's until just after Pearl Harbor, the fleet sailed courageously across the coastal waters between China and the Philippines, as well as in Russian waters and on the straits and narrows of Malaysia and Indonesia during this very dynamic period in history.

The Asiatic Fleet had originally been established in August 1910 as a successor of the Asiatic Station, to protect American lives and property in the Philippines and in China. The Asiatic Fleet sailed the seas in defense of American interests in the Southeast Asian waters until 1942.

In the final years of the Asiatic Fleet operations, these sailors and marines distinguished themselves by defending against the tidal wave of Japanese aggression. Fighting against the larger modern Japanese naval forces were the fleet's 3 cruisers, 13 WWI-vintage destroyers, 29 submarines, and a handful of gunboats and patrol aircraft. In all, the fleet lost 22 ships. 1,826 were killed and over 500 were said to be placed in prison camps. Sadly, many of these sailors taken prisoner were beaten, tortured, and killed in the most gruesome of manners.

Regrettably, Congress and the American people have never risen to recognize the valiant actions of this Asiatic Fleet, the precursor to today's 7th Fleet. I rise today dedicated to granting long overdue recognition of the heart-breaking struggles of the fleet that fought alone against the overwhelming modern Japanese Navy. It is altogether fitting and appropriate that this Nation pause and reflect upon the noble actions of these fine sailors and marines of the Asiatic Fleet.

It is for these reasons that today I will join my colleague in the Senate, Senator WARNER, to introduce a resolution calling for the recognition of the 56th anniversary of the sinking of the Asiatic Fleet's flagship, the U.S.S. *Houston*. This resolution supports the efforts of the Senate to designate March 1, 1998 as

the "United States Navy Asiatic Fleet Memorial Day." I call upon my colleagues to join me today in this effort to give these forgotten heroes Congress' support for long awaited recognition.

The battles fought by the U.S.S. *Houston* in her service to the Asiatic Fleet are best told in the Dictionary of American Naval Fighting Ships. I would ask that the history of the U.S.S. *Houston* be printed following my remarks.

## DICTIONARY OF AMERICAN NAVAL FIGHTING SHIPS

VOLUME III—NAVY DEPARTMENT, OFFICE OF THE  
CHIEF OF NAVAL OPERATIONS, NAVAL HISTORY  
DIVISION, WASHINGTON

With the outbreak of war between China and Japan in 1932, *Houston* got underway 31 January for Shanghai to protect American lives and property. She landed Marine and Navy gun platoons to help stabilize the situation and remained in the area, with the exception of a good will cruise to the Philippines in March and one to Japan in May 1933, until being relieved by *Augusta* 17 November 1933. The cruiser sailed to San Francisco to join the Scouting Force, and for the years preceding World War II participated in Fleet Problems and maneuvers in the Pacific. During this period *Houston* made several special cruises. President Roosevelt came on board 1 July 1934 at Annapolis, Md., for a cruise of almost 12,000 miles through the Caribbean and to Portland, Oreg., by way of Hawaii. *Houston* also carried Assistant Secretary of the Navy Henry L. Roosevelt on a tour of the Hawaiian Islands, returning to San Diego 15 May 1935. After a short cruise in Alaskan waters, the cruiser returned to Seattle and embarked the President again 3 October 1935 for a vacation cruise to the Cerros Islands, Magdalena Bay, Cocos Islands, and Charleston, S.C. *Houston* also celebrated the opening of the Golden Gate bridge at San Francisco 28 May 1937, and carried President Roosevelt for a Fleet Review at the same city 14 July 1938.

*Houston* became flagship of the U.S. Fleet 19 September 1938, when Rear Admiral Bloch broke his flag on board her, and maintained that status until 28 December; when she returned to the Scouting Force. Continuing the now-familiar routine of training exercises, she got underway for Fleet Problem 20, 4 January 1939 from San Francisco, sailed to Norfolk and Key West, and there embarked the President and the Chief of Naval Operations, Admiral Leahy, for the duration of the problem. She arrived Houston, Tex., 7 April for a brief visit before returning to Seattle, where she arrived 30 May.

Assigned as flagship Hawaiian Detachment, the cruiser arrived Pearl Harbor after her post-overhaul shakedown 7 December 1939, and continued in that capacity until returning to Mare Island 17 February 1940. Sailing to Hawaii, she departed 3 November for the Philippine Islands as the world situation grew darker. Arriving Manila, 19 November 1940, she became flagship of Admiral Hart, Commander Asiatic Fleet.

As the war crisis deepened, Admiral Hart deposed his fleet in readiness. On the night of the Pearl Harbor attack, *Houston* got underway from Penay Island with fleet units bound for Darwin, Australia, where she arrived 28 December 1941 by way of Balikpapan and Surabaya. After patrol duty she joined the ABDA (American-British-Dutch-Australian) naval force at Surabaya. Air raids were frequent in the area, and *Houston's* gunners splashed four planes 4 February as Admiral Doorman, RNN, took his force to engage Japanese reported to be at Balikpapan. *Houston* took one hit, disabling her No. 3 turret, and cruiser *Marblehead* was so damaged