

that she had to be sent out of the battle area. Doorman was forced to abandon his advance.

Returning to Australia, *Houston* departed 15 February with a small convoy to reinforce the garrison on Timor. Before the day was out, the group was forced to beat off numerous air attacks, and next morning the Japanese attacked in full force. During this defensive action, *Houston* distinguished herself by driving off nearly the entire raid without damage to her transports.

Receiving word that the major Japanese invasion force was approaching Java protected by a formidable surface unit, Admiral Doorman resolutely determined to meet and seek to destroy the main convoy. Sailing 26 February with *Houston*, HMAs *Perth*, HNMS *De Ruyter*, HMS *Exeter*, JNMS *Java* and 10 destroyers, he met the Japanese support force under Admiral Takagi consisting of 4 cruisers and 13 destroyers. In the Battle of the Java Sea which followed, Doorman's forces fought valiantly, but were doomed by lack of air cover and communication difficulties. The ships met for the first time in the late afternoon, and as Japanese destroyers laid smoke the cruisers of both fleets opened fire. After one ineffective torpedo attack the Japanese light cruisers and destroyers launched a second at 1700, this attack sinking *Kortenaer*, *Exeter* and destroyer *Electra* were hit by gunfire, *Electra* fatally, and at 1730 Admiral Doorman turned south toward the Java coast, not wishing to be diverted from his main purpose, the destruction of the convoy itself. With dogged fighting spirit he dodged another torpedo attack and followed the coastline, during which time *Jupiter* was sunk, either by mine or internal explosion. Then *Encounter* was detached to pick up survivors from *Kortenaer*, and the American destroyers, their torpedoes expended, were ordered back to Surabaya. Now with no destroyer protection, Doorman's four remaining ships turned north again in a last gallant attempt to stop the invasion of Java.

At 2300 the same night, the cruisers again encountered the Japanese surface group. On parallel courses the opposing units opened fire, and the Japanese launched a devastating torpedo attack 30 minutes later. *De Ruiter* and *Java* caught in a spread of 12 torpedoes, exploded and sank, carrying their captains and Admiral Doorman down with them.

Before losing contact with *Perth* and *Houston*, Doorman had ordered them to retire. This was accomplished, but the next day the two ships steamed boldly into Banten Bay, hoping to damage the Japanese invasion forces there. The cruisers were almost torpedoed as they approached the bay, but evaded the nine torpedoes launched by destroyer *Fubuki*. The cruisers then sank one transport and forced three others to beach. A destroyer squadron blocked Sunda Strait, their means of retreat, and on the other hand large cruisers *Mogami* and *Mikuma* stood dangerously near. The result was foreordained, but *Houston* and *Perth* fought valiantly. *Perth* came under fire at 2336 and in an hour had been sunk from gunfire and torpedo hits. *Houston* then fought alone, her guns blazing at the enemy all around her, a champion at bay. Soon after midnight she took a torpedo and began to lose headway. During this time *Houston's* gunners scored hits on three different destroyers and sank a minesweeper, but suffered three more torpedo explosions in quick succession. Captain Rooks was killed by a bursting shell at 0030 and as the ship came to a stop Japanese destroyers swarmed over her machine gunning the decks. A few minutes later the gallant *Houston*, her name written imperishably in the records of heroism, rolled over and sank, her ensign still flying.

*Houston's* fate was not known by the world for almost 9 months, and the full story of her courageous fight was not fully told until after the war was over and her survivors were liberated from prison camps. Captain Rooks received posthumously the Medal of Honor for this extraordinary heroism.

In addition to two battle stars, *Houston* was awarded the Presidential Unit Citation.

#### TRIBUTE TO THE HONORABLE PHILLIP LEWIS SOTO

#### HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 6, 1997

Mr. TORRES. Mr. Speaker, today I rise to pay tribute to a great American who has passed on from the California sociopolitical scene. A true friend of mine who I shall miss after a long illness.

Phil Soto was born on March 3, 1926 in the east LA neighborhood of Boyle Heights. During World War II, he served as a bombardier in the South Pacific, flying B-17's and B-29's. After the war, he helped found the GI Forum, a foundation that serves veterans of Mexican American heritage.

In 1948, Phil married Nell Manuel Garcia and began a family. He started his career in the television repair business in the San Gabriel Valley community of La Puente, where he was active in little league and local civic issues. In 1956, Phil helped manage the city of La Puente city-hood campaign. In 1958 he was elected to the La Puente City Council where he served until 1962. He was a local campaign manager for the John F. Kennedy 1960 Presidential campaign.

In the 1950's Phil Soto helped organize labor initiatives with the International Brotherhood of Electrical Workers and the United Farm Workers, working closely with the late Caesar Chavez. One of the many accomplishments of Phil Soto was to petition the Attorney General to release Caesar Chavez after he was arrested and beaten by police during the union's early organizing days. When the Attorney General refused, Phil rode a bus to Delano, CA, and spent the night in jail with Mr. Chavez to guarantee his protection. On a later occasion, he spent another night in jail with Dolores Huerta, the current UFW president.

In 1962, Phil was elected to the 50th District of the California Assembly; the first of two members of Latino heritage elected to serve in the assembly in the 20th century; the other being John Moreno.

As a California Assemblyman, Phil Soto was a pioneer and role model for future Latino community leaders and elected officials. Through his dedication to the principles of the Democratic Party, he became a champion of the rights of farm workers and human rights. He also fought to improve the quality of life for all Californians through his support of public education, water projects, and other public works projects. Phil was the first of many leaders to help define the role of Latinos in modern California politics.

In 1966, Governor Ronald Reagan's Republican sweep and Phil and Nell's opposition to the growing war in Vietnam left Phil without an assembly seat. But the call to public service remained strong and Phil accepted an appointment from President Johnson to help es-

tablish economic development and job training programs in east Los Angeles. During this time, he implemented the programs he had fought for during his legislative career.

In 1968, Phil Soto's commitment to labor, jobs and his advocacy for Latino rights and equality was recognized by the Robert Kennedy Presidential primary campaign in California and he was asked to serve as a key adviser.

In his later years, Phil played the role of teacher, role model, and senior adviser for a new generation of Latino leaders and elected officials. One early race was the unsuccessful city election in east Los Angeles, which, had it been successful, would have resulted in the election of his wife Nell and future State Senator Richard Polanco to the east Los Angeles City Council. In 1988, he successfully helped elect his wife to the Pomona City Council and secure an appointment to the board of directors of the air quality management district.

Mr. Speaker, I ask my colleagues assembled here to join with me in paying condolences to his survivors, Nell his wife and a Pomona City Council member, sons; Phil IV, Robert, Michael, Patrick, Tom, and daughter Anna.

#### "TAXPAYER VICTORIES"

#### HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 6, 1997

Mr. PACKARD. Mr. Speaker, I rise in support of the American Taxpayer. I am proud of the accomplishments of my Republican colleagues, under the leadership of Speaker GINGRICH, to provide meaningful tax relief for hard-working American's.

This year has truly been historic. The Republican-led Congress has given the parents of 41 million children under 17 a child tax credit. We have created education savings accounts to allow parents to begin saving for their children's education. We have cut the capital gains tax rate to encourage savings and investment, creating more jobs. And we have slashed the oppressive death tax rate so that family farms and businesses can stay in the family.

Mr. Speaker, I have read the letters and taken the calls from my constituents and I know our work to help the American taxpayer is still not done. The people of the 48th Congressional District Add their voice to the rest of America's in calling for more tax relief and a complete overhaul of the overburdensome IRS code.

Over the next several months, Republicans in Congress will continue to work on behalf of families and the hardworking parents that keep them together. This week, in several places across the Nation, Republican victories at the polls once again proved that taxes are the issue voters care about.

Mr. Speaker, we worked hard this year to give taxpayers their first tax cut in sixteen years. As we begin to prepare our agenda for 1998, let's make it another tax cutting year and let's win another victory for America's families.

CONCERNING THE DISTINGUISHED  
CAREER OF DAVID J. MCCARTHY

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA  
IN THE HOUSE OF REPRESENTATIVES

*Friday, November 7, 1997*

Ms. NORTON. Mr. Speaker, I rise to sing well deserved praises for David J. McCarthy, Jr., who is retiring from the Georgetown University Law Center as professor and former dean after 37 years. Every Member of this body knows well that Georgetown is among the Nation's top law schools. Not every Member knows how the law school got that way. Great law schools do not just happen. They are made, not born.

One of those who made it happen was Dave McCarthy. Dave was dean at a critical moment for the Law Center in this century from 1975 to 1983. During Dave's tenure, the law Center firmly established itself as the first-rate institution it has been known to be ever since.

After his service as dean, Dave McCarthy remained at the Law Center as Carmack Waterhouse Professor of State and Local Government. Dave was a graduate of the Law Center he later was to lead and, as a student, was managing editor of the Georgetown Law Journal. In addition to his law degree, Dave earned an L.L.M. and was awarded an honorary doctorate by Georgetown. His career has been enriched by abundant other activities as well, including service as Chair of the American Association of Law Schools Accreditation Committee, on the Citizens Choice National Commission on the IRS, and the Individual Taxpayer, and on the Executive Committee of the D.C. Pretrial Services Agency.

David McCarthy's service to Georgetown University, to the profession, and to this community has been exemplary. I know that the House of Representatives would want to join me in saluting David J. McCarthy.

INTRODUCTION OF THE MEDICARE  
VENIPUNCTURE FAIRNESS ACT

**HON. NICK J. RAHALL II**

OF WEST VIRGINIA  
IN THE HOUSE OF REPRESENTATIVES

*Friday, November 7, 1997*

Mr. RAHALL. Mr. Speaker, I rise today to introduce a bill titled the Medicare Venipuncture Fairness Act of 1997, to reinstate payment under Medicare for home health services consisting of venipuncture based solely on blood monitoring, and to require the Secretary of Health and Human Services to study the appropriate use of venipuncture under the Medicare Program. This essential Medicare home health benefit was denied in the recently passed Balanced Budget Act, and will affect literally thousands of vulnerable Medicare beneficiaries.

Over the past 3 weeks, I have received more than 234 letters from concerned Medicare patients, or their family members and caregivers in my District expressing their grave concern over the devastating impact this provision will have on seriously ill and disabled seniors.

As I introduce this legislation today, I am pleased to be joined in sponsoring the bill by

my friends and distinguished colleagues, Representatives POSHARD, MOLLOHAN, CLAYTON, KILPATRICK, MCINTYRE, FROST, COSTELLO, CLEMENT, BAESLER, ADERHOLT, BOUCHER, and CRAMER.

Of the 38 million Medicare recipients in the United States, we know that approximately 4 million receive some type of home health benefit—this is the only number HCFA has available. Speaking of HCFA—the Health Care Financing Administration, it is useful and telling to note that while the agency claims the venipuncture prohibition was put into law to fight fraud and abuse in the Medicare home health benefit, there are no studies or reports that exist, either from HCFA, the HHS Inspector General or the General Accounting Office [GAO], linking blood monitoring in home care to fraud, waste, or abuse. Removing blood monitoring as a qualifying service for the Medicare home health benefit was a vast overreaction—indeed it was a solution in search of a problem in my view.

Mr. Speaker, if we start down that slippery slope of denying or withdrawing services because some unscrupulous provider decides to defraud or abuse the system, we will have to terminate nearly every federally supported benefit program that exists today.

Another important point to remember is that the need for blood monitoring does not automatically result in eligibility for home health care. An individual must meet all of the very detailed and specific eligibility requirements for home health care and services must be prescribed by a physician. Currently, nearly 1 million home health beneficiaries need blood monitoring.

In rural communities where nearly 38 percent of residents are unserved by public transportation, Medicare beneficiaries who need blood monitoring will face special problems. In these areas, travel by the elderly, sick or disabled seniors is nearly impossible. Ambulance services would cost as much as \$250 a trip—much, much more costly than paying for blood monitoring at home. Moreover, if these beneficiaries cannot get proper blood monitoring services, they will end up in institutions like hospitals or nursing homes at a much higher cost to Medicare.

One of the senior citizens from my congressional district who wrote to me says that he suffers from Black Lung disease, is confined to a wheelchair on 24-hour oxygen, and suffers from heart problems for which he takes medication plus blood thinners. How vulnerable can you get? How can this man or his caregiver get to a doctor's office or a laboratory for timely and medically necessary blood monitoring?

My colleagues, it is one thing to penalize unscrupulous providers by cutting off reimbursement under Medicare, but to penalize the sick, disabled elderly who have not committed fraud or abused the system is quite another. The 234 Medicare beneficiaries in my district who have contacted me concerning this loss in their benefit, are confused and afraid—confused because they've done nothing wrong, afraid because they can't get to an outside facility, physician, or laboratory to get blood samples taken. They do not know what will happen to them, the stability of their health, or their peace of mind. They believe their ability to remain in their own homes, as opposed to a hospital or nursing home, hangs in the balance.

In the name of fairness, I urge my colleagues to cosponsor the Medicare Venipuncture Fairness Act so that we can rectify this injustice to Medicare beneficiaries. The legislation not only repeals the provision in the BBA that denies home health services based solely on blood monitoring, but mandates a study to look at past abuses in the benefit and to recommend standards for the appropriate use of venipuncture services.

Time is of the essence. I call upon my colleagues to join with me quickly so that we can defeat this proposal before it becomes effective on February 5, 1998, leaving thousands of needy Americans without a vital health care benefit.

If you wish to cosponsor, please call me or Mrs. Kyle on my staff at X53452.

COMMENDATION OF BUTLER HIGH  
SCHOOL GOLDEN TORNADO  
MARCHING BAND

**HON. PHIL ENGLISH**

OF PENNSYLVANIA  
IN THE HOUSE OF REPRESENTATIVES

*Friday, November 7, 1997*

Mr. ENGLISH of Pennsylvania. Mr. Speaker, on Thanksgiving this year, the New York's Macy's parade will step off, headed by a band from Pennsylvania's 21st District.

The Butler High School Golden Tornado Marching Band is the proud representative of the Butler Area School District, and the community of Butler. The community, located 40 miles north of Pittsburgh, supports the band with over \$84,000 in new uniforms, 10 buses, 2 equipment trucks, and a van to transport the band to its performances.

The band, led by Mr. Vincent James Sanzotti, has four directors, a dance team adviser, and a twirler adviser. They provide not only the technical skills, but that important, intangible ingredient of leadership and inspiration that are so necessary to success.

Mr. Sanzotti and his colleagues are privileged to work with the youth of Butler. This year the band has 367 young men and women in its ranks. Day in, day out, these kids practice, and practice hard. That determined work has paid off with a long, winning tradition. The Golden Tornado has won a slew of first place awards in competitions and parades over the years. It has even been featured in four different Pittsburgh Steelers performances.

Mr. Speaker, I am proud of the Butler Golden Tornado Marching Band, and the fact that they will be leading the Macy's parade. Our televisions often carry stories of youths in trouble. On Thanksgiving Day our television sets will show 367 Butler teenagers who are making music, not trouble.

IN HONOR OF DESPINA MARANGOS

**HON. CAROLYN B. MALONEY**

OF NEW YORK  
IN THE HOUSE OF REPRESENTATIVES

*Friday, November 7, 1997*

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay tribute to Despina Marangos, one of my constituents who represents the hard-working spirit of a first generation American, on her 80th birthday.