

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.

Despina Marangos was born in Bethlehem, PA, on November 14, 1917. Despina's parents, Zaharias Kyriacou from Cyprus and Chrisanthy Protoulis from Lesvos, Greece, had entered the United States through Ellis Island in the early 1900's.

When Despina moved to New York at age six and enrolled in P.S. 116, her English language skills were limited, yet she graduated as valedictorian of her class and went on to attend Julia Richman High school where she was an honor student.

Despina's devotion to her family and community was evident in her willingness to act as an interpreter. Her devotion to her family was further exhibited during the Depression when Despina entered the work force at an early age to work with her mother in the garment industry.

At age 20, Despina met Pantelis John Maragos from Cyprus. They were married just before her 21st birthday on November 6, 1938, at Zodoho Pygi Greek Orthodox Church in the Bronx. Despina and Pantelis celebrated their 59th wedding anniversary just yesterday.

Despina continued to work until her daughter, Mary Ann, was born in 1943, but, during World War II, Pantelis was sent overseas with the Navy. Despina was forced to move in with her parents and take a job at a defense plant in Long Island City. She worked nights and cared for her child during the day.

After the war, Pantelis returned and their son, John Zaharias, was born in 1950. Despina continued to enrich her life with reading, helping her children and caring for her aging parents. She also found time to be a den mother and an officer in the Women's Auxiliary and in the Parents' Association.

In 1959, a new phase of Despina's life began when she went back to work for the Christmas season at Macy's. Her work was so exemplary that Macy's retained her for 30 years. Since retiring, she has remained active in the retiree chapter of her union, Macy's Local 1S, and in the senior center she and Pantelis attend, where she is a board member.

As grandparents, Despina and Pantelis often travel with their granddaughters, Cindy and Denise. Even with Pantelis recovering from a stroke a year ago, they still make short trips. They are both working hard on his recovery and look forward to the day they can travel freely again.

Mr. Speaker, I ask that my colleagues rise with me in this tribute to Despina Marangos, the daughter of immigrants who has combined the best of her Hellenic heritage with the opportunities America has provided.

THE TROPICAL FOREST CONSERVATION ACT

HON. ROB PORTMAN
OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. PORTMAN. Mr. Speaker, today I am pleased to introduce with my colleagues, the gentleman from Ohio, Mr. KASICH, and the gentleman from Indiana, Mr. HAMILTON, the Tropical Forest Conservation Act of 1998. The purpose of this bipartisan legislation is to re-channel existing resources to facilitate debt for nature swaps with lesser developed countries

that contain some of the world's most biologically diverse tropical forests. Now is the time for action.

Despite all of the controversy over global warming, there is a consensus that tropical forests provide a wide range of benefits to citizens of the United States and people around the world. Tropical forests harbor a major share of the Earth's biological resources, which provide the ingredients for life-saving medicines and the genetic sources to revitalize agricultural crops that supply most of the world's food. They play a critical role as carbon sinks in reducing greenhouse gases in the atmosphere and moderating potential global climate change. And these forests regulate hydrological cycles on which far-flung agricultural and coastal resources depend. In short, tropical forests are essential to sustaining life, treating deadly diseases, and preserving the agricultural economy.

Tragically, over half of the tropical forests on Earth have disappeared and the rapid rate of deforestation and degradation of these sensitive ecosystems continues unabated. In the past year alone, more than 30 million acres of tropical forests were lost. Such a record cannot continue without a dramatic impact on our environment for our generation and those to come.

Many of these biologically rich environments are located in less developed countries with significant amounts of U.S. debt. These countries have urgent needs for investment and capital for development and have allocated a significant amount of their forests to logging concessions. Poverty and economic pressures on the populations of developing countries have, over time, resulted in clearing of vast areas of forest for conversion to agriculture, which is often unsustainable in the poor soils underlying tropical forests. Mounting debts put more pressure on countries to sell off or convert their tropical forests for other uses.

The Tropical Forest Conservation Act addresses the underlying causes of tropical deforestation and gives countries tangible incentives to protect their tropical forests.

The act builds upon the framework of President Bush's Enterprise for the Americas Initiative [EAI]. Under EAI, up to \$154 million was provided to environmental trust funds in Latin American countries to protect tropical rain forests through debt for nature swaps.

The Tropical Forest Conservation Act amends the Foreign Assistance Act of 1961 to provide the President authority to: First, reduce debt owned to the United States that is outstanding as of January 1, 1997, as a result of concessional loans; second, to reduce any amount owed to the United States outstanding as of January 1, 1997, as a result of any credits extended under title I of the Agricultural Trade Development and Assistance Act of 1954; and third, to sell to any eligible purchaser, or reduce or cancel, any loan made before January 1, 1997, to any eligible country or any agency under the Export-Import Bank Act of 1945. Appropriations are authorized for these purposes for fiscal years 1999, 2000 and 2001.

The bill initially targets specific countries and gives the President discretion over time to designate countries that meet the criteria for designation. It facilitates debt for nature swaps in those developing countries that have tropical forests with the greatest degree of biodiversity and under the most severe threat.

Such countries must also meet the criteria established by Congress under the EAI, including, among other things, that the government must be democratically elected, has not repeatedly provided support for acts of international terrorism, is not failing to cooperate on international narcotics control matters, and does not engage in a consistent pattern of gross violations of internationally recognized human rights.

Each beneficiary country will establish a tropical forest fund. Amounts deposited in the fund will be used to preserve, maintain, and restore tropical forests in those countries. There is accountability in the process—such funds shall be administered and overseen by U.S. Government officials, environmental non-governmental organizations active in the beneficiary country, and scientific or academic organizations.

The goal of the Tropical Forest Conservation Act of 1998 is to help protect the planet's remaining storehouses of biological diversity. These forests have a direct impact on U.S. taxpayers—on the air we breath, the food we eat and the medicines that are developed to cure disease. Action is needed now in these developing countries to address the underlying causes of deforestation and environmental degradation so that these important ecosystems can be preserved before it is too late.

This legislation has strong support in the environmental community, including Conservation International, the Nature Conservancy, and the World Wildlife Fund strongly support this legislation.

We look forward to working with our colleagues on a bipartisan basis and with the administration to protect these invaluable resources.

TRIBUTE TO HENRY KUIPER

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. HUNTER. Mr. Speaker, I rise today to recognize the extraordinary service and dedication of a constituent in my district, Mr. Henry "Hank" Kuiper of El Centro, CA. Hank is a devoted member of this community serving the city of El Centro for the past 12 years, 3 of these as mayor. He is soon retiring and I would like to take a moment to commend his dedicated service in local government and community programs.

Hank's involvement and accomplishments extend well beyond his 12 year tenure with the city council. Aside from being a member of the small business community, he also served as a member of the Joint Powers Insurance Authority, Air Pollution Control Board, Citizens Advisory Committee—Centinela State Prison, Border Trade Alliance, Free Trade Commission, and was appointed by Secretary of Interior Bruce Babbitt to the Colorado River Flood Way Task Force.

Hank is a symbol of commitment and dedication to his fellow citizens and community. He has pledged a great share of his life to the service of others and he has surely made El Centro a better place to live. Today, let us honor him for his unwavering contributions. Mr. Hank Kuiper is well deserving and I wish him great happiness in his future endeavors.