

couple now have three children, 12-year-old Tyler, 9-year-old Megan, and 5-year-old Zachary, who must be very proud of their father for all he has achieved.

The Outstanding Airmen Award program began in 1956 during the Air Force Association's national convention as a way to highlight an Air Force military manpower crisis at the time. It proved so popular that it became an official Air Force award the following year.

Competition for Airman of the Year is strenuous. Nominations are sent from each command, separate operating agency, direct reporting unit, Air Force Reserve and Air National Guard to the Air Force Manpower Personnel Center. A high-ranking selection board narrows the field, then the final selections are validated and approved by the U.S. Air Force Chief of Staff.

The criteria for this honor is "unique, unusual, or outstanding individual involvement and achievement within the preceding 12 months." Selection considerations include: superior general job performance; job knowledge and leadership qualities applied to a specific Air Force problem or situation; development of new techniques or procedures resulting in increased mission effectiveness; noteworthy self-improvement through on- or off-duty educational studies, participation in professional or cultural societies/associations, or development of creative abilities; participation in social, cultural, or religious activities in the military and/or civilian community which contribute directly or indirectly to community or group welfare, morale, or status; other significant achievements on- or off-duty which by their nature or results clearly distinguish the Airman from others of equal or higher grade; Air Force or civilian awards in recognition of personal service or contribution; and demonstrated ability as an articulate and positive Air Force spokesperson.

Buddy Romano must have been an easy selection.

He joined the Air Force in 1981 and quickly established himself as an outstanding airman. In 1983, he was named NCO of the Year. In 1984, he earned the Distinguished Graduate Award from the 15th Air Force NCO Leadership School at Ellsworth Air Force Base in South Dakota. He maintained a 96 percent fully mission capable rating during his first year—his unit's highest—as Dedicated Crew Chief at the 388th Fighter Wing, Hill Air Force Base, Utah. In 1987, he served in Operation Desert Storm. In 1988, he earned the NCO of the Year for the 548th Aircraft Generation Squadron, while maintaining a place on the Dean's List for Embry Riddle Aeronautical University. In 1992, he earned his degree in Aircraft Maintenance from the Community College of the Air Force.

Somehow, he has free time. Buddy has filled it by coaching or umpiring during almost every intramural varsity, high school, or youth basketball and baseball season since he became an airman. He has volunteered countless hours to the Equal Opportunity and Treatment Program, Anglo American sports day, Special Olympics, Arrive Alive Program, Toys for Tots Program, Top Three events, and countless other Air Force-sponsored events.

His military decorations include the Meritorious Service Medal, with two clusters; the Air Force Commendation Medal, with one cluster; the Air Force Achievement Medal; the Air Force Good Conduct Medal, with five oak

leaf clusters; the National Defense Service Medal; the Armed Forces Expeditionary Medal; the Southwest Asia Service Medal; the Humanitarian Service Medal; and the Kuwait Liberation Medal.

Mr. Speaker, I had the pleasure of recently meeting with Senior Master Sergeant and Jennifer Romano. They serve as a model for military couples, dedicating their lives to their family and their country. I know my colleagues will join me in saluting Albert M. Romano, Jr., for earning the respect and gratitude of his peers, his officers, and his country.

RECOGNIZING BORUNDA INC. AND
PLAZA VENTANA RESTAURANT

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize David Borunda as President and CEO of Borunda Inc., along with Plaza Ventana Restaurant. Borunda Inc. is a corporation specializing in the food service business; and Plaza Ventana is a product of David's perseverance to become an entrepreneur.

David Borunda originally established his business in 1977 by opening Plaza Mexican Restaurant. Due to the tremendous success of the restaurant, Borunda was invited to join the food court at Fresno's Manchester Mall, in which his operation became the largest volume food operation in the facility. Borunda's career further escalated in 1984 when he was invited to join the food court at Fresno's Fashion Faire Shopping Center. Thus, he opened his third location and immediately assumed the number one volume store in the food court. Branching away from food courts, Borunda opened a full sit down restaurant located in the Times Square Shopping Center in Fresno. Plaza Ventana was well received and immediately became a success. As a result, this location was expanded by an additional one thousand square feet, which included a full service bar and an additional dining area.

Borunda was born and raised in Fresno, California and is well rooted in the community. He served as president of the California Restaurant Association Fresno Chapter in 1993 and 1994, and has over 50 employees. As proof of Borunda's enormous success, one has to look no further than the three Best Mexican Restaurant award, given by the California Restaurant Association, he has won.

Mr. Speaker, it is my pleasure to honor David Borunda for his tremendous success as an entrepreneur. I urge my colleagues to join me in wishing David many more years of continued success.

QUALITY CARE FOR THE
UNINSURED ACT OF 1999

SPEECH OF

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 6, 1999

Mr. McKEON. Mr. Speaker, I join my colleagues today in supporting this bill that ad-

resses the problem of the rising number of Americans who cannot afford health insurance. Under this plan, we will be able to extend health care options to the 44 million people in our country who remain uninsured.

We know that most people without health insurance have one thing in common: they cannot afford health care. They are either self-employed or they work in a small business that cannot afford to pay for health benefits.

The Quality Care for the Uninsured Act creates Association Health Plans to combat the high cost of health care in our country. Small businesses and self-employers will now have the ability to join together under the umbrella of trade and professional organizations to buy health insurance for themselves and their employees.

Association Health Plans will bring more choices and greater flexibility to those who need it most. Estimates show that small businesses will save between 10 and 20 percent on health care costs with Association Health Plans. By cutting costs, we can expand health care coverage for the millions of hard-working Americans that are currently uninsured.

I commend Representative TALENT and Representative SHADEGG for their dedication to this important issue, and I urge my colleagues to support this bill.

THE PENSION REDUCTION
DISCLOSURE ACT OF 1999

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1999

Mr. MARSUI. Mr. Speaker, I am pleased to introduce bipartisan legislation, developed with my colleague on the Ways and Means Committee Mr. WELLER and in conjunction with the Administration, which will provide increased notice to employees when their employers convert their pension plans from traditional defined benefit plans to so-called "cash balance" plans.

The Pension Reduction Disclosure Act of 1999 revises existing section 204(h) of ERISA and adds related ERISA and tax provisions providing for the following: (1) a basic advance notice must be given for amendments that reduce the rate of future benefit accrual in a pension plan; (2) an enhanced advance notice must be given when applicable large plans are converted to cash balance plans or otherwise amended to reduce the rate of future benefit accrual; (3) individuals receiving the enhanced notice have the right to receive supporting general plan information, such as the plan's benefit formula and actuarial factors; and (4) individuals receiving the enhanced notice also have the right to receive individual benefit statements relating to the projected effect of the amendment on them. In general, the information required to be provided under the Act must be written in a manner calculated to be reasonably understood by the average plan participant. The Act imposes minimum notice and information requirements; employers may choose to provide information (in the required notice or otherwise) that is in addition to that required under the Act.

Basic advance notice: Current law requires 15 days' advance notice for amendments that reduce the rate of future benefit accrual in a

pension plan. Pension plans subject to the Act requirements are those plans subject to existing section 204(h) of ERISA. The Act increases this to 45 days before the effective date. The Act eliminates the current law requirement that notice be provided only after the plan amendment has been adopted. A plan is not to be treated as failing to meet the notice requirements of the Act merely because notice is provided before the adoption of the amendment if no modification of the amendment occurs before the amendment is adopted that would affect the information required to be in the notice. The notice must include the effective date and the classes of individuals under the plan to which the amendment applies. The notice must state that the amendment significantly reduces the rate of future benefit accrual and must summarize the important terms of the amendment. For example, in the case of a money purchase pension plan in which the rate of future contributions for all salaried employees is reduced from 7% of compensation to 4% of compensation, the basic notice must state that the plan is being amended to significantly reduce the rate of future contributions, that the rate of future contributions is being reduced from 7% of compensation to 4% of compensation, and that the amendment applies to all participants who are salaried employees on or after the effective date, which must be specified in the notice.

Enhanced advance notice: The enhanced advance notice applies to plans with at least 100 active participants at the end of the prior plan year (this information is on the Form 5500). This notice must provide the following additional information concerning the amendment: (1) a more detailed description of the plan amendment; (2) illustrative examples; (3) supporting information; and (4) individual benefit statements.

More detailed description. The enhanced notice provided to an affected participant must describe the normal and, if applicable, the early retirement benefit formulas under which the participant had been earning benefits before the amendment, describe the formulas under the plan as amended, and explain the effect of the amendment on the participant's normal and early retirement benefits. The enhanced notice, like the basic notice, must also state that the amendment is expected to significantly reduce the rate of future benefit accrual.

In addition, the enhanced notice must explicitly disclose any "wearaway" or "benefit plateau" or temporary period, expected to result from the amendment, during which there are no accruals or only minimal accruals. For example, if a large pension plan were amended from a traditional defined benefit plan to a cash balance plan through an amendment that reduced the rate of future benefit accrual, and the amendment provided for the establishment of an opening account balance using a formula or factors that resulted in the opening account balance being less than certain participants' section 417(e) lump sum value, the enhanced notice would have to identify the participants likely to experience a temporary cessation of accruals and explain why the wearaway occurred (for example, because the opening account balance was established using a different interest rate than required by the law to value lump sum benefits or because the formula used to establish the opening account balance did not take into account early retirement subsidies).

Illustrative examples. The enhanced notice must also include illustrative examples showing at representative future dates the estimated effect of the amendment on the participants in the examples. The illustrative examples will include estimates that provide a meaningful comparison of benefits that would be earned under the amended plan with benefits that would have been earned assuming the plan had not been amended. At a minimum, for a comparison to be meaningful, it must show benefits under the old and new formulas in the same form and at the same time. Accordingly, a comparison of an immediate lump sum under a new cash balance formula with an age 65 annuity under the pre-amendment final average pay formula would not satisfy the requirement that the comparison be meaningful; instead, the comparison must be in a life annuity form or a form authorized under Treasury regulations (which may, for example, authorize the comparison to be based on a lump sum form provided that that form is used for both the old and the new formulas). The notice (including the basic notice, but not including the supporting information) must be written in a manner reasonable calculated to be understood by the average plan participant.

Representative categories: The examples must be selected in a manner that is fully and fairly representative of the various categories of adversely affected individuals depending on whether the amendment results in similar reductions. While the classes of participants identified in the basic notice will generally be able to be determined under the plan document (e.g. salaried vs. hourly, Subsidiary A vs. Subsidiary B), it is intended that the categories used in the enhanced notice be more refined. While the determination of differing categories will depend on the plan's formulas before and after the amendment, the factors relevant to the determination of the number of categories appropriate to illustrate the effects of the amendment may include age, service and early or normal retirement eligibility. For example, in the case of an amendment that reduces the normal and early retirement benefits, employees who are already eligible for early retirement might be grouped together in a single category.

Supporting information required to be made available at time of advanced enhanced notice: The supporting information required to be made available upon a participant's request will include the factors used to convert the cash balance to an annuity, early retirement reduction factors, and similar assumptions for benefit projections, but the employer will not be required to make available the participant's personal information, such as the participant's date of hire, service history, or compensation. It is understood that, because the information may contain formulas and definitions of plan terms, it may not be practical for this information to be presented in a manner that can be readily understood by the average plan participant, but this information, along with the personal information, should be sufficient so that a professional advisor for the participant can perform the calculations. It is expected that employers could satisfy these requirements by making available appropriate computer programs or other appropriate technology, or providing a plan document with necessary supplemental schedules of current interest and mortality assumptions.

Individual benefit statements: Each individual to whom the enhanced advance notice

has been, or is required to have been, furnished can make one request for an individual benefit statement at any time up to one year after the effective date of any amendment that requires section 204(h) enhanced disclosure. As under current law, no charge may be imposed for furnishing the required individual benefit statement. Under section 502(c)(2) of ERISA, an administrator is subject to liability up to \$100 a day if the individual benefit statement is not provided within 30 days after the date of the request. In no event is the statement required to be provided earlier than 90 days after the effective date of the plan amendment. The Secretary of Labor may in her discretion determine that the statement may be provided at a later date. For example, the Secretary of Labor may determine in a particular case or by guidance of general applicability that the statement can be provided up to 60 days after the request (or, if later, six months after the effective date) in exceptional circumstances. Such exceptional circumstances might include, for example, cases in which the participant's accrual credit is in part based on periods during which the participant has worked for a predecessor or another party other than the plan sponsor, and the participant's work history with the other party is not readily available.

However, it is not intended that any such extension of time is to be permitted to be used as a pretext for a broad-based delay in delivering individual benefit statements that can reasonably be furnished at an earlier date.

Anti-abuse intent: It is intended that the protections of the Act are not to be evaded, so that, for example, if a plan seeks to evade the enhanced notice requirements by freezing benefits and then resuming accruals at a reduced accrual rate, a second enhanced notice would be required (taking into account the new accrual rate).

No inference: The fact that enhanced disclosure is required as to certain effects of an amendment on certain classes of participants is not intended to imply that the amendment or the plan design change effected by the amendment complies with current law.

Alternative methods of compliance: The Secretary of the Treasury is authorized to prescribe alternative or simplified methods of compliance with section 204(h) for the enhanced notice and related information, including and exemption, from some or all of these requirements, in situations not involving a fundamental change in the manner in which accruals are calculated where such other methods are adequate to reasonably inform applicable individuals of the nature of the reductions (such as a complete suspension of accruals under the plan, certain uniform reductions in the benefit accrual formula, or an incremental change in the period taken into account to determine career average or other plan compensation). A fundamental change in the manner in which accruals are calculated would not include certain changes in the compensation taken into account or a uniform reduction in the percentage of compensation on which contributions or accruals are based, but would include, for example, a conversion from a traditional plan (i.e., a flat dollar benefit, career average pay or final pay defined benefit pension plan) to a hybrid pension plan, such as a cash balance plan. A simplified or alternative method may also be permitted in order to ensure that the Act does not discourage

consolidation of an individual's plan benefits, for example, if a buyer's plan is involved in a merger or consolidation with the seller's plan or if the buyer's plan receives a transfer from the seller's plan, the buyer is not subject to requirements that would not apply if the buyer's plan had not accepted a transfer from the seller's plan.

The Secretary of the Treasury may also issue guidance under which a plan may provide the notice only 15 days before the effective date in cases in which a 45-day advance notice would be unduly burdensome either because the amendment is contingent on a merger, acquisition, disposition or other similar transaction or because 45-day advance notice would be impracticable (such as where benefits are being reduced as part of a liquidation or reorganization in bankruptcy or insolvency proceedings).

Sanctions: An excise tax applies to a failure to satisfy the notice requirements and, in the case of an egregious violation, the individual is entitled to the greater of the benefit under the amended plan or the plan before the amendment. Except in the case of a multiemployer plan, the tax is imposed on the employer. If a plan (other than a multiemployer plan) is sponsored by a party other than an employer, it is intended that the plan sponsor will be treated as the employer for this purpose. An egregious violation includes a situation in which there has been no intentional failure to provide notice, but the employer fails to take reasonable corrective steps after discovering that there was a failure to provide notice to some individuals.

Effective date exception where information provided within 120 days of enactment: The notice and information required under the Act is not required to be provided earlier than 120 days after the date of enactment of the Act. For example, if a large pension plan is amended to reduce benefits effective on the day after the enactment of the Act, the amendment could go into effect on the day after the enactment of the Act, but the plan could provide the required enhanced notice and related information (and also furnish any requested individual benefit statements) as late as 120 days after the date of enactment.

HONORING THE BROOKLYN CHINESE-AMERICAN ASSOCIATION'S EIGHTH AVENUE SENIOR CENTER ON ITS SIX YEARS OF SERVICE

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1999

Ms. VELÁZQUEZ. Mr. Speaker, I rise today to recognize the achievements of the Brooklyn Chinese-American Association, and the sixth anniversary of its Eighth Avenue Senior Center.

For more than a decade, the Brooklyn Chinese-American Association has provided vital assistance to tens of thousands of the Chinese-American residents who constitute one of New York's fastest-growing communities. Six years ago, recognizing a critical need in this community, the Association opened the Eighth Avenue Senior Center, which provides daily congregate meals, citizenship classes,

medical check-ups and screenings, monthly birthday parties, field trips and many other services.

Operating out of modest facilities but with exceptional heart and dedication, the center has a membership of almost 2,000 and offers services to over 160 senior members daily.

The centerpiece of this year's sixth anniversary commemoration is the Millennial Roundtable Celebration. Fulfilling an extraordinary and touching ceremony, tables will be organized with seating for 12 seniors who are each at least 84 years of age—totaling 1,000 years. For the first time, to commemorate the end of the century and the turn of the millennium, a Double Millennial Roundtable will be featured, with seating for 23 seniors who are at least 87 years of age and totaling 2,000 years of age.

A poet wrote, "I like spring, but it is too young. I like summer, but it is too proud. So I like best of all autumn, because its tone is mellow, its colors are richer, and it is tinged with a little sorrow. Its golden richness speaks not of the innocence of spring, nor the power of summer, but of the mellowness and kindly wisdom of approaching age."

Mr. Speaker, I urge all my colleagues to join me when I commend the Eighth Avenue Senior Center, and the Brooklyn Chinese-American Association, for its work to ensure golden richness in the lives of our seniors.

PROVIDING FOR CONSIDERATION OF H.R. 2990, QUALITY CARE FOR THE UNINSURED ACT OF 1999, AND H.R. 2723, BIPARTISAN CONSENSUS MANAGED CARE IMPROVEMENT ACT OF 1999

SPEECH OF

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 6, 1999

Mr. INSLEE. Mr. Speaker, I rise in opposition to the rigged rule for debate on the patients' bill of rights. Ever since this session began, I have been working with my colleagues to bring 'bipartisan patients' bill of rights to the floor for a vote. But now that Republicans have been forced to allow a vote on the bipartisan consensus managed care bill, they have written a rule designed to kill the measure.

Instead of providing a fair and open rule considering the patients' bill of rights, the Republican Leadership has stacked the deck by writing a rule that blends the managed care bill with a measure riddled with special interest "poison pills" designed to kill the measure, and that denies us the opportunity to offset any potential revenue losses from the measure.

The Republican Leadership is combining the bipartisan managed care bill with a so-called insurance access bill, which is not paid for. In addition, the Republican leadership is denying a bipartisan group of members the right to offer an amendment to offset the cost of the bill and be fiscally responsible.

If we can defeat this flawed rule, bipartisan advocates of managed care reform will return with a fair and open rule that will permit enactment of managed care reform. My constituents deserve patients' bill of rights. I urge my colleagues to vote down this rule and to support

real managed care reform and bipartisan patients' bill of rights.

HONORING THE RAMSEY FIRE DEPARTMENT ON ITS 100TH ANNIVERSARY

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 1999

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate the Ramsey Fire Department on its 100th Anniversary. This volunteer unit is one of the finest in New Jersey and deserves the thanks and support of every resident of our community.

Volunteer firefighters are among the most dedicated public servants in our communities. They set aside their own convenience—indeed, their own safety—to protect the lives and property of their neighbors and ask nothing in return. Volunteer firefighters turn out to do their duty in the darkness of freezing winter nights and in the heat of suffocating summer days without hesitation.

The Ramsey Fire Department was established in 1899 with 32 original members. The new fire company made a \$25 deposit on their first fire engine, an 1885 Babcock Chemical Wagon purchased second-hand from the Rutherford Fire Department. The Dater family of Ramsey donated property near the railroad tracks for the first firehouse, built at a cost of \$197, and the Ramsey Fire Department was in business. The first alarm was a brush fire near the tracks in April and the first building fire followed in January 1900.

The department grew quickly during the early years of the century, soon adding a horse-drawn ladder wagon and going to motorized fire trucks in 1912. A modern pumper was added in 1927 and the Ladies Auxiliary was founded in 1935 with 23 charter members. Additional equipment was purchased in subsequent years and the Island Avenue fire station constructed in 1951 to accommodate the growing fleet. A substation in the form of a three-bay addition to the borough garage was added in the 1960s. The 1970s saw the formation of the Junior Fire Brigade to encourage young people to become involved and a conversion from the traditional "fire engine red" paint scheme on equipment to lime yellow.

The Ramsey Fire Department has twice received the Box 54 Unit Citation Award from the New Jersey-New York Volunteer Firemen's Association for daring rescues, once in 1975 and again in 1984. In 1981, the department found itself the victim of arson when fire destroyed the second floor of the Island Avenue building. The building was repaired and rededicated the next year.

Major renovations of the fire department headquarters on Island Avenue were completed in 1992, including a room to display antique fire apparatus, a new radio room, a chief officer's room, an office for administrative officers and a 150-foot radio communications tower. Since 1996, the headquarters building has been known as the Robert E. Litchult Fire Safety Building in honor of Litchult, who served a record 63 years with the department.

Responding to nationwide difficulties in recruiting volunteer firefighters, the department