

Jr., Eryka, Vikki, Shelly III, Derrick, William, Jr., Valerie, Angela, Sherryl, Michael (Chris), Roderick (Keith), our children—"You gave us Joy": and

Whereas, Wanda married Ted Levatta; LaMont married Debra Perkins; James Jr. married Donna Pickney; Mark married Leveta Pretlow; Yuri married Neil David Brown; Herbert married Toni Lecour; Nikki married Maurice Thomas; Angela married Juan Demaris Thomas; Keith married Lori Blair—"You are continuing the tradition of commitment to family" and

Whereas, Our thirteen grandchildren of the offsprings of this family tree are: LaMont Carl, DeJeana Marie, David, DeNae, Courtney Nicole, Cammaron Avery, Kendall, Austin, Chandler, Ayanna Damaris, Ramia Regina, Myles Chandler, Alexandria Katlinmarie—"You give us Promise"; and now therefore, be it

*Resolved*, that Congresswoman Juanita Millender-McDonald, proudly recognizes the virtue, vision, wisdom and profound love of these family members and prays that God will continue to bless this family for generations yet unknown as we move into a new millennium—2000.

CONFERENCE REPORT ON H.R. 3194,  
CONSOLIDATED APPROPRIATIONS  
AND DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

SPEECH OF

**HON. DAVID D. PHELPS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. PHELPS. Mr. Speaker, I rise today in opposition to H.R. 3194, the Omnibus Appropriations Bill of 1999. This is massive bill put together at the last minute with very little chance for Members to study its contents. It combines five appropriations bills as well as two very admirable but totally unrelated pieces of legislation. In addition, it contains countless budget gimmicks in order to label it "balanced". In short, it is dishonest.

I cannot in good faith support this agreement which was completed outside the regular budget process, includes untold pork, relies on numerous budget gimmicks and raids the social security trust fund.

The final bill relied on numerous budget gimmicks as offsets: a pay shift for all military and civilian employees by one day at the end of the fiscal year which will push such outlay into the next fiscal year; a transfer of reserves held by the Federal Reserve to on-budget accounts; and an across the board cut of .38 percent in budget authority. In addition, the Congressional Budget Office has estimated that the already passed appropriation bills will result in spending about \$17 billion of the Social Security trust fund.

Moreover, this bill exceeds all of the balanced budget caps passed in 1997, but masks this action by declaring programs like Head Start, begun in 1964, and the census as emergency funding. We should forego such a charade and be honest with the American people about the federal budget.

Since my first day here in Congress, I have fought for the protection of Social Security and honest budgeting. This final package, contrary to its supporters claims, raids the Social Security trust fund and threatens the future solvency of Social Security and Medicare. In ad-

dition the budgetary gimmicks utilized will only make next year's budget even more difficult.

Congress could have chosen to keep their promise to pass all appropriations in regular order by September 30th. They could have worked with other Members to ensure the final product did not spend any of the Social Security trust fund. Instead, they chose to delay until the eve of Thanksgiving and force a massive and dishonest spending measure on the House. As such, I will oppose this bill and urge my colleagues to do likewise.

TRIBUTE TO LARRY BURKHART

**HON. PAUL E. GILLMOR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 22, 1999

Mr. GILLMOR. Mr. Speaker, it is with great pleasure that I rise to pay special tribute to an outstanding individual from Ohio's Fifth Congressional District. For more than thirty years, Larry Burkhart has educated the children of Ottawa, Ohio as a teacher, coach, and current guidance counselor at Ottawa-Glandorf High School.

Larry Burkhart has dedicated much of his life to ensuring that our children are prepared and ready to face their lives. While growing up in Northwest Ohio, Mr. Burkhart first realized the difference that teaching can make in the lives of our youth while attending Miller City High School. After graduating from high school, he went on to college and graduated from Bowling Green State University. Not long after graduation, Larry Burkhart began his long and distinguished career in education by teaching industrial arts.

Larry Burkhart truly has made an enormous difference with his students. Through personal interaction and diligent attention to their academic achievements, he has helped them through some of their biggest successes and disappointments. He spent several years in the classroom before becoming a guidance counselor—a position in which he has served for the past twenty-seven years.

In addition to his service as a teacher and guidance counselor, Larry Burkhart has made an immeasurable difference on the more than 750 athletes he has coached in the last three and a half decades. During that time, he has helped instill in those students the qualities of respect, sportsmanship, competitive spirit, dedication, and hard work. Larry Burkhart's students, both athletes and nonathletes alike, will carry with them throughout their lives the positive aspects he has taught.

Clearly, Larry Burkhart has given freely and unselfishly of his time and energy for the betterment of our children. He understands that our children are the future of our nation and the best way to prepare them to lead is to provide them with the best education possible. His caring and guidance for his students and his strong support for the profession of education distinguish him as one of the community's most respected educators.

Mr. Speaker, it is often said that America prospers due to the wondrous deeds of her sons and daughters. Without question, Larry Burkhart has dedicated his life to the future of our nation through the education of our children. I would urge my colleagues to stand and join me in paying special tribute to Larry

Burkhart. For his extraordinary service to education, we salute him and wish both him and his family the very best in the future.

TRIBUTE TO TIM DONOHOE

**HON. STENY H. HOYER**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, November 22, 1999

Mr. HOYER. Mr. Speaker, on Thursday, November 11, 1999, as the work of this House paused while Americans honored our veterans, we in the congressional community lost a veteran of our own. Timothy Leo Donohoe, a former House doorman and virtual fixture for many years at the Speaker's Lobby East door before his retirement in 1997, died suddenly on Veteran's Day at his home on Capitol Hill. Tim was only 54 years old, and he is greatly missed by the friends he leaves behind.

And, Mr. Speaker, Tim Donohoe leaves many friends. Tim served the Congress for 25 years, most of them for the Doorman and Sergeant-at-Arms, so he knew most everyone who worked on and around the House floor. It was Tim's job as a doorman to know every Member of Congress, including the Senators who often appeared at his door, and he did, whether a Member had been here for 20 years or 20 minutes. Tim also knew the many committee and support staff whose work brought them to the floor, as well as the many members of the Hill press corps who gathered in the Speaker's Lobby looking for news. All who worked with or around Tim appreciated his wit, his good humor, and his reliable information about what was really going on in the House. When the House was in legislative session, Tim was at that door—we could count on it. He always did his job diligently and magnificently, in the grandest traditions of the House.

Everyone who had the good fortune to know Tim Donohoe well agrees that he was one of the kindest, most selfless people one could ever meet. Though these traits may have resulted from a classical Catholic education, which for Tim culminated in a master's degree in theology from St. Paul's College in Washington, I suspect they were innate, simply a manifestation of Tim's character. He cared about others more than himself, and it showed.

Mr. Speaker, our world would be a far better place if there were more like Tim Donohoe. Our world is a better place for Tim's having been here. He is, and will continue to be, sorely missed.

A RESOLUTION PRESENTING A  
MEMORIAL TRIBUTE TO THE  
LIFE AND LEGACY OF DR. THOMAS KILGORE, JR.

**HON. JUANITA MILLENDER-MCDONALD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 22, 1999

Ms. MILLENDER-MCDONALD. Mr. Speaker, I submit the following tribute for the RECORD.

"PRECIOUS IN THE SIGHT OF THE LORD IS THE DEATH OF HIS SAINT"

Whereas, Thomas Kilgore, Jr. was born on February 20, 1913 in Woodruff, South Carolina—the sixth of twelve children of Thomas and Eugenia Kilgore; and

Whereas, Thomas Kilgore, Jr. received his formal education in Woodruff, Brevard and Asheville, North Carolina, having shown early his profound intellect, he graduated with honors from Morehouse College in 1935; did graduate work at Howard University during 1944–45; and received a Masters of Divinity from Union Theological Seminary in New York City in 1957, and was the recipient of numerous honorary doctoral degrees; and

Whereas, Thomas Kilgore, Jr. accepted God at the early age of 9 and from this spiritual rendeance came the most prophetic preacher sought after throughout this nation, and he did not hesitate to inform the world of his calling by God to do His tasks, and was recognized by Ebony Magazine as one of America's 15 greatest black preachers; and

Whereas, Thomas Kilgore, Jr. utilized his brilliant mind to turn his ideas into reality and his vision into fruition, and this combination of intelligence and integrity led him to organize voter registration in schools and the unionization of tobacco workers in Winston-Salem, North Carolina in 1943; and

Whereas, Thomas Kilgore, Jr. helped orchestrate the Kings' March on Washington and directed a prayer pilgrimage for freedom at the Lincoln Memorial in Washington; and was the vanguard in the organization of an all day meeting with all segments of the black community to plan the appropriate memorial service for Dr. Martin Luther King, Jr.; and

Whereas, Thomas Kilgore, Jr. married Jeannetta Marion Scott in 1936, a lifelong educator, and were the proud parents of two daughters, Lynn Elda and Jini Medina, and the proud grandparents of three: Robin, Niambi, and Okera, and one great grandson, Justen. Now therefore, be it

*Resolved*, That Congresswoman Juanita Millender-McDonald, a mentee of his, proudly recognizes this man of vision, courage and wisdom and his distinguished service of humanity to this nation and the world.

#### TRIBUTE TO JOE SERNA, JR.

#### HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, November 22, 1999*

Mr. BECERRA. Mr. Speaker, I rise today with profound sadness in my heart to pay tribute to Mr. Joe Serna, Jr.

Joe Serna, Jr. lived a life which exemplified what is best in the American dream.

Joe grew up the son of immigrant farm laborers. Throughout his youth, he worked tirelessly on behalf of migrant farm workers under the guidance of his role model, Cesar Chavez. The experience gave Joe great strength of character and led him to dedicate his life to the service of others. As a professor of government and ethics at California State University at Sacramento, Joe continued to be a champion and advocate of migrant worker rights while also reaching out to the young minds in his classrooms.

Joe was elected to the Sacramento City Council on November 3, 1981 and served there until his election as mayor of Sacramento on November 3, 1992. In rising to mayor of Sacramento, Joe became the first Latino mayor of a major California city.

Joe was known by all as a man of the highest ethic and integrity. He was a master coalition builder, always working for the common good. Joe leaves behind a powerful legacy as a revitalizer of his city, and as a crusader for educational reform.

My personal memory of him will be as a friend and role model. He was a man who could have held some of the highest government posts in the Capitol of the United States, Washington, DC. I say this from close, personal knowledge. Instead, Joe chose to serve the people of another great Capitol—Sacramento, my hometown, and the place to which he devoted his life and energy.

Joe Serna, Jr. will be greatly missed in both Sacramento and throughout the State which he so valiantly sought to improve and see prosper.

#### TRIBUTE TO IVAN RODRIGUEZ

#### HON. JOSE E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, November 22, 1999*

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to Mr. Ivan Rodriguez, an outstanding Puerto Rican athlete and a very successful baseball player. On Thursday, November 18, Ivan was named the 1999 American League Most Valuable Player by the Baseball Writers Association of America. It marks the first time that a catcher has captured an MVP in either league since Thurman Munson of the New York Yankees in 1976. Ivan becomes the ninth catcher in major league history to win a Most Valuable Player Award.

It is the sixth MVP for a native of Puerto Rico with the others being Roberto Clemente in 1966, St. Louis' Orlando Cepeda in 1967, Detroit's Willie Hernandez in 1984, and Juan Gonzalez in 1996 and 1998.

Born on November, 30, 1971 in Vega Baja, Puerto Rico, Ivan was named on all 28 ballots, with seven 1st place votes, six 2nd place votes, seven 3rd place votes, five 5th place votes, two 6th place votes, and a seventh place vote for 252 points.

Mr. Speaker, Ivan batted .332 with 35 homers and 113 RBIs in 144 games in 1999. He established an American League record for home runs by a catcher and was the first backstop in league history with 30 homers, 100 RBIs, and 100 runs scored. Ivan also had 25 stolen bases, tied for fifth most ever for a catcher, and was the first major league catcher ever with 20+ homers and 20+ steals. He was fifth in the American League in hits (199), and ranked seventh in average, runs (116-tied), and total bases (335). His .332 average was the highest for an American League catcher since New York's Bill Dickey (.332) in 1937.

Behind the plate, Ivan won his eighth consecutive Rawlings Gold Glove Award, the second most in history behind Johnny Bench. He threw out 54.2% (39 of 72) of the runners attempting to steal, the fifth straight year he has led the majors in that department. It was the highest percentage since statistics were first kept. Ivan also led major league catchers with 141 starts and had ten pure pickoffs.

Ivan also captured his sixth consecutive A.L. Silver Slugger Award and was selected as the catcher on the Associated Press Major League All-Star Team.

Through his dedication, discipline, and success in baseball, Ivan serves as a role model for millions of youngsters in the United States and Puerto Rico who dream of succeeding, like him, in the world of baseball.

Mr. Speaker, I ask my colleagues to join me in congratulating Mr. Ivan Rodriguez for his contributions and dedication to baseball, as well as for serving as role model for the youth of Puerto Rico and the U.S.A.

#### CONFERENCE REPORT ON H.R. 3194, CONSOLIDATED APPROPRIATIONS AND DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

SPEECH OF

#### HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 18, 1999*

Mr. OXLEY. Mr. Speaker, H.R. 3194 contains a provision exempting from Superfund liability certain transactions in recyclable materials. This exemption is drawn from S. 1528. While Senators LOTT and DASCHLE have provided a basic description of Congress's intent in passing the language, the purpose of this statement is to provide some additional detail on two particular provisions: § 127(g) on the liability of other parties at affected Superfund sites, and § 127(i) on the effect on completed actions.

New § 127 of CERCLA provides that parties who engaged in certain transactions involving recyclable materials "shall not be liable" under the provisions of Superfund. Subsection (g) describes the effect of this bill on the Superfund liability of owner/operators who remain liable at a site. This provision clearly provides that at a Superfund site where some parties are exempted from liability by § 127, the remaining non-exempt owner/operators at the site should not face increased liability as a result of the enactment of § 127. As a result, the liability of owner/operators is to be determined as if § 127 had not been enacted, using the usual and customary factors considering the relative contribution of all parties, both exempt and non-exempt. This provision ensures that any exempted share created by operation of this section is not transferred to owner/operators.

New § 127 also contains transition language which governs how the recycled materials exemption is intended to affect Superfund liability in pending or concluded actions. § 127(i) provides that the exemptions from CERCLA liability shall not affect any concluded judicial or administrative action or any pending judicial action initiated by the United States prior to enactment. One reason for this amendment is to ensure that where a judicial or administrative action has been fully complied with, this bill will not force persons who believed that they had fully settled their liability and claims to revisit those issues.

However, where a consent decree or other judicial order requires enforcement of its terms after the date of enactment, nothing in this section should be interpreted to prevent a person subject to such future enforcement from revisiting the validity of those future obligations in light of the passage of this legislation.