

AMENDING THE INDIVIDUALS
WITH DISABILITIES ACT**HON. BOB BARR**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. BARR of Georgia. Mr. Speaker, I would like to announce the introduction of legislation which would amend the Individuals With Disabilities Education Act (IDEA) to provide more flexibility for schools, and would require the expulsion and termination of education services, if a student with a disability carries a weapon to school or to a school function, and it is determined the behavior in question of the child was not due to his or her disability.

When a student brings a weapon into school, it places every individual's life in danger. Such a potentially dangerous action cannot be tolerated or accepted; regardless of whether the student has a disability. The protection of students and faculty must be a priority. We must establish a zero tolerance for weapons in schools, and not allow federal regulations to tie the hands of school disciplinarians. IDEA strongly restricts school administrators and educators in the area of discipline.

Recently, in Cobb County, Georgia, two seventh-graders were expelled by the local school board for bringing a handgun to school. Insofar as these boys have disabilities they may very well be sent to a private school at taxpayer expense, in accordance with IDEA. Under the provisions of IDEA, if a student brings a weapon to school and is expelled, then the school board is responsible for providing alternative education services. For Cobb County taxpayers, the cost of educating a student outside the regular classroom can range between \$5,000 and \$41,000 a year, depending on the level of special services required.

Ninety-five percent of students in special education who are suspended or expelled for displaying violent or aggressive behavior are not disciplined. Taxpayers should not be held responsible for these children with disabilities who carry weapons into schools or school functions. This also bill reduces the amazing amount of paperwork administrators must deal with under IDEA, and it would provide for more flexibility for schools in the disciplinary process.

While I support and voted in favor of the Individuals with Disabilities Education Improvement Act, H.R. 5, in 1997, I do not support condoning behavior by a student that places the students and faculty members at risk. If it is determined a disabled student's disability was not a contributing factor, that student should be held accountable for his or her actions.

THE FOODBANKS RELIEF ACT OF
1999**HON. TONY P. HALL**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. HALL of Ohio. Mr. Speaker, I rise to introduce the Food Banks Relief Act of 1999. The purpose of this bill is to help food banks meet sharp increases in the demand for their

services. The bill responds to a steady stream of studies and reports—including my own surveys of emergency food providers in March 1998 and March 1999—pointing to alarming increases in requests for emergency food assistance, especially among the working poor, children, and the elderly. I am honored to be joined in introducing this legislation by my distinguished colleague and friend, Representative JoANN EMERSON of Missouri, who is a great champion of food banks.

The 1996 welfare reform bill partially anticipated increased demand for charitable food assistance, when it mandated that \$100 million from the food stamp program be used for commodity purchases for food banks, pantries and soup kitchens. However, that has proven inadequate. Food banks across the country report significant increases in requests for food, especially from the working poor. And just as the needs have grown, private donations have declined, as farmers, grocers, and others in the food industry have become more efficient and reduced the waste and overproduction that once helped stock food banks' shelves. Second Harvest, the nation's largest network of emergency food providers, estimates that public and private resources combined are only meeting about half the needs.

The fact is that the private charitable sector is shouldering an increasing share of food assistance needs, and it is overwhelming their capacity. It is time that Congress and the Administration started responding more effectively by assisting food banks—and by tackling the problems that are sending hungry people to their doors. It is ridiculous to expect that we can cut \$20 billion from the food stamp program, and provide only \$100 million extra each year to the food banks that former food stamp recipients are turning to, without causing hunger to soar. That is exactly what has happened, and while broader improvements to the nutrition safety net are needed, hunger won't wait. This bill would deliver the immediate, targeted relief that is needed now by food banks that are too often forced to cut rations or turn people away for lack of food.

The strong economy has helped perpetuate the myth that working people and senior citizens are sheltered from hunger. In fact, they are the main reason that the lines at food banks are growing. Children too dominate the roster of those food banks help: two out of five of their customers are children. In all, an astounding 25 million Americans are turning to food banks each month to help make ends meet and keep hunger at bay.

There is no reason that the strongest economy in a generation cannot find the small sums needed to ensure no American goes hungry. We are not short of money: states alone have \$3 billion piling up in the accounts they are supposed to be using to help make welfare reform work, and the federal government has a budget surplus for the first time in decades. We are not short of commodities: agriculture production has never been more bountiful. We are short only of political will, and the honor to lend a hand to the charities that are trying so hard to end the scourge of hunger in the richest nation in history.

I hope that my colleagues will join me and Representative EMERSON in supporting this bill.

The text of the bill follows:

H.R.—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Food Banks Relief Act of 1999".

SEC. 2. AMENDMENT.

Section 214 of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7515) is amended by adding at the end the following:

"(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) There is authorized to be appropriated \$100,000,000 to purchase and make available additional commodities under this section.

"(2) Not more than 15 percent of the amount appropriated under paragraph (1) may be used for direct expenses (as defined in section 204(a)(2)) incurred by emergency feeding organizations to distribute such commodities to needy persons."

TRIBUTE TO TOM B. SMITH

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a good friend and great Arkansan who passed from this world earlier this year. Thomas Benton Smith, or Tom B. as his friends called him, was born in Wynne, Arkansas where he spent his life working to improve the town and Cross County.

Tom B. served as county attorney and deputy prosecuting attorney in Cross County and was municipal judge for Cherry Valley. He was also city attorney for Hickory Ridge and had served as a special Arkansas Supreme Court associate justice. A faithful Democrat, Tom B. also spent many, many hours working as the chairman of the Cross County Democratic Central Committee, as state Democratic Committee Treasurer and was a delegate to the Democratic National Convention as well as Democratic state conventions. He was also Chairman of the Cross County Election Commission.

Serving his community and working to make Wynne a better place to live was something that Tom B. strived to do. He was a member of the Wynne Chamber of Commerce and the past president of Wynne Fumble Club and a past board member of the Arkansas Community Foundation. He was also the founding president of the board of Little Sheep Day Care at Wynne Presbyterian Church.

Tom B. meant a lot to me, my family and the people of Arkansas and he will be greatly missed. His perpetual good humor, loyalty to his friends and family and the things he cared about made him not only much beloved but made his community a better place to live, work and raise a family. Tom B. has honored all of us with his friendship and service and I am proud to have called him my friend.

SALUTE TO THE MOUNDS VIEW
MUSTANGS**HON. BRUCE F. VENTO**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. VENTO. Mr. Speaker, Minnesota's Fourth Congressional District is distinctly

blessed this year with the triumph of two high school men's basketball teams in the Minnesota State Basketball Tournament.

I would especially like to congratulate and commend, the Mounds View Mustangs for their thrilling 69-64 victory over the reigning Minnetonka Mustangs in the Class AAAA Championship. Behind at the start of the final period, the Mustangs climbed into the lead with less than 8 minutes left and held on to win.

My congratulations to the Mounds View High School, Coach Kaulis and all the Mustangs. Their team spirit, never say die attitude is an example for us all. At this time I would like to share with my Colleagues an article describing the Mustang victory.

[From the Star Tribune, Mar. 21, 1999]

MOUNDS VIEW HOLDS ON: HORVATH SCORES 31 AS MUSTANGS TOP LAST YEAR'S 4A CHAMPION, MINNETONKA

(By Brian Wicker)

Mounds View senior center Nick Horvath started out fabulous and got better as the game progressed, scoring a game-high 31 points to lead the Mustangs over defending champion Minnetonka 69-64 Saturday night for the Class 4A boys' basketball championship before 13,682 fans at Williams Arena.

The third-ranked Mustangs (24-3) trailed 50-49 entering the fourth quarter. After senior guard Cal Ecker hit a three-pointer with 7:43 remaining to give Mounds View a 52-50 lead, Horvath scored eight of the Mustangs' next 10 points. Mounds View led 65-62 with 45.3 second to play and held it when two three-point attempts by Minnetonka senior guard Brendan Finn missed. The Mustangs then made just enough free throws in the final minute to hold on.

"We always expect a lot of Nick [Horvath], and he produced again," Mounds View coach Ziggy Kauls said. "But you don't win one of these things without more of a team."

Mounds View's title was the school's second, to go with the 1972 Class AA championship. Kauls coached them both.

Said Horvath, who will attend Duke: "This is just great. This will go with my four national championships I'm going to win there."

Minnetonka point guard Adam Boone nearly lifted the Skippers in the final period (26 points), making three clutch baskets in a two-minute span to keep the No. 2 Skippers (23-4) close. The defending champions deflated somewhat, however, when star forward Shane Schilling fouled out with 1:07 to play.

Minnetonka's search for a second consecutive title began with looking for replacements for graduated four-year starters Ryan Keating and Jake Kuppe. Boone, a junior, filled Keating's void at point guard after his family moved from the Minneapolis Washburn area to Minnetonka.

The Skippers' answer for Kuppe was already present in senior Grant Anderson, a 6-7 center with superb defensive skills and a quick first step.

And, best of all, the Skippers still had the high-scoring, high-flying Schilling.

Mounds View's state tournament only lasted one game a year ago, after the Mustangs lost 55-54 to Minneapolis North in the quarterfinals. Since that time, Horvath had been part of the gold-medal-winning 18-under team at the World Youth Games in Moscow last summer and become even more dominant a player. His experienced supporting cast, including Ecker and senior forward Drew Brodin, didn't hesitate to take important shots when Horvath found himself surrounded with defenders.

With Division I talents such as Schilling and Horvath able to take over games, the

teams did their best to get rid of the opposing star. The Skippers pounded the ball inside to Anderson on their first few possessions, trying to put Horvath in early foul trouble, and were eventually successful. Schilling, on the other hand, aggressively ran into foul problems on his own.

Minnetonka led 14-12 after the first quarter, the difference being a T.J. Thedinga layup that Mounds View contended came after the buzzer.

IN HONOR OF JOHN F. SEGREST,
JR. UPON HIS 83RD BIRTHDAY

HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. RILEY. Mr. Speaker, I rise today to recognize John F. Segrest, Jr. on the occasion of his 83rd birthday.

John Segrest was born and raised in Macon County, Alabama. He attended Tuskegee High School and was a member of the Tuskegee High School Football Team. After graduation in 1937, he went on to attend Auburn University and from there to work as a soil chemist for United Fruit Company in Costa Rica.

In 1941, he returned to Macon County to join the Air Force, feeling it important to fulfill his duty to his country. John Segrest flew his first mission in September of 1942 as a member of the 92nd Bomber Group and the 327th Squadron. Two weeks later, he was in an airplane that was hit by enemy fire. They were able to return to England, and despite the fact that he was injured, John Segrest put his men first. For this, he won the Air Medal and one Oak Leaf Cluster. On April 17, 1943, he was shot down over Germany and was taken as a Prisoner of War. He spent the next two years as a prisoner of war in Stalag 3. For this, he earned the Purple Heart and another Oak Leaf Cluster. He was discharged from the Air Force in 1946 and returned to Tuskegee, Alabama, and Auburn University where he completed his college degree.

John Segrest settled down in Macon County, married Frances Cobb and worked for the Macon County Extension Service from 1946 until 1957. In 1958, he became Postmaster of Tuskegee, a position he held until 1981, when he retired to take care of his mother. Since his retirement, Mr. Segrest has become even more actively involved in politics. Finally, this year, he has decided to retire as Chairman of the Macon County Republican Party.

I salute the life of John F. Segrest, Jr. and his service to his country, his state and his community.

TOBACCO SETTLEMENT

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1999

Mr. WAXMAN. Mr. Speaker, today I and my colleagues are introducing legislation to ensure that the federal Medicaid dollars recovered in last year's tobacco settlement are spent to improve the public health and to fund effective tobacco control policy.

In the last few months, the states have been asking Congress to overturn thirty years of

Medicaid law. The states want to keep the federal health care dollars recovered under the settlement and to use these federal dollars for whatever purposes they desire. In the process, members are being urged to rewrite Medicaid law.

This is wrong. Half of the funds that are being recovered are federal funds that were spent by the federal government as its share of the Medicaid expenses for tobacco-related illness. These funds should not be used to build bridges, pave roads, or fund tax cuts. They should be used for health services and tobacco control programs.

That is why today I and my colleagues are introducing legislation that will ensure that these federal health care dollars are spent in the best way possible: to improve public health and to protect the health of our children.

I know that this position is not popular among the governors, but it is right. As federally elected officials, we have a responsibility to ensure that these federal health care dollars are spent wisely.

It is indisputable that the state settlements with the tobacco companies were in large part based on Medicaid claims. Tobacco-related illness costs the Medicaid program nearly \$13 billion a year, and over half of those costs are paid for by the federal government.

Money from the tobacco settlement should be spent to break the cycle of addiction, sickness, and death caused by smoking. That is why this legislation will require that 25% of the funds be spent by the states precisely for these purposes.

The bill also requires that 25% of the tobacco settlement be spent by the states on health. We have given the states options to tailor their expenditures to their priority health care needs. They can use the funds for outreach to enroll individuals—children, the elderly, and the disabled—who are eligible for health services or to help with their Medicare premiums. They can use them to improve Medicaid coverage or services or they can use them to extend public health or preventive health programs.

Under this bill, most of the federal dollars are given back to the states, in recognition of their leadership role in suing the tobacco companies. There are, however, a few tobacco control activities that are best carried out at the federal level. For this reason, the bill retains at the federal level \$500 million to fund a nationwide anti-tobacco education campaign and \$100 million to implement the Surgeon General's recommendations on minority tobacco use. The bill also contains federal provisions to ensure that our tobacco farmers have a stable economic environment so that they can begin an orderly transition to a more diversified economy.

Today the original claims in the tobacco litigation have become story and legend, and it is easy for the facts to be forgotten. But the fact is that a substantial portion of the tobacco settlement is federal health care dollars. It is not the states' money to spend as they please. It is our duty and responsibility to ensure that these federal dollars are spent to improve our nation's health.