

language was finally introduced and passed by the Congress with passage of the Omnibus Budget and Reconciliation Act of 1993 to treat both of these groups in the same and equal manner. As a result, Medicare today now pays primary to employer health plans for disabled employees that are not actually actively working. However, even though HCFA agrees prospectively to be the primary payor once Medicare's "payment status" has been changed to primary, most retroactive Medicare claims submitted for treatment received since August 10, 1993 (effective date of statutory change) are denied. The reason for this from HCFA is that because these claims when submitted were considered to have not been "timely filed" in conjunction with Medicare regulations. These claims could not have been timely filed previously because they were for disabled employees whose former employers continued to pay as primary.

These employers acted honorably by continuing to pay claims from these employees as the primary payor because they were not made aware of clarifying language enacted by the Congress by OBRA in 1993, a change that HCFA did not care to publicize. Even though the Congress in 1993 directed HCFA by clarifying the statute that Medicare is to act as the primary payor for insurance claims for "disabled active individuals," many American employers still have not been able to be fully and lawfully reimbursed and fully benefit from the legislative change intended by the Congress by passage of OBRA in 1993.

As a result, the Congress should once again act to direct the Administrator of HCFA to fully rectify what was originally intended by the Congress in 1993, namely to direct HCFA not to subject this unique and special class of American employees and their respective Medicare claims to the standard Medicare timely filing regulations. These claims are not in any way similar to normal Medicare claims because they could never have been submitted previously or in a timely fashion due to the problems I have illuminated in these remarks. Medicare claims are normally submitted immediately upon or shortly after medical treatment. Though Medicare regulations allow for an exception to their timely filing guidelines if there is an error on the part of the Secretary, HCFA has refused to apply this exception to the special situation we have before us. Even more startling to this Chamber should be the fact that this very HCFA policy was determined to be illegal, unlawful and invalid as a matter of federal administrative law by a U.S. District Court in the District of Columbia in 1999 because of HCFA's failure to promulgate a valid federal regulation to support the Agency's policy determination, in the case *SUNTRUST BANKS, INC. v. Donna Shalala, Secretary of Health and Human Services, CA. No. 96*

TRIBUTE TO GERALD MAYO

**HON. BOB SCHAFFER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 19, 2001*

Mr. SCHAFFER. Mr. Speaker, it is an honor to rise today to congratulate to Mr. Gerald Mayo of Estes Park, Colorado, who was recently named honorary-chairman of the Na-

tional Small Business Advisory Council. For this, Mr. Speaker, the United States Congress should commend him.

The National Small Business-Advisory Council provides a link between small business owners and Members of Congress. The purpose of the council is to give input on economic and tax issues while also participating in private surveys and policy briefings. The council achieves this through participation in strategy sessions and national meetings with local, state and national leaders. I applaud the National Small Business Advisory Council and its new chairman Gerald Mayo, for creating an alliance between the nation's leadership and the small business community.

A broker for Prudential Team Realty, Gerald Mayo has first-hand experience with small businesses. His leadership and dedication to small businesses across the nation is commendable and greatly appreciated. Gerald is truly a shining example for all Americans.

A constituent of Colorado's Forth Congressional District, Gerald not only makes his community proud, but also his state and country. It is a true honor to have such an extraordinary citizen in Colorado. I ask the House to join me in extending wholehearted congratulations to Mr. Gerald Mayo.

IN RECOGNITION OF MARGARET  
PARX HAYS

**HON. RALPH M. HALL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 19, 2001*

Mr. HALL of Texas. Mr. Speaker, I rise today to speak in recognition of Margaret Parx Hays, a devoted community servant and former Mayor who initiated a drive to restore The Santa Fe Depot in the city of Gainesville, Texas. Margaret is a distinguished native of Gainesville and has devoted considerable energy, drive, and creativity to bringing this project to fruition. Her efforts not only saved an historically significant building but helped make the community aware of an important part of their history.

This particular station, constructed in 1902, was Gainesville's second depot. The city, itself, received its first passenger train on January 2, 1887. The depot is an elegant redbrick building that served the Santa Fe line when it was originally constructed. Without Margaret's devotion to her community, though, the station would have remained an abandoned relic. Now it plays host to many community gatherings.

Mr. Speaker, it is with great thanks and appreciation that I recognize the energy and efforts of Margaret Parx Hayes, who organized the effort to return the Santa Fe Depot in Gainesville, Texas to its original beauty. I have had the pleasure of knowing—and working with Margaret—for many years. This would be a better world, with more kindness and caring, and more success in the healthy growth of a city or area, if we had Margaret Parx Hays in each of our cities. She is, other than being a wonderful person, a great asset to the city of Gainesville—and all who live there who want and expect to have gracious living. Margaret brings this to the table of public service because she cares.

Let us close this House of Representatives on this day, December 18, 2001, in loving re-

spect and eternal gratitude, to this kind, loving and generous woman.

TRIBUTE TO THE HONORABLE  
MARY ALICE SALIZAR

**HON. SOLOMON P. ORTIZ**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 19, 2001*

Mr. ORTIZ. Mr. Speaker, I rise today to pay tribute to an American patriot, Mary Alice Salizar, who is retiring the end of this turbulent year.

A native of Corpus Christi, Texas, Ms. Salizar has served in the judicial branch of our government since the early 1970s. She spent the early part of her career working for local attorneys and as a court reporter.

She wanted to be part of the federal court system, and in 1973, she became part of the U.S. District Clerk's office. She has been an integral part of the office since then.

Likewise, she has been an integral part of our community, working with children and young people from low-income families and communities through her church. In doing so, she is part of a tradition of doing the most fundamental work Jesus instructed Christians to do: help the poor.

While she intends on spending a great deal of time on her crafts, quilting and others pastimes, she nevertheless intends to continue her tradition of service to community through volunteering at a public school or as a senior Candy Stripper at a local hospital.

Mary Alice Salizar is the example for others to follow, both in the course of her life's work and her desire to continue that service by volunteering in the fields of health and education.

She will now also be spending more time with her family, the people who supported her during her service to the community including: her husband Pedro Salizar; their children Mark, Rick and David; and their grandchildren Annaliza and Estevan Marcos.

I ask my colleagues to join me in commending the life's work of Mary Alice Salizar, who has spent the better part of her professional life as part of the federal judicial system.

HONORING THE ENLISTED MEN  
AND WOMEN OF THE UNITED  
STATES NAVY

**HON. ROB SIMMONS**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 19, 2001*

Mr. SIMMONS. Mr. Speaker, I rise today to announce legislation that I have introduced to request that the Secretary of the Navy name a U.S. Navy warship the "U.S.S. Bluejacket" in honor of the courageous Americans who have served as enlisted members in the United States Navy.

My resolution also requests that this vessel bear the hull designation number "1776" to reflect the freedom and independence protected and preserved by the millions of enlisted men and women who have proudly served in the United States Navy. Our Navy, as well as for the nation, would be well served to have a ship bearing the hull number 1776.

Mr. Speaker, the Second District of Connecticut, which I have the privilege of representing, has a long and proud Naval and seafaring history. We are home to the "The First and Finest," the Naval Submarine Base New London, homeport to Submarine Squadron Two, Four, and Development Squadron Twelve, the Naval Submarine School, and Naval Submarine Support Facility. Thousands of men and women in my district are part of the "silent service" and its support and training structure. They are dedicating their lives, risking their lives everyday in our great Navy. I believe that we should honor their service and sacrifice by naming a ship the "U.S.S Bluejacket."

I urge all of my colleagues to join me in this effort to forever honor the bravery, dedication and service of the millions of men and women who have fought to defend this country in our Navy.

Finally, I would like to thank the efforts of Mr. John Thor Newlander of Gales Ferry, Connecticut. Mr. Newlander has served this country in several of our military services, both active and reserve duty, and has worked tirelessly on behalf of our enlisted military personnel and on this resolution. I thank him for his service and his commitment to this worthy endeavor.

#### INTRODUCTION OF CHILD DEVELOPMENT AND FAMILY EMPLOYMENT ACT OF 2002

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 19, 2001*

Mr. GEORGE MILLER of California. Mr. Speaker, I am pleased to join my colleagues Mr. ANDREWS, Mr. OWENS, Mr. MORAN, Mr. HINOJOSA, Ms. LEE, Mr. FRANK, Ms. WOOLSEY, Mr. GREEN, Mr. KILDEE, Ms. MCCOLLUM, Mr. ABERCROMBIE, Mr. MCGOVERN, Ms. DELAURO, and Mr. NADLER in introducing the Child Development and Family Employment Act. This legislation reauthorizes the Child Care and Development Block Grant to better meet the child care and after-school care needs of low-income children and families.

Science conclusively demonstrates that children's experiences in their first 5 years of life have major and lasting effects on learning and academic success. Parents undoubtedly are the most significant and important influence on a child's growth. But with 65% of mothers in the labor force raising children under age 6, child care often provides important secondary influences that also greatly affect a child's development. Child care simply is not just babysitting. Early care is an important early learning period and if parents cannot afford to provide their children with high quality care, it is a missed opportunity to help develop a child's school-readiness. Kindergarten teachers report many of their students begin kindergarten cognitively and behaviorally unprepared to learn. For all our youth to achieve in school, we must ensure that they arrive at kindergarten with the skills needed to succeed in school. To do that, parents need to be able to choose quality child care that meets the needs of their children.

Child care assistance must allow eligible families to meet those needs. Since welfare

reform passed in 1996, CCDBG has been a critical work support for many low-income families moving off welfare and many other working poor struggling to remain self-sufficient. Reliable, accessible, and affordable child care is important for families to continue their employment and remain off welfare and for sustaining the economic strength of this country. Poor families who are unable to secure child care assistance pay up to one-third of their income for child care, creating an incredible burden for families struggling to make ends meet and marginalizing the value of going to work or remaining employed. Indeed, families often cite problems with child care as a major reason for leaving employment.

Yet today, CCDBG does not do enough to meet children's developmental needs or parents' employment-related needs. CCDBG only requires states use 4% of its dollars to promote improved quality in child care, an insufficient amount since evaluations indicate that the quality of most care ranges from mediocre to poor. CCDBG also leads to subsidy rates that frequently prohibit parents from choosing or affording child care that meets their children's needs and their own employment needs. Care for infants and toddlers, care for children with special needs, accredited care, non-standard hour care, and quality care in low-income and rural communities can be particularly difficult for parents to choose and afford.

Moreover, CCDBG funding only served 12% of eligible children in 1999. Many states have waiting lists of thousands of families. And though States have use some TANF block grants on child care, budgetary shortfalls and rising welfare caseloads are leading many states to cut their child care and early education budgets at the very time that many parents—who are leaving welfare or struggling to hold Jobs in the recession—desperately need child care services.

My bill will improve CCDBG by strengthening child care quality and resources and providing parents greater freedom to choose the type of care they want and need for their child and their family. This bill increases the quality set-aside from 4% to 16%, creates a competitive grant program for States to improve payment rates to providers, and requires child care providers to have pre-service training in child development. This bill also provides money for states to provide stipends to qualified child care providers to boost training, reduce staff turnover, and attract and retain staff—all key goals in improving child care quality. And this bill allocates additional resources so that CCDBG can be expanded to reach one-third of the families for which it was intended.

In conclusion, Mr. Speaker, until we have a quality and affordable child care program, we will continue to miss the opportunity to maximize the early development of young children and get them ready for learning in school. Child care assistance can make the difference in a child's reaching school age ready to learn, and it can make the difference in a family remaining employed and off welfare. The reauthorization of CCDBG provides Congress with a timely opportunity to achieve this urgent goal and meet our commitment to help meet the needs of low-income children and families. Mr. Speaker, I urge Members of the House to join me and co-sponsor the Child Development and Family Employment Act.

#### TRIBUTE TO CAROL ELISE BENNETT

### HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 19, 2001*

Mr. EVERETT. Mr. Speaker, with the U.S. House of Representatives set to conclude its work for the First Session of the 107th Congress, I would like to add a final contribution to the RECORD as we close the Congressional history book on 2001.

The last twelve months have been so dramatic in their significance upon this body and the nation that it is easy to overlook the many vital human elements of this institution. I choose to honor one here today.

I rise to pay tribute to a player on the Congressional stage who said farewell to this House of Democracy earlier this year; Carol Elise Bennett. For two decades, Carol has been a part of the lives of those who served our nation in the House and Senate.

In 1981, she began covering the Congress for the Washington-Alabama News Report, dutifully informing her statewide radio audience of the efforts of the Alabama Congressional Delegation. She was the longest-serving of all the press assigned to cover Alabama's congressmen and she always performed her work with professionalism and a particularly keen attention to accuracy.

Carol had good reason to be at home around the spotlight, having received formal training in the theatre at the University of British Columbia followed by acting roles on the stage and in film. However, Carol's work and many interests never kept her from helping others. She served as a volunteer reader for recordings for the blind here in Washington for more than a decade.

Since I came to Congress in 1993, I have personally valued my friendship with Carol, and I wish to thank her for her fairness and dedication to pursuing the truth. This institution is a better place because of the hard work of reporters like Carol. I think I can speak for all the Alabama Delegation, both past and present, in wishing Carol Bennett a happy and equally rewarding retirement.

#### MEDICAL RURAL AMBULANCE SERVICE IMPROVEMENT ACT OF 2001

### HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 19, 2001*

Mr. MURTHA. Mr. Speaker, across America, Americans have come to expect and rely on our health care system, especially, emergency ambulance service. All too often, for many of us, our first exposure to health care is the local EMS unit that responds to a call for help. Unfortunately, for millions of Americans living in a rural setting, this cornerstone of medical care is on the verge of collapse.

I, for one, am a strong believer in the importance and the necessity of maintaining a strong effective EMS component within our health care system. The question that we must answer, as we debate health care, is, how prepared do we want and expect our