

Berkeley during his six-year tenure as its Superintendent. These impacts include implementation of a full scale class size reduction, implementation of an Early Literacy Plan, creation of small school academies at Berkeley High School, conversion of the continuation school to an alternative high school, implementation of a rigorous promotion and retention policy, extension of the day program for additional academic student support, construction of five new school buildings, four magnet schools and one new elementary school, replacement of over half of the district's bus fleet with more energy efficient and low emission vehicles, implementation of a classroom technology program and creation of Healthy Start programs throughout the district to extend support for the school district's families and students.

While this list is just a fraction of his accomplishments in an active six-year tenure, it is no surprise that Dr. McLaughlin was named as California's Superintendent of the Year in 1999.

I proudly join his friends and colleagues in thanking and saluting him for his years of service and commitment to education and wishing him much success on his new career in Nevada. Thank you Jack.

PROTECTING THE MILITARY  
HEALTH CARE BENEFITS OF  
LONG-MARRIED MILITARY  
SPOUSES FOLLOWING DIVORCE

**HON. PATSY T. MINK**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 30, 2001*

Mrs. MINK of Hawaii. Mr. Speaker, today I am introducing legislation extending eligibility to use the military health care system and commissary stores to un-remarried former spouses of a member of the uniformed services in certain circumstances. The legislation is identical to H.R. 475 which I introduced in the 106th Congress.

Current law provides health and commissary benefits to un-remarried former spouses who meet the 20/20/20 rule—those who were married to military personnel for at least 20 years, whose spouse served in the military for at least 20 years, and whose marriage and spouse's military service overlapped for 20 years.

A problem that frequently arises is that many members who retire upon attaining 20 years of service were married a year or two after entering active duty. The overlap of their service and marriage is just short of 20 years. Thus regardless of the subsequent length of marriage the spouse can never meet the criteria requiring the 20 year overlap.

The bill would eliminate this current inequity by extending to un-remarried former spouse's medical care and commissary benefits if the member performed at least 20 years of service which is creditable in determining the member's eligibility for retired pay and the former spouse was married to the member for a period of at least 17 years during those years of service.

This inequity affects not only individuals in my district, but spouses in every district across the Nation. Since the introduction of H.R. 475 last Congress, I have received letters and

phone calls from Massachusetts, Idaho, California, Ohio, Arizona, Florida, Washington, Maryland, Kansas, and Utah.

The Department of Defense has stated that by providing a more liberal entitlement to these individuals, we would "tax" the Department's resources thus increasing the budgetary requirements. Well, I say it is worth it when I read about a woman from Arizona who was married to her husband for 36 years, but because she married him 1 year after his initial enlistment, she missed the 20-20-20 rule by 11 months. These stories are tragic, and we must correct this unfairness.

I urge my colleagues to join as cosponsors of this legislation.

TRIBUTE TO DONNA NIEHOUSE,  
OUTGOING PRESIDENT, LAKE  
ELSINORE VALLEY CHAMBER OF  
COMMERCE

**HON. KEN CALVERT**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 30, 2001*

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication to the community and to the overall well-being of Lake Elsinore is exceptional. Lake Elsinore has been fortunate to have dynamic and dedicated business and community leaders who willingly and unselfishly give time and talent to making their communities a better place to live and work. Donna Niehouse is one of these individuals.

On January 20, 2001, Donna Niehouse was honored as the outgoing 1999–2000 President of the Lake Elsinore Chamber of Commerce. Donna's efforts over the past two years as President of the Lake Elsinore Chamber of Commerce led to the Chamber's financial stability through her sound judgement and leadership. Additionally, Lake Elsinore has seen the growth of the monthly Street Fairs and Cruise Nights held in the historic downtown Lake Elsinore—leading the Chamber's ability to turn over the operation of these events to the Downtown Merchants Association.

The leadership of Donna Niehouse has also led to the Economic Development Committee's returning to their original concept of monthly luncheons, now one of the most highly attended events in the community, and the establishment of the Chamber website. Donna has been instrumental in strengthening the bonds between the Chamber, City and business community.

Donna's work to promote the businesses, schools and community organizations of the City of Lake Elsinore make me proud to call her a community member and fellow American. I know that all of Lake Elsinore is grateful for her contribution to the betterment of the community and salute her as she departs the Lake Elsinore Valley Chamber of Commerce after two years of service. I look forward to continuing to work with her for the good of our community in the future.

PEACE AND QUIET OF THE PARKS  
NEED CONTINUED PROTECTION

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 30, 2001*

Mr. UDALL of Colorado. Mr. Speaker, the new Administration is reviewing some of the actions of their predecessors. That is understandable and in some cases may be appropriate.

But I am concerned about reports that the review may lead to actions to delay or undo important recent initiatives to protect the public health and safety and the quality of our environment.

For example, the Forest Service recently completed development of new rules for the management of the remaining roadless areas in the national forests. They are sound, balanced rules to protect these areas that are so important for fish and wildlife, clean water, recreation, and other values. They should be allowed to stand.

Similarly, the National Park Service has acted to reduce the noise and other adverse effects on some parks for snowmobiles and aircraft. Here again, it would be a mistake to simply discard the work that has been done to respond to some very real problems.

As the Denver Post noted in a recent editorial, "the Park Service didn't react arbitrarily. The agency held extensive public hearings, conducted numerous scientific studies, and invited tens of thousands of written citizen comments. . . . the Park Service was responding to a public outcry, so the new policies in fact largely emerged from the grassroots. . . . Our beloved national parks must be preserved for future generations. . . . the ban on loud, intrusive machines in these awe-inspiring wonderlands should remain."

Mr. Speaker, I agree, and for the benefit of our colleagues, I am submitting the full Denver Post editorial for inclusion in the RECORD.

[From the Denver Post, Jan. 23, 2001]

**DON'T DISRUPT PARKS POLICY**

President Bush should stand up to the narrow political interests who would wreck the tranquility of our national parks.

For years, visitors at Yellowstone and Grand Canyon National parks often complained about snowmobiles in Yellowstone, and airplane and helicopter flights over the Grand Canyon. Clearly, the National Park Service had to craft a new policy responding to numerous citizens infuriated by the noise, pollution, wildlife harassment and inappropriate machine use. In Yellowstone, for instance, visitors couldn't even hear Old Faithful's great roar over the constant whine of hundreds of snowmobiles.

But the Park Service didn't react arbitrarily. The agency held extensive public hearings, conducted numerous scientific studies and invited tens of thousands of written citizen comments.

Based on that input, the Park Service imposed the bans on Grand Canyon aircraft flights and snowmobiles in Yellowstone.

However, some conservative Western politicians want President Bush to discard these thoughtful policies. In a Dec. 27 letter, U.S. Rep. Jim Hansen, a Utah Republican, told Bush he should overturn a host of Clinton administration public land policies. At the top of Hansen's promachine wish list: the ban on Grand Canyon aircraft flights and snowmobiles in Yellowstone and other national parks.

Hansen wrongly asserts that these policies were imposed top-down and would harm good stewardship of our public lands. Nothing could be further from the truth. IN both the Yellowstone and Grand Canyon cases, the Park Service was responding to a public outcry, so the new policies in fact largely emerged from the grassroots.

Moreover, most people who visit either park don't use the machines. Instead, they walk, hike, ski, ride horses or mules, or take the family car, public transportation or, in Yellowstone, the quieter snow coach tours.

By contrast, of the 130,000 miles of snowmobile trails in the continental United States, only 670 miles are in the national parks. So Hansen's assertion that efforts to protect the parks' tranquility somehow restrict public access are just plain bizarre.

Our beloved national parks must be preserved for future generations, not sacrificed for short-term political gamesmanship.

Mr. President, as a Texan you know one of the greatest qualities about the West is the pockets of public land where it's still possible to find a little peace and quiet. Please don't ruin that irreplaceable experience at our national parks. The ban on loud, intrusive machines in these awe-inspiring wonderlands should remain.

**A TRIBUTE IN MEMORY OF DR. BENJAMIN MAJOR, OAKLAND, CALIFORNIA**

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 30, 2001*

Ms. LEE. Mr. Speaker, it is with a great sense of loss that I rise to pay tribute to Dr. Benjamin Major, a prominent Bay Area physician, who passed on January 4, 2001, in Kensington, California.

Dr. Major was a graduate of Fisk University and graduated from Meharry Medical College at the age of 21. After completing an internship and residency in Obstetrics and Gynecology at Homer G. Phillips Hospital in St. Louis, he served honorably as a Captain in the U.S. Air Force Medical Corp.

Dr. Major began his private practice in Oakland in 1953 and eventually opened The Arlington Medical Group in 1957.

Dr. Major was active in the community and the field of medicine locally, nationally and internationally. During his career, he was a consultant Obstetrician to the City of Nairobi and the Family Planning Association of Kenya through the World Health Organization, was a diplomat of the American Board of Obstetrics and Gynecology and a Fellow of the American College of Obstetrics and Gynecology.

He later received a Ford Foundation mid-career scholarship in 1969 and obtained a Masters of Public Health in Maternal Child Health and Family Planning from UC Berkeley in 1970.

Even though he retired from practice in 1987, he continued to serve as a consultant and instructor in family planning at several agencies and facilities throughout Northern California.

Additionally, Dr. Major served the community by being a member of several organizations. These organizations include the American College of Obstetrics and Gynecology, the National Medical Association, the California Medical Association, the Golden State

Medical Association, the Sinkler-Miller Medical Association, the St. Luke's Society, the National Family Planning Council, the NAACP, and the Sigma Pi Phi Fraternity.

Dr. Major's contributions throughout the world and at home will remain his lasting legacy. My thoughts and prayers are with his family, friends, patients and colleagues this day.

**COMPENSATION FOR VETS  
DISABLED WHILE IN VA CARE**

**HON. PATSY T. MINK**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 30, 2001*

Mrs. MINK of Hawaii. Mr. Speaker, I rise today to introduce an important piece of legislation to allow veterans disabled by treatment or vocational rehabilitation to receive compensation from the day they were disabled while under VA care.

The occurrence of medical malpractice in which veterans are disabled while under Veterans Affairs' care is rare compared with the total number of veterans served every year. In 1997, the last year in which data was available, there were 826,846 inpatients treated and 32,640,000 outpatient visits at VA medical centers at a cost of \$17.149 billion. There are 173 VA medical centers, more than 391 outpatient and outreach clinics, 131 nursing home care units and 39 domiciliaries.

Without this network of government run VA hospitals, clinics and nursing care units, many veterans would never receive the care available to them. However, it is clear that the care provided is not always of the highest quality. Worse than inadequate care are the instances in which veterans receive care that leaves them further disabled.

Since 1990, 9,597 administrative malpractice claims were filed by veterans with VA and 2,134 were settled. The total amount paid in claims settled was nearly \$1.73 million. During the same time period, 2,064 veterans filed court claims against VA. 626 of these court claims were dismissed, the U.S. won 272, and plaintiffs won 129 court claims for a total of \$65,858,110. The VA settled 1,315 VA cases out of court by VA, in the amount of \$253,464,632.

In 1958 Congress established section 1151 of title 38, United States Code, Benefits for Persons Disabled by Treatment or Vocational Rehabilitation. Along with section 1151, section 5110 of the same title established the effective date of an award for disability incurred during treatment or vocational rehabilitation. These two sections ensured that veterans disabled by their treatment received compensation. This was the fair and right thing to do.

A close review of these sections reveals an inconsistency. While the United States Code allowed compensation for veterans disabled by treatment or vocational rehabilitation, it established an arbitrary cut off date of one year to deny individuals full compensation. Individuals who are unable or not aware of this arbitrary application date for medical malpractice claims should not be denied full compensation for administrative reasons. Statutes of limitations like this are important for preserving the rights of individuals but the VA should be held to a different standard.

Veterans who prove that they were disabled while under the care of Veterans Affairs should be compensated from the day of their injury regardless of their date of application. This bill will repeal United State Code section 5110 which allows Veterans Affairs to avoid its responsibility to veterans it disables during treatment or vocational rehabilitation. The bill also allows veterans who did not receive full and fair compensation from the date of their injury to receive this compensation upon enactment of this bill.

I urge my colleagues to end this unfair practice by cosponsoring this bill.

**TRIBUTE TO ROBERT ROBIE, OUTGOING CHAIRMAN, INLAND EMPIRE ECONOMIC PARTNERSHIP**

**HON. KEN CALVERT**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 30, 2001*

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication to the community and to the overall well-being of California's Inland Empire is unparalleled. The Inland Empire has been fortunate to have dynamic and dedicated business community leaders who willingly and unselfishly give time and talent to making their communities a better place to live and work. Mr. Robert Robie is one of these individuals.

On January 20, 2001, Robert Robie was honored as the outgoing 2000 Chairman of the Inland Empire Economic Partnership (IEEP). Through Mr. Robie's efforts over the past year at the IEEP the Inland Empire has seen: The creation of 1,360 jobs and retention of 390 jobs, which resulted in a \$133,039,011 financial investment into the local communities; the implementation of "CallPoint," a one-stop workforce recruiting program that helps employers find and train qualified workers; the implementation of a new Bio-Tech/High-Tech program, which supports the high technology industry; the development of a Tourism Brochure and a Regional Visitor's Guide; the issuance of 306 film permits that resulted in 993 film related projects in the Inland Empire; the addition of twenty-six IEEP members; and the development of an Inland Empire supplement to the May 2001 Forbes Magazine U.S. and Global Issues edition.

As IEEP's 2000 Chairman, Robert brought his 38 years in the banking industry to the table for the Inland Empire. He is currently the Executive Vice President and Chief Credit Officer for the Bank of Hemet in Riverside, Chairman of the Directors' Loan Committee, Director of the Banklink Corporation, Director of the Hemet Service Corporation and Director of Florida Avenue Investment, Inc. Robert Robie's contributions to the nation's positive perception of the Inland Empire as a viable business location has been sizeable.

Robert's activities in the community also include being on the board of the Greater Riverside Chambers of Commerce, the Children's Fund of San Bernardino County Children's Network, and the Riverside Community Hospital Foundation. Additionally, he was the 2000 Chairman of the Executive 2000 Council of the Riverside County Community Hospital Foundation.

His outstanding work to promote the businesses, schools and community organizations