

INTRODUCTION OF THE RETIREMENT ACCOUNT PORTABILITY IMPROVEMENT ACT

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 31, 2003

Mr. POMEROY. Mr. Speaker, I rise today to introduce the Retirement Account Portability Improvement Act (RAPI), legislation that will prevent money from being leaked from hard earned retirement savings by enhancing workers' retirement savings options.

Workers were confronted with a complex series of obstacles that made it difficult for them to take their retirement benefits with them when they switched jobs. That is why in 1998, I introduced the Retirement Account Portability (RAP) Act, which made it possible for workers to move their retirement benefits between and among the different varieties of defined contribution plans. RAP was incorporated into the pension package set forth by Representatives PORTMAN and CARDIN, and became law upon passage of the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA). However, when working with employees, employers and retirement plan providers, we identified more barriers to retirement savings portability and these barriers are removed in this "next generation" portability bill.

First, RAPI will allow rollovers directly to a spouse's retirement plan. It is common for married couples to manage their finances as a single financial unit and to treat their assets as common property. Yet, in the context of one of a family's most important financial assets, retirement savings, spouses are prevented from transferring amounts to one another. Permitting spousal rollovers would allow couples to balance their savings and to act more as a single financial unit. This would be particularly helpful to couples where one family member has taken time out of the work force to raise a child or care for an elderly parent.

Second, RAPI will allow rollovers to inherited individual retirement accounts (IRA) for non-spousal beneficiaries. If a retirement plan participant dies with a non-spousal beneficiary, that beneficiary is often forced to receive plan benefits immediately and incur immediate tax liability. Participants and beneficiaries should have options that meet their needs while making the process as simple, fair, and evenhanded as possible. Allowing the rollover to the inherited IRA will avoid the immediate tax hit and allow the funds to be drawn down gradually. By allowing plan beneficiaries to maintain an inherited IRA, the rules will be improved and retirement savings promoted.

Third, RAPI expands the automatic rollover provisions of EGTRRA. When a terminating employee does not want to leave her benefit with her former employer, but has never established an IRA to receive a rollover, her retirement savings are at risk of being cashed out. That employees should have two more choices, that do not acquire additional work on her part, in which to stash her hard earned savings. By facilitating the offering by employers of a specified IRA or life annuity contract, separating employees can easily prevent money from being leaked from their retirement savings.

Fourth, RAPI eases the administrative burden of rollovers to Roth IRAs. Retirement sav-

ings held in arrangements other than an IRA may not be converted directly to a Roth IRA. Therefore, workers who want to rollover their savings into a Roth IRA must first put it in a traditional IRA. By eliminating this unnecessary step of administrative complexity, workers no longer have to jump through the additional hoop in order to convert to a Roth IRA.

Fifth, RAPI enhances rollovers to Savings Incentive Match Plans for Employees of Small Employers (SIMPLE) Plans. EGTRRA did not expand the portability rules with respect to rollovers from non-SIMPLE plans into SIMPLE plans. The positive trend of enhanced portability of retirement assets should be extended to SIMPLE plans. Not enacting this change would prevent certain individuals from consolidating their retirement savings.

Sixth, RAPI increases retirement savings by accepting "use it or lose it" monies from flexible spending accounts (FSA). These accounts reimburse employees for qualified benefits, however, the "use it or lose it" requirement prevents amounts from being carried forward to future years or used for other purposes if amounts are not used by the end of the year. An employer's plan should permit up to \$500 in amounts available, but not used for medical expenses, during the plan year to be contributed to a retirement savings account or medical savings account. This would encourage increased retirement savings by creating an additional avenue and source for contributions. At the same time, it would improve the operation of FSAs by removing incentives to use those benefits unnecessarily out of fear of losing them otherwise.

Seventh, it reduces vesting for non-elective employer contributions. By reducing the period of time it takes for employees to take possession of employer contributions made to their 401(k) accounts, workers will be able to build meaningful retirement benefits more quickly in today's mobile economy. RAPI will reduce this so-called "vesting period" from 5 years to 3 years.

The final section corrects a provision in EGTRRA allowing the rollover of after-tax amounts in annuity contracts and makes improvements to the purchase of service credit regime used by state and local employees to build bigger pension benefits.

I look forward to working with my colleagues to expand workers' portability options. We must continue to advance proposals that will prevent money from being leaked from workers' retirement savings, and I hope my colleagues will join me in passing this important legislation.

CENTRAL NEW JERSEY HONORS JOHN L. MCGOLDRICK FOR HIS YEARS OF PUBLIC SERVICE AND CONTRIBUTIONS TO PRIVATE ENTERPRISE

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 31, 2003

Mr. HOLT. Mr. Speaker, I rise today in recognition of John L. McGoldrick, the Executive Vice President of Bristol-Myers Squibb Company and Director of the Bristol-Myers Squibb Foundation, for his years of service to his community, the people of New Jersey, and

millions of people around the world who are leading healthier lives due to his company's medicines. Millions of HIV infected Africans, especially, have benefited from his service.

Mr. McGoldrick is a successful corporate lawyer who is as committed to good corporate citizenship as he is to the needs of the boardroom. His many accomplishments both at home in the United States and abroad reflect his firm commitment to alleviate the suffering of the less fortunate and to promote effective governance.

Since arriving at Bristol-Myers Squibb, for example, he has been responsible for leading the company's HIV/AIDS initiatives in Africa, including its groundbreaking \$115 million Secure the Future program in Southern and Francophone Africa, as well as the ACCESS program to make antiretroviral therapy accessible in the developing world. An active global citizen, he is also a Member of the Aspen Institute on the World Economy, the Council on Foreign Relations, and the World Economic Forum.

In his home state of New Jersey, Mr. McGoldrick has served the public as a Director of the New Jersey Transit Corporation, the United States' third largest passenger rail and bus company. He has also served on governmental reform commissions in New Jersey and has been called to represent personally governors of New Jersey from both political parties.

Mr. McGoldrick has also made many contributions to the Jewish community in Jew Jersey. He led Bristol-Myers Squibb's efforts in support of the State of New Jersey Commission on Holocaust Education. For his many contributions to the Jewish community, he was also recently honored at a dinner hosted by the American Jewish Committee's Institute of Human Relations.

I rise today in recognition of John L. McGoldrick, a citizen of the highest order and an honor to both his country and to the State of New Jersey.

A TRIBUTE IN HONOR OF STEPHEN VEAR

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, January 31, 2003

Mr. SMITH of Michigan. Mr. Speaker, I rise today to pay tribute to Mr. Stephen Vear, who has honorably served his community as a State of Michigan Representative from 1998 to 2002.

As Representative of Michigan's 58th district, Steve served as Assistant Majority Whip, Vice Chair of the Tax Policy Committee, and Chair of the Tax Simplification Subcommittee, and the State Auditor Generals Oversight and Commerce Committee. During his tenure in the House of Representatives, the Small Business Association of Michigan, the Michigan Coalition for Responsible Gun Owners, and the Dads of Michigan and Moms for Dads organizations named Steve Legislator of the Year in 2001. Steve's dedication to reducing taxes and encouraging business and economic development were aptly demonstrated when he drafted legislation to eliminate the Single Business Tax in Michigan. While representing the 58th District, Steve introduced

and had 10 bills signed into law by Governor John Engler, and co-sponsored more than 100 bills that were signed into law. Steve prides himself on his advocacy, which helped preserve program funding for the Nursing Homes for Quality Initiative Grants, which were to improve the quality of life for senior citizens.

Steve has worked tirelessly in the local community as well. His willingness to contribute his time and energy to the community is evident through his many activities past and present. He served as an Assistant Scout Master for the Boy Scouts, as President and is a current member of the Jonesville Rotary Club, a founding member of the Chief Baw Beese Chapter of the North County Trail Association, and as a Hillsdale County Deputy Volunteer for 10 years. He has been an active member of many other organizations, including Right to Life, Sons of the American Legion, the National Rifle Association, and the Conservation Club. His commitment to furthering the interests of small business owners like himself is evidenced by his service on the Board of Directors of the Small Business Association of Michigan from 1993 to 1999, as a member of Small Business United, and as a delegate to the White House Conference on Small Business in 1995.

From working his way through his bachelor's degree in Accounting at Hillsdale College to representing 92,000 people in Branch and Hillsdale counties, Steve Vear has proven himself to be a dedicated community leader. It is for these reasons that I am honored to recognize Steve Vear for his selfless commitment to his family, his friends, and his community.

CONGRATULATING THE TAMPA
BAY BUCCANEERS FOR WINNING
SUPER BOWL XXXVII

SPEECH OF

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. STEARNS. Mr. Speaker, today I rise to congratulate the efforts of a great team and a strong organization. The Tampa Bay Buccaneers are Super Bowl champions and I could not be more pleased for Buc fans across this nation. In an amazing game that pitted the NFL's number one offense versus the league's number one defense, the Buccaneers proved the age-old football mantra that "offense wins games, but defense wins championships." New coach Jon Gruden fielded arguably one of the greatest defenses of all time. Led by captains Derrick Brooks and John Lynch, the Bucs defense stifled the Oakland Raiders and MVP quarterback Rich Gannon. In what has truly been a lesson in resiliency, Bucs fans have had to suffer through an 0-26 start and 14 consecutive losing seasons; but today they are world champions. Owner Malcolm Glazer and coach Jon Gruden have put together a world-class organization and I expect continued success from them in the future.

TRIBUTE TO ANDY AND DANA
KAPP

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, January 31, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Andy and Dana Kapp, two hard-working constituents from my district.

Mr. and Mrs. Kapp are State winners of the Missouri Farm Bureau Young Farmers and Ranchers Achievement Award. This prestigious award is to honor those young farmers who are facing many challenges as they begin their career in agriculture.

A native of Clarksdale, Missouri, Mr. Kapp graduated with a degree in agriculture from the University of Missouri in 1990. Andy started farming full-time three years later. The Kapps are fourth generation family farmers and have more than 2,000 acres of row crops.

Mrs. Kapp works hard to serve the people as a pediatric nurse practitioner. Dana is also involved in several community activities.

As a former recipient of the Missouri Farm Bureau Young Farmer Award, I understand the importance of having young men and women return to the farm to carry on the family tradition. It is the dedication and commitment these young farmers have to pursue the dream of our ancestors, and to carry that dream forward into the next century of agriculture development.

Mr. Speaker, I proudly ask that you join me in commending Andy and Dana Kapp for their outstanding leadership and contribution to the agriculture community, as well as extending to them our very best wishes for continued success.

TRIBUTE TO SELLERS-SEXTON,
INC.

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, January 31, 2003

Mr. SKELTON. Mr. Speaker, let me take this means to recognize the fine accomplishments of Larry Sexton and his business, Sellers-Sexton Inc. of St. Roberts, MO. Mr. Sexton's dealership has achieved certification under ISO 14001, the international standard for managing environmental waste and pollution, and it is the first United States dealership to do so.

Mr. Sexton has long been a friend to our environment. He has supported an Adopt-A-Highway initiative and a Missouri River Team, led by one of his technicians. He also has been involved in supporting a life science initiative in Missouri by working with life science organizations and the University of Missouri. Mr. Sexton has also influenced his dealership and staff to take measures to protect the environment. He and his employees have made it a policy to reduce the waste at the local landfill by initiating a responsible process for recycling discarded materials. Mr. Sexton also was involved in helping Fort Leonard Wood Army base become the site for a new technology park for environmental research.

In September 2002, Mr. Sexton and his dealership were honored for the teamwork

they put forward as they extended their environmentally friendly practices by achieving ISO 14001 certification. Mr. Sexton and his dealership staff worked with Ford's Environmental Quality Office to help develop a comprehensive environmental management system to eliminate waste-generating and polluting practices. This has created an environmental management team within the Sellers-Sexton dealership.

Mr. Speaker, I know that the Members of the House will join me in congratulating Mr. Sexton and Sellers-Sexton Inc. on a job well done.

A SPECIAL TRIBUTE TO MARGARET
KETTLES WEAVER FOR
HER DEDICATED SERVICE TO
THE STATE OF OHIO

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 31, 2003

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to pay special tribute to an outstanding lady, and good friend, from Ohio. Margaret Kettles was born in Clyde, Pennsylvania but is being honored for her dedicated service to my great state. Although she attended college in Maryville, Tennessee and has Law and Advanced Degrees from schools in both Pennsylvania and Tennessee, I will always think of Margaret as a great Ohioan.

Mr. Speaker, a daughter of Scottish descent, Judge Kettles has received Law and Advanced Degrees from several renowned institutions. These include Carnegie Tech, University of Pittsburgh, University of Tennessee, and the University of Toledo Law School.

She redefines the term "renaissance". Ms. Kettles has contributed to her surrounding communities with each endeavor she has undertaken.

Margaret spent two years in Tennessee as part of the K-25 Oak Ridge Plan in Oak Ridge, Tennessee. Her most rewarding career change took place when she dedicated eleven years to raising her children at home. She was a teacher in Pittsburgh for two years, taught in Gibsonburg for two years, spent eleven years as a lawyer and since 1985 has handled divorce, criminal, and civil cases as a Judge on the Court of Common Pleas in Sandusky County, Ohio.

Mr. Speaker, Margaret Kettles has dedicated her time to many community service organizations. These include the Red Cross Board, the Fremont School Board, and the Junior Chamber of Commerce. Margaret was an ATEHNA Award winner, President of the Ohio Judges Association, and the State Program Chairman of the Woman's Association of Republican Women. I was also honored to have Margaret as a member of my Academy Selection Board. She played an instrumental role in the academy process, which allows our brightest young people to flourish at our nation's service academies.

Judge Kettles has had a significant impact on public policy in Ohio. She has also been a strong proponent of justice during her tenure on the bench. Margaret has been a great resource and a true friend to everyone around