

4070), passed the House with overwhelming bipartisan support, 425–0. This bill is the culmination of bipartisan effort, as well as the cooperation and support of the Social Security Administration and the Office of Inspector General. The legislation also benefited from prior feedback by advocacy groups and law enforcement agencies. Last, but certainly not least, this bill results in a small amount of savings for both the Social Security trust funds and general revenues.

I urge all Members to cosponsor this important legislation and look forward to bringing this bill to the floor as quickly as possible.

#### INTRODUCTION OF LEGISLATION PROVIDING IMPROVEMENTS TO SOCIAL SECURITY PROGRAM

**HON. ROBERT T. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 2003*

Mr. MATSUI. Mr. Speaker, I pleased today to join with Congressman Clay Shaw, the Chairman of the Subcommittee on Social Security, to introduce legislation to make important improvements in the Social Security program. These improvements would better protect vulnerable beneficiaries who cannot manage their own benefits; expand access to professional representation for disability claimants; and reduce the vulnerability of the program to fraud and abuse. The bill is very similar to H.R. 4070, which was adopted unanimously in the House last year. Unfortunately, even though the bill later passed the Senate with some minor changes, the House did not take it up again before the 107th Congress adjourned.

This bill was developed as a result of hearings our Subcommittee has held over the past several years, recommendations from the Social Security Administration and its Inspector General, and the concerns of beneficiaries and their representatives. It makes the following changes:

**Representative Payees:** Some Social Security and Supplemental Security Income (SSI) beneficiaries are unable to handle their own benefits, because they are too young, too frail, or otherwise unable to manage their own funds. In such cases, SSA appoints a "representative payee" to manage their benefits. The payee can be a family member or other individual, or an organization. The bill makes improvements in the representative payee system to prevent misuse of beneficiary funds by payees, to increase oversight of payees, and to expand the ability of SSA to repay benefits which are misused by a payee.

**Attorney Fees:** The bill extends SSA's fee-withholding system to attorneys who represent SSI claimants, so that they could be paid directly by SSA out of the past-due SSI benefits. In this way, more individuals would be able to gain access to professional representation in pursuing their claim. It also caps the user fee that SSA charges for processing attorney payments at \$75.

**Program Protections:** The bill increases penalties for misrepresenting facts relating to benefit eligibility; denies Social Security benefits to fugitive felons and those in violation of parole or probation; requires companies that offer for a fee services that SSA provides for free to

say so in their solicitations; and makes other changes requested by the Office of Inspector General to prevent fraud and abuse.

The bill also makes other miscellaneous, technical and conforming changes to the Social Security Act.

I want to especially highlight the importance of the attorney-fee changes. Professional representation is a valuable—and indeed vital—service. The disability determination process is complex. Claimants without professional legal representation appear to be far less likely to receive the benefits to which they are entitled. For example, among claimants represented by an attorney, 63.6 percent were awarded benefits at the hearing level in 2000. In contrast, only 40.1 percent of those without an attorney were awarded benefits.

Under current law, when an attorney successfully represents a Social Security disability claimant and that claimant is entitled to past-due benefits, SSA retains a portion of those past-due benefits in order to pay the attorney for the services he or she provided. This system of direct-payment, which is only available to attorneys representing applicants for Social Security disability insurance benefits, helps to promote access to representation by assuring that attorneys receive payment for their services while protecting beneficiaries by capping allowed fees.

The bill makes two important changes to the attorney fee system. First, it extends the direct-payment system to attorneys representing claimants for SSI. Without direct fee payment, SSI claimants are often unable to obtain needed legal representation, as there is no way for attorneys to be assured of payment for their services. Such claimants are often particularly in need of professional assistance, as they have no other sources of income to fall back on should their claim for disability be wrongly denied.

Second, the bill caps the processing fee deducted from the attorney's payment at \$75. Since the adoption of the processing fee in the Ticket to Work and Work Incentives Improvement Act of 1999 (P.L. 106–170), our Subcommittee has conducted two hearings on the long delays involved in paying attorney fees. We have had some success in speeding up payment, but there remains much room for improvement. It is only fair to cap the processing fee if SSA cannot assure timely payment of fees. Hopefully, this cap, in combination with the other provisions of the bill, will also mitigate the loss of experienced representatives from the disability bar, who have been forced to close their practices as a result of delays in fee payments and the imposition of the processing fee.

In closing, I look forward to working with Chairman Shaw on this piece of legislation in the same bipartisan manner that characterized our successful efforts on the Work Incentives Improvement Act, the repeal of the retirement earnings test, and our ongoing efforts to protect the security and privacy of Social Security numbers. With this sort of collaboration, I am certain that we can pass this bill as well.

HONORING PHYLLIS SHAPIRO SEWELL AS A GREAT LIVING CINCINNATIAN

**HON. ROB PORTMAN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 2003*

Mr. PORTMAN. Mr. Speaker, I rise today to honor Phyllis Shapiro Sewell, who will be formally honored on February 26, 2003 by the Greater Cincinnati Chamber of Commerce as a Great Living Cincinnati. The recipients of this prestigious award are selected on the basis of special professional achievement; an awareness of the needs of others; leadership; and distinctive accomplishments.

Bright and well educated, Phyllis graduated from Wellesley College with honors in economics in 1952. She often says she found her first job by perusing the newspaper classified advertisements under "Help Wanted—Female." She could not have imagined then her impact as a pioneer in women's rights in the workplace. As a junior analyst with Federated Department Stores, Phyllis' hard work and dedication set her apart as she began her ascent up the corporate ladder. By the time she was 28, she had been promoted to research director. She spent her entire career at Federated, an \$11 billion corporation operating department stores, discount stores and supermarkets. Phyllis' responsibilities centered on corporate and divisional strategic plans; studies of consumer attitudes and buying habits; and development of effective and information systems.

After retiring from Federated as a senior vice president, Phyllis had a second career serving on several major corporate boards, including Pitney Bowes Inc.; U.S. Shoe Corporation; Lee Enterprises, Inc.; Sysco Corporation; and Huffy Corporation.

Phyllis was named to Business Week's list of top 100 corporate women and to Industry Week's list of top 85 executives. She received Wellesley College's Alumnae Achievement Award in 1979 and was inducted into the Ohio Women's Hall of Fame in 1982.

Devoted to her family, Phyllis is married to Martin Sewell, and they have a son, Charles. Phyllis has also given her talents to the boards of the Cincinnati Jewish Federation; Jewish Foundation of Cincinnati; and United Way.

All of us in Cincinnati thank Phyllis for her service to our community, and congratulate her for being named a Great Living Cincinnati.

#### TRIBUTE TO VAL ALVARADO

**HON. SCOTT MCINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 2003*

Mr. MCINNIS. Mr. Speaker, it is with great pride that I rise today to pay tribute to Valentino Alvarado of Montrose, Colorado. Val served in the United States Navy for over 23 years and is a veteran of three American wars. Val had been in the Navy less than a year when his ship, the USS Maryland, was hit during the Japanese attack on Pearl Harbor on December 7, 1941. Today, I would like

to pay tribute to Val's life and contributions before this body of Congress and this nation.

Val joined the Navy when he was still in his senior year at Montrose High School. At age 17, Val dropped out of high school and went to boot camp in San Diego. After basic training, he was assigned to the USS Maryland, serving as a mess cook stationed in Pearl Harbor. On the morning of the attack, two Japanese torpedoes hit the bow and stern of his ship, causing many casualties to the crew. Miraculously, Val was able to escape the attack unharmed and soon reported to a new ship preparing for war.

After World War II, Val continued to serve his country through both the Korean and the Vietnam Wars. Between wars, Val made a living as a professional boxer and won the military bantam weight boxing title. After serving in the military for 23 years, Val retired and went into law enforcement. He was the first Hispanic officer ever to serve in the Montrose Police Department. He also enrolled at Colorado University, where Val received his bachelor's degree. Today, Val lives at home in Montrose and serves as a role model and mentor to his two grandchildren, who he also wants to see graduate from college.

Mr. Speaker, it is with earnest respect that I recognize Valentino Alvarado of Montrose, Colorado before this body of Congress and this nation. Throughout his life, Val has served his country with the honor, distinction, and integrity that we, as Americans, have come to respect from our nation's military. His courage is a testimony to his character, and it is an honor to represent such an outstanding American in this Congress.

#### TRIBUTE TO JESSICA WEHLING

##### HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 2003*

Mr. MCINNIS. Mr. Speaker, it is with great enthusiasm that I recognize Jessica Wehling of Grand Junction, Colorado. Last December, Jessica received the highest award for a Junior Girl Scout, the Gold Award. Today, I would like to pay tribute to Jessica's commitment and accomplishments before this body of Congress and this nation.

Jessica Wehling has served her community and her country in many ways as a Girl Scout. She began her career as a Daisy Girl Scout, where she first learned the values of discipline, commitment, and goodwill that have become her hallmark. As an example of her ingenuity, when Jessica's car was hit by a truck in the Fruita Monument High School parking lot she began brainstorming parking alternatives to prevent future accidents at the school.

Through her efforts, Jessica was able to redesign the parking lot to add more spaces, a drop off area, and make it more driver friendly. Jessica also came up with an incentive program that gave preferred parking spots to students who carpooled to school. Her project displayed a great deal of ingenuity and initiative. Fruita Monument High School has now redesigned the parking lot and plans to begin Jessica's carpool incentive program in January.

Mr. Speaker, it is with great pride that I recognize the contributions of Jessica Wehling of

Grand Junction, Colorado before this body of Congress and this nation. Jessica's hard work and determination serves as an inspiration to us all, and it is an honor to represent such an outstanding American in this Congress. I look forward to witnessing Jessica's future accomplishments and wish her all the best. Keep up the good work.

#### IN HONOR OF MURIEL SEABROOK

##### HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 2003*

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Mrs. Muriel Seabrook for serving the children and families of Jersey City. Upon her retirement, she was honored at Casino in the Park in Jersey City, New Jersey, on December 7, 2002.

Mrs. Seabrook began working as a parish social worker for the Trinity Lutheran Church in Jersey City, and became a caseworker for the Hudson County Welfare Board. In 1966, she began her 37 years of devoted service with the Jersey City Child Development Centers, Inc., "Project Head Start". Through her hard work and dedication, she rose to the position of assistant director in 1979. For her exceptional work, the National Head Start Association honored her as the 1999 Administrator of the Year.

She has further contributed to the community through her involvement in a variety of organizations, including: the Hudson County-New Jersey Child Placement Review Board, as chairperson; the National Review Panel for the Office of Human Development Services; and the Comprehensive Program Review Team, as an ACYF peer reviewer. In addition, she has been an organist and choir director in parishes throughout Minnesota and New Jersey for over 40 years.

Mrs. Seabrook graduated from St. Olaf College with a degree in Sociology. She is a devoted wife, mother, and grandmother.

Today, I ask my colleagues to join me in honoring Mrs. Muriel Seabrook for her selfless devotion to making Jersey City a better place for our children and our families.

#### TRIBUTE TO LYMAN THOMAS

##### HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 2003*

Mr. MCINNIS. Mr. Speaker, it is with a solemn heart that I take this opportunity to pay tribute to the life of Lyman Thomas, who sadly passed away recently at the age of 76. Lyman was a pillar of the Montrose community and, as his family mourns his loss, I think it is appropriate that we remember his life and celebrate the work he did on behalf of others.

Lyman was born to Charles and Beulah Thomas on March 22, 1926. At the age of nine, Thomas suffered the loss of his father. As a member of what has been called the "greatest generation," Lyman's life exemplifies the dedication to others embodied by many from that era. In 1944, Lyman joined the Air Force in order to serve his country during

WWII. Upon leaving the service, Lyman attended Colorado A&M (now CSU) and within a year was able to pursue a career in aviation. In June of 1948 Lyman married Lila Whitley with whom he raised two children: Lyman Jr., who sadly passed away in 1983, and daughter Lennette.

Lyman began his career with Monarch (Frontier) Airlines, eventually moving over to Delta, where his ability and dedication allowed him to assume a managerial position in the Delta Chamber of Commerce. It was while he held this position that Lyman and fourteen others founded Club 20, designed to unify the voices of over 20 counties, earning it the nickname the "Voice of the Western Slope." It was Lyman's passion for his community that caught the eye of two governors of Colorado. Lyman was appointed to the Parks and Recreation Board and later, due to the efforts of Club 20, to the committee charged with selecting a location for Interstate Highway 70. In 1953 most roads connecting Western Slope towns were dirt or gravel. It was Lyman's efforts on this committee, and the important contributions of Club 20, that were instrumental in the paving of local roads.

Mr. Speaker, it is my honor to pay tribute to the life of Lyman Thomas, a man whose character and impact on others is evident in the lives of all who have crossed his path. It is with admiration, respect and a sense of sadness that I recount Lyman's 76 years of life before this body of Congress. Although Lyman has left us, his good-natured spirit lives on through the lives of those he has touched. I would like to extend my thoughts and deepest sympathies to Lyman's family and friends during this difficult time.

#### TRIBUTE TO JOSEPH PADDILLA

##### HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 12, 2003*

Mr. MCINNIS. Mr. Speaker, it is with great pride that I rise today to recognize Mr. Joseph Paddilla of Denver, Colorado. Mr. Paddilla's efforts have helped countless members of the Colorado community. Through his construction work, Joe has made a difference in the lives of others.

Joe began his career in construction while still in high school, helping his father to build and remodel kitchens. Following high school, he attended the University of Florida. In 1982, Joe started his own business, Town & Country Kitchens, designing and manufacturing custom kitchens. In his role as owner, Joe was a pioneer in the construction of handicapped accessible kitchens even before building codes had mandated their construction. It was for this kind of forward thinking that Mr. Paddilla was awarded the Mayor's Award for Outstanding Contribution to the Disabled Community in 1983.

Mr. Paddilla's efforts to help the handicapped community have been innumerable. On behalf of Police Officer Toby Bethel, who was injured in the line of duty, Joe was instrumental in designing and financing a kitchen