

many friends throughout Colorado. Thank you Ben for your service.

# NASA FLEXIBILITY ACT OF 2003

SPEECH OF

**HON. HENRY A. WAXMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 28, 2004*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (S. 610) to amend the provision of title 5, United States Code, to provide for workforce flexibilities and certain Federal personnel provisions relating to the National Aeronautics and Space Administration, and for other purposes:

Mr. WAXMAN. Mr. Chairman, the National Aeronautics and Space Administration (NASA) Workforce Flexibility Act is intended to help NASA recruit and retain the skilled workforce needed to perform its mission.

I applaud my colleagues, their staffs, and employee groups for working to improve this legislation from the version that was introduced. Initially, the bill contained language that would have removed the cap on the number of NASA employees permitted to participate in workforce demonstration projects. Eliminating the cap would have allowed NASA to include its entire workforce in a demonstration project before these flexibilities had been tested with smaller groups of employees.

In addition, a provision establishing an exchange program between NASA employees and private sector employees was removed from the bill. Such public-private exchange programs have the potential to create conflicts of interest and lead to the disclosure of corporate trade secrets. I am pleased that both of these problematic provisions have been removed from the bill.

Although I support this legislation, I am concerned about the process by which the Bush Administration has approached civil service reform in recent years. In granting personnel flexibilities to numerous agencies, the Administration has failed to ensure that these agencies have the infrastructure and safeguards in place to successfully implement these new authorities. The Administration also has failed to evaluate the effectiveness of these flexibilities before allowing other agencies to utilize them.

Moreover, civil service reform is best undertaken on a governmentwide basis, not on the agency-by-agency basis that the Administration seems to favor. A piecemeal approach fragments the civil service, making it difficult to ensure that Federal employees are treated fairly.

Indeed, the preference for governmentwide reforms is shared by many experts who have studied the workforce challenges facing the civil service. In 2001, the Office of Personnel Management stated that "it is important to retain governmentwide approaches, authorities, entitlements, and requirements." During the consideration of the Department of Defense (DoD) authorization bill last year, the Comptroller General testified that it would be prudent and appropriate for Congress to address the personnel authorities DoD was seeking on a "governmentwide basis and in a manner that assures that appropriate performance management systems and safeguards are in

place before new authorities are implemented in any specific agency.

Even the Senate sponsor of this NASA personnel bill has advocated a governmentwide approach. In 2000, Senator VOINOVICH released a report, concluding that "the Federal government is in dire need of a unified strategy to rebuild the civil service" (emphasis added).

A significant achievement of the last century was the enactment of laws designed to create a professional, competent Federal civil service. Recent actions by the Administration to grant broad exemptions to these laws, with little forethought and little oversight, have the potential to do far more harm than good.

## PAYING TRIBUTE TO HELEN BURKETT

**HON. SCOTT MCINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 3, 2004*

Mr. MCINNIS. Mr. Speaker, I rise before you with a heavy heart to pay tribute to the life of a remarkable woman from my district. Helen Burkett from Durango, Colorado passed away recently at the age of ninety-eight. Helen was a beloved figure in the Durango community and as her family mourns their loss, I think it is appropriate that we take the time to recognize her many contributions here today.

Helen was born on her family's Durango farm in 1906. She remained on the property for 94 years. Helen attended grade school in a one-room building located near Lemon Reservoir. When construction began on the Vallecito Reservoir in 1936, Helen opened a store on the farm in order to help her family through the "Great Depression." Helen was a dedicated businesswoman, and after 67 years in business, "Helen's Store" achieved the status of "local landmark" in recognition of her tremendous service to her patrons.

Helen also delighted in the ranching life. She was an accomplished cattlegirl and was always willing to share her skill and knowledge with younger generations. In 1994, the Durango Professional Rodeo Company recognized Helen's contributions to the ranching community when they awarded her the Western Heritage Award, given to those dedicated to the promotion of Western culture. Those who knew her well remember Helen's zest for life, as well as her caring and nurturing disposition. There is no question that Durango is a better place as the result of Helen's many contributions.

Mr. Speaker, it is an honor to rise before this body of Congress and this nation to pay tribute to the life of Helen Burkett. Helen was a true frontierswoman who had a tremendous impact on her community. Above all, Helen was a loving mother, a wonderful grandmother, a caring great-grandmother and a loyal friend to many. The Durango community and the State of Colorado will truly miss her. My heart goes out to Helen's loved ones during this difficult time of bereavement.

HONORING RETIRED SGT. BOB LEWIS

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 3, 2004*

Mr. STARK. Mr. Speaker, I rise today to honor World War II veteran, retired Sgt. Bob Lewis. Lewis was an 18-year-old Army recruit in Camp Fannin, Texas, when his captain dropped a grenade during a demonstration. Lewis rolled onto it with his helmet, and then tossed it into a nearby ditch where it exploded into bits of shrapnel. Had the grenade gone off where it was dropped, he says, it likely would have injured or killed many of the 29 infantrymen watching the demonstration.

It was 1945, shortly after U.S. troops defeated Germany in World War II, but after Japan surrendered and, at the time, Lewis thought nothing of his heroic act.

The long-since-retired technical sergeant, who went on to become a well-known Fremont educator, has not received any recognition or medals for his heroic efforts to save the members of his infantry, while still a young recruit.

Because Lewis' act took place nearly 60 years ago, securing the necessary documentation would require months of research. An eyewitness would be almost impossible to locate as most of Lewis' fellow soldiers and superior officers have died.

Lewis may be eligible for the Soldier's Medal, which is awarded for an act of heroism not involving actual conflict with an enemy. For the time being, Lewis who once guarded 1,400 German prisoners in Bazencourt, France, says he is content with the small green patch, emblazoned with a gold wreath, on his Army jacket. It's a meritorious service unit citation, awarded to his outfit for postwar service.

Lewis not only distinguished himself during his military career but also in his profession as an educator. He worked as principal of Chadbourne, Patterson and Niles elementary schools and assistant superintendent of the Fremont school district.

I join retired Sgt. Bob Lewis' family, friends and admirers in applauding him for his meritorious military service and contributions to our country and to his community.

## COUNSELOR AWARDED FOR SPIRIT

**HON. HEATHER WILSON**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 3, 2004*

Mrs. WILSON of New Mexico. Mr. Speaker, today I would like to bring to your attention the national recognition received by Louise Adelstone, a counselor at Comanche Elementary School in Albuquerque, New Mexico. Ms. Adelstone received the local Spirit of Women Award and then went on to receive the national award. This award is given annually to women throughout the United States who dedicate themselves to making their communities a better place for all. The award recognizes "ordinary women who do extraordinary things."

Louise began her career as a counselor after completing her master's degree in counseling from the University of New Mexico. During her first year at Comanche Elementary

School, she began a group called Student Action Kids. The group makes about 60 charity field trips every year, as well as holding penny drives to support the Make-A-Wish Foundation. Ms. Adelstone was nominated for this award by one of her former students who sent in the nomination along with an essay explaining why she should be given this award. True to her character, Ms. Adelstone said after receiving the national award, "It was very flattering, but being nominated by one of my students was the most flattering."

Mr. Speaker, please join me in honoring Counselor Louise Adelstone for her contributions to her students and tireless work for the community.

#### HONORING DR. MORTON TERRY

### HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 3, 2004*

Mr. DEUTSCH. Mr. Speaker, today I rise to commemorate the contributions of Dr. Morton Terry of Broward County, Florida. Dr. Terry was a dedicated teacher, mentor, and physician, and he leaves us with a wonderful legacy of service to the South Florida community.

Dr. Terry, a native of Utica, New York, moved to Florida after earning his medical degree from the Philadelphia College of Osteopathic Medicine in 1945. Dr. Terry practiced medicine for 32 years in Miami before he founded the Southeastern College of Osteopathic Medicine. He served as Chancellor of the University through its merger with Nova University, and remained active on the campus until the day he died. Dr. Terry will be fondly remembered by all at Nova Southeastern University. Despite his many obligations at Nova Southeastern University, Dr. Terry found time to be active in a number of different professional and civic organizations. He was a lifetime member of the American Osteopathic Association, served as President of the Florida Osteopathic Medical Association, and he was also an honorary lifetime member of the Miami-Dade County Osteopathic Medical Association. Dr. Terry was committed to enriching and improving South Florida. To further this end, he held leadership positions with almost 20 different organizations including the United Way, American Cancer Society, and Boys Town of South Florida.

Dr. Terry is survived by his wife, one son, and one daughter. He will be missed by both the medical community and the South Florida community.

#### A LIFE OF SERVICE AND COURAGE; A TRIBUTE TO ARMY MASTER SGT. KELLY L. HORNBECK

### HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 3, 2004*

Ms. GRANGER. Mr. Speaker, I rise today to pay tribute to a brave young man from my district who was fatally wounded two weeks ago while serving his country in Iraq.

Only 36 years of age, Army Master Sgt. Kelly L. Hornbeck displayed unbending love

for his family and an insatiable appetite for living. As an avid outdoorsman, he always looked for adventures and conquered any obstacles that lay before him. It did not take his family and friends by surprise when he joined the United States Army in 1987 and quickly rose through the ranks to be selected for the Army's prestigious "Old Guard," which stands watch at the Tomb of the Unknowns here in Washington. Hornbeck was quickly promoted to drill sergeant and joined the Army's elite Special Forces in 1990 where he served as a combat diver, free-fall parachutist, and jump master.

In recent years, Master Sgt. Hornbeck had served tours of duty in both Afghanistan and Iraq as a member of the 3rd Battalion, 10th Special Forces Group stationed at Fort Carson, CO. He received many awards and decorations while serving the Army which include: two Bronze Star Medals, two Purple Hearts, a Silver Star Medal, the Meritorious Service Medal, and the Army Commendation Medal.

Hornbeck is remembered by one of his former commanders as a true patriot to the United States and to his native State of Texas, and his friends describe him as someone who had a strong moral compass.

Hornbeck's two daughters, Jacqueline (11) and Tyler (7), shared such precious memories of their father at his memorial service as a "great friend" who was "brave." When asked what her favorite memory of her dad was, the youngest daughter Tyler said, "I don't know because I have so many." His parents, Camille and Jeffrey Hornbeck of Fort Worth, praised their son's accomplishments and the cause for which he fought.

Master Sgt. Hornbeck lived an extraordinary life, rich with love, laughter, and pride. As a Member of Congress, I rise today to acknowledge Master Sgt. Hornbeck and his family for their sacrifice and service to the cause of freedom and the war against terror.

I wish to conclude by reading a letter from Master Sgt. Hornbeck to his parents.

DEAR MOM AND DAD: If ya'll are reading this, then I am on my way to help do my part to ensure the future security of our great nation. I don't take this charge lightly or with a cavalier attitude, rather with a resolute heart and a clear conscience. I am strongly convinced that what we are doing is just and worthy of all that could be spent in the effort. I am not afraid and neither should either of you be, for I trust in my God (Psalm 23) and my training, two powerful forces that cannot be fully measured.

My training is not only limited to that which has been bestowed on me by the mightiest military in the world but also by the greatest set of parents in the world. I am who I am because ya'll made me that way, and for that I thank you.

If anything untoward should befall me please insure that the qualities you raised me with get passed onto my children. I love you both very much and intend to see you soon!

Isaiah 6:8

KELLY.

Our thoughts and prayers go out to the Hornbeck family. May God bless and comfort you during this tragic time.

#### PERSONAL EXPLANATION

### HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 3, 2004*

Mr. ORTIZ. Mr. Speaker, due to official business, I was unable to vote during the following roll call votes. Had I been present, I would have voted as indicated below.

Roll Call No. 6, Yes.

Roll Call No. 7, Yes.

Roll Call No. 8, Yes.

Roll Call No. 9, Yes.

Roll Call No. 10, Yes.

Roll Call No. 11, Yes.

#### PAYING TRIBUTE TO LEE JOHNSON

### HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 3, 2004*

Mr. MCINNIS. Mr. Speaker, it is my honor to rise before you today to pay tribute to a remarkable teacher and artist from my district. Lee Johnson has enjoyed an extraordinary career as both a full-time professor and professional artist, and I would like to join my colleagues here today in recognizing Lee's tremendous service and contribution to the Gunnison community.

As a professor at Western State College, Lee has inspired countless students in using their full artistic potential in creating a variety of artworks. When not guiding students in their artistic education, Lee could be found in his studio working in a variety of artistic mediums. To devote more time to his passion of creating, Lee recently retired from Western State College. Moving forward, Lee will continue to draw upon the many beautiful sights of Colorado as inspiration in producing artwork to be appreciated by all.

Mr. Speaker, Lee Johnson is a wonderful ambassador for education and artistic contributions who has dedicated over three decades of his life to teaching the future leaders of tomorrow in his Gunnison, Colorado community. While his classroom will fall silent, he will continue to communicate to us through his daily devotion to creating beautiful artwork. I would like to congratulate Lee on an extraordinary career of public service and wish him the very best in his retirement.

#### HONORING GIRLS INC. OF ALAMEDA COUNTY'S GIRLS RESEARCH PROJECT

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 3, 2004*

Mr. STARK. Mr. Speaker, I rise today to recognize Girls Inc. of Alameda County's Girls Research Project. The research project is one of the most comprehensive and innovative health and wellness studies by and about teenage girls in Alameda County. Girls, Inc. launched this project as an outgrowth of its strategic plan which revealed that it was extremely difficult to find or gain access to