

spirit of volunteerism is a role model for others to follow. I thank Patrine for her civic pride and wish her the best in her future endeavors.

HONORING MOTHER THELMA  
MACK

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 8, 2004*

Mr. THOMPSON of Mississippi. Mr. Speaker, I would like to recognize Thelma Mack, the epitome of a community mother, who spent her entire life being a stalwart and community pillar.

As an African-American woman of Indianola, Mississippi, born in April of 1934, Thelma endured the strife of segregated life in the South. During the Civil Rights era, Thelma exemplified her motherly role through housing and feeding passers-by committed to the equal rights mission.

Thelma Mack's most notable career work was in the area of childcare, where she started a daycare at her home. In August of 1968, Thelma became the Director of the Sunflower-Humphreys County Headstart, where she served for over 20 years.

Thelma Mack's faithful service and dedication to upholding the traditional family structure and values is the backbone of our communities. I applaud the life and legacy of Thelma Mack.

CHILD NUTRITION AND WIC  
REAUTHORIZATION ACT OF 2004

SPEECH OF

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 24, 2004*

Mr. BOEHNER. Mr. Speaker, effective, fair vendor cost containment is critical to ensure that federal funds for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) are managed appropriately. It is equally important that this objective be achieved with balance. WIC cost containment measures in S. 2507 should provide assurance that WIC-Only stores have prices that are consistent with traditional retail WIC vendors. It is the intent of Congress that the provisions of this bill be implemented in a fair and equitable manner. Cost containment measures contained in S. 2507 are not to be used to drive vendors out of the program.

Central to the vendor cost containment provisions is the authority to establish a series of vendor peer groups, each with its own competitive price criteria and allowable reimbursement levels. These vendor peer groups recognize that there are economic realities that cause pricing to vary among stores based on store size and geographic location. Large supermarket chains and box stores bypass wholesalers and purchase directly from manufacturers. Other stores, including some WIC-Only stores do not. Much more important, supermarket chains receive significant price discounts and concessions from manufacturers, such as allowances for product promotion, product shelf placement, etc. Independently

owned stores, including independently owned chains and most WIC-Only stores, generally do not have the negotiating power to bargain for these benefits. As a result, independently owned stores may spend as much to purchase a product at wholesale as the retail price at a big chain. Because of this, vendor peer groups should allow for somewhat higher prices at small stores, relative to the larger supermarkets.

During implementation of vendor peer groups to achieve cost-containment, it is vital that transparent, objective criteria be used in defining peer group characteristics. It is expected that the criteria that have traditionally been used, the square footage of stores or the number of store registers, will continue to be used as appropriate. However, there is clear authority for adoption of other readily discernible, objective criteria that define appropriate peer group distinctions. WIC sales volume alone may not be an appropriate basis for defining peer groups since it accounts for only a portion of the sales of a given product and, in many situations, would be a poor indicator of factors that affect retail pricing decisions.

Special authority is provided for establishing competitive price criteria and allowable reimbursement levels for WIC-Only stores because those stores are insulated from marketplace price competition. It is not discriminatory to regulate them in a different manner. However, it would be inconsistent with the intent of Congress to use that unique regulatory treatment to apply a different standard to WIC-Only stores.

The objective of cost containment measures contained in S. 2507 is for WIC Program food costs to be the same regardless of whether program participants redeemed food instruments at a WIC-Only store or comparable market-based vendor. This neutrality objective is expressed by the dual statements in the bill: First, the bill provides for establishing and publishing competitive price criteria and allowable reimbursement levels that do not result in higher food costs in WIC-Only stores than in other authorized vendors. Second, the bill is clear that it is not to be construed to compel a State agency to achieve lower food costs in WIC-Only stores than in other authorized vendors. The objective is neutrality; for WIC-Only store costs to be at the same level as costs at comparable market-based vendors.

The language now before the House is different from the language reported by the Senate Committee on Agriculture, Nutrition, and Forestry, but the neutrality objective has been consistently pursued throughout this legislative process. Refinements in that language are intended to remove any question that the objective is cost neutrality.

S. 2507 includes language requiring that competitive price criteria and allowable reimbursement levels will "not result in higher food costs if program participants redeem supplemental food vouchers" at WIC-Only stores than other vendors. This language is a statement of the general cost neutrality objective previously explained. It is not to be construed to compel a rigid cost limitation test. Neither USDA nor individual states can know with absolute certainty or ongoing precision what food prices will be.

In the bill's system of vendor peer groups, provision is made for peer groups for WIC-Only stores. It does not necessarily require a single peer group for WIC-Only stores be-

cause not all WIC-Only stores are alike. WIC-Only store peer groups are to have their prices limited to the same levels as prices of comparable market-based stores. The legislation is not prescriptive in specifying characteristics that make stores "comparable." However, as with the regulatory basis for defining peer groups, the basis for comparing peer groups must be objective and readily discernable. Absent compelling basis for a different approach, the same criteria as are used to distinguish between traditional vendor peer groups should be used to distinguish between peer groups in WIC-Only stores and to identify peer groups of comparable market-based stores.

Another provision that warrants close oversight is a prohibition on certain marketing practices for WIC-Only stores. The Department of Agriculture is charged with promulgation of a rule to prohibit WIC-Only stores from giving certain "incentive items" to WIC participants unless the vendor proves that the incentive items were obtained at no cost. The provision was adopted because of reports that some WIC-Only stores have given incentive items that are out of the bounds of traditional vendor marketing practices. It is the intent of this provision to halt such marketing practices and to ensure that the acquisition of incentive items does not increase WIC Program costs.

This provision is intended to prevent marketing practices that are wholly inconsistent with those that occur in traditional food retailing. It is not intended that this provision would be used to create a situation where WIC-Only stores are prohibited from employing the same marketing practices that traditional stores use to induce customers. The fact that this restriction applies only to WIC-Only stores must not be viewed as an intention to create marketing restrictions that afford traditional vendors a competitive advantage over WIC-Only stores. The Secretary has authority in its implementing rulemaking to require a State Agency to waive restrictions on marketing practices of WIC-Only stores where competing traditional vendors engage in those practices.

The bill makes clear that merchandise of nominal value and food are not to be prohibited. Likewise, this provision does not provide authority to restrict incentives other than free merchandise. Specifically, it does not authorize restriction of services provided to program participants that are attendant to the redemption of supplemental food vouchers, such as assistance in complying with WIC program rules as they select their purchases or assistance in getting the food to their transportation or home, even if traditional vendors do not provide such services. The provision only authorizes restriction of use of non-food merchandise in marketing practices; it does not authorize restriction of retail services. Therefore, the Department of Agriculture rulemaking is to prohibit merchandise gifts that are inconsistent with marketing practices of the traditional food retail trade, but not marketing practices that are employed by other authorized vendors.

Mr. Speaker, I commend my colleagues for including vendor provisions in S. 2507 that will provide for effective cost containment, particularly in WIC-Only stores that are generally insulated from marketplace price competition. This bill does a commendable job in providing fair and balanced regulation. WIC-Only stores

have become very popular with WIC participants because of their convenience and service. That should continue.

# INTRODUCING THE MMA TERRITORIAL EQUITY FOR LOW-INCOME INDIVIDUALS ACT OF 2004

**HON. MADELEINE Z. BORDALLO**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 8, 2004*

Ms. BORDALLO. Mr. Speaker, today I am introducing legislation that will treat Medicare-eligible citizens of Guam, the Virgin Islands, American Samoa, the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands the same as low-income citizens in the 50 States and the District of Columbia with respect to the Medicare prescription drug transitional assistance program and, beginning in 2006, premium and cost-sharing subsidies under the national Medicare prescription drug program. I am joined by Congresswoman DONNA M. CHRISTENSEN of the Virgin Islands, Congressman ENI F. H. FALEOMAVAEGA of American Samoa and Resident Commissioner ANÍBAL ACEVEDO-VILÁ of Puerto Rico as original co-sponsors of this legislation, which will provide health care equality to seniors in the insular areas with respect to the prescription drug benefit.

Currently, citizens of the insular areas contribute to the Medicare Trust Fund in the same manner as citizens in the 50 States and the District of Columbia. However, while the Medicare Modernization Act (MMA) created a transitional assistance program authorizing up to \$600 in prescription drug subsidies for individual low-income Medicare beneficiaries in both 2004 and 2005, the territories receive only a small Federal block grant (\$35 million in aggregate for both years to cover an estimated 450,000 Medicare beneficiaries) to help defray the costs of implementing local prescription drug plans through their respective public health departments. While exact data is not available, it is estimated that beneficiaries in the insular areas will receive significantly less relief than their counterparts in the 50 States and the District of Columbia. The MMA also does not include citizens in the territories for the purposes of the full national prescription drug plan authorized for Medicare beneficiaries beginning on January 1, 2006. Again, a separate Federal block grant is allotted to the territories in lieu of full participation.

Citizens of the insular areas face greater challenges to accessing adequate health care and prescription drug services than citizens in the States and the District of Columbia. Transportation costs and smaller economies of scale increase the cost of prescription drugs available in these areas. Furthermore, the insular areas are home to many different minority groups, many of which are genetically disposed to certain illnesses. For example, African American, Hispanic and Pacific Island Americans are all genetically disposed to diabetes, which is particularly prevalent among the age 40-and-over category. Therefore, access to prescription drugs will, in addition to increasing the quality of life among citizens of the insular areas, help resolve other health disparities such as prevention and treatment of genetically-disposed illnesses.

My legislation recognizes that health care inequalities exist with respect to the treatment of citizens in the insular areas. It further recognizes that, in the case of the new transitional assistance and prescription drug programs authorized under the MMA, citizens of the insular areas pay into the Medicare Trust Fund in the same manner as citizens in the 50 States and the District of Columbia and should, therefore, receive parity with respect to benefits. The current protocol for block granting prescription drug funding to the insular areas will ensure that health care disparities will continue to exist in these areas. The best solution with regard to fairness and parity is to allow citizens of the territories to participate directly in these Federal prescription drug assistance programs.

My bill would ensure parity with respect to the application of the MMA in the insular areas by eliminating the current prescription drug block grant formula in favor of including low-income Medicare beneficiaries in Federal prescription drug assistance programs. Support for this legislation will ensure that all Americans receive the benefits to which they are entitled under the MMA.

## PAYING TRIBUTE TO MARTIEY MILLER

**HON. SCOTT MCINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 8, 2004*

Mr. MCINNIS. Mr. Speaker, it is my privilege to recognize Martiey Miller for her outstanding dedication to her Grand Junction, Colorado community. Her effort as general manager at Cumulus Broadcasting in Grand Junction has done much to ensure the high quality of radio programming that characterizes the network. As Martiey moves on in her accomplished career, I believe it is appropriate to acknowledge her service to her community before this body of Congress and this nation today.

Martiey moved to Grand Junction nineteen years ago in order to be closer to family. She took a job as a receptionist at the local radio station and began her ascent through the ranks. Jumping at every opportunity, she took a position in sales, and then became the sales manager, before assuming the position of general manager at Cumulus Broadcasting in Grand Junction running KEKB and KOOL Radio. During her tenure at Cumulus Broadcasting she played an important role in turning a struggling company into a successful business.

For Martiey's efforts and successes at the station, she has been recognized nationally. In 1994, she was named the outstanding radio sales manager by the Radio Advertising Bureau. Two years later, she was honored as the Colorado's Broadcast Citizen of the Year by the Colorado Broadcasters.

Beyond her career, Martiey has been very active in the community. She previously held positions as the president of both the Kiwanis and Grand Junction Chamber of Commerce, as well as being a member of the JUCO committee and the Hilltop Board. Her most notable achievement in public service came as co-chair of the citizens' committee to pass a school bond issue and override the budget. Her efforts proved successful when the bond issue and budget override passed.

Mr. Speaker, it is my honor to recognize the success of Martiey Miller as a leader in the Grand Junction community. She is moving on to a new job in Minneapolis, but let it be known that she has left a great legacy of commitment and dedication to Grand Junction and the State of Colorado. I congratulate her on her new job and wish her continued success in her future endeavors.

## A TRIBUTE TO GLENORE M. ANDERSON

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 8, 2004*

Mr. TOWNS. Mr. Speaker, I rise in honor of Glenore M. Anderson in recognition of her civic participation and business success.

Glenore is a living testimony to the power of hard work and effort. A banker by profession, it took Ms. Anderson eleven years to move up the corporate ladder to her current position as Vice President/Branch Manager of the Broadway and Driggs Street Office of HSBC Bank, one of the largest branches of HSBC Bank USA in Brooklyn, NY.

Born on the island of Trinidad and Tobago in the West Indies, Glenore immigrated to the United States in the summer of 1992. She moved here with her family after successfully completing her studies in her home country. A few short months after taking up residence in New York City, she was hired as a customer service representative with Marine Midland bank, which later became HSBC Bank USA. She quickly moved through the ranks and excelled as a sales representative, sales manager, OIC (officer in charge), and Vice President/Branch manager.

Glenore continues to exemplify this spirit of excellence in her current position as the Branch Manager. She continuously works toward motivating her staff of 16 by employing a "hands on" approach. In so doing, she demonstrates her abilities as a team player and team leader. She believes that it is important for her staff to see that she can do whatever task is required of them. Due to this type of cohesive effort and leadership skills, the operation of the branch has been very successful, which boasts assets totaling \$105 million.

In addition to her expertise in banking, Glenore has also earned accolades for her efforts to strengthen the community. As such, she was honored with the Caribbean American Chamber of Commerce and Industry award for Women History makers of 2000; the Network Journal award for 40 Under Forty Achievers of 2001; and an award from the New Deeper Life Tabernacle in 2003.

During the month of February in 2001, 2002 and 2003, she brought this sense of community to the branch by hosting a celebration of Black History Month. The celebrations took the form of an art exhibit mounted in conjunction with Art Groupie.Com, which featured the works of four African/Caribbean American artists.

Married and the mother of one, Glenore receives strong support from her family and friends who believe whole-heartedly in her potential to reach the stars.

Mr. Speaker, Glenore M. Anderson has excelled in the business world while still finding