

## EXTENSIONS OF REMARKS

HONORING MATTHEW M. LEWICKI

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 2004

Mr. KILDEE. Mr. Speaker, I rise before you today on behalf of the members of the Michigan Department of the Polish Legion of American Veterans, USA to pay tribute to Matthew M. Lewicki, World War II veteran, for his service in the United States Army's 45th Infantry 179th Infantry Division from May 1, 1943 to November 5, 1945. On Saturday, October 16, 2004 the Polish Legion along with family and friends will gather to present Mr. Lewicki with medals he earned during his military career.

On May 1, 1943 Mr. Lewicki entered into the U.S. Army during World War II. He was assigned to the 45th Infantry 179th Infantry Division as a Private Infantry Auto Rifleman. He was wounded at Anzio Beach, Italy. Dunlop Acting Adjutant General sent notification to Mr. Lewicki's family on April 11, 1944 stating that he had been captured by the Germans and was a Prisoner of War. He had been missing in action since February 18th. The Germans sent him to a warehouse in Italy for three weeks, after which he was transferred to a prison camp in Germany where he was assigned to work on a farm. His Prisoner of War number was Stalag 7-B, #11689. Mr. Lewicki spent a total of 14 months in captivity. Corporal Lewicki was honorably discharged on November 5, 1945. Mr. Lewicki, after his discharge from the service, returned to his employment at General Motors Buick Motor Division. He retired in 1980 after 44 years of employment.

Matthew M. Lewicki was born on June 13, 1915 in Troy, New York. The Lewickis relocated to Flint, Michigan in 1917 when Matthew was 2 years old. Mr. Lewicki met his lovely wife, Albina Piotrowski, in 1940 and they were married on May 3, 1941. To this blessed union were born two sons, Matthew and David. Mrs. Lewicki passed away on March 6, 1992 at the age of 70. Matthew Lewicki is a lifelong charter member of Dom Polski and the Sea League. In his spare time Mr. Lewicki enjoys boating and fishing.

Mr. Speaker, as a Member of Congress, I consider it my duty and my privilege to protect and defend human dignity and the quality of life for our citizens. I am extremely grateful to have a person like Matthew M. Lewicki who shares these beliefs, and has made it his life's work to see this task achieved. I honor Mr. Lewicki for his commendable service to our Nation and its mission of spreading peace. I ask my colleagues in the 108th Congress to please join me in congratulating Mr. Lewicki, and wishing him the best in future endeavors.

THE DISABLED FEDERAL  
EMPLOYEES PROTECTION ACT

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 7, 2004

Mr. VAN HOLLEN. Mr. Speaker, I am proud today to introduce the Disabled Federal Employees Protection Act.

The Disabled Federal Employees Protection Act (DFEPA) simply states that in cases where federal jobs are contracted out, a Federal employee should not lose his or her job if that employee is an individual with a significant physical or developmental disability and had been hired under a program designed for individuals with such disabilities.

The DFEPA was drafted to respond to a particular situation that occurred at the National Naval Medical Center in Bethesda, Maryland. Last fall I visited the Hospital, which has developed an innovative and successful program hiring developmentally disabled individuals from our local community to work in its kitchen and cafeteria. Many of these individuals have worked there for more than 20 years. They are hard-working, reliable, and beloved by the naval officers and staff. I was shocked to learn that the Administration had selected these positions to be subject to competitive sourcing. In other words, these hard-working disabled employees, who had been hired under a federal program designed specifically to hire the severely disabled, would be forced to compete for their own jobs against people who were not disabled, leaving them on the verge of losing their jobs. I wrote the President about this injustice and am pleased that as a result of our timely intervention, plans to compete these jobs have been withdrawn and these individuals have been able to keep their jobs and the sense of dignity that comes with them.

But it is unconscionable that other severely disabled Federal workers might have to suffer through the same thing. The DFEPA will protect Federal employees with severe disabilities from losing their Federal jobs as a result of contracting out. The bill does allow for jobs to continue to be contracted out to organizations like NISH (formerly known as the National Institute for the Severely Handicapped) and the National Industries for the Blind covered under the Javits-Wagner-O'Day Act (JWOD). JWOD established specific programs to hire the severely disabled; it is not the intention of the DFEPA to interfere with JWOD.

The DFEPA is supported by many organizations, including ANCOR (The American Network of Community Options and Resources), The Public Policy Collaboration of United Cerebral Palsy and the Arc of the United States. The DFEPA also has the support of the Professional Services Council, one of the principal organizations representing government contractors, because they agree that supporting employment opportunities for the disabled is important.

Mr. Speaker, I believe that everyone in this body wants to protect employment opportunities for the severely disabled. I urge my colleagues to support and cosponsor the Disabled Federal Employees Protection Act.

I am submitting for the RECORD an article that was published by The Washington Post on October 14, 2003 that describes the situation involving the scullery workers at the National Naval Medical Center.

[From the Washington Post, Oct. 4, 2004]

IN BETHESDA, HIRING POLICY, "COMPETITIVE SOURCING" CLASH

NAVAL MEDICAL CENTER CONSIDERS REPLACING DISABLED WORKERS

(By Christopher Lee)

President Bush's efforts to make government run more like a business collided this month with the reality that, in many ways, government is not a business.

For the past 2 years, the Navy, as part of the Bush administration's initiative, has been studying whether a private contractor should take over the custodial and food services provided by 21 Federal employees at the National Naval Medical Center in Bethesda.

It is just one small example of Bush's "competitive sourcing" initiative, which requires hundreds of thousands of civil servants across the government to prove they can do their work better and more cheaply than a private contractor, or risk seeing the work outsourced.

But in one important way the 21 workers in the hospital scullery are different: All are mentally retarded, beneficiaries of Federal policies that promote the employment of people with disabilities.

To their supporters, the administration's requirement that they compete for their jobs misses the point that government employment has always been about more than the bottom line. Through various policies and laws, Federal agencies for decades have gone out of their way to hire members of certain populations, from veterans to disabled people to welfare mothers and students.

"There are different goals of the Federal government, and one of those goals is to get different people into real jobs," said Rep. Chris Van Hollen (D-Md.), who met last month with the scullery workers at the hospital, which is in his district. "And this [policy] will undercut that goal."

Bush has strongly defended "competitive sourcing," calling it one of his most important management initiatives. He says forcing government workers to compete with private contractors for their jobs promotes government efficiency and saves taxpayer dollars—even if the jobs stay in-house. An Oct. 3 report by the Office of Management and Budget said Federal agencies have identified 434,820 jobs that are ripe for such competition, of which 103,412 are being evaluated for possible contracting out.

"We are confident that the savings and service benefits expected from this effort will soon follow," Clay Johnson III, OMB's deputy director for management, said that day.

That provides scant comfort to employees such as Deborah Shapiro, 30, who has worked at the hospital scullery for 10 years and worries what will happen if she loses her job.

"I like working here," Shapiro said the other day while taking a break from the first

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

half of her 8-hour shift. "I work on the belt. I help push carts upstairs sometimes. I wash plates, pick silverware—I do everything."

Shapiro landed the job after interning at the hospital while a student at Rock Terrace School, a public campus in Rockville that serves 112 special-needs children in grades 6 through 12. "I live in a group home and I have to pay the rent there," said Shapiro, her dark curls tucked neatly under a hairnet. "And I have to work, or else they'll ask me to leave. I don't want to leave my friends. I don't want to leave my house. It's too nice."

The work isn't easy. The employees, clad in blue uniforms and white plastic aprons, remove trash and utensils from used trays as they navigate across a water-slicked red tile floor. Many wear earplugs to block out the drone of the industrial dishwasher that cleans the dishes and trays that pass through it on a conveyor belt before the workers retrieve and stack them in neat piles. Shifts begin at 5:30 a.m. and finish as late as 7 p.m.

James Eastridge, 38, another former Rock Terrace student, has worked in the kitchen for 22 years. That is long enough for him to earn several promotions and enough money to buy a house in Hagerstown, where he lives with his parents.

"I started out when I was 16 years old and just kept on working; the years just flew by," he said. "I hope we get to keep the jobs. When I was in school, I was pretty wild. They got me in the job . . . and I've been doing good ever since I've been here."

Randy Severt, a teacher at Rock Terrace, said more than 300 students have interned or worked at the hospital since the school formed a partnership with the institution in 1979. The Navy got reliable, long-serving employees for hard-to-fill positions. The students, who earn between \$9.42 and \$12.80 an hour, were given an opportunity to work, learn about money management and become more self-sufficient.

Providing such opportunities is a long-standing goal of the Federal government. The Rehabilitation Act of 1973 banned discrimination against disabled people in Federal hiring and required agencies to develop affirmative action plans to hire more people with disabilities.

Most of the scullery workers joined the hospital under a Federal hiring authority that allows agencies to take on people with mental retardation as provisional employees, then convert them to permanent status after 2 years of satisfactory service. The government employed 1,734 mentally retarded workers in 2000, about one-tenth of 1 percent of the 1.8 million-strong Federal civilian workforce, according to the Office of Personnel Management. (Overall, more than 120,000 disabled people worked for the government that year, more than 7 percent of the Federal workforce.)

If the hospital scullery work goes to a private contractor, it will mean a big adjustment for a group of workers who, due to circumstances and disability, do not cope well with change, Severt said.

"They have problems finding jobs on their own. They don't advocate well for themselves and they don't have a lot of skills," Severt said. "Some of them can speak well. Some of them have very good social skills. But they are retarded, and they need help every step of the way. They just don't adapt."

Hospital officials say the quality of the work isn't at issue. "They're very loyal employees," said Cmdr. Martie Slaughter, the hospital's nutrition manager. "I've only been here for 2 years and they are like my family."

In similar competitions across the government, the in-house bid has triumphed more

than half the time, according to the OMB. Even in the cases where the private sector has won, the employees often have gone to work for the contractor. But the scullery employees are at a decided disadvantage.

"If you are special needs, you have a great need for greater supervision," Slaughter said. "And we all know that supervision costs money."

Jerry Leener, whose son Mike, 27, has worked at the hospital for 8 years, said that even a White House focused on the bottom line should realize there is little to be gained by contracting out the work. Displaced employees would turn to government entitlement programs, including Federal disability payments, Medicaid and food stamps.

"If our kids lose their jobs, the Federal government is still going to have to compensate them," Leener said. "Either way, it's going to be coming out of Federal funds. So we haven't had a cost saving as it relates to these kids. What's more, we've displaced them from their passion. They love working here. They love being a part of this."

Military officials have been sympathetic but unmoved. Slaughter said that early on in the process she asked about getting a waiver for the workers, but none was forthcoming. Over the last year, parents of some workers have written to Navy officials and members of Congress seeking help, but with no concrete results.

As recently as 2 weeks ago, Navy officials said they were still studying the situation. Parents of the workers grew nervous as a December deadline loomed for the hospital to submit its bid to keep the scullery jobs in-house. They were told that a decision on whether a contractor would take over could come as soon as March.

Then on Oct. 2, 10 days after Van Hollen's visit to the scullery and after inquiries by the Washington Post, Navy officials passed the word internally that they had been directed to temporarily stop working on the job competition. "The study has not been cancelled, but postponed until further notice," an internal e-mail said.

Parents said they were given a vague explanation that the job competition had gone on longer than current law permits. A provision in the recently passed 2004 Defense Appropriations bill blocks new funding for single-function job competitions that have exceeded 24 months, and multifunction competitions that have exceeded 30 months. Navy officials at the hospital did not respond to two requests for more information about the decision.

"I have a suspicion that they were starting to feel political pressure and decided to put it on hold, and that maybe this thing would blow over," said Leener, who added that he remains uncertain about whether his son's job is safe. "We took it as a big victory, believe me, but it's a temporary one."

Trent Duffy, an OMB spokesman, said agencies may cancel job competitions that jeopardize protected workers, such as veterans or disabled people. "It is permissible for agencies to make that determination and cancel a competition because these protected populations, these certain people, could potentially lose their livelihoods," Duffy said. "They absolutely have that discretion under the law." Van Hollen, who wrote a letter to Bush urging him to halt the study, said he viewed the Navy's decision as little more than political expediency. He still believes competitive sourcing is "a one-size-fits-all contracting-out policy that does not take into account other important goals of the federal government," he said.

"I still think it's an example of their policy run amok," Van Hollen said. "There's no doubt what happened here. You want to applaud the Navy for reversing its decision, but

you can't have a member of Congress or a member of the press visit every site where you've got . . . contracting out going on with model programs."

## PERSONAL EXPLANATION

**HON. GERALD D. KLECZKA**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 7, 2004*

Mr. KLECZKA. Mr. Speaker, on the evening of Tuesday, October 5 and on Wednesday, October 6, I was not present for business on the floor of the House due to personal business and was thereby absent for votes on rollcall Nos. 494 through 501. Had I been present, I would have voted "no" on rollcall No. 494; "yea" on rollcall No. 495; "yea" on rollcall No. 496; "yea" on rollcall No. 497; "yea" on rollcall No. 498; "no" on rollcall No. 499; "no" on rollcall No. 500; and "yea" on rollcall No. 501.

## RECOGNIZING THE IMPORTANCE OF THE ARTS IN COMMUNITY DEVELOPMENT

**HON. BRAD MILLER**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 7, 2004*

Mr. MILLER of North Carolina. Mr. Speaker, throughout the country there has been a rebirth of the arts, and the importance of the arts to economic development and revitalization in our communities deserves to be recognized. Cultural facilities and events enhance property values, tax resources and overall profitability for our cities and towns. In doing so, the arts have become a direct contributor to reviving many of our urban and rural areas. From major metropolitan areas to small towns, the arts have proven to be sound economic investments. I value the contributions made by the arts and believe that Congress has a responsibility to support the arts and all cultural activities.

Nationally, the arts have had a profound effect on community development but more specifically, have assisted in the economic growth in my home state of North Carolina. I am pleased to present an article by Mr. Lawrence J. Wheeler, Director of the North Carolina Museum of Art, that brings attention to the development and economic effect that the arts have had in North Carolina. In his editorial entitled "For Development, Draw on N.C.'s Arts," which appeared in the News & Observer earlier this year, Mr. Wheeler provides insight into the positive influence that the arts have had upon communities in North Carolina. Mr. Wheeler rightfully calls on the arts to be used as full partners in future economic planning, and I believe that Congress and state governments should heed this advice.

[Editorial—Opinion—the News & Observer, April 27, 2004]

### FOR DEVELOPMENT, DRAW ON N.C.'S ARTS

Twenty years ago, the idea of using art as a tool for community development would have been dismissed as a meddlesome intrusion by self-interested arts advocates. But as more and more jobs are being outsourced and downtown areas are becoming ghost towns,