

from jobs on a daily basis, to take parents to the doctor, to attend children's soccer games; in reality all of us—was critical to success in moving surface transportation legislation forward. Joy worked tirelessly facilitating NSSGA member contacts with community leaders and lawmakers to build momentum for this often overlooked national priority.

Her leadership extended well beyond transportation to those regulatory issues affecting the aggregates industry. She championed the industry in meetings with administrative regulatory agencies, always intent on finding solutions that were right for both the aggregates industry and America. Most importantly, Joy always emphasized the industry's ethics and credibility through NSSGA member company commitments to safety and health resulting in 11 years of record-breaking achievements.

Joy's policy, management and motivational strength has helped NSSGA members reinforce message and guide relation bridges to fend off unjustified regulations like tightened standards for "farm dust," and legislation that does not accurately distinguish aggregates operations from others.

I salute Joy Pinniger on her tenure at the National Stone, Sand & Gravel Association which she led with distinction and integrity. I congratulate her on her retirement and wish her the very best in the years ahead.

#### IN HONOR OF OHIO SENATOR NINA TURNER

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 19, 2012*

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Senator Nina Turner of Ohio's 25th Senate District.

Senator Turner began her political career as a legislative aide in the Ohio Senate, followed by her tenure on the administration of former Cleveland Mayor Michael R. White. After working in the Mayor's office, she went on to advocate for city school children as Director of Government Affairs for the Cleveland Municipal School District. She was later elected as the first woman to represent Ward 1 in Cleveland's City Council.

While serving in Ohio's 25th Senate District, Senator Turner has served as Senate Minority Whip and Ranking Member of the State and Local Government and Veterans Affairs Committee. She is a board member of the Great Lakes Science Center, the United Way of Greater Cleveland, and the Cleveland Police Foundation. Senator Turner has also been recognized three years in row by Inside Business Magazine as one of the "Power 100: Northeast Ohio's Most Influential People."

A first generation college graduate, Senator Turner stresses the importance of hard work and education. She not only supports education through legislation, she also serves as a professor of history at Cuyahoga Community College and a mentor to students and young people throughout the Greater Cleveland area.

Mr. Speaker and colleagues, please join me in honoring the achievements of Ohio Senator Nina Turner.

RECOGNIZING MR. ROY T. CAMPBELL, JR.

**HON. DAVID P. ROE**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 19, 2012*

Mr. ROE of Tennessee. Mr. Speaker, I submit these remarks today to recognize Mr. Roy T. Campbell, Jr. of Tennessee's First District, who has been named 2012 Citizen of the Year by Senior Citizen Home Assistance for his longstanding dedication and service to Cocke County. For those unfamiliar with Senior Citizen Home Assistance, this is an organization that provides services to seniors and enables them to live at home. Once a year they recognize an exemplary individual and honor their achievements. Through his work as a lawyer and volunteer, Roy has made many selfless contributions to his community.

A graduate of the University of Tennessee School of Law, Roy has endeavored to help the citizens of Cocke County throughout his career. In addition to more than 61 years of practicing law, he has been involved in many civic, church, and community groups. He is a founding member of the Industrial Development Board of Cocke County, which has attracted businesses and jobs to the region. He has also been an enthusiastic supporter of higher education in East Tennessee with generous gifts to the University of Tennessee, UT School of Law, and East Tennessee State University.

Mr. Speaker, I commend Roy for his selfless contributions to Cocke County and wish him the best as he continues to exemplify the Volunteer spirit.

#### IN CELEBRATION OF THE 40TH ANNIVERSARY OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 19, 2012*

Mr. VAN HOLLEN. Mr. Speaker, I rise today to congratulate the Uniformed Services University of the Health Sciences (USU) on its 40th anniversary and recognize this extraordinary university whose graduates serve our nation by caring for those in harm's way. I am honored that USU is located in Maryland's Eighth Congressional District.

Graduates of USU, which is based in Bethesda, Maryland, provide front-line care for our troops in Afghanistan and around the globe, aboard ships and airplanes equipped as state-of-the-art hospitals/emergency rooms and in public health facilities throughout our nation. These outstanding women and men are educated at USU in medicine, graduate nursing, dentistry, clinical psychology and biomedical research.

Over the past ten years, USU alumni have been routinely deployed in combat zones. They have established forward hospitals and have advanced battlefield medicine in ways not even envisioned only one decade ago. They have saved lives and worked to help restore wounded heroes' health. They have advanced basic research to address traumatic

brain injury, amputations, post-traumatic stress, and treatment for infectious diseases, and have worked under harsh and austere conditions to provide the highest quality health care possible.

USU was established by an Act of Congress in 1972. Since then, it has graduated nearly 5,000 physicians along with hundreds who have received degrees in biomedical sciences in the School of Medicine and graduate level nursing in the Graduate School of Nursing. Recently, USU expanded to include a Post-graduate Dental College.

Charles Rice, MD, President of USU, describes USU as follows:

The Uniformed Services University of the Health Sciences is a center of excellence for military and public health education and research. USU's programs are unique, as are our dedicated faculty, staff and students. The university benefits tremendously from its extraordinary alumni who return to teach, conduct research and guide others in clinical care. These devoted professionals bring a wealth of experience gained in military treatment facilities throughout the U.S. and around the world, as well as in combat, on ships, in airborne intensive care units, amid natural disasters and among a multitude of cultures.

Since 1980, when USU's F. Edward Hébert School of Medicine graduated its first class, the school has produced talented and dedicated physicians and leaders who serve in the Army, Navy, Air Force and Public Health Service. They include the following distinguished alumni:

Lt. Gen. (Dr.) Thomas W. Travis, U.S. Air Force, class of 1986, who in July 2012, took over as the 21st Surgeon General of the United States Air Force.

Rear Admiral (Dr.) Michael Anderson, U.S. Navy, class of 1983, who is proudly serving as the Medical Officer of the Marine Corps, overseeing the health care of more than 200,000 active duty Marines and their families.

Rear Admiral (Dr.) Sarah Linde-Feucht, U.S. Public Health Service, class of 1992, a board-certified family physician who is also the Chief Public Health Officer for the Health Resources Services Administration, where she is a member of the executive leadership team and senior policy advisor to the HRSA Administrator.

Col. (Dr.) Paul Pasquina, U.S. Army, class of 1991, who heads the Orthopaedic and Rehabilitation Service at the Walter Reed National Military Medical Center, Bethesda, and is responsible for ensuring that the many U.S. service members returning from combat with often debilitating physical and mental injuries are receiving the best care possible. These include soldiers like Army Col. Gregory Gadson, who lost both legs in Iraq, but with Col. Pasquina as his doctor, became the first recipient of the prosthetic "power knees" and remains on active duty as the new commander of Fort Belvoir in Virginia.

USU has also awarded nearly 1,300 degrees in the biomedical sciences to individuals who advance the science that underlies our ability to treat and protect against infectious diseases and other maladies affecting humankind. Distinguished alumni include the following:

Dr. Katherine Bossart, a 2003 Ph.D. graduate in Emerging Infectious Diseases now at Boston University, developed the first treatment (antibody) and first vaccine against two deadly viruses, Nipah and Hendra, that could

be used as potential biothreat agents. The antibody was successfully used, through compassionate use exception, to save the lives of three individuals with significant exposure to the Hendra virus.

Brigadier-General (Dr.) Jean-Robert Bernier, Canadian Defence Force, a 1997 graduate of USU's Master of Public Health degree program, was sworn in as the Surgeon General of Canada in July 2012.

The USU Graduate School of Nursing has conferred more than 600 master's degrees since its founding in 1993 and 15 doctorates since opening its Ph.D. program in 2003. These men and women serve in uniformed and federal services at home and abroad. They also work with the school's faculty to conduct research.

Air Force Capt. Jennifer Curtis, who graduated from USU's Family Nurse Practitioner program, Graduate School of Nursing, in 2009, was awarded the Bronze Star and other decorations for her heroic lifesaving actions of six soldiers while under fire in Afghanistan during her very first deployment.

In addition to its world-class educational programs, USU is dedicated to innovative research in military medicine, nursing and oral health as well as public health. Its research programs, devoted to preventive medicine, infectious disease, prosthetics, traumatic brain injury and post-traumatic stress disorder, are relevant both locally and globally.

The civilian members of USU's Board of Regents are appointed by the Secretary of Defense. They are prominent leaders in health care, higher education and public policy from across the country. Current members include:

Otis Brawley, M.D., Chief Medical Officer and Executive Vice President, American Cancer Society

Sheila Burke, Senior Policy Analyst at Baker Donelson and former Under Secretary of the Smithsonian Institution

General (Ret.) Ronald Griffith, former Vice Chief of Staff of the Army

Michael Johns, M.D., Chancellor of Emory University

Haile Debas, M.D., Executive Director of Global Health Sciences at the University of California, San Francisco

Kenneth Moritsugu, M.D., Vice President, Global Strategic Affairs for LifeScan, Inc., former Deputy Surgeon General of the United States

Gail Wilensky, Ph.D., Senior Fellow at Project HOPE and former Administrator of the Health Care Financing Administration

Ronald Blanck, D.O., Chairman and Partner of Martin, Blanck & Associates, former Army Surgeon General, and former President of the University of North Texas Health Science Center in Fort Worth. Dr. Blanck serves as Chair of USU's Board of Regents.

Ex-officio members of the Board include:

Dr. Jonathan Woodson, Assistant Secretary of Defense for Health Affairs

Lt. General Patricia Horoho, Surgeon General of the U.S. Army

Vice Admiral Matthew Nathan, Surgeon General of the U.S. Navy

Lt. General Thomas Travis, Surgeon General of the U.S. Air Force

Vice Admiral Regina Benjamin, Surgeon General of the United States

Dr. Charles L. Rice, President of the Uniformed Services University

The Board members' experience, knowledge and ideas will enable USU to continue

its fine tradition of making significant contributions to military medicine and public health, helping to create a stronger, more effective military and federal health system in service to our nation and the global community.

Our nation is fortunate that USU fulfills well its mission of educating future generations of military and public health physicians, nurses, dentists and biomedical scientists. Moreover, USU is a particularly compelling example of the importance of public investment in our nation's future. I look forward to working with my colleagues in Congress, the leadership of the Department of Defense and the USU to ensure that USU has the support it needs to continue to fulfill the vision of its founders.

Mr. Speaker, I urge my colleagues to join me in congratulating USU, its students, alumni, faculty and staff on forty years of extraordinary contributions to our nation.

#### INTRODUCTION OF THE MEDICARE SECONDARY PAYER AND LATE ENROLLMENT PENALTY FAMILY FAIRNESS ACT

#### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 19, 2012*

Mr. STARK. Mr. Speaker, I rise to introduce the Medicare Secondary Payer and Late Enrollment Penalty Family Fairness Act. Today, the Social Security Act uses different definitions of familial relationships for purposes of Medicare secondary payer rules and late enrollment penalty protections. Beneficiaries over age 65 are subject to a more restrictive definition than younger beneficiaries who are eligible for Medicare due to disability. My legislation fixes that anomaly by creating a uniform definition so that Medicare beneficiaries of all ages are treated equally. I would like to thank my constituent Joseph Goleman for bringing this problem to my attention.

Medicare's secondary payer rules generally allow an individual to maintain employer-sponsored coverage after they've obtained Medicare eligibility and forgo joining Medicare Part B (and therefore having to pay the Part B monthly premium) as long as they maintain such coverage. In these instances, their employer-sponsored coverage remains their primary coverage, and Medicare Part A is their secondary coverage. Very importantly, the law also protects people in this situation who then transition to Medicare Part B when they lose that employer-sponsored coverage. The law shields these beneficiaries from the late enrollment penalty because they've maintained consistent coverage and therefore carry no adverse risk for Medicare. This is a key benefit as the late enrollment penalty is a substantial financial hit.

These rules exist because they are a win for beneficiaries with access to employer-sponsored coverage and a win for taxpayers. Beneficiaries gain because employer-sponsored coverage usually has lower cost sharing than Medicare and typically has lower deductibles as well. Plus, taxpayers win because Medicare isn't responsible for many new health costs for these individuals because they are being primarily covered by their employer's plan.

For people who become eligible for Medicare based on disability, the current law pro-

vides that these Medicare Secondary Payer and Late Enrollment Penalty rules apply to the beneficiary and his or her "family member." For people who become eligible for Medicare by reason of turning 65, these protections only apply to the beneficiary or their "spouse."

The practical impact of these different definitions of familial relationships is that a person eligible for Medicare based on disability is protected from late enrollment penalties when covered by a same sex spouse on his or her employer plan. However, a person eligible for Medicare because they've turned 65 is not.

I learned of this problem after I received a constituent inquiry in my Fremont, California office. Joseph Coleman is a 34-year-old person with a disability and is enrolled in Medicare on that basis. After becoming enrolled in Medicare, he learned that he could obtain spousal coverage and thereby avoid having to pay the Part B premium. He was also rightly informed that he'd be eligible to rejoin Medicare Part B—without paying a penalty—if that spousal coverage changed.

Imagine Joseph's surprise, anger, and fear when he went to exercise that right to rejoin Medicare Part B and he was told by a local Social Security office in our community, that that right didn't extend to him because he was in a same-sex marriage. Instead, he would be subject to a significant late enrollment penalty, which made Medicare Part B coverage entirely unaffordable for him.

Thankfully, Joseph reached out to me. My staff quickly discovered that he was, in fact, guaranteed the protection to rejoin Medicare without penalty. After several go 'rounds with the local Social Security office by my staff and Medicare's Region 9 staff, we were able to get Joseph the benefits to which he was due. However, it is clear to me that because there are two different standards in the law, mistakes are made and people are likely losing benefits to which they are entitled under current law. This certainly would have been the case with Joseph if I hadn't intervened.

Regardless of your position on same-sex marriage, revising the law to have a standard definition using "family member" for the Medicare secondary payer rules and the late enrollment penalty protection simply makes financial sense for Medicare. By converting to the term "family member," we steer clear of stepping into any debate over the Defense of Marriage Act. While I oppose that law and would strongly support its repeal, that's not the fight we're waging today.

The simple goal of this bill is to right a wrong, which was brought to my attention by a constituent. If left unchanged, not only does the law treat Medicare beneficiaries in identical situations differently, it obviously results in confusion for those who enforce the law. I am sure more people than Joseph Coleman have been wrongly denied benefits based on misinterpretation of the convoluted law—potentially accented by personal prejudices.

I urge my colleagues to join with me in support of this small bill that affects few people, but simply clarifies the law. It will mean the difference between people obtaining quality, affordable coverage through Medicare Parts A&B, or being left behind.