

# EXTENSIONS OF REMARKS

## HEALTH AND ECONOMIC RECOVERY OMNIBUS EMERGENCY SOLUTIONS ACT

SPEECH OF

**HON. GRACE F. NAPOLITANO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 15, 2020

Mrs. NAPOLITANO. Mr. Speaker, I rise in support of the Heroes Act and the important programs in the bill that will help our first responders, health care workers, small businesses, and cities address this pandemic.

Although the bill includes critical provisions to address the pension crisis by providing additional funding and resources to multi-employer pensions, I am very concerned that it includes language regarding composite pension plans that is controversial within the labor and pension community.

There are many who believe composite plans would provide workers with less benefits and more risk, and they contend that if these new composite plans existed during this COVID crisis, the value of their plans would have dramatically eroded.

The Obama Administration in 2016 strongly opposed composite plan legislation that was nearly identical to the GROW Act. The then National Economic Council, PBGC, and Departments of Treasury and Labor sent to the Hill a position paper that explained that composite legislation would put existing pension benefits at greater risk, result in less dependable and transparent retirement benefits, and deepen the insolvency crisis at the PBGC. The position paper urged Congress not to include composite plan legislation in a package because “such complex legislation deserves, at minimum, appropriate bicameral hearings and time for analysis and debate.”

I hope that the Senate will look at this issue closely as there should be more debate and review of this proposal. I include in the RECORD statements regarding composite pension plans from a coalition of labor unions and the Pension Rights Center.

Statement by the Bakery, Confectionery, Tobacco Workers and Grain Millers International Union (BCTGM), Directors Guild of America (DGA), International Brotherhood of Boilermakers, International Alliance of Theatrical Stage Employees (IATSE), International Assoc. of Machinists & Aerospace Workers, International Longshore and Warehouse Union (ILWU), International Union of Painters and Allied Trades (IUPAT), Musicians for Pension Security Pension Rights Center, SEIU, United Food and Commercial Workers International Union (UFCW), United Steelworkers (USW), Western Conference of Teamsters Pension Trust

Our organizations, representing tens of millions of workers and retirees, strongly support passage this year of critical legislation to assist severely underfunded multiemployer pension plans to ensure that retirees and their families receive their hard-earned pensions. More than ten million Americans depend on multiemployer pension plans for a

secure retirement for themselves and their families. Throughout their careers, these workers gave up a portion of wages to earn their pension benefits. In retirement, they deserve to receive the pensions they earned and retire with dignity. The Emergency Pension Plan Relief Act proposal advanced by senators meets this standard by using a special partition program funded by the federal government to support troubled plans and their participants. We urge that this proposal be passed as soon as possible.

At the same time, we strongly oppose composite plan legislation. Composite legislation, including the GROW Act, hurts workers, retirees, employers, and the Pension Benefit Guaranty Corporation (PBGC) and should not become law.

Composite legislation is deeply flawed because it allows multiemployer plan trustees to “refinance” their obligations to workers and retirees in the existing plan over 25 years instead of 15 years, so they can divert money to start a new composite plan. This weakens the existing plan and leaves neither plan—the existing plan nor the composite plan—with enough money to pay promised benefits.

The current public health and economic crisis illustrates the harm composite plan legislation would inflict on Americans. If Congress had already passed the GROW Act and it was law now, workers in a previously healthy multiemployer pension plan that converted to a composite plan would face draconian benefit cuts. The benefits composite plan participants expected they would earn would be cut 70%, and the vested benefits they already earned would be cut 25%. At the same time, the vested benefits of workers in the existing plan would be cut 21%. To avoid benefit cuts, employers would be required to increase contributions by approximately 82%—above and beyond what they already committed.

The GROW Act also starves the PBGC of needed funds and would compound the insolvency problems faced by the agency. Composite plans are not required to pay PBGC premiums, even though their creation will increase the PBGC's liabilities by driving plans out of the multiemployer system and increasing risks on participants who continue to rely on the PBGC to insure their benefits.

We applaud your efforts to address multiemployer pensions as a part of legislation this year. We support legislation to preserve healthy multiemployer plans and to help retirees in deeply troubled plans, but we strongly oppose the GROW Act.

### STATEMENT OF THE PENSION RIGHTS COALITION

With the House of Representatives poised to vote on the next COVID-19 relief package, known as the HEROES Act, the Pension Rights Center applauds the congressional leaders who have included within the massive bill the important provisions of the Emergency Pension Plan Relief Act (EPPRA) which will strengthen the nation's multiemployer pension system. PRC, however, urges Congress to strip from the package the misguided Giving Retirement Options to Workers Act (GROW Act), which would undermine this all-important system.

By including EPPRA in the HEROES Act, Congress will not only help save workers' and retirees' pensions, but also stabilize for decades to come the federal agency that in-

sures our nation's private pension plans, the Pension Benefit Guaranty Corporation (PBGC).

“More than 1 million workers and retirees have been closely watching Congress and waiting for policymakers to finally pass legislation that ensures full payment of their promised pensions, which they earned through years of toil,” said Karen Friedman, the PRC's executive vice president.

“First, their hopes were buoyed in 2019 when the House passed a bill designed to protect their benefits, known as the Butch Lewis Act. But that legislation failed to advance in the Senate. Now, both the retirees and the PRC are excited that Congress has included the well-crafted EPPRA within the latest COVID-19 bill. By doing so, Congress recognizes that those workers and retirees who helped build this country and who will benefit from the legislation should be permitted to receive the retirement income they earned through hard work and playing by the rules. We urge all members of the House and Senate to make these pension rescue provisions a reality for these workers and retirees and for their families.”

PRC strongly supports EPPRA because it shores up underfunded plans by providing the PBGC with the funding to take on certain liabilities of ailing plans. This “partitioning” process will ensure that the plans survive for the long-term and are able to pay in full the earned benefits owed to workers and retirees. The bill also increases the guarantees paid by the PBGC when plans fail and would restore benefits to retirees who have already had their benefits cut because of the unfair provisions of the Multiemployer Pension Reform Act of 2014. EPP RA shares a structure similar to a proposal advanced by Senate Finance Committee Chairman Charles Grassley (R-IA) and Senate Health, Education, Labor and Pension Committee Chairman Lamar Alexander (R-TN).

“We believe that it's appropriate for EPPRA to be part of the HEROES Act since those most at risk of losing benefits in these multiemployer plans are the very same workers who are risking their lives to protect us in this time of crisis. They are the truck drivers who are transporting food and supplies, the nurses and health care workers at the front lines, the grocery store workers who are keeping us fed, the laborers who are building our hospitals, and the musicians who, despite social distancing, keep on playing for us on line to soothe our anxiety” Friedman said.

“These are America's unsung heroes who do—and did—the essential jobs that we all are depending on in this time of lockdown.”

Unlike EPPRA, which will strengthen failing multiemployer plans and protect workers and retirees and the PBGC, passage of the GROW Act would undermine the multiemployer plan system by weakening currently well-funded plans and creating new inferior plans that do not provide guaranteed benefits. It would also lead to the underfunding of the PBGC.

PRC urges the leaders of the House of Representatives to drop the GROW Act from the HEROES Act.

The GROW Act is also vigorously opposed by AARP, the Western Conference of Teamsters, the SEIU, IBEW, Steelworkers, Machinists, Boilermakers and other unions and organizations.

• 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.

The Center also cheers inclusion in the HEROES Act of a provision that would provide grants to community-based organizations to help low-income divorced women and survivors of domestic abuse receive their court-awarded retirement benefits. This provision was originally introduced by Senator Patty Murray (D-WA) and House Members Jan Schakowksy (D-IL) and Lauren Underwood (D-IL) as part of the Women's Retirement Protection Act (S. 975, H.R. 2005).

#### RECOGNIZING EDUCATIONAL AWARD PROGRAM HONOREES

##### HON. J. FRENCH HILL

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 22, 2020*

Mr. HILL of Arkansas. Madam Speaker, I rise today to recognize 17 incredible high school juniors and seniors from central Arkansas.

When I came to Congress, I began my Educational Award Program, which allows high school teachers, counselors, and principals to nominate one junior and one senior each year.

Students are nominated to receive an Educational Achievement Award for their academic success, character, and service to school and community.

This year's honorees are: Jayce Pollard and Catie Overton from Conway High School, Jessica Hoffman and Logan Carney from Episcopal Collegiate School, Emma Anderson and James McConnick from Harmony Grove High School, Robin Eluvathingal and Kelvin Kang from Little Rock Central High School, Anna McDonald and Ella Beth Wengel from Little Rock Christian Academy, Jie Loken and Caleb McGill from Maumelle Charter High School, Lily Wewers from Mount Saint Mary Academy, Lilly Hawkins and Logan Miller from Pulaski Academy, and Ethan Williams and Taylor Zimmerman from Wonderview High School.

Congratulations again to these fantastic students across central Arkansas. They're a testament to our state and Nation's bright future and it's been my honor to recognize their achievements and hard work.

##### LILIE STOOLMAN

##### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 22, 2020*

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Lilie Stoolman for receiving the Adams County Mayors and Commissioners Youth Award.

Lilie Stoolman is a 12th grader at Horizon High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Lilie Stoolman is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lilie Stoolman for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

#### HONORING ELIZABETH S. ELLIS

##### HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 22, 2020*

Mr. LARSON of Connecticut. Madam Speaker, I would like to include in the RECORD the following article honoring Elizabeth S. Ellis, the longtime influential publisher of Connecticut's Journal Inquirer newspaper, who passed away on May 4, 2020. Dedicating 53 years of her life to the Journal Inquirer, Ellis successfully expanded the small, local newspaper from five to eighteen towns. She notably broke gender barriers by directing the paper when few women were afforded leadership roles in journalism. What impressed me the most was how she was able to, in a relatively short period of time, rival the State Paper of Record the Hartford Courant. She attracted talented journalists including the state's leading sports writer, Randy Smith and editorial page editor and writer, Chris Powell. Elizabeth Ellis' dedication to her community is commendable, and I believe it deserves recognition.

[From the Journal Inquirer]

PORTRAIT OF A LADY, AND US

(By Keith C. Burris)

Seekers look for teachers. They sit at the feet of those who can teach them something about how to live. My Uncle Tom, at whose feet I sat for a time (actually we sat in deck chairs on a high-rise balcony drinking gin), was an old test and fighter pilot with an eye for character and detail. He called me "little grasshopper" when I was in college.

But I want to tell you about another person who taught me, and did so for 21 years, never once in didactic fashion.

Her name was Elizabeth Ellis, and she was my boss, mentor, friend, life coach, and master teacher for all those years, at the Journal Inquirer.

Betty died this week at the age of 92.

The first thing she taught me was to be independent—to steer my own path and not to be intimidated. I never saw or heard her worry about "what people might say" or think.

She had a worldview. I would call it Roosevelt liberalism, but this worldview was as practical and subject to empirical testing as it was principled. She was an intellect, but she did not live in the world of abstraction. She lived in the world of the possible.

An early lesson in her independence and pragmatism was the case of two young, inexperienced cops shooting and killing a man who was high and charged at them, threatening to take them out. He had a knife, but was otherwise unarmed.

I wanted to hammer the cops in an editorial. I wanted to say their lives were never at risk and they should have shot the guy in the foot or leg. And, anyway, their superiors should not have sent two green cops on this call. These were not unreasonable positions.

Betty quietly asked me some questions: Had I considered the dilemma from the

young cops' point of view? How long did they have to think? What information did they have? What did I know about the size, distance, and disposition of the man who came at the cops? And, most devastatingly, had I ever tried to shoot someone in the foot or leg? Had I ever been in a situation remotely similar? Did I know anyone who had?

This was my lesson in empathy, with side tutorials in balance, skepticism, and judgment.

I never thought of Betty as a religious person. But she was a deeply sensitive person and a profoundly Jewish person. Hence her innate sense of justice and understanding. I never once saw her get emotional or sentimental, but she walked me through the death of my father, and the long illness and death of my mother, as no one else did—with the blessed assurance of the psalmist. Or maybe just a mom.

She once told me that a newspaper should be a place where a person could go when he has exhausted all other options—the paper should be the recourse of last resort.

The third thing I learned from her was a sense of fun.

Yes, she regarded journalism as a high calling. But there is no sense in owning or producing a daily newspaper, she thought, if you don't have some fun—afflicting the comfortable as well as comforting the afflicted. Every day.

And we did have fun. We laughed a lot and rattled a lot of cages. And we regularly surprised people. And formed no permanent alliances. (We didn't endorse in political races.)

We took the work seriously but ourselves not so much. We had a feisty little newspaper. At one time, when such things were possible, the *JI* was the fastest growing paper in New England. The paper's motto was: "We tell it like it is, somebody has to."

Betty set the tone and tenor. She was rightly called, in her *JI* obit, "the soul" of the paper. She drew the boundaries and let us all roam within. She never stopped being a fan of good journalism or good writing and she was lavish with praise when she thought any one of us reached the top. But occasionally she would intone, always with a wry smile, "remember, it's my sandbox."

She relished being the underdog and she loved a good fight. She adored jazz and theater and she liked cocktails, and sentences, that packed a punch. Her wit was sharp and dry and her composure eclipsed the truth that she was actually tough as nails. But she was also, in every sense of the word—a word in unfortunate retreat these days—a lady.

And when I say tough, I refer not only to things she endured in life—loss, pain, the ruthlessness of age—but a certain mental toughness about the world. She was an old-fashioned progressive, but there was nothing of what we would today call "woke" about her. Not one ounce of preciousness or virtue signaling. And when I think about her I wonder if we have lost all rigor, both in our profession and in our society. What would she think about an entire economy shut down; a whole society sheltering in place, ad infinitum?

Maybe that it is good that we are starting to reopen America; good that we are starting to come out. Maybe she would say that risk is part of life and we take a risk every time we leave the house or turn the key in the car. And who wants to live in a society where you can't shake hands or hug your kid or visit your aging mother or your newborn granddaughter? Life is risk. And either you risk or you live by fear.

Elizabeth Ellis took risks. It seemed to me she was never afraid.