

would probably not have saved the hostages, but he would have instructed us, with wit and humor, about what is right and what is wrong. He would have told us that we were wrong to pass the fairness in music licensing legislation.

CONFERENCE REPORT ON H.R. 4328,
DEPARTMENT OF TRANSPORTATION
AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 12, 1998

Mr. STOKES. Mr. Speaker, I am pleased to support the fiscal year 1999 budget agreement. However, I am disturbed by a provision in the bill that calls for a study—and declares a one year moratorium—on the Department of Health and Human Services (HHS) Secretary's regulations to reduce fundamental unfairness in the nation's organ transplant network.

The issues of organ procurement and allocation are of particular importance to the African-American community. Yet, the current organ transplant network is founded on a system that discriminates against patients on the basis of where they live. It is biased, inequitable and particularly unfair to minorities. In fact, according to the Inspector General of the Department of Health and Human Services, African-Americans wait twice as long as white Americans for kidney transplants. In 1994, African-American patients waited more than 3 years for a kidney transplant, while white patients waited an average of 1 year and 8 months. Some of the disparity is due to biological matching problems. But not all of it. Minorities are clustered in urban areas with long organ transplant waiting lists.

This dire situation is magnified by—what renowned organ transplant surgeon and founder of the national minority organ/tissue transplant education program, Dr. Clive Callender commonly refers to as the “green screen.” This is a barrier that prevents patients who lack fiscal resources from being added to the transplant waiting list. Many of them die without having been given the option of transplantation.

African-Americans and other minorities are not the only Americans who suffer as the result of an inequitable organ allocation system. Depending on where they live, some of our citizens wait five times longer than others for liver transplants, even though their medical conditions are similar. I believe that the current system, which makes life and death decisions on the basis of geography, is unfair and should be changed. I support the organ transplant regulations issued by the Department on the April 2nd. They provide the best opportunity to reduce geographic bias and put all Americans in need of transplantation, regardless of race or geographic status, on an equal playing field.

The HHS rule does not dictate medical policy. Rather, it simply calls upon the community of transplant professionals to devise uniform, fairer policies for the organ transplant network. It requires only that the medical criteria be used as the basis of any new policies for the organ transplant. Through this rule, HHS is taking a stand for fairness.

Mr. Speaker, it is for these reasons that I support the Department of Health and Human

Services' rule on the organ transplant network. I urge my colleagues to do likewise.

HONORING LEE ROSENBERG

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 12, 1998

Mr. CARDIN. Mr. Speaker, I rise today to honor Lee Rosenberg, a retired home builder who for the last 14 years has dedicated himself to providing shelter and housing to homeless veterans and low-income families throughout the Baltimore area.

As the founder of Howard Homes, Mr. Rosenberg was a successful builder who retired and turned his attention to helping numerous non-profit and community organizations. He has earned the love and respect of the countless organizations he has assisted. They include The Enterprise Foundation, Maryland Homeless Veterans, Inc., Action for the Homeless, and Comprehensive Housing Assistance, Inc., an agency of the Jewish Community Federation of Baltimore.

Lee Rosenberg, a quiet, soft-spoken man, has dedicated himself to helping those less fortunate find affordable, quality housing. His skill, knowledge and energy has helped provide housing for thousands of Marylanders. He has done all this without a lot of attention or fanfare. As the Executive Director of Comprehensive Housing Assistance, Inc. once said, “Lee remains one of the best kept secrets in Baltimore.”

His commitment to those who are less fortunate has helped transform our community. From helping low-income families become homeowners in the Sandtown-Winchester neighborhood of West Baltimore to helping the Jewish Historical Society become a viable presence in East Baltimore, he has helped transform distressed inner city neighborhoods into successful, stable communities with a future.

I invite my colleagues to join me in honoring Lee Rosenberg for his dedication and commitment to helping those in need find affordable, quality housing. He knows that the true secret of success is helping others.

TRIBUTE TO CONGRESSWOMAN
ELIZABETH FURSE

HON. ALBERT RUSSELL WYNN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 12, 1998

Mr. WYNN. Mr. Speaker, I rise today to pay tribute to retiring member, Representative ELIZABETH FURSE. I have known Representative FURSE since we both successfully campaigned to become members of the House of Representatives in 1992—amazingly only twenty years after she became a naturalized United States citizen.

Born in Nairobi, Kenya, Congressman FURSE has spent her entire life fighting the tough fight. As a young white adolescent, she spent her childhood on the outside of South African society. Living in a segregated nation, “fitting in” was an unattainable goal due to the fact that her mother was one of the founding

members of the Black Sash, a woman's anti-apartheid organization. However, because popularity was not her goal, she has been able to achieve amazing things. For example, at the age of fifteen, she joined in the organization's very first demonstration, which resulted in the brutal beating of the protestors. While Ms. FURSE may have been scared often, more importantly she is inspired always.

Even though the politics and culture of South Africa have changed over the years, the dedication and spirit of Congresswoman FURSE have not. At the age of 17, Representative FURSE left South Africa as a part of her own personal boycott, and now she has the opportunity to return to help this same nation re-enter the global community. Furthermore, the gentle lady from Oregon spearheaded a push to name Cape Town as the site of the 2004 Summer Olympic Games, which would have had innumerable benefits to South Africa's economy. This kind of vision is not surprising considering that in 1996, Ms. FURSE led a twenty-six member trade delegation to South Africa.

As she begins to bring her life's work full circle back to South Africa with her bid to become that country's new Ambassador of South Africa, it is clear that she will be missed here inside the beltway as well as in her congressional district. As Congresswoman FURSE's colleague and her friend, I would like to say that it has been an honor and a privilege to have served with her in this body.

FAIR TREATMENT FOR
ADMINISTRATIVE LAW JUDGES

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 12, 1998

Mr. GEKAS. Mr. Speaker, my colleague Congressman BENJAMIN GILMAN and I introduced in the 105th Congress, H.R. 1240, a bill to provide pay parity for the 1400 Administrative Law Judges (ALJs) with other members of the federal executive branch workforce. The bill was referred to the Civil Service Subcommittee of the Government Reform and Oversight Committee, chaired by Congressman JOHN MICA. Chairman MICA supported the bill by including it in the Subcommittee's draft Civil Service Reform Bill, which did not pass this Congress.

The provision to grant ALJs a cost of living adjustment (COLA) when federal employees in the General Schedule receive a COLA became necessary when ALJs as part of the Executive Schedule were denied regular COLAs when Members of Congress restricted COLAs for themselves. ALJs have had only two COLAs in the last eight years, even though they make salaries more like the general schedule employee, rather than the salaries of Cabinet Secretaries, Members of Congress or Federal District Court Judges. More importantly, the only merit-selected administrative judiciary in the world are forever prejudiced by the lack of annual COLAs because their retirement pay will be reduced as a result.

During this Congress, we learned a great deal about how unfair the treatment for ALJs is because they are included in the agency budget request for the COLA granted the executive workforce. This is not an appropriation

request but simply the authority to access the funds already granted to the agency. There was bipartisan and widespread support for H.R. 1240 to be included in the FY'99 Treasury, Postal Service, and General Government Appropriations bill at the urging of the American Bar Association, Federal Bar Association, Association of Administrative Law Judges and the Federal Association of Administrative Law Judges. The House Judiciary Committee included H.R. 1240 as an amendment to H.R. 1252, the Judicial Reform Bill of 1998. Despite all of this support, ALJs will be the only federal employees in their hearing offices to not receive a 3.6 percent COLA, as hearing office clerks, secretaries and staff attorneys all benefit from the annual COLA and increase in their retirement as well.

This disparity between ALJs and other federal employees has not gone unnoticed by the Administration and the Office of Personnel Management (OPM). OPM commented on H.R. 1240, when it was included in the Civil Service Subcommittee draft, stating that OPM supports a COLA for ALJs but at the discretion of the President, who would determine the amount, giving ALJs equal treatment with federal employees in the Senior Executive Service (SES). I support this result in the assurance that ALJs receive their well-deserved COLAs. Unlike ALJs, the SES this year will most likely receive a COLA at the President's discretion. Unfortunately, OPM's proposed statutory change for ALJ fair treatment was not received until the eve of the FY'99 Treasury, Postal Service & General Government Appropriations markup.

Mr. Speaker, I am including for the RECORD the proposed text of OPM's draft legislation to ensure fair treatment for ALJs. My colleague on the bill, Mr. GILMAN, and I pledge to work with the Administration and OPM to enact this suggested change for ALJs in the 106th Congress. We regret that it was unable to be resolved this year but the attached proposal is a good start to correcting this inequity. Text of OPM proposal follows:

PAY FOR ADMINISTRATIVE LAW JUDGES

Sec. . Section 5372(b) of title 5, United States Code, is amended—

(1) in paragraph (1) by striking the second sentence and inserting the following:

"Within level AL-3, there shall be 6 rates of basic pay, designated as AL-3, rates A through F, respectively. The rate of basic pay for AL-3, rate A, may not be less than 65 percent of the rate of basic pay for level IV of the Executive Schedule, and the rate of basic pay for AL-1 may not exceed the rate of basic pay for level IV of the Executive Schedule."

(2) in paragraph (3)(A) by striking "upon" each place it appears and inserting in each such place "at the beginning of the next pay period following"; and

(3) by adding at the end the following new paragraph:

"Subject to paragraph (1), effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5303 in the rates of basic pay under the General Schedule, each rate of basic pay for administrative law judges shall be adjusted by an amount determined by the President to be appropriate."

TRIBUTE TO PETE TIRRI

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 12, 1998

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention Pete Tirri, President of the Paterson Education Association (PEA). Pete is being recognized this evening for his 25 years of service to the PEA.

Pete was born and raised in Paterson, New Jersey. He attended the local public school system, graduating from School #12 in 1960 and from Central High School in 1964.

Upon graduating from Central, Pete attended Paterson State College, now known as William Paterson University, and graduated in 1968 with a degree in Social Studies. In 1974, he graduated from William Paterson College with a Master's degree in Teaching and 1980, he received a Master's degree in Education with certification in Administration and Supervision.

Pete's service to the Paterson Education Association began in October 1973, as a member of the negotiating team. He has also been involved in the New Jersey Education Association (NJEA), having served on the Delegate Assembly (DA) or an alternate DA member throughout his career and as Chair of the Urban education Committee.

Pete served also as the NJEA legislative contact for the late State Senator, and Mayor of Paterson, Frank X. Graves. Currently he is chairing the Working Conditions of the NJEA and is a member of the Executive Board of the Passaic County Education Association (PCEA).

From 1980 to 1986, Pete served on the Pequannock Board of Education and is currently serving on the New Jersey State Board of Examiners, a position to which he has been reappointed to several times.

Mr. Speaker, I ask that you join me, our colleagues, Pete's family and friends, and the State of New Jersey in paying tribute to Pete Tirri's 25 years of outstanding and invaluable service to the Paterson Education Association.

RECOGNITION AND CITIZENSHIP FOR HMONG-AMERICAN VETERANS

HON. DANA ROHRBACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 12, 1998

Mr. ROHRBACHER. Mr. Speaker, it is important to note that the years of the 105th Congress have been historic for the Hmong and Lao people. For the first time in their long history, the Hmong and Lao people have received long overdue national recognition from the United States Congress and American officials for their pivotal efforts in fighting for freedom and helping to defend U.S. national security interests during the Southeast Asian conflict. I was honored to play a role, along with many bipartisan Congressional colleagues, to honor these courageous veterans and speak at both of the two Lao Veterans of American National Recognition Day ceremonies held in

1997 and 1998 at the Vietnam War Memorial and Arlington National Cemetery.

Mr. Speaker, I would like to extend my utmost appreciation to General Vang Pao, Colonel Wangyee Vang, Chertzong Vang, Ching Bee Vang, Ying Vang, Song Ge Kue, Philip Smith, Grant McClure and Dr. Jane Hamilton-Merritt of the Lao Veterans of America and the Lao Family Community organization for helping to organize these historic ceremonies which received national media attention. I would also like to include in the RECORD the following important article from the Washington Times about these events, as well as the ongoing patriotic efforts of elderly Hmong combat veterans to become American citizens.

[From the Washington Times, May 15, 1998]

HMONG ARMY VETERANS ASK FOR U.S. CITIZENSHIP—WANT TO TAKE EXAM WITH INTERPRETERS' HELP

(By Ben Barber)

Thousands of Hmong veterans of the CIA's secret army in Laos from 1960 to 1975 assembled in camouflage uniforms at the Vietnam Veterans Memorial yesterday to mark their flight from communism and to ask for U.S. citizenship.

"We fought in Laos so that young American soldiers would not have to fight in the mountains," said Gen. Vang Pao, leader of the one-time secret Hmong army.

"Members of Congress: These former soldiers who escaped death at the hands of the Lao communists and stand here in from of us today appeal for your assistance" in becoming U.S. citizens.

Thousands of aging soldiers dressed in camouflage and hundreds of Hmong women wearing traditional colored dresses, jewelry and headcoverings, spread out in a neat formation on the grass of the Mall.

"America has been good to us—four of my children have good jobs, another is in college, and one is in high school," said former Capt. Lapien Sphabmixay, 64, from Charlotte, N.C.

Philip Smith, executive director of the Lao Veterans of America, said 4,000 Hmong-Americans arrived in Washington yesterday for the second annual celebration of the start of the Hmong exodus across the Mekong River into Thailand.

From 1975 until about 1988, some 300,000 Hmong fled Laos after its takeover by Laotian communists, with the help of then-North Vietnamese troops.

About 25,000 of the refugees came to the United States and largely collected in Fresno, Calif., and St. Paul, Minn.

Last year was the first time since the war that the Hmong veterans had assembled. Then, as yesterday, members of Congress and former CIA officers honored the sacrifices the Laotian hill tribe made during the war.

The Hmong continued yesterday to call for passage of a bill to allow the refugees to take U.S. citizenship exams with the help of interpreters, since many of the aging fighters and their spouses still have not mastered English.

In Laos, most Hmong did not attend school and could not read Hmong or Lao. Fifty-seven members of Congress have co-sponsored a bill to grant the Hmong exemptions from the English language exam.

The Hmong also observed a memorial to victims of a Laotian offensive against Hmong fighters and villages around Phu Bia mountain, where many had retreated after the 1975 communist takeover of the country.