

EXTENSIONS OF REMARKS

DISLOCATED WORKERS' SELF-HELP TAX RELIEF PACKAGE

HON. RICK LAZIO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. LAZIO of New York. Mr. Speaker, my congressional district on Long Island, like several others around the country, has been especially hard hit by the downsizing of our Nation's defense production lines. The Pentagon estimates that total defense-related employment has dropped by 1.5 million workers over the last 7 years, and that trend is expected to continue into the foreseeable future.

More than 40 percent of manufacturing on Long Island is dependent on the Defense Department. Consequently, this defense build-down has had a devastating financial effect on many of Long Island's workers and their families.

What can be done to bring much needed economic relief to people who lose their livelihood through no fault of their own? Last August, I introduced two bills designed to help such dislocated workers under these circumstances help themselves get back on their feet. Today, with bipartisan support, I am reintroducing these bills, which would change the tax laws on capital gains and individual retirement accounts to enable dislocated workers to use their hard-earned assets to help them in their time of need.

My first bill would allow unemployed workers to make penalty-free withdrawals from individual retirement accounts [IRA's] and 401(k) retirement plans. IRA's and 401(k) plans allow tax-deferred accumulations of retirement savings. Currently both are subject to a 10-percent penalty tax if funds are withdrawn before retirement. My proposal would let dislocated workers withdraw funds from these accounts and not be charged the 10-percent penalty tax. Allowing these workers to use some of their retirement savings without paying the 10-percent penalty could be of considerable benefit to them at a time when they are in need of money to pay their bills.

My second bill would allow any person eligible for unemployment benefits—or an unemployed person whose benefits have expired—to exclude from taxable income the capital gain from the sale of his or her home.

Under current law, homeowners are taxed on the gain from the sale of a principal residence unless the home is replaced within 2 years with a new one of equal or greater value. Taxpayers aged 55 or over can exclude—on a one-time occurrence—the capital gains from the sale of a principal residence of up to \$125,000. This allows such individuals to move into a smaller home and apply the capital gain toward their retirement years.

Dislocated workers are often forced to move into a smaller home—or even rent—just to make ends meet. So, it makes no sense to impose a capital gains tax on someone under those circumstances.

My bill would allow an unemployed worker to claim an exemption from the capital gains tax—up to \$125,000—when they sell their home during their period of unemployment. The definition of unemployment corresponds to the definition used in calculating eligibility for unemployment insurance.

These proposals can provide solutions to problems that unemployed workers face: the challenge to meet the daily demands of life—food, shelter, and clothing; and the need to find a new source of income. The money realized by the sale of one's home or withdrawing from an IRA can, in fact, be used as an investment in the future, perhaps even for an entrepreneurial undertaking as a way to start over.

We should not deny dislocated workers who face hard times the ability to use their assets to support themselves and their families. I believe these two measures offer a common-sense approach to help Americans pull themselves out of financial hard times so they can get on with their lives.

PERSONAL EXPLANATION

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. GUTIERREZ. Mr. Speaker, at the end of the afternoon of Tuesday, February 28, 1995, I was unavoidably absent from this Chamber and therefore missed rollcall votes Nos. 178, 179, 180, 181, 182, 183—all votes regarding amendments and final passage of H.R. 1022—the Risk Assessment and Cost Benefit Act of 1995. I want the RECORD to show that if I had had the opportunity to be in this Chamber when these votes were cast, I would have voted the following way: rollcall vote No. 178, "yea"; roll call vote No. 179, "nay"; rollcall vote No. 180, "yea"; rollcall vote No. 181, "yea"; rollcall vote No. 182—"yea"; rollcall vote No. 183, "nay."

THE BUDGET FOR CORPORATE FARMERS MUST BE CUT

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. OWENS. Mr. Speaker, American Agribusiness is one of the most successful industries on the face of the Earth. Due to the vision and foresight of the Congress which enacted the legislation which created the land grant colleges, the agricultural experiment stations, and the county agents, Government research and development made it possible for our farmers to leap way ahead of the rest of the world. No other nation's agriculture industry is even close to the United States when it comes to farm output and efficiency.

Let us applaud the Department of Agriculture and all of the nameless workers who

over the years have done such a magnificent job in supporting our farmers. But now, Mr. Speaker, most of that work has been done. The mission has been accomplished. We have a monumental success and we can relieve the taxpayers of the burden of helping the agriculture industry, especially the rich corporate farmers. Let's have a means test and from now on let's support only the few remaining poor farm families. Let's stop the indiscriminate subsidies. Let's end the crop insurance. Let's stop the special mortgages. Let's leave the marketplace alone and end the crop subsidies and price supports. Let's get the fat farmers off the dole. The time has come to drastically downsize the Department of Agriculture. We must end farm welfare as we know it. We owe it to the American taxpayers. In this Congress let's work hard to get fat farmers off the dole.

The following poem summarizes the seriousness of the situation:

FARMERS ON THE DOLE

Republican patriots
Come play your role
Keep fat farmers
On the dole
Helping cuddly honey bees
Coddling cattle grazing fees
Meat a city orphan
Never eats
Dole for welfare
Dole for cheats
Congress sink your fork
Deep into Republican pork
Hypocrisy over all
Drives you up the wall
O beautiful spacious skies
Small town editorials
Festering full of lies
Farmers on the dole
Farmers on the dole
Hi-ho the dairytake
Rich farmers on the dole
Decades over
And over it repeats
Dole for welfare
Dole for cheats
The story's never told
About farmers on the dole
Seeds not sown
Wheat not grown
Plow the dollars
Deep in the dirt
Hide the shame
Cover hypocrisy's hurt
Farmers on the dole
Farmers on the dole
Confess to free money's role
Rich farmers on the dole
Mortgage the barn
Until it drops
Timid taxpayers
Insure the crops
Rural swindlers
High on the hog
Food for the homeless
Thrown to the dog
The story's never told
About farmers on the dole
Republican patriots
Come play your role
Keep fat farmers
On the dole.

• 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 SAN DIEGO SUPERCOMPUTER
CENTER

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. CUNNINGHAM. Mr. Speaker, I would like to enter into the permanent RECORD of the Congress of the United States the following brief outlining the work of the San Diego Supercomputer Center. This summary, based largely on a "Site Report" article by Mr. Peter Taylor, printed in the fall 1994 issue of the periodical "Computational Science and Engineering," is intended to inform my colleagues and other interested citizens of the work of this center in my community.

The San Diego Supercomputer Center (SDSC), one of four supercomputer centers sponsored by the National Science Foundation (NSF), is both a national resource and a tribute to the scientific ingenuity of the people of San Diego County.

SDSC's mission is to advance scientific research through computation, serve as a national focal point of development in key enabling high-performance computational technologies, and enhance American economic competitiveness. With a staff of 100 scientists, software developers, and researcher support personnel, the center serves more than 4,850 researchers from 355 institutions and 52 industrial partners.

In operation since 1986, SDSC is administered by General Atomics and is closely affiliated with the University of California, San Diego. It receives policy guidance from a consortium of 27 leading universities and institutions. Major funding for the SDSC includes grants from the NSC, the State of California, and the University of California.

The center is involved in advanced scientific research, including the fields of macromolecular structure and biomedical computation. It participates in the development of new technologies, such as the simulation of global environmental change, applied computer network research, and operating systems development. Furthermore, it's close ties with the university and the community foster educational and outreach programs, including undergraduate and post-graduate research, curriculum development, and demonstrations for students in grades K-12.

The SDSC's new MetaCenter collaboration with other NSF centers also gives scientific researchers access, through a single portal, to the country's best available technologies and intellectual resources.

IN MEMORY OF REPRESENTATIVE
ROY TAYLOR

HON. CHARLES H. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TAYLOR of North Carolina. Mr. Speaker, last week, western North Carolina lost a great statesman and a friend. Former Congressman Roy Taylor who served the constituents of North Carolina's 11th District for 16 years died March 2, after years of declining health.

During his tenure on Capitol Hill, Congressman Taylor championed the conservation of natural resource and was known for his ex-

haustive work on behalf of the people of our district. Those who were here tell of his commitment to 12-hour days and 6-day work-weeks.

Roy Taylor was born, January 31, 1910, in Vader, WA, but his parents moved to western North Carolina not long after he was born. He attended the public schools in Buncombe County, spent 2 years at Asheville-Biltmore College, and then graduated from Maryville College in Tennessee in 1931.

Mr. Taylor began a career as a school-teacher in 1931 at Black Mountain High School and the next year married Evelyn Reeves of Leicaster. While teaching, Taylor began studying law and in 1936 graduated from Asheville University Law School. Upon passing the bar that same year, he quit his teaching job and began to practice law in Asheville.

In 1943, Taylor left his law practice to serve in combat with the U.S. Navy. Upon fulfilling his duty to the Nation, he was discharged as a lieutenant in 1946.

After returning to western North Carolina, Taylor began his political career as a member of the North Carolina General Assembly from 1947 to 1949. He then served as Buncombe County attorney from 1949 to 1960. During this time, he also served as a member of the board of trustees of Asheville-Biltmore College.

In 1960, Taylor was elected as a Democrat to the 86th Congress, during a special election to fill the vacancy created by the death of Representative David Hall. Taylor was re-elected to the eight succeeding Congresses and retired in 1976. Taylor served 10 of those years as chairman of the House Interior Committee's Subcommittee on National Parks and Recreation.

After public service, Congressman Taylor dedicated his time to the church and his community. He was district governor of Lions Clubs in western North Carolina. He also served as a deacon and Sunday school superintendent of Black Mountain First Baptist Church.

Taylor is survived by his wife, Evelyn; daughter, Toni Robinson of Plymouth; son, Alan Taylor of Bent Creek; granddaughter, Stacy Taylor; grandsons, Marshall and Gregg Robinson; sister, Alberta Greene of Enka; great-grandchildren, Katherine Taylor Robinson and Charlotte Whitfield Robinson.

PATIENTS BEWARE: SELF-SERV-
ING PHYSICIANS URGE REPEAL
OF PHYSICIAN SELF-REFERRAL
LAWS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. STARK. Mr. Speaker, the following list of physician self-referral studies highlights the urgent need to uphold self-referral laws. Greedy physicians, interested more in personal gain than in their patient's welfare, have mounted an effort to repeal these laws.

Physician self-referral is one of the most significant cost drivers in American medicine. According to some experts, billions of dollars are wasted each year on referrals motivated by physicians' financial gains and not strictly

by their patients' medical needs. The following studies represent just some of the evidence that demonstrates when physicians are in a self-referring situation, they order more tests and charge more money for services than non-self-referring physicians. The evidence is convincing—patients need protection.

[From the Department of Health and Human Services]

SELF-REFERRAL STUDIES

A. Financial Arrangements Between Physicians and Health Care Businesses: Office of Inspector General—OAI-12-88-01410 (May 1989)

In 1989, the Office of Inspector General (OIG) issued a study on physician ownership and compensation from entities to which they make referrals. The study found that patients of referring physicians who own or invest in independent clinical laboratories received 45 percent more clinical laboratory services than all Medicare patients in general, regardless of place of service. OIG also concluded that patients of physicians known to be owners or investors in independent physiological laboratories use 13 percent more physiological testing services than all Medicare patients in general. Finally, while OIG found significant variation on a State by State basis, OIG concluded that patients of physicians known to be owners or investors in durable medical equipment (DME) suppliers use no more DME service than all Medicare patients in general.

B. Physicians Responses to Financial Incentives—Evidence from a For-Profit Ambulatory Care Center; Hemenway D, Killen A, Cashman SB, Parks CL, Bicknell WJ: *New England Journal of Medicine*, 1990;322:1059-1063

Health Stop, a chain of for-profit ambulatory care centers, changed its compensation system from a flat hourly wage to a system where doctors could earn bonuses that varied depending upon the gross income they generated individually. A comparison of the practice patterns of fifteen doctors before and after the change revealed that the physicians increased the number of laboratory tests performed per patient visit by 23 percent and the number of x-ray films per visit by 16 percent. The total charges per month, adjusted for inflation, grew 20 percent, largely due to an increase in the number of patient visits per month. The authors concluded that substantial monetary incentives based on individual performance may induce a group of physicians to increase the intensity of their practice, even though not all of them benefit from the incentives.

C. Frequency and Costs of Diagnostic Imaging in Office Practice—A Comparison of Self-Referring and Radiologist-Referring Physicians; Hillman BJ, Joseph CA, Mabry MR, Sunshine JH, Kennedy SD, Noehter M. *New England Journal of Medicine*, 1990;322:1604-1608

This study compared the frequency and costs of the use diagnostic imaging for four clinical presentations (acute upper respiratory symptoms, pregnancy, low back pain, or (in men) difficulty in urinating) as performed by physicians who used imaging equipment in their offices (self-referring) and as ordered by physicians who always referred patients to radiologists (radiologist-referring). The authors concluded that self-referring physicians use imaging examinations at least four times more often than radiologist-referring physicians and that charges are usually higher when the imaging is done by the self-referring physicians. Those differences could not be attributed to differences in the mix of patients, the specialties of the physicians or the complexity of

the complexity of the imaging examinations performed.

D. Joint Ventures Among Health Care Providers in Florida: State of Florida Cost Containment Board (September 1991)

This study analyzed the effect of joint venture arrangements (defined as any ownership, investment interest or compensation arrangement between persons providing health care) on access, costs, charges, utilization, and quality. The results indicated that problems in one or more of these areas existed in the following types of services: (1) clinical laboratory services; (2) diagnostic imaging services; and (3) physical therapy services—rehabilitation centers. The study concluded that there could be problems or that the results did not allow clear—conclusions with respect to the following health care services: (1) ambulatory surgical centers; (2) durable medical equipment suppliers; (3) home health agencies; and (4) radiation therapy centers. The study revealed no effect on access, costs, charges, utilization, or quality of health care services for: (1) acute care hospitals; and (2) nursing homes.

E. New Evidence of the Prevalence and Scope of Physician Joint Ventures; Mitchell JM, Scott E: Journal of the American Medical Association, 1992;268:80-84

This report examines the prevalence and scope of physician joint ventures in Florida based on data collected under a legislative mandate. The results indicate that physician ownership of health career businesses providing diagnostic testing or other ancillary services is common in Florida. While the study is based on a survey of health care businesses in Florida, it is at least indicative that such arrangements are likely to occur elsewhere.

The study found that at least 40 percent of Florida physicians involved in direct patient care have an investment interest in a health care business to which they may refer their patients for services; over 91 percent of the physician owners are concentrated in specialties that may refer patients for services. About 40 percent of the physician investors have a financial interest in diagnostic imaging centers. These estimates indicate that the proportion of referring physicians involved in direct patient care who participate in joint ventures is much higher than previous estimates suggest.

F. Physicians' Utilization and Charges for Outpatient Diagnostic Imaging in a Medicare Population; Hillman BJ, Olson GT, Griffith PE, Sunshine JH, Joseph CA, Kennedy SD, Nelson WR, Bernhardt LB: Journal of the American Medical Association, 1992;268:2050-2054

This study extends and confirms the previous research discussed in section C, above, by focusing on a broader range of clinical presentations (ten common clinical presentations were included in this study); a mostly elderly, retired population (a patient population that is of particular interest with respect to Medicare reimbursement); and the inclusion of higher-technology imaging examinations. The study concluded that physicians who own imaging technology employ diagnostic imaging in the evaluation of their patients significantly more often and as a result, generate 1.6 to 6.2 times higher average imaging charges per episode of medical care than do physicians who refer imaging examination to radiologists.

G. Physician Ownership of Physical Therapy Services; Effects on Charges, Utilization, Profits, and Service Characteristics; Mitchell JM, Scott E: Journal of the American Medical Association, 1992;268:2055-2059

Using information obtained under a legislative mandate in Florida, the authors evaluated the effects of physician ownership of freestanding physical therapy and rehabilitation facilities (joint venture facilities) on

utilization, charges, profits, and service characteristics. The Study found that visits per patient were 39 to 45 percent higher in facilities owned by referring physicians and that both gross and net revenue per patient were 30 to 40 percent higher in such facilities. Percent operating income and percent markup were significantly higher in joint venture physical therapy and rehabilitation facilities. The study concluded that licensed physical therapists and licensed therapist assistants employed in a non-joint venture facilities spend about 60 percent more time per visit treating patients than those licensed workers in joint venture facilities. Finally, the study found that joint ventures also generate more of their revenues from patients with well-paying insurance.

H. Consequences of Physicians' Ownership of Health Care Facilities—Joint Ventures in Radiation Therapy; Mitchell JM, Sunshine, IH; New England Journal of Medicine 1992; 327; 1497-1501

This study examined the effects of the ownership of freestanding radiation therapy centers by referring physicians who do not directly provide services ("joint ventures") by comparing data from Florida (where 44 percent of such centers were joint ventures during the period of the study) to data from elsewhere (where only 7 percent of such centers were joint ventures). The analysis shows that the joint ventures in Florida provide less access to poorly served populations (rural counties and inner-cities) than non-joint venture facilities. The frequency and costs of radiation therapy treatments at free-standing centers in Florida were 40 to 60 percent higher than in non-joint venture facilities; there was no below-average use of radiation therapy at hospitals or higher cancer rates to explain the higher use or higher costs. Some indicators (amount of time spent by radiation physicians with patients and mortality among patients with cancer) show that joint ventures cause either no improvement in quality or a decline.

I. Increased Costs and Rates of Use in the California Workers' Compensation System as a Result of Self-Referral by Physicians; Swedlow A, Johnson G, Smithline N, Milstein A; New England Journal of Medicine, 1992;327;1502-1506

The authors analyzed the effects of physician self-referral on three high-cost medical services covered under California's workers compensation physical therapy, psychiatric evaluation and magnetic resonance imaging (MRI). They compared the patterns of physicians who referred patients to facilities of which they were owners (self-referral group) to patterns of physicians who referred patients to independent facilities (independent-referral group). The study found that physical therapy was initiated 2.3 times more often by the self-referral group than those in the independent-referral group (which more than offset the slight decrease in cost per case). The mean cost of psychiatric evaluation services was significantly higher in the self-referral group (psychometric testing, 34 percent higher, psychiatric evaluation reports, 22 percent higher) and the total cost per case of psychiatric evaluation services was 26 percent higher in the self-referral group than in the independent-referral group. Finally, the study concluded that of all the MRI scans requested by the self-referring physicians, 38 percent were found to be medically inappropriate, as compared to 28 percent of those requested by physicians in the independent-referral group. There were no significant difference in the cost per case between the two groups.

J. Medicare: Referrals to Physician-Owned Imaging Facilities Warrant HCFA's Scrutiny (GAO Report No. B-253835; October 1994)

The U.S. General Accounting Office (GAO) issued a report regarding: (1) referrals by

physicians with a financial interest in joint-venture imaging centers; and (2) referrals for imaging provided within the referring physicians' practice settings. The analyses are based on information collected by researchers in Florida for the Florida Health Care Cost Containment Board and include information on 1990 Medicare claims for imaging services ordered by Florida physicians. GAO analyzed approximately 1.3 million imaging services performed at facilities outside the ordering physicians' practice settings and approximately 1.2 million imaging services provided within the ordering physicians' practice settings. These results are significant because they are based on a large-scale analysis of physician referral practices.

GAO found that physician owners of Florida diagnostic imaging facilities had higher referral rates than nonowners for almost all types of imaging services. The differences in referral rates were greatest for costly, high technology imaging services; physician owners ordered 54 percent more MRI scans, 27 percent more computed tomography (CT) scans, 37 percent more nuclear medicine scans, 27 percent more echocardiograms, 22 percent more ultrasound services, and 22 percent more complex X rays. Referral rates for simple X rays were comparable for owners and nonowners. In addition, while referral practices among specialties differed, physician owners in most specialties had higher referral rates than nonowners in the same specialty.

GAO also compared the imaging rates of physicians who have in-practice imaging patterns (i.e., more than 50 percent of the imaging services they ordered were provided within their practice affiliations) with physicians with referral imaging patterns (i.e., more than 50 percent of the imaging services they ordered were provided at facilities outside their practice affiliations). GAO found that physician with in-practice imaging patterns had significantly higher imaging rates than those with referral imaging patterns—the imaging rates were about 3 times higher for MRI scans; about 2 times higher for CT scans; 4.5 to 5.1 times higher for ultrasound, echocardiography, and diagnostic nuclear medicine imaging, and about 2 times higher for complex and simple X rays.

TRIBUTE TO ROSALIE AND
GEORGE EIKENBERG

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. CARDIN. Mr. Speaker, I rise today to pay tribute to Rosalie and George Eikenberg, who were just named first runner-up of the Knights of Columbus' International Family of the Year Program. The Eikenbergs live in Elkridge, MD and their dedication and commitment to their community and their family are truly inspiring.

George Eikenberg worked for American Can Co. for 30 years and the Oles Envelope Co. for 10 years. Rosalie is the cafeteria manager at Thunder Hill Elementary School. They had two natural children and adopted four others. From 1962 to 1985, they opened up their family to care for 42 foster care children, some of whom stayed for long periods of time.

In addition to their commitment to their children and foster children, the Eikenbergs have both volunteered their time to make their community a better place to live. In addition to

their many commitments, George is treasurer of the Grand Knights of Columbus and is a member of the board of directors at Mt. St. Joseph High School. He has served as an adult advisor for the CYO, and coached basketball and little league.

Rosalie has been equally busy. She is the former president of the mother's club at St. Augustine's School, served on their parish council, and so did George, was president of the PTA at Waterloo Middle School and was chairman of the Title I Program at Elkridge Elementary School and St. Augustine's School.

Rosalie and George Eikenberg are an inspiring example to all of us that we can always find the time if we want to make our community a better place. I hope my colleagues will join me in extending congratulations and best wishes to a family that truly is a "Family of the Year."

**SOLDIER'S MEDAL FOR SGT.
JERRY SEABAUGH**

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. SKELTON. Mr. Speaker, my congratulations to Sfc. Jerry Seabaugh of Jefferson City, MO, who was recently awarded the prestigious Soldier's Medal, the Army's highest peace time medal for valor. Sergeant Seabaugh, a member of the Missouri National Guard, saved the life of State Representative Sue Shear from flooding waters in Jefferson City. Sergeant Seabaugh rescued Mrs. Shear from her car which was nearly submerged by the high water.

This award, approved by the Secretary of the Army, is rarely given, and I know that the Members of this body join me in saying a job well done to Sergeant First Class Seabaugh. His heroism not only makes the Missouri National Guard proud, but all Missourians as well.

**TRIBUTE TO TERESA AUDREY
MOORE**

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TOWNS. Mr. Speaker, I am pleased to introduce to my colleagues Teresa Audrey Moore, a tireless community servant. Ms. Moore was born in Pittsburgh, PA. She moved to New York in 1941 and worked for Brooklyn Union Gas until her retirement in 1985.

Ms. Moore has been very active since she retired. She has been involved in Area policy board No. 5, is a member of community board No. 5, works on the board of elections, and is treasurer of Central Brooklyn A.A.R.P. chapter No. 4171. Additionally, she is a member of the senior advisory committee for the department of aging and the State of New York. Teresa also volunteers her time at Pink Senior Center and at East Brooklyn High School where she positively impacts the lives of young people.

When she is not performing labors of love, Ms. Moore is attending to the needs of her 3

children, 12 grandchildren, and 8 great-grandchildren. Teresa Moore exemplifies the ideal of public service and community involvement. I am proud to recognize her for devoted and unconditional service.

**THE RECYCLING INFORMATION
CLEARINGHOUSE ACT OF 1995**

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. WELDON of Pennsylvania. Mr. Speaker, the Recycling Information Clearinghouse Act calls for the creation of a recycling clearinghouse within the Environmental Protection Agency's [EPA] Office of Solid Waste Management. With the monumental environmental problems this Nation faces in the future, it is imperative we examine all possible solutions to these problems.

America's garbage problem is heavy indeed. Each year we generate over 180 million tons of garbage. We discard enough paper in a year to build a 12-foot high wall stretching from coast to coast. Every hour we dispose of 2.5 million potentially recyclable plastic bottles. The EPA estimates that this amount of waste will continue to increase rapidly through the year 2000.

Our traditional method of disposing of garbage in landfills is becoming obsolete. Ten years ago in Pennsylvania, we had over 1,000 active landfills; today we have under 100. In addition to dwindling capacity, the cost to dump in landfills is skyrocketing. The latest trend in disposal technology is incineration. Unfortunately, this method has proven to be both hazardous and inefficient.

The first step in tackling our waste problem is to convert from a throwaway society to a recycling one, by shifting our focus from waste disposal to waste reduction. Although we possess the technology to recycle 80 to 90 percent of glass and aluminum, we recycle only 13 percent of our garbage annually. Recycling is cleaner and more energy efficient than both landfills and incineration.

Having set up the first comprehensive recycling program in Pennsylvania, I know recycling works at the local level. Our recycling programs have provided substantial savings in county disposal costs. The key to success is information. The success of Delaware County should be made available to other officials who are interested in setting up their own programs.

My legislation would create a clearinghouse of information on the national level in the EPA. The bill would authorize \$500,000 to be matched by the private sector. The clearinghouse would provide easy access to information regarding recycling to any interested State or local officials through a toll-free hotline. Technical assistance would be disseminated through seminars and other resources.

Although the clearinghouse will not eliminate the waste problem, it is definitely a step in the right direction. Recycling can be a clean, cost-effective means of dealing with our garbage glut. I urge my colleagues to join me in support of the Recycling Clearinghouse Information Act.

NATIONAL SPORTSMANSHIP DAY

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. REED. Mr. Speaker, I rise in honor of National Sportsmanship Day, which is being observed today in America and throughout the world. A national sportsmanship day presents the opportunity to stress the importance of ethics and fair play, both on the playing field and in the classroom.

National Sportsmanship Day was conceived by the Institute for International Sport, which is located in my district at the University of Rhode Island, to create an awareness of the issues of ethics, fair play, and sportsmanship within athletics and society. Since its inception in 1991, over 7,000 schools in all 50 States, have benefited from this program. This year 5,000 schools from all 50 States and 48 countries will join in the National Sportsmanship Day festivities.

The goal of good sportsmanship is an important one. It is worthwhile for us to demonstrate to our children the good values and ethics learned through sports. These same lessons will guide them in all aspects of everyday life.

With the help of Sports Ethics Fellows like Olympic skater Bonnie Blair, the institute is providing an example of the pride young athletes can find in competition. As a result, young athletes learn that while winning is a goal worth working for, it is honesty, integrity, and hard work that is most important.

Mr. Speaker, I ask my colleagues to join the President's Council on Physical Fitness and Sports and the Rhode Island congressional delegation in recognizing this day.

TRIBUTE TO MARIETTA SMALL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TOWNS. Mr. Speaker, in my district I am fortunate to have people who provide assistance to members of the community who wish to pursue their education. Marietta Small is illustrative of that type of educator. Marietta is chairperson of the Husain Institute of Technology [HIT] which provides excellent computer technical training to adults and mathematics and english training to elementary students of the local community.

Marietta was appointed to community board No. 17 in recognition of her assiduous performance and exemplary track record in community affairs. She was elected to the office of State committeewoman of the 42d assembly district in September, 1986, where she served until 1992.

Due to reapportionment she was redistricted into the newly created 58th assembly district, where she successfully ran for State committeewoman and is presently serving her second term. I am honored to recognize Marietta Small for her relentless dedication to helping the community.

HONORING A HOOSIER HERO

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. BURTON of Indiana. Mr. Speaker, I would like to take a moment to honor the life and memory of a young Hoosier soldier who recently fell while serving his country in the U.S. Army.

Capt. Milton Palmer was a bright and committed American soldier pursuing his dream of becoming an Army Ranger and serving his country for the balance of his life. Training in the swamplands of Florida's Eglin Air Force Base, Captain Palmer was just a few days away from completing the grueling 13-week trial that would set him apart as one of America's elite soldiers—a U.S. Army Ranger. The final days of training were understandably the most difficult, the most demanding. During one of these fateful days, the Ranger trainees had to simulate an assault operation in chest-deep, 50-degree waters, which would push any man to the very edge of survival.

Captain Palmer would not join his fellow trainees as they graduated from the Ranger Program in Fort Benning, GA, and solemnly accepted their new monikers. He and three other determined would-be Rangers died of hypothermia during that combat training exercise on February 15.

While I did not know Captain Palmer, I know some of his inspiring story. He was the middle child of three. Along with his older sister Torria and little brother Nathan, Milton grew up in a military family. His parents were able to keep the family close-knit, even during the moves and long tours of duty that are common among Army families. His father, a retired major, dedicated his entire adult life to military service, and Milton planned to follow in his father's footsteps. He was only 27 when he took the last of these steps.

Like other American heroes and leaders, Captain Palmer had an indomitable spirit and a willingness to meet adversity head-on. He attended the Citadel Military Academy, graduating with honors in 1990. Once in the service of his country, Captain Palmer earned several achievement commendations. He was awarded for his skills as an infantryman and parachutist—"leading the way"—to paraphrase the Ranger motto. And not long after graduation, he entered the Ranger Training Program in hopes of realizing one of his ambitious goals. Suffering from exposure and frostbite, Milton was eventually forced to cut short his participation in the demanding and grueling program.

But this would not deter him from pursuing his dream of joining the ranks of the U.S. Army Rangers. Captain Palmer would return to the Ranger Program to inspire his comrades as they pursued the same dream. He would challenge them to overcome both the elements that weakened their bodies and the fears that tried their spirits. It was during this second trial in the Ranger Program that Capt. Milton Palmer would pass away. He died while pursuing his goal, inspiring those who knew him and his story through it all.

However, to remember Captain Palmer and those other fallen trainees only for their pursuit of a common personal goal is not enough, because in the end these brave young men died for something much greater than them-

selves or any one of us who survive them. Captain Palmer and the three Ranger trainees that died with him laid down their lives so that we might be free. Their deaths were not senseless. The tragedy at Eglin Air Force Base reminds us that our freedom comes at a high price. Readiness and preparedness—ensured by training missions like the one that claimed young Milton and three of his brothers—deter our enemies and prevent war. These men did not die in vain.

And so, it is fitting that Arlington National Cemetery, the eternal home of so many of America's other heroes and martyrs, will serve as Capt. Milton Palmer's final resting place. For Captain Palmer was a hero, epitomizing the American military tradition of fidelity and bravery, preserving our freedom, and challenging us to follow his courageous example.

WINNERS OF BLACK HISTORY
COMPETITION**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. HASTINGS of Florida. Mr. Speaker, I would like to take this opportunity to congratulate seven students in my district who won the Black History and Cultural Brain Bowl competition.

These outstanding students are Mickel Anglin, Kevan McIntosh, Kim Jefferson, Latonya Cooper, Jason Gibson, Markease Doe, and Rolando Cooper. All seven attend Plantation High School.

For 6 months these students studied black history during lunch, after school, late at night, and on weekends. They read books by major African-American authors, and learned about the contributions that African-Americans have made to American history, politics, sports, entertainment, the arts, and sciences.

They won the Broward County School district competition in October, and in late February beat out 10 other teams for the trophy and 4-year college scholarships.

I am proud to represent such outstanding young people and I am confident that all of these students will join the next generation of African-American leaders.

TRIBUTE TO ARLENE SUAREZ

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TOWNS. Mr. Speaker, in my district I am fortunate to have business people who are dedicated to supporting the community. Arlene Suarez is one such person. Arlene was born and raised in New York City and attended Mother Cabrini High. She then attended New York Institute of Technology where she majored in Computer Science and Business Management.

Arlene has been employed by Good Paz Development Corp. [Good Paz] as managing director for commercial properties for the past 7 years. As the liaison between the Good Paz Corp. and the Bedford-Stuyvesant community she has been actively involved in the reopening of the Paz Williamsburg Center.

As a certified New York City Fire Safety Director, Arlene has consistently ensured stellar safety performances by all individuals who work with the Good Paz Development Corp. I am honored to recognize Arlene Suarez for her professionalism and dedication.

TRIBUTE TO JAMES W.
GALLAGHER**HON. CURT WELDON**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to recognize an outstanding constituent, James W. Gallagher, for his service to the Nation and Delaware County, PA.

A resident of Newtown Square, PA, Mr. Gallagher is well known and highly regarded by many people throughout our community for his selfless charitable contributions. A graduate of the University of Pennsylvania's Wharton School and a U.S. Marine Corps veteran, Jim has remained dedicated to his country as an active historian, by preserving our patriotic history like no other.

Jim is best known throughout the region and the Nation as his alter ego, "George Washington." As vice-president of the Washington Crossing Foundation, Jim portrays George Washington as the principal speaker at the Nationwide Bell Ringing Ceremony sponsored by the Pennsylvania Society at Independence Hall in Philadelphia. Jim portrays our first President every Christmas in the reenactment of Gen. George Washington's historic journey during the Revolutionary War. He has promoted the legacy of George Washington by appearing in many parades and in our Nation's Capitol in costume.

Jim, like many throughout our great Nation, has worked to overturn the Supreme Court's decision of 5 years ago that ruled people who burn American flags are entitled to legal protection under the first amendment's provisions regarding free speech. As cosponsor of the flag protection amendment, I am gratified the amendment has been reintroduced and is gaining wide support among Members.

As a member of the General Society Sons of the Revolution, Jim published an eloquent and inspirational piece entitled "Freedom is a Light for Which Many Men had Died in Darkness." I would like to submit this article for the record so that my colleagues can appreciate Jim's keen insight. It is my hope that those who read it will be inspired as I was to reflect upon our rich historic roots.

I have been honored to work with Jim and am pleased to call him a friend. He deserves our recognition and continued support. I ask the Members of the House to join me in honoring this outstanding American.

FREEDOM IS A LIGHT FOR WHICH MANY MEN
HAVE DIED IN DARKNESS

(By James W. Gallagher)

Independence Day is a day to remember what transpired here 218 years ago. In July 1776 John Adams wrote a letter to his wife, Abigail, in Massachusetts. He wanted her to know about an important vote that he had just cast in Philadelphia as a member of the Continental Congress. The subject of his letter was the passage that day of something

that we now call the Declaration of Independence. Adams wrote his wife that a single day in July 1776 would be honored "as the most memorable day in the history of America."

That is a remarkable prediction to make about a nation that did not even exist then, that first had to free itself from the control of the world's most powerful country. Other predictions that Adams wrote to his wife about a special day in July 1776 were right on target, too. In his letter he said, "It will be celebrated by succeeding generations as a great anniversary festival. It ought to be solemnized with pomp and parades, with shows, games, sports, guns, bells, bonfires and illuminations . . . from one end of the continent to the other . . . from this time forward . . . forever more."

John Adams got only one major detail wrong in his amazing prediction—he had the wrong date.

He wrote his wife that he could foresee those parades and fireworks happening every year on July Second. That is because it was on July 2, 1776 that the Continental Congress, meeting in secret session, actually voted on the Declaration of Independence. Two days later, on July 4, the delegates to the Continental Congress signed the Declaration. Also on that day they came out of their secret session and showed the world what they had done.

Does that mean we are wrong in celebrating July Fourth? Should we be having Second on July picnics and Second of July fireworks? No.

Most legal documents take effect when they are signed and July Fourth is the day when signatures were put on a draft of that incredible document written by Thomas Jefferson.

Many historians will tell you it is not because of the signatures that we use July 4 as the official birthday of our country. It is because that is the day people first heard about the Declaration of Independence. In this country the people count. What is important is the involvement of the people in managing their own affairs, not governmental bodies making decisions in secret. For most of human history—and even in large parts of the world today—that is still a revolutionary idea.

We should remember every July Fourth that the rights we often take for granted do not come easily or automatically. Those rights are re-purchased by each generation, often at a terrible price.

Nearby we have the graves of some of our Revolutionary War dead. They know that freedom is not free since they paid with their very lives. On the tombstone [of the Unknown Soldier in Washington Square] is the inscription "Freedom is a Light for Which Many Men Have Died in Darkness."

Fifty years ago today the beachhead at Normandy was not quite a month old. Nearly a million men and women from the United States, Great Britain and our wartime allies had landed there. They were beginning to spread out from that small foothold in northern France and each mile of liberated Europe demanded a high price in human lives and suffering. Many terrible struggles were still ahead of the U.S. military 50 years ago today during World War II.

Today our enemies are harder to identify, but they are out there. Our commitment to the men and women in uniform should be as strong today as it was 50 years ago. History has taught us the best way to avoid war is to be better prepared than any adversary. Vigilance is also the watchword in our domestic life. Even the best of governments can forget that government is the servant of the people and that the people should never be the servant of government.

Just five years ago the Supreme Court ruled that people who burn American flags are entitled to legal protection under the First Amendment's provisions safeguarding free speech. This decision outraged many Americans who see the flag as a sacred symbol of the country, as a symbol of our values that ought to be respected and, especially, as a symbol of the brave sacrifices of our men and women in wartime. We want to amend the Constitution to allow the states and the federal government to enact laws prohibiting physical desecration of the flag. If it is in the Constitution then the courts cannot rule it unconstitutional.

"Old Glory" is precious to me. So is the idea that government should be answerable to the people. We hear more these days about the search for values in America. Some of us do not have to look very far to find values. We start with devotion to God, love of country and respect for the flag. These are solid foundations upon which this country has been built and they are foundations upon which we can grow. If we need to find values, we can start with the values laid down 218 years ago in that remarkable document we honor today, the Declaration of Independence. It says: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights governments are instituted."

That is still the best statement of who we are as a people, what we hold dear and what we will fight to preserve.

God Bless America.

REFORMING THE WELFARE SYSTEM "NO STRINGS ATTACHED"

HON. RICHARD "DOC" HASTINGS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. HASTINGS of Washington. Mr. Speaker, I rise today to introduce legislation aimed at reforming our failed Federal welfare system. Reforming welfare is among my top priorities and is supported by a majority of the American people.

The time for reform has come. Since 1965 we have spent \$5 trillion on the War on Poverty—yet the poverty rate is higher today than it was then. The current welfare system has failed both the people it was created to help and those whose tax dollars support it. It is a bureaucratic nightmare and it offers the wrong incentives for recipients. It fosters illegitimacy and dependency, rather than strong families and economic independence. We must act now to enact fundamental and far reaching change.

I believe the most important change Congress can make would be to allow States and local communities the flexibility to find creative solutions and determine who should be eligible to receive benefits. The legislation I am introducing empowers States and local communities by shifting the responsibility for welfare to the States in a single block grant—with no strings attached.

I repeat: no strings attached. This isn't just a swap for government control of Medicaid or other assistance programs—it strictly empowers the States and local communities to address the problem in the most effective manner possible. No additional mandates would be imposed on the States. Finally, Federal

funding will be reduced by 5 percent per year and will be phased out completely in 20 years.

The States have proven themselves to be more successful than the Federal Government in dealing with welfare and developing innovative and effective solutions. States better understand the problems within their own communities and can more efficiently determine who should be eligible to receive benefits.

Consider, for example, Wisconsin. Governor Tommy Thompson's welfare reform proposal has reduced State welfare rolls by 25 percent and saved the taxpayers \$16 million per month. In Michigan, Governor John Engler requires that welfare recipients sign a social contract agreeing to work, receive job training, or volunteer at least 20 hours a week. In just 2 years, the plan has helped almost 50,000 welfare recipients gain independence, and welfare caseloads have fallen to their lowest level in 7 years, saving the taxpayers \$100 million.

The urgent need for reform—particularly welfare reform—was exemplified during the November elections. It is time for the Government to return control to the States. My proposal to shift the power to the local level is ambitious—yet it is only at the local level that the most effective solutions and most efficient answers will be found.

TRIBUTE TO BEVERLY TWITTY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TOWNS. Mr. Speaker, in my district I am fortunate to have individuals dedicated to helping the Brooklyn community. Beverly Twitty personifies this kind of dedication. Beverly is a native New Yorker, educated in the New York City public school system. She attended Brooklyn College and New York University where she earned a B.A. degree and two masters degrees respectively.

Beverly is involved in many community activities and has been very active for many years with the Girl Scouts and the American Red Cross. She is a former member of Operation Bread Basket, the economic arm of the Southern Christian Leadership Conference.

Beverly Twitty is a member of the Cornerstone Baptist Church and continues to be an inspiration to the community. I am proud to recognize Beverly Twitty for her unyielding dedication to the Brooklyn community.

NATIONAL CLEAN WATER TRUST FUND ACT OF 1995

HON. PETER J. VISCLOSKEY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. VISCLOSKEY. Mr. Speaker, today, I am introducing legislation to expedite the cleanup of our Nation's waters. This bill, the National Clean Water Trust Fund Act of 1995, would create a trust fund established from fines, penalties, and other moneys collected through enforcement of the Clean Water Act to help alleviate the problems for which the enforcement

actions were taken. This legislation is identical to a measure I introduced with bipartisan support in the last Congress, and it was the model for a provision I secured in last year's Clean Water Act reauthorization bill, H.R. 3948.

Currently, there is no guarantee that fines or other moneys that result from violations of the Clean Water Act will be used to correct water quality problems. Instead, some of the money goes into the general fund of the U.S. Treasury without any provision that it be used to improve the quality of our Nation's waters.

I am concerned that EPA enforcement activities are extracting large sums of money from industry and others through enforcement of the Clean Water Act, while we ignore the fundamental issue of how to pay for the cleanup of the water pollution problems for which the penalties were levied. If we are really serious about ensuring the successful implementation of the Clean Water Act, we should put these enforcement funds to work and actually clean up our Nation's waters. It does not make sense for scarce resources to go into the bottomless pit of the Treasury's general fund, especially if we fail to solve our serious water quality problems due to lack of funds.

Specifically, my bill would establish a national clean water trust fund within the U.S. Treasury for fines, penalties, and other moneys, including consent decrees, obtained through enforcement of the Clean Water Act that would otherwise be placed into Treasury's general fund. Under my proposal, the EPA Administrator would be authorized to prioritize and carry out projects to restore and recover waters of the United States using the funds collected from violations of the Clean Water Act. However, this legislation would not preempt citizen suits or in any way preclude EPA's authority to undertake and complete supplemental environmental projects [SEP's] as part of settlements related to violations of the Clean Water Act and/or other legislation.

For example, in 1993, Inland Steel announced a \$54.5 million multimedia consent decree, which included a \$26 million SEP and a \$3.5 million cash payment to the U.S. Treasury. I strongly support the use of SEP's to facilitate the cleanup of serious environmental problems, which are particularly prevalent in my congressional district. However, my bill would dedicate the cash payment to the Treasury to the clean water trust fund.

The bill further specifies that remedial projects be within the same EPA region where enforcement action was taken. Northwest Indiana is in EPA region 5, and there are 10 EPA regions throughout the United States. Under my proposal, any funds collected from enforcement of the Clean Water Act in region 5 would go into the national clean water trust fund and, ideally, be used to cleanup environmental impacts associated with the problem for which the fine was levied.

To illustrate how a national clean water trust fund would be effective in cleaning up our Nation's waters, I would like to highlight the magnitude of the fines that have been levied through enforcement of the Clean Water Act. Nationwide, in fiscal year 1994, EPA assessed \$35 million in penalties for violations of the Clean Water Act. These penalties represented 27 percent of all penalties assessed by EPA under various environmental statutes.

My bill also instructs EPA to coordinate its efforts with the State in prioritizing specific

cleanup projects. Finally, to monitor the implementation of the national clean water trust fund, I have included a reporting requirement in my legislation. One year after enactment, and every 2 years thereafter, the EPA Administrator would make a report to Congress regarding the establishment of the trust fund.

My legislation has garnered the endorsement of several environmental organizations in northwest Indiana, including the Grand Calumet task force, the northwest Indiana chapter of the Izaak Walton League, and the Save the Dunes Council. Further, I am encouraged by the support within the national environmental community and the Northeast-Midwest Institute for the concept of a national clean water trust fund. I would also like to point out that, in a 1992 report to Congress on the Clean Water Act enforcement mechanisms, and Environmental Protection Agency workgroup recommended amending the Clean Water Act to establish a national clean water trust fund.

In reauthorizing the Clean Water Act, we have a unique opportunity to improve the quality of our Nation's waters. The establishment of a national clean water trust fund is an innovative step in that direction. By targeting funds accrued through enforcement of the Clean Water Act—that would otherwise go into the Treasury Department's general fund—we can put scarce resources to work and facilitate the cleanup of problem areas throughout the Great Lakes and across this country. I urge my colleagues to support this important legislation.

BURTON AND TORRICELLI BLAST IDEA OF EASING CUBAN EMBARGO

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Congressman DAN BURTON, chairman of Western Hemisphere Affairs Subcommittee and ROBERT TORRICELLI, ranking minority member of the subcommittee expressed strong opposition to any easing of United States economic sanctions on Cuba.

According to a report in the Washington Post today, several of President Clinton's advisers are recommending that the economic embargo on Cuba be eased, allowing dollar remittances to be sent to Cuba, and making it easier to travel to Cuba. In response, Congressmen BURTON and TORRICELLI have issued the following statement:

We are absolutely dismayed over reports that the Clinton Administration is considering easing certain aspects of the United States economic embargo on Cuba. We believe that any easing of pressure on the Fidel Castro regime will only prolong the suffering of the Cuban people and will send the wrong signal to the dictatorship.

The communist dictatorship in Cuba is one of the most notorious violators of human rights in existence today. Despite the monumental changes in the world over the past six years, Fidel Castro remains as committed as ever in his nefarious, failed ideology.

The loss of over \$6 billion a year in subsidies from the Soviet Union has caused the Cuban economy to contract by sixty percent. It is for this reason that Castro, desperate for foreign currency, has been forced to adopt superficial measures aimed at increasing foreign investment. There is no mistak-

ing the fact that Castro is only interested in perpetuating his own dictatorial rule.

At a time when the Castro regime is clearly on its last leg, the United States should maintain pressure and resist any calls to lift the embargo. This was the clear message of the Cuban Democracy Act of 1992, which the President supported; and it is the aim of the Cuban Liberty and Democratic Solidarity Act (Libertad), which we recently introduced.

Any easing of the U.S. embargo at this time would send the absolutely wrong message to Fidel Castro, and to the Cuban people. We will fiercely resist any such move.

PRIVATE PROPERTY PROTECTION ACT OF 1995

SPEECH OF

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 3, 1995

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 925) to compensate owners of private property for the effect of certain regulatory restrictions.

Mr. COLEMAN. Mr. Chairman, I rise today in opposition to the bill H.R. 925. I am disappointed because there were a series of important measures that would have modified the legislation in such a way that I could have supported it. Unfortunately, those measures failed, and the bill that we are left with has extremely alarming implications. Were this legislation enacted, the Federal Government would be saddled with a huge new entitlement program, with unknown costs. Not only will this legislation be tremendously expensive in terms of Federal dollars, but the limitations that it will impose upon the regulatory power of Federal agencies could exact a huge toll upon human health and the environment.

Many of the proponents of this bill have tried to argue that the decision before us is essentially a constitutional question. They have frequently read from the fifth amendment provision which bars the Federal Government from taking private property without just compensation. But H.R. 925 raises a constitutional question only insofar as the bill requires us to expand upon how this body chooses to define "takings." In the past, this interpretation has been left to the jurisdiction of the courts. As the takings question is fundamentally one of constitutional interpretation, the court system is probably the most appropriate forum for determining the proper answer to this question.

Yet, the precedent adhered to by the Supreme Court dictates that Government action must reduce the value of private property by almost 90 percent before the owner can be compensated. Many of my colleagues felt that such a threshold was unreasonably high, and wished to take steps to compensate property owners suffering large financial losses as the result of regulatory action. I strongly supported such initiatives. I feel that it is the proper role of the Congress to craft legislation to meet the changing needs of our society in a manner consistent with the intent of the Framers of the Constitution. I firmly believe that property owners should not be subject to undue financial burdens as a result of Government actions.

However, this bill is not crafted simply to set new limitations on Government regulations. Indeed, this bill fundamentally redefines the "takings" question, giving it a meaning so broad that it has in effect been rendered meaningless.

Under the provisions of this bill, any property owner who can demonstrate a loss of value to their property of 10 percent or more will be entitled to Federal compensation. Unfortunately, this threshold is absurdly low. Landowners will be tempted under the terms of this provision to subdivide their property to meet the threshold, thereby resulting in a plethora of cases brought against Federal regulatory agencies. The bill makes no provision to prevent this from happening. The bill also fails to make any provisions to prevent speculation. If an individual buys land with the full knowledge of pending regulations that will impact upon the value of their property, they are nonetheless able to seek compensation under the terms of this bill should those regulations go into effect. Although I am certain that this is not an intended result of the bill, it is important to note that efforts to remedy this oversight failed in committee.

Aside from the technical problems of the bill, we must also face the fact that the language of this legislation threatens to vastly increase the size of the Federal Government. In establishing procedural channels for direct negotiations between Federal agencies while simultaneously promising to compensate all property owners who lose even 10 percent of their property value through regulations, we will open up a floodgate of litigations aimed at our various regulatory agencies. This bill will certainly increase the size of these Federal agencies. The agencies will be forced to hire a huge legal staff to help them determine the validity of claims brought against them. In effect, this bill ensures an increased bloating of our Federal bureaucracy. It seems strange to me the very people who are attacking big Government are actively engaged in the process of creating one.

The takings problem is large enough that it deserved a substantial portion of our time and effort toward the creation of an effective solution. Instead, the Republicans in this body acted hastily to present us with a bill that is clumsy and will doubtlessly prove ineffective. Surely there were better ways to address the problem. Instead, we have just established a brand new entitlement program, with uncertain costs and a vast scope. Just as Republicans are attacking Democrats for failing to endorse the balanced budget, they establish a program that may render such a balance impossible. Without calculating the costs of this bill, they have proposed a new program that will certainly cost the American taxpayer billions of dollars. Of course, many of those dollars will go not to small property owners. Under the terms of this bill, we will be taking money out of necessary programs, and using it to line the pockets of many wealthy landowners and industrialists, a new breed of speculators, lawyers for the Government, lawyers for those who file claims, and the Federal bureaucrats who will be central to sorting out this new law long after we are gone. Language to prevent this outcome was presented in the Porter, Farr, Ehlers, and Bryant amendment. Unfortunately, this effort failed.

While I would like to see the role of the Federal Government limited in relation to the rights of the owners of private property, I do not feel that H.R. 925 achieves that goal.

TRIBUTE TO ELINORE MANDELL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TOWNS. Mr. Speaker, I would like to acknowledge Ms. Elinore Mandell, a native of Brooklyn. Ms. Mandell was born, reared and educated in Brooklyn. Her children are products of the public school system. And her grandchildren currently attend public school. Elinore Mandell has always been concerned about the quality of life for children. Her concern and devotion was quite evident during her children's formative years when she participated in various community activities. She served as an assistant leader for both the Brownies and Girl Scouts, and as a den mother for the Cub Scouts. And she also held a number of positions in the parents association.

In 1980 Elinore moved to East New York/Starrett City and ran successfully for membership on the district 19 school board, where she served for 10 years. She retired from the school board in 1993. Elinore is employed by Assemblyman Anthony Genovesi as his administrative assistant, and has ably served him for the past 20 years.

RECOGNITION OF NATIONAL
SPORTSMANSHIP DAY, MARCH 7,
1995

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. KENNEDY of Rhode Island. Mr. Speaker, I rise today in support of March 7, 1995 being recognized as National Sportsmanship Day. Since its inception in 1991, over 7,000 schools nationwide have taken part in celebrating the essential life lessons that are developed through participation in sports. The participants, who range from elementary students right up through the university level will spend the day in constructive competition.

For the past 5 years, the Institute for International Sport, located at the University of Rhode Island, has worked hard to help establish greater awareness in the area of physical fitness. In addition to National Sportsmanship Day, the institute works all year to promote initiatives like the Student-Athlete Outreach Program, where student-athletes from high schools and colleges travel to local elementary and middle schools to serve as positive role models and promote good sportsmanship.

I fully support these initiatives and would like to acknowledge all the individuals who have devoted their time and efforts to broaden participation in the arena of friendly competition and sportsmanship.

TRIBUTE TO JUDGE JUDITH M.
ASHMANN

HON. HOWARD L. BERMAN

OF CALIFORNIA

HON. HENRY A. WAXMAN

OF CALIFORNIA

HON. ANTHONY C. BEILENSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. BERMAN. Mr. Speaker, we are honored to pay tribute to Judge Judith M. Ashmann, supervising judge of Los Angeles Superior Court's North Valley district, who has been named Judge of the Year by the San Fernando Valley Bar Association. Judge Ashmann, a friend for many years, has a distinguished legal career, including her tenure on the superior court bench, nearly 6 years spent as a municipal court judge in Van Nuys and a decade working in the city, State and Federal attorney offices.

Last year, in the aftermath of the devastating Northridge Earthquake, Judge Ashmann had her finest hour. The San Fernando courthouse suffered severe damage, rendering it uninhabitable. Without quick action by Judge Ashmann, the result could have been chaos.

But she kept her cool under fire, supervising the orderly transfer of judicial duties to other locations, including trailers outside the Van Nuys courthouse. At the same time, Judge Ashmann embarked on an ambitious, time-consuming but absolutely essential project to eliminate the backlog of civil cases created by the earthquake, the most expensive natural disaster in American history.

During a 2-week period, teams of volunteer attorneys and judges assembled by Judge Ashmann disposed of more than 1,000 cases in San Fernando Valley courts. Along with community leaders, Judge Ashmann has been responsible for restoring a sense of normalcy to the earthquake zone.

Mr. Speaker, we ask our colleagues to join us today in saluting Judge Judith Ashmann, who combines a sound legal mind with exceptional qualities of leadership. She is an inspiration to all of us.

TRIBUTE TO SUSAN PINTO

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TOWNS. Mr. Speaker, I would like to highlight the contributions of Susan Pinto who was born and raised in Brooklyn. Susan is that rare person who travels to the beat of a different drummer. She attended parochial elementary and secondary schools, and graduated from Brooklyn College. After completing college, she began performing drug-free treatment work. Susan helped design and open treatment and prevention programs in East New York, Brownsville, Bed-Stuy, Sheepshead Bay, and Canarsie. She is a certified substance abuse counselor [CSAC].

Susan is a woman of commitment to everything she is involved in, particularly her immediate, extended family, and circle of friends. Her other endeavors include work in real estate sales and management, construction, and

development. Susan Pinto is a member of the Rosetta Gaston Democratic Club, and the interfaith auxiliary. I am proud to commend her to my House colleagues.

OCEAN RADIOACTIVE DUMPING
BAN ACT OF 1995

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. WELDON of Pennsylvania. Mr. Speaker, currently the ocean dumping of radioactive waste is regulated under the Ocean Dumping Act [ODA] allows dumping of radioactive waste only after Congress has passed a joint resolution authorizing the dumping. Although this provision has been in force since 1985, Congress has yet to authorize any radioactive dumping.

For decades, U.S. law on ocean pollution has been more stringent than international law. At the time of enactment, the radioactive dumping provisions in the ODA were among the most restrictive in the world, going well beyond international treaty obligations. That is no longer the case.

The Ocean Radioactive Dumping Ban Act corrects this, eliminating ODA's current arduous permitting process and replacing it with a simple ban. It ensures that the United States retains its leadership position in protecting the world's marine environment.

The relevance of the United States banning radioactive dumping is far-reaching. Historically, the United States has set international policy on ocean dumping of radioactive waste. Until last year, the United States had resisted an international ban. Through U.S. influence, the issue was left unresolved.

That all changed last November when the Clinton administration, following heavy lobbying from the Global Legislators Organization for a Balanced Environment [GLOBE] and other organizations, reversed U.S. policy and announced its support for a ban.

Prompted largely by the new U.S. position, in November 1993, the parties to the Convention on the Prevention of Marine Pollution by Dumping of Waste and Other Matter of 1972, known as the London Convention, amended annexes I and II to ban the deliberate ocean dumping of low-level radioactive waste. The Convention has always banned the dumping of high-level radioactive waste.

During the 103d Congress, as the ranking Republican on the oceanography, Gulf of Mexico, and Outer Continental Shelf Subcommittee, and the newly appointed chairman of the GLOBE Ocean Protection Working Group, I have spent the last year working to eliminate the threat of radioactive contamination of the sea.

On September 30, 1993, at my request, the Oceanography Subcommittee held a hearing on the threat of contamination from the Russian dumping of nuclear waste. For four decades the former Soviet Union, and now the Russian Federation has been dumping nuclear waste from nuclear submarines and weapons plants into the world's oceans. The information gathered by the subcommittee was sobering.

The West's first concrete evidence on the dumping came last summer following the release of the Yablokov report which was commissioned by President Boris Yeltsin to detail the extent of Soviet nuclear disposal at sea. According to the report, the Soviet Union has dumped over 2.5 million curies of radioactive waste into the Arctic Ocean and other marine environments. By comparison, the accident at Three Mile Island in my home State of Pennsylvania released 15 curies of radiation.

During the hearing, the subcommittee discovered that since 1959, the former Soviet Union dumped into the ocean 18 nuclear reactors and a reactor screen, 11,000 to 17,000 canisters of nuclear waste, and hundreds of thousands of gallons of liquid radioactive waste. It also learned that nuclear waste totaling 10 million curies is currently stored aboard vessels in Murmansk harbor.

Although water quality monitoring in the Arctic suggests that large-scale contamination of the ocean has yet to occur, our knowledge about the possibility of future leakage and transportation is very limited. Significant environmental contamination is a real possibility in the future.

Even after the fall of communism, Moscow has continued to dispose of radioactive waste at sea. In October 1993, Russia dumped 900 tons of low-level radioactive waste in the Sea of Japan in violation of a previously agreed upon international moratorium. According to Japanese press accounts, high ranking Russian officials have admitted that ocean dumping is likely to persist.

The Russian Federation's actions followed the October 1993 dumping have only reinforced these fears. Russia was one of only five nations to abstain from voting to approve the London Convention radioactive dumping ban in November 1993. Then, in February 1994, it became the only nation to declare its intention not to comply with the new international ban on dumping.

Only through strong Western pressure will this change. But before we can pressure Russia, we have to act. That is why I reintroduced the Ocean Radioactive Dumping Ban Act. This act will make U.S. law consistent with the London Convention by amending the ODA to ban the dumping of radioactive waste.

As with the amendments to the Convention's annexes I and II, which contain provisions exempting de minimis radioactive waste from the ban, the Ocean Radioactive Dumping Ban Act exempts de minimis waste from the ban. Since all matter is radioactive to some degree, a de minimis, or negligible, exemption is necessary to ensure that critical commercial activities such as dredging can continue.

Although no uniform definition for de minimis waste currently exists, the International Atomic Energy Agency [IAEA] has produced significant guidance on the issue and is working on an internationally recognized standard. Once an international standard is devised, I expect the U.S. Environmental Protection Agency [EPA] will promulgate regulations on this issue based on the IAEA's efforts.

Hopefully, with pressure from the United States, the Russian Federation can be convinced to change its policy. With 10 million curies of radiation stored aboard ships in Murmansk Harbor and awaiting disposal, the risk

to the marine environment is significant if we fail. The Ocean Radioactive Dumping Ban Act will significantly strengthen our position and will set an example as we further discuss such dumping with the Russian Federation.

Clearly the world's oceans should not be used as nuclear disposal sites. I ask my colleagues to join me in sending a strong message to the rest of the world, and support the Ocean Radioactive Dumping Ban Act of 1995.

PROMOTING THE PRIVATE SECTOR
IN AFRICA

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. BURTON of Indiana. Mr. Speaker, I want to commend the Subcommittee on Africa under the able chairmanship of our colleague LEANA ROS-LEHTINEN, on their upcoming hearing on promoting the private sector in Africa. As ranking member of that subcommittee over 8 years, I felt very strongly that only through the proper and vigorous encouragement of the private sector will Africa be able to develop and prosper.

In this context, I want to highlight the activities and efforts of the Corporate Council on Africa, which is doing yeoman's work in advancing these goals.

I also want to salute two members of the council. M&W Pump has done fantastic work in Nigeria and elsewhere, through its water pump business which has benefited so many people. Finally, Coca-Cola one of the largest and oldest companies in Africa, has been a very positive force in Africa. Its social responsibility program in South Africa is exemplary, and it has indeed been a positive force on the continent.

TRIBUTE TO SYLVIA STOVALL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TOWNS. Mr. Speaker, there is a very special woman in Brooklyn named Sylvia Stovall, who is a district administrator in district 13. Sylvia is also a consistent advocate on behalf of children. Her concern for the emotional and academic welfare of students is reflected in the mentoring she has done with young men and women, many of whom have graduated from college and experienced successful careers.

Sylvia attended North Carolina Central University, and graduated respectively from Brooklyn and Bank Street College. She is currently pursuing a doctoral degree.

Ms. Stovall is a member of the board of directors of the Cypress Hills Local Development Corp. located in Brooklyn, and she was recently honored as one of the unsung heroes and heroines of our community by the Harriet Tubman club at the First A.M.E. Zion Church in Brooklyn. It is my pleasure to highlight her contributions to Brooklyn.

BILL TO REQUIRE ALL PROFESSIONAL BOXERS IN UNITED STATES TO WEAR HEADGEAR

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation to require all professional boxers to wear headgear during all professional fights held in the United States. Under my bill, all professional fighters in the United States would have to wear headgear that meets the standards established by the International Olympic Committee. Any State or tribal boxing authority that allows a professional boxer to fight in a professional fight without headgear would be subject to a Federal fine of up to \$1,000,000.

The recent incident in the super-middleweight championship fight between Gerald McClellan and Nigel Benn is yet another reminder that something must be done to better protect professional boxers from head injuries. After being knocked out in the 10th round of what was described by the British press as one of the most brutal fights of the century, McClellan collapsed in his corner. He was rushed to the hospital and underwent emergency surgery to remove a blood clot in his brain. He is still in critical condition.

While headgear alone will not prevent all head injuries in boxing, it will go a long way in protecting boxers. Amateur boxing requires all fighters to wear headgear, and the number of serious head injuries in amateur boxing is significantly lower than in professional boxing. According to an article that appeared in the British Medical Journal on June 18, 1994,

During boxing training sessions head protection is regularly worn and is now a feature of the Olympic Games. In countries where headgear is compulsory there has been a reduction in the number of facial cuts and knockouts.

My legislation, Professional Boxing Safety Act of 1995, is a modest measure that will provide professional boxers in this country with some protection against head injuries. I urge my colleagues to cosponsor this bill. The full text of the legislation appears below:

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Professional Boxing Safety Act of 1995".

SEC. 2. HEADGEAR REQUIREMENT FOR PROFESSIONAL BOXERS.

Any individual who participates as a boxer in a professional boxing match shall, during such participation, wear headgear that meets the standards established by the International Olympic Committee.

SEC. 3. CIVIL PENALTY.

The Attorney General of the United States may impose a civil monetary penalty against any State boxing authority if the Attorney General determines on the record after opportunity for an agency hearing that the State boxing authority has allowed a boxer to participate in a professional boxing match without the headgear required by section 2. The civil monetary penalty may not exceed \$1,000,000 for each violation.

SEC. 4. DEFINITIONS.

For purposes of this Act:

(1) **PROFESSIONAL BOXING MATCH.**—The term "professional boxing match" means a boxing contest held in a State between individuals for compensation or a prize, and does not include any amateur boxing match.

(2) **STATE.**—

(A) **IN GENERAL.**—The term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, Virgin Islands, any other territory or possession of the United States, and any Indian tribe.

(B) **INDIAN TRIBE.**—The term "Indian tribe" means any Indian tribe, band, nation, pueblo, or other organized group or community which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians and is recognized as possessing powers of self-government.

(3) **STATE BOXING AUTHORITY.**—The term "State boxing authority" means a State agency with authority to regulate professional boxing.

SEC. 5. EFFECTIVE DATE.

Sections 2 and 3 shall take effect 90 days after the date of the enactment of this Act.

THE ATTORNEY ACCOUNTABILITY ACT

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. POMEROY. Mr. Chairman, I rise today in opposition to the bill, H.R. 988, the Attorney Accountability Act.

The authors of this bill would have you believe this legislation is intended to reduce the number of frivolous lawsuits. This bill would more likely discourage average Americans—most likely middle-income citizens—from seeking redress in our judicial system. As the bill is written plaintiff's whose cases were found to have merit would actually be punished under this legislation.

This bill alters the playing field between parties to a lawsuit and gives all the benefits to the large financially secure party. While a family would potentially risk all of their assets if a jury would rule against them, a large corporation could easily absorb these costs. Accordingly, the large corporation would have a tremendous advantage in a pretrial settlement conference in light of the dire risks the family would have with an adverse jury ruling.

I wholeheartedly support curtailing frivolous lawsuits. Yesterday we had an opportunity to bring this bill back in line with the rhetoric that surrounds it. An amendment offered by Representative MCHALE, as modified by Representative BERMAN, would have replaced the loser pays provisions in H.R. 988 with provisions awarding attorney's fees to a defendant if the court finds the plaintiff's case to be frivolous. The court would entertain this motion anytime in the first 90 days after the complaint was filed. If found to be meritorious, it would put a halt to the nonsense before the parties under went the costly discovery process. More importantly, the claim would be dismissed and all legal costs would be born by the plaintiff.

The McHale-Berman amendment would have given courts discretion to get rid of frivolous lawsuits that are filed in bad faith or with only the intention to harass.

This bill is appropriately called the loser pays bill. Unfortunately, the real loser here is the American people.

TRIBUTE TO ANN LAWSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TOWNS. Mr. Speaker, many of us are public servants, but some of us are God's servant. Mrs. Ann Lawson is indeed one of God's servants. Born in Florence, SC, she later moved to New Jersey.

At an early age she professed her love and devotion to her Lord and joined New Jerusalem Baptist Church. In 1980 she joined New Canaan Baptist Church under the pastorship of the late Dr. Augustus Leon Cunningham. During the same period she met Rev. Richard J. Lawson and they were married. After the death of Dr. Cunningham, Dr. Lawson was installed as the new pastor of the church. As the first lady of New Jerusalem Baptist Church, Mrs. Lawson has been actively involved in various church affairs.

Mrs. Lawson is involved in numerous church activities. She is the acting supervisor for the red circle missionary department, the South Carolina club, and serves as the chairperson for the Woman of the Year Awards. Mrs. Lawson shares her unbridled energy, faith, and love with everyone, especially children. It is my pleasure to recognize the contributions and accomplishments of a remarkable woman, Mrs. Ann Lawson.

THE ATTORNEY ACCOUNTABILITY ACT

HON. BILL BAKER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. BAKER of California. Mr. Chairman, as a member of the Leader's Legal Reform Task Force, I rise in support of H.R. 988, the Attorney Accountability Act.

In this historic 100 days of progress, among the most profound reform measures Congress is enacting is legal reform. The threat of predatory lawsuits looms over every business, organization, and individual. Liability insurance alone increases the costs of doing business for all Americans.

H.R. 988 has three major components: a loser pays provision, the prevention of junk science, and new rules of conduct for attorneys.

The loser pays provision puts a stop to get-rich-quick, lottery-style lawsuits where litigants have little to lose and everything to gain. Plaintiffs would be encouraged to accept reasonable pretrial settlements offers. This incentive would free up our courts for meritorious cases and slow the growth of multimillion dollar awards.

The junk science provision prevents the use of so-called experts in a technical field by either side of a lawsuit. Both plaintiffs and defendants hire potentially biased experts who bring unsubstantiated scientific theories for the purpose of influencing the outcome of the

case. The experts are often paid only if their sides wins. Our legislation lists factors for a judge to consider in weighing the admissibility of a scientific opinion.

The attorney accountability rules, mandate previously optional guidelines set for trial lawyers. There rules require that Federal courts punish attorneys who engage in litigation tactics that harass, make frivolous legal arguments, or unwarranted factual assertions. The punishment is not only to deter this conduct, but to compensate injured parties. The court may order the attorney at fault to pay the opposing party for reasonable expenses as a direct result of the violation.

I strongly urge my colleagues to support H.R. 988, the Attorney Accountability Act. This is the first of three bills that make up the Common Sense Legal Reform Act—a major element of the Contract With America.

TRIBUTE TO RUBY WESTON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TOWNS. Mr. Speaker, I would like to highlight the life of Ruby Weston of Brooklyn, NY. Mrs. Weston is an administrator for the Marcus Garvey Nursing Home in Brooklyn. She toils unselfishly to provide for the needs of the patients at the nursing home. Mrs. Weston's generous and caring nature are reflective in her management style. Prior to serving as a nursing home administrator, Ruby Weston was a realty specialist for the U.S. Department of Housing and Urban Development.

Mrs. Weston received her bachelor's of professional studies from Pace University, and her master's in public administration from Long Island University. She holds licenses in nursing home administration, real estate, and insurance.

Mrs. Weston is married to Dr. Peter Weston, and they are parents to five children. She and her husband reside in Brooklyn. I would like to commend her to my colleagues for her work with the Brooklyn elderly.

THE VOICE OF AMERICA: 53 YEARS AT THE MICROPHONES

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TORRES. Mr. Speaker, as the Voice of America [VOA] steps up to its 53d year at the

microphone, it is talking to nearly 100 million people each week in 46 languages plus English—and its listeners are talking back.

With the end of the cold war and the advent of interactive technology, VOA has engaged in a dialog with its listeners, many of whom are living under very different circumstances than just a few years ago. To that end, the Voice of America is experiencing a renewal, or perhaps, more appropriately, a change in its tone of voice to accommodate the many new missions it has to perform, to fulfill the changing needs and interests of its worldwide audience and to take advantage of new technology to allow for better reception and an increasingly vast global reach. Yet despite these changes, VOA remains evergreen, ever retaining its freshness, relevance and diversity—and its importance as America's voice to the world.

As changes continue to occur in many parts of the world with lightning speed paving the way for the information superhighway, VOA has adapted its programming and how it delivers its message to meet the challenges of the competitive global marketplace with innovation and fervor. VOA has initiated a series of exciting broadcast ventures inviting its listeners to be active participants in the new generation of international broadcasting.

With the placement on the Internet of a text version of VOA's English language programs and VOA audio in 15 languages, listeners can connect with VOA instantaneously, 24 hours a day, to offer feedback on its programming. VOA listeners not only want credible and reliable news of happenings in their country, the United States, and the world, but also practical information on how to build and maintain new democracies and free market economies. They look to the United States, the most powerful and successful example of a working democracy, to learn about its institutions, policies, and way of life. They want to know how to set up a city council, how to start a newspaper, how the stock market works, how to organize a school system, how to get a bank loan, and how to write a constitution. And VOA's programs are there—in their living rooms and grass huts, in their castles and caravans—to provide these new societies with the guidance and support to secure their newfound freedom and independence.

VOA now gives its listeners the opportunity to participate regularly in its programming through a new live international call-in show, "Talk to America," which receives calls in English daily from listeners spanning the globe. VOA listeners want to take part in an open forum to voice their views on the foremost issues affecting the world today—AIDS, drugs, human rights, population, and the environment to name a few—and VOA invites their

discussion and debate. VOA has also rolled out a series of bold new programs to East Asia in eight languages through a \$5 million enhancement from the Congress. In addition, VOA has launched five new thematic programs exploring regional and global economic trends: political and social issues of concern in the United States; the impact of international developments; major news stories from a reporter's perspective; and religion, spirituality, ethics and values.

Mr. Speaker, the Voice of America marked its 53d year milestone on February 24, I hope you will join me in paying tribute to its past success and its bright future as one of the largest and most respected newsgathering organizations in the world. Although we wish that governments that censor the news and miscommunicate the truth would disappear, history has shown us that there will always be a need for a service like the Voice of America—evergreen, ever present, and ever truthful. Through crisis and calm, discovery and disaster, victory and celebration, VOA has continued to uphold its mission established by the intrepid broadcast pioneers who founded America's voice 53 years ago: "The news may be good. The news may be bad. We shall tell you the truth." And VOA, we shall salute you.

TRIBUTE TO EDNA RUSSELL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 1995

Mr. TOWNS. Mr. Speaker, in my district I am fortunate to have individuals dedicated to helping others in the community. Edna Russell has this unyielding dedication. Edna came to New York from Costa Rica, Central America, where she graduated from the Salvation Army School and worked as a nurse in Tony Facio Hospital in Port Limon in Costa Rica.

After Edna arrived in New York, she was employed as a nursing assistant at Jack Low Foundation which is now the New York Community Hospital of Brooklyn. Edna devoted her caring skills in the nursing department for 27 years before transferring to the x-ray department where she is now an x-ray transporter and is also their No. 1199 union representative.

Always giving honor to God, in all that she does, Edna is the first person to give a helping hand whenever a crisis occurs. She is a member of the Sacred Heart Church and is affiliated with the Sacred Heart Shrine. I am proud to recognize Edna Russell for her relentless dedication to the Brooklyn community.