

# EXTENSIONS OF REMARKS

## TERM LIMITS

**HON. LEE H. HAMILTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, April 5, 1995, into the CONGRESSIONAL RECORD.

### TERM LIMITS

In recent years public frustration with the performance of government has been fueled by various scandals and a lack of progress on the budget deficit and other pressing national issues. I share this frustration. Among the many proposals to alleviate this problem are campaign finance reform, tougher ethics laws, restrictions on lobbyists, and term limits for elected officials. The new congressional leadership has chosen to focus solely on term limits.

Recently the House considered several different versions of a constitutional amendment to limit the number of terms for Members of the House and Senate. Some versions included a 12-year limit for Representatives and Senators; another imposed a shorter 6-year limit on Representatives. Other options would allow states to impose stricter limits if they so desired. None of the amendments received the necessary  $\frac{2}{3}$  vote needed for passage.

Supporters of term limits contend that they are necessary to assure a "legislature of citizens", bringing new blood to Washington and competition to the political process. With term limits, Members might not be tempted to protect their legislative careers at the expense of the country. A completely new membership would restore confidence in Congress and promote confidence in Congress and promote bolder decision-making on Capitol Hill. Although supporters of term limits raise some legitimate concerns, in my view the arguments against term limits are more persuasive.

### TIME LAG

Term limits advocates argue that changing the Constitution is necessary to get legislators to tackle the tough issues we face as a nation today. Yet the main version they push would have no effect for almost two decades. Once approved by Congress, the term limits amendment would have to be ratified by the states, and they would have 7 years to do so. If ratified, the amendment would only apply to elections after ratification, which means 12 additional years of service for sitting members. Thus the first year in which someone would actually leave office because of term limits could be 19 years from now—the year 2014. This is clearly not an answer to today's problems.

### ACCOUNTABILITY

Elections keep Members accountable. Under term limits, however, a large proportion of the House would be ineligible for reelection, and could completely ignore their constituents, missing votes, staying away from their home districts, and lining up lucrative jobs after they leave Congress. This republic has been well-served since its birth by the belief that accountability in elected officials should be enforced by voters through frequent elections. Why should vot-

ers be denied the right to return those who have maintained their public trust? That is why I have also opposed the present constitutional term limits imposed on Presidents. Term limits dilute the accountability of elected officials.

### POWER

One unintended consequence of term limits is that by eliminating experience in elected office, power would shift to unelected special interest groups, congressional staff, and federal bureaucrats. In our system of government, power does not simply evaporate; it flows to others—to the unelected and unaccountable. It is hard to imagine a greater advantage for a President or the special interests than to purge Congress of experienced legislators who are experts on certain issues, who understand the workings of government, and who remember the problems of the past.

### EXPERIENCE

Term limits penalize experience. No other profession does that, and no other country imposes term limits on national legislators. Our country's founders noted that courage by public officials not to pander to the people requires a self-confidence and credibility that only experience can bring. Experience gives Members the ability to stand up to powerful special interests. The nation benefits from having Members in Congress who debated the Persian Gulf War, health care reform, Watergate, tax reform, and the savings and loan crisis. Experience helps us avoid mistakes of the past. I am not persuaded that in this day of very complicated problems an inexperienced legislature is better than a more professional legislature.

### HIGH CONGRESSIONAL TURNOVER

Term limits are unnecessary. Elections work. There is already substantial turnover in the membership of Congress. More than 50% of the House has served less than 5 years, and the average length of service is already less than 12 years. Voters have shaken up Congress a great deal in a short amount of time. Congress is improved by the flow of fresh ideas from these new legislators, just as it is improved by the insights of experience. The best solution is to allow voters to determine the proper balance between freshness and experience.

### DEMOCRACY

Term limits are fundamentally undemocratic. Our founding fathers specifically rejected term limits because they limit the choice of the voter to choose who will represent them. Term limits substitute an arbitrary rule for the independent judgement of voters. In effect, the present electoral system provides strong term limits every two years. A citizen who believes a Member of Congress should not serve more than a few years is free to vote against the incumbent, but a law should not prevent other voters from voting for a particular person. If the problem is poor representation, the solution is campaign finance reform and lobbying restrictions, which would expand democracy and limit special interests instead of limiting the voters' choice.

In the end, I do not think that term limits would deal with the causes of frustration with Congress that prompt support for term limits in the first place—certainly not until well into the 21st century. They would do nothing to deliver services better, or cut government waste, or solve any of the social

problems that desperately need solving. We are again looking for a procedural fix when we really need to start dealing with the substantive issues. Term limits are a barometer of the discontent with government that exists around the country, and all Members should heed the warning.

## INTRODUCTION OF FOUR BILLS TO IMPROVE FEDERAL CONTRACTING PRACTICES

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Ms. NORTON. Mr. Speaker, today I am introducing four bills to bring some accountability and cast a search light on the elusive, stealth "shadow government." This government we cannot see is the proliferating and largely unmonitored private contract service sector and work force from which the Federal Government procures services. Although a huge \$105 billion Goliath, this sector has emerged unscathed and uncut at a time when deficit reduction has spared few others.

In fact, service contracting constitutes the fastest growing area of Federal Procurement. In the 1980's, Federal officials acted as if they wanted to contract out the entire Government. From fiscal year 1989 to fiscal year 1992 alone, before the Clinton administration came into office, the number of contractors doing business with the Government rose from 62,819 to 82,472. Over that same period, the amount of money shelled out to contractors of all kinds mushroomed from \$184 billion to almost \$200 billion. Service contracts alone account for \$105 billion of the \$200 billion spent each year on outside contracts.

This is a Government-created and financed monster that the OMB itself concedes is out of control. How extraordinary, then, that in a budget which has left no visible stone unturned, this large Federal expenditure has remained hidden in the shadows and has not contributed a single dollar of mandated cuts to deficit reduction, as Federal agencies and employees have. How remarkable that, despite a Government-wide effort to promote efficiency, we have not considered the inefficiency of guaranteeing contractors an invulnerable chunk of tax dollars.

The Clinton administration, to its credit, has worked hard to make service contractors more responsive—for example, by proposing new performance-based standards for existing service contracts. How surprising, then, that the budget the Congress is now considering proposes no cuts in funds allocated for service contracts—thus leaving untouched a huge source of potential savings—while demanding continued sacrifices from the career work force that makes up the "visible government." Thus far, the shadow government has not registered beneath the green eyeshades of budget cutters, including the Congress.

• 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 time is long past due for overhauling contracting practices. With the four bills I am introducing today, I hope to help begin the process of reinventing Federal contracting just as the rest of our Government is being reinvented.

#### FULL FEDERAL PAY RAISE

My first bill would cut \$2 billion in Federal agency funds for service contracts and make this money available for pay raises that are due Federal employees next year. Federal employees are again being required to give up part of their statutory pay increased while, again, contract employees paid for the same Federal budget remain untouched. The intent of my first bill is to eliminate the raw discrimination that allows the Government to seek sacrifices for civil servants because they are where we can see them but to give immunity to contract employees because they are out of sight.

Beyond the discrimination against career employees who are denied modest increases promised by statute, current contracting practices are fundamentally bad business. According to a March 1994 GAO report, issuing service contracts and hiring consultants actually costs Federal agencies more than using Federal employees. In 3 of the 9 cases analyzed by GAO, agencies could have saved over 50 percent by keeping the work in-house.

#### BUYOUTS

My second bill would plug a gaping hole in the landmark buyout legislation we have only just passed. Congress went to extraordinary lengths to ensure that civil servants who were bought out with cash could not be replaced and that the resulting 272,000 reductions in the Federal work force would be permanent. However, as it stands now, the buyout law would allow untold numbers of contract employees to take the places of bought-out Federal employees—substituting shadow government employees for career employees. My bill would amend the Federal Workforce Restructuring Act to prohibit agencies from contracting out work previously done by buyout recipients.

#### COST COMPARISONS

The reason most often touted for contracting out work is that it is cheaper. The March 1994 GAO study contradicts this assumption, and an OMB study released in January 1994 shows that the cost-saving assumption is often not even tested. Federal agencies do not compare the costs for contracting with the costs of doing work in-house. My third bill would require agencies to make these cost comparisons and would prohibit any agency from entering into an outside service contract if the services could be performed at a lower cost by agency employees.

#### SIZE OF CONTRACTING WORKFORCE

One of the chief obstacles to regulating the contracting workforce has been the absence of information on the extent of the workforce. In 1988, for example, Congress passed legislation requiring agencies to significantly cut service contracts. However, a subsequent GAO report found that there was no way to know if the agencies had actually complied with the legislation. My fourth bill requires OMB to develop a Government-wide system for determining and reporting the number of nonfederal employees engaged in service contracts.

All four of these bills would provide more systematic ways for monitoring and constraining the expenses associated with contracting

out of services—just as we have insisted for Federal agencies and employees. Efficiency and deficit reduction must not stop at the door of the Federal agency. We need to bring the shadow government into the full light of day so that the sacrifices demanded in the name of reinventing Government may be shared by all employees and by every area of Government.

SUMMARIES OF SERVICE CONTRACTING BILLS  
INTRODUCED BY CONGRESSWOMAN ELEANOR HOLMES NORTON

1. The first bill cuts \$2 billion in Federal agency funds for service contracts and makes this money available for pay raises that are due Federal employees next year. Federal employees are again being required to give up part of their statutory pay increases while, again, contract employees paid from the same Federal budget remain untouched. The intent of this bill is to eliminate this inexplicable discrimination.

2. The second bill amends section 5(g) of the Federal Workforce Restructuring Act of 1994, (Public Law 103-226) to prohibit an agency authorized to offer voluntary separation incentive payments under that Act from contracting out, in whole or in part, the duties previously performed by an employee who separated upon receiving such a payment. This is to ensure that no substitution of shadow government employees for career employees occurs.

3. The third bill prohibits any Executive Branch agency from entering into a service contract if the services to be procured under the contract can be performed at a lower cost by employees of the agency. It requires agencies to perform cost comparisons (contractor cost v. in-house cost) when deciding whether to contract for a service. The requirement applies to contracts entered into after the date of enactment.

4. The fourth bill requires the Director of the Office of Management and Budget (OMB) to develop a government-wide system for determining the number of persons employed by non-Federal Government entities providing services under service contracts awarded by agencies in the Executive Branch of the Federal Government. It also requires OMB to submit an annual report to the Congress indicating the number of such persons providing services and the number with jobs comparable to those of career Federal employees providing services to agencies.

REPORT TO CONGRESS BY RICHARD H. STALLINGS, OFFICE OF NUCLEAR WASTE NEGOTIATOR

### HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 1995

Mr. GORDON. Mr. Speaker, in 1987, Congress created the Office of the Nuclear Waste Negotiator as part of its amendments to the Nuclear Waste Policy Act of 1982. The goal of this office was to negotiate an agreement with a host site for the storage and disposal of spent nuclear fuel. Congressional action in 1994 terminated authority for the negotiator's office. Today, I am submitting for the RECORD, the last report to Congress by Richard H. Stallings, negotiator, of the Office of the Nuclear Waste Negotiator.

For the past 15 months Mr. Stallings and his staff have worked to help resolve our Nation's spent nuclear fuel storage and disposal problem. This office held numerous expert discussions which produced valuable scientific infor-

mation on possible future uses of spent nuclear fuel. In addition, Mr. Stallings was instrumental in designing and improving the economic development opportunities of the Department of Energy's multipurpose canister [MPC] Program as an integral part of the interim storage facility. As a result of their efforts, I am confident that Congress will be better prepared to consider legislation concerning the management of spent nuclear fuel.

As negotiator, Mr. Stallings also demonstrated the ability for the Department of Energy to develop meaningful communications with potential host States and increased community awareness and understanding of the emotional issues surrounding nuclear fuel. While the authority of Office of the Nuclear Waste Negotiator ended before a host site was designated, I believe it is important for Congress to continue in these educational efforts and open dialog.

I would like to extend my sincere gratitude to Mr. Stallings for his work as nuclear waste negotiator. His findings and expertise are greatly appreciated and will prove invaluable as Congress moves forward with our Spent Nuclear Fuel Management Program for a permanent repository and temporary storage facility.

OFFICE OF THE  
NUCLEAR WASTE NEGOTIATOR,  
Washington, DC February 8, 1995.

THE SPEAKER OF THE HOUSE,  
U.S. House of Representatives  
Washington, DC.

DEAR MR. SPEAKER: I am submitting the following as the last report to Congress by the Office of the Nuclear Waste Negotiator.

As a result of a legal cloud over our authority to continue operations, I terminated the mission of the Office on January 21, 1995. In closing the Office prior to completing its legislated mission, I leave with a sense of lost opportunity, although much was accomplished over my short fifteen month term. I hope that this report will encourage those who still believe in finding ways for the Federal government and the states to work together for solutions to challenging and controversial public policy issues.

When Congress created the Office of the Nuclear Waste Negotiator in 1987 as part of its amendments to the Nuclear Waste Policy Act of 1982, it recognized the possibility that the storage and disposal of the nation's civilian nuclear waste could be accomplished through cooperation. By giving the Office the authority to negotiate an agreement with a state or tribe, Congress was essentially saying to the states, "Reliance on Federal supremacy may not be the only way that we as a nation should deal with this issue." Perhaps the legacy of this Office should be that we demonstrated that the Federal government can work cooperatively and constructively with the states on this issue, if we are only willing to put forth the effort.

THE OFFICE I ASSUMED IN NOVEMBER 1993

Upon confirmation by the Senate in November of 1993, I took charge of an Office that had been in operation since September of 1990. My predecessor had remained in Office until June of 1993, but with the change of Administrations following the 1992 election, the Office was in essentially a suspended operational status from November of 1992 until I was confirmed a year later. This is important for four reasons.

First, for an Office whose entire term is four years and five months, a year hiatus is a very long time. Second, the last year was

an off-election year, which is when this particular Office, dealing with such a controversial issue, must make publicly recognizable progress if it is to make any progress at all. Third, one of the four tribes that was officially participating in the negotiated siting program when I took Office, the Mescalero Apache tribe in New Mexico, had become frustrated over that year with the lack of progress and funding and was looking to other opportunities. And fourth and perhaps most importantly, I found that with the passage of that year whatever hope the nuclear utility industry, the Department of Energy, and Congress had had for the mission of the Office of the Nuclear Waste Negotiator was gone. I received general support from these groups, but found their energies focussed more on either a legislated solution to temporary storage, abandonment of Federal away-from-reactor temporary storage altogether, or the development of a private interim storage facility on tribal lands.

With this as the backdrop I committed to making something happen. Congress was on the right track in creating this Office and it deserved the best chance it could get to be successful.

#### REINVENTING THE OFFICE

The siting program that I took over had relied on what I term a "trash for cash" approach. In return for hosting a waste storage facility, the state or tribe would be rewarded handsomely with payments and benefits that bore no necessary relationship to the facility. This approach presented me in November of 1993 with one frustrated tribe, and three tribes still willing to consider whatever program I came up with. There remained no viable non-tribal interests. I knew that to even enjoy the "possibility" of coming to an agreement and successfully siting a facility, perceptions had to change and the Office had to be essentially "reinvented".

I concluded that the reinvention needed to concentrate on two aspects of the mission, making sure that the potential hosts the Office worked with were inclusive of those that presented the best opportunities for siting, and developing a sufficiently defined presentation of facility and benefits to permit meaningful evaluation and consideration. Ultimate success would depend on whether the siting opportunity was considered by the localities where siting a temporary storage facility made practical sense, and whether the opportunity they considered was real and worthy of consideration.

#### NEW APPROACH TO POTENTIAL HOSTS

With respect to the potential hosts, I committed to continuing to work with the four tribes that were already in the program, while seeking to approach potential hosting opportunities that did not involve siting a facility on a "green field", green field being a site that had not previously experienced any environmental degradation. This resulted in efforts being directed at closed military bases and facilities and laboratories owned by the Department of Energy. I did not have the time to conduct a "volunteer" program. I do not think the voluntary approach to siting works for this type of an issue. I think you need to tell potential hosts that they are likely to be qualified, and ask for their consideration.

#### SEEKING TO CHANGE PERCEPTIONS

As to the presentation of facility and benefits, I knew that much work would need to be done, and I found that it wasn't until the fall of 1994 that I had a presentation with which I was comfortable.

In my confirmation I asserted my conclusion and firm belief that the transportation and storage of nuclear waste was safe. We have the technology and experience. This was a radical departure from my predecessor,

who proposed to provide grant funding to potential hosts to allow them to determine for themselves whether transportation and storage was safe. I believed that as Negotiator, it was essential to take a clear stand in order to be able to interact with elected officials and the public with any credibility. Had I not been able to take that stand, I would not have taken the job.

Given that the handling and storage of spent fuel was safe, and recognizing that the perception of a storage facility as nothing more than a "dump" (to coin a popular media term), I wanted to know if it was possible for something to be done with the spent fuel as opposed to just storing it. For the next several months following my confirmation, I conducted an extensive evaluation of whether spent fuel had value. I held a roundtable discussion on February 10, 1994, with a dozen scientists who were working on projects utilizing spent fuel. The report that was issued after that roundtable documented that spent fuel has potential value that will almost certainly be realized at some time in the future. The projects that were perhaps the closest to being practical at this time were those involving food irradiation and ozone production, and of course this concept of value did not even consider the potential value associated with reprocessing.

My efforts to pursue this question were widely misinterpreted. This can best be summed up by my Deputy, Robert Mussler, being told by a utility executive upon hearing of this idea, "Don't tell me spent fuel isn't waste!" Rather than trying to somehow convert a temporary storage facility into an instant research park, I was trying to get others to think about spent fuel differently, by having the Office think about it differently. To my knowledge no one had ever proffered the idea that spent fuel might have value besides reprocessing, and I believe my willingness to address this possibility in a direct, public manner, changed the debate. I also believe that technology will advance and the day will come when the value of spent fuel is recognized.

#### DEVELOPING A CONCISE PRESENTATION

Having dealt in a fairly short period of time with the perception and approach to spent fuel, and its storage and management, I set out to put together a concise presentation that could be reasonably and fairly considered, evaluated, and pursued or rejected by elected officials.

This took more time than I had expected, but in the end it was worth it. Out of a facilitated workshop on March 23, 1994, came the idea that the Department of Energy's multi-purpose canister (MPC) program may present an economic development opportunity that could be coupled with the temporary storage facility. We worked to develop the idea, and coordinated that development with the Director of the Office of Civilian Radioactive Waste Management at the Department of Energy. The MPC Program involves manufacturing and assembling Nuclear Regulatory Commission certified containers for the handling and dry storage of spent fuel. The program projects a need for 10,000 canisters, and is a 3 to 5 billion dollar project. By September 1994 we had focussed our efforts on refining the presentation of the economic development opportunities that the MPC program presented to a potential host. The overriding consideration in the development of this idea was that whatever part of the MPC program might go to a state, it must make sense. We were not proposing the creation of a heavy foundry industry in a state that did not already have one. In such states the focus would rather be on assembly and inspection.

Although the presentation contained a number of other elements to describe the fa-

cility and other associated benefits, I felt that the MPC element was the most important in conveying the message that this was a genuine opportunity worthy of consideration. As I noted earlier, this presentation was completed to my satisfaction in the fall of 1994.

#### CHANGING THE APPROACH TO FINANCIAL ASSISTANCE

Another aspect of the program that needed attention when I took Office was the way that financial assistance was provided to potential hosts to support their participation in the negotiated siting program. My predecessor has relied on grants administered by the Department of Energy, and at about the time I was confirmed, a major element of that grant program had been deleted by Congress. I decided that relying on the Department of Energy to provide financial assistance to potential hosts was not the best way to operate and concluded that what we really should do is to instead directly enter into cooperative agreements with those potential hosts. The cooperative agreement is a funding mechanism that anticipates interest and participation by both parties in the activities funded. This fit much better with the way I intended to interact with potential hosts. Since our budget did not provide for the funding of cooperative agreements, I approached the Director of the Office of Civilian Waste Management for help. The Director and I worked out the transfer of an initial \$250,000 to the Office to fund cooperative agreements that I might enter into. This ended up working out very well, giving us the flexibility and responsiveness we needed to establish and maintain credible relationships.

With the cooperative agreement funding mechanism in place, and the development of the presentation that described the temporary storage facility and the associated economic development opportunities that the MPC program could bring with it, I had what I needed to begin direct discussions with those potential hosts where a temporary storage facility made practical sense. It was a presentation that used an overhead projector, and it was a very effective communication vehicle. Unfortunately, with the closing of the Office I was not able to give this presentation to all of those who I felt needed to hear it.

In this first part of the report I have discussed how I changed, or reinvented, the negotiated siting program. I am convinced that this was a viable program, open to consideration by many governors and state officials. In the second part of the report I will discuss the chronology of interactions with potential hosts. I will then conclude with a brief discussion of the circumstances of the closure of the Office.

#### PROGRESS WITH POTENTIAL HOSTS

As discussed earlier, I took over the Office with one frustrated tribe and three tribes that were at different points in the process of their consideration of hosting a storage facility. By the beginning of 1994, the Mescalero Apache tribe had redirected their efforts to working with a group of utilities to develop a private storage facility on their reservation. Adding to this tribe's concerns with the Federal negotiated siting program was the passage of a law that I discussed earlier that took away from the tribe the opportunity to receive 2.8 million dollars in grant monies to pursue the Federal project. My support for the deletion of this grant authority, based on concerns about the lack of specificity on how the funds were to be used, did not help my relations with the tribe. My Office had essentially no contact with the

tribe following their commitment to the private project. The private project was rejected by the tribal membership in a referendum held last month.

The Tonkawa tribe in Oklahoma was in the process of concluding their initial consideration of the project when I took Office. Following one meeting with the tribal leadership, and prior to any opportunity to have any broader discussions with the tribal membership, the tribe rejected the project in a referendum on August 12, 1994.

The Fort McDermitt Paiute-Shoshone tribe in Oregon and Nevada decided in 1994 to defer active consideration of the project. Prior to this decision I was able to meet with the tribal leadership and visit the reservation. I was also able to meet with county officials in Humboldt County, Nevada, and Malheur County, Oregon, as well as participate in a community meeting in the town of McDermitt. Since the tribe's reservation straddled the state line, even though the site would be on the Oregon side of the reservation, the tribe was very active in including the two counties and the community in meetings, tours, and citizen advisory groups. The tribe's deferral in 1994 was due to the gubernatorial contest underway in Oregon. I should note that the tribe had their first meeting with a representative of the newly elected governor in January of 1995. Based on the meeting, the tribe is optimistic that the new governor will be receptive to discussing the merits of the project based on sound science, notwithstanding the closure of the Office.

The Skull Valley Goshute tribe in Utah continued to pursue the project aggressively right up to the closure of the Office. We completed a cooperative agreement with the tribe for \$48,000 to support the development of a framework for negotiating an agreement for the tribe to host a storage facility on their reservation. The development of the framework was also to give each party an indication of whether we seemed to have the ability to work constructively together. Over the last half of 1994, in negotiating the cooperative agreement and the framework for future negotiations, I found that we indeed had the ability to communicate and work effectively together. I was optimistic about the prospects of entering into formal negotiations with the tribe.

At the time we began discussions to develop the cooperative agreement with the tribe, we notified the state and county that cooperative agreements were also to be made available to them if they wished to participate at this time. Within days of completing the cooperative agreement with the tribe, we signed cooperative agreements with Tooele County for \$18,000, and the University of Utah for \$25,000. The University was interested in conducting an analysis of the economic and transportation impacts of a storage facility on the reservation, and the County intended to use their money to have the University do the same type of analysis on a county basis.

In early December 1994, the Office sponsored a trip to the Idaho National Engineering Laboratory for all members of the tribe interested in seeing and learning about the storage of spent fuel. Approximately one-fifth of the tribal membership participated in the trip, and the response was very positive.

On the week the Office closed, I received a completed framework for negotiations signed by the tribal chairman. Had the Office not closed I would have signed the framework and the tribe and the Office would have then been in formal negotiations. I cannot say that this would have necessarily led to a completed agreement to be sent to Congress, but I do know that to have even reached this stage was unprecedented.

The work on the County analysis was stopped, but the University report, based on costs already incurred, is to be completed sometime later this month. I have directed that a copy of the report be sent to the Office of Civilian Radioactive Waste Management at the Department of Energy, with hopes that they may be able to use it in their future work.

In addition to working with the tribes that I inherited, I initiated contacts with the office in the Pentagon that manages base closures to determine if closed bases offered any siting opportunities. After providing them a list of criteria, we received a listing of possible base closures that might have the size and access needs of a storage facility. We pursued each of those leads and at the time of Office closure we were continuing to have discussions with the base closure committee for the Wurtsworth Air Force Base in Michigan. In the final analysis, much of the prior land use planning for the closed bases precluded consideration of the storage facility.

In pursuing the challenges of seeking to work directly with governors or their representatives, I employed what I would term quiet diplomacy. This is the way that I believe that Congress intended for the Negotiator to function and it is indeed the only way that meaningful communications outside of the public posturing imperatives can occur. It was very effective. A free flowing dialogue was, and I believe would have continued to be possible with many state executives. I can report that since the presentation discussed above was put together, I had established good lines of communications in three states, and I was in the process of working to expand that number. It is specifically this aspect of the program and my efforts in this area that leave me with the greatest sense of lost opportunity.

#### CONCLUSION

I have concluded that the management, storage, and disposal of nuclear waste presents one of the greatest challenges to the principles of federalism. I cannot say for certain that my efforts would have resulted in a state willingly accepting spent fuel storage, but I do know that the opportunity for meaningful discussions existed. What I can say for certain is that discussions I would have had with many governors would have resulted in a greater awareness and understanding of the controversial, emotional, and politically charged issues that surround spent fuel. This is a problem that is not going to go away. Unfortunately, this Office may have been the last chance to develop mutually agreeable solutions. With its demise we as a Nation are left with an unhealthy reliance on Federal supremacy at a time when mutual solutions to issues such as this are more important than ever.

#### TERMINATION OF MISSION-CLOSURE

The termination of the mission of the Office is occasioned by a legal cloud over our authority to continue operations. Congress had appropriated adequate funding for the full fiscal year, but there was a question raised in early January about the basis of authority for such continued operations. As part of my aggressive pursuit of the opportunity to complete my mission, I obtained the opinion of outside legal counsel on the question of the authority to continue operations of the Office until the end of this fiscal year. That outside legal opinion concluded that such authority existed.

This opinion was reviewed and concurred with by the General Counsel of the Office of Management and Budget. I am advised that the same conclusion was reached by the General Counsel of the General Services Administration. However, I was told that the Legal Counsel for the Department of Justice reached a contrary conclusion. Given the

sensitive nature of the work underway, and the recognized urgency to make real progress this year, the resolution of these conflicting views would create significant obstacles and take time that I did not have. It thereby essentially negated any chance of my succeeding with the mission of the Office. As I said at the time I was confirmed by the Senate, I have no interest in keeping the Office open if there is little or no likelihood of success.

During the short period of orderly shutdown and closure of the Office I secured an audit of our financial records by an independent outside accounting firm. The report of that audit concluded that at closure all financial records and accounting practices were in order.

Over the past fifteen months I have had the good fortune of a dedicated, hard working, and highly competent staff. I'd like to take this opportunity to express my appreciation for the efforts of Michael Campilongo, Gary Catron, Maureen Conley, Henry Ebert, Martha Fitzsimmons, Brad Hoaglund, Tom Lien, Bob Liimatainen, Bob Mussler, Angie Neitzel, and Jennifer Stone.

I am very appreciative of having been asked by the President to serve in this Administration. It was an honor and a privilege to have had the opportunity to accept this challenging assignment.

Sincerely,

RICHARD H. STALLINGS,  
*Negotiator.*

#### TRIBUTE TO MURIEL M. DOUGHERTY

#### HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. SAXTON. Mr. Speaker, Monday, April 3, 1995, marked the first official day of long-deserved retirement for my associate and friend for many memorable years, Muriel M. Dougherty. After having worked with me for almost 22 years, most of them as a public servant, Muriel will now blissfully enjoy the fruits of a leisurely life, including the company of her 5 children and 13 grandchildren.

Muriel first worked with me as secretary in the real estate firm of Saxton, Imlay and Falconer, earning her real estate license along the way. In 1975 when I began my political career as a New Jersey State Assemblyman, Muriel became my legislative assistant, working diligently in her new position, as always.

After 6 years, she moved with me to the New Jersey Senate. Because Muriel is a completely trustworthy, competent, and people-oriented individual, I was always able to concentrate on my legislative duties in Trenton, while leaving the administrative responsibilities to her.

In 1984, when the opportunity arose for me to run for a seat in the U.S. House of Representatives, Muriel was the first to say in her usual enthusiastic way, "Go for it!" During those hectic days, she would take care of just about anything that needed to be done, always competently and with a smile; and would often use her free time to help with campaign activities.

Upon taking my seat in the House on November 9, 1984, Muriel became office Manager for my Mount Holly district office, where

she has served faithfully and tirelessly for over a decade.

During our many good years together, Muriel has served not only as my employee, but also as a trusted friend, always willing to go the extra mile to help her boss with whatever needed to be done. From knowing the proper way to address the President to soothing unhappy or angry constituents, she always knew the proper way to do things. Her sensitive and able assistance to the numerous constituents in my district has always made my job much easier.

And, as a friend to her co-workers, who looked at her as a teacher, she has won praise and admiration for always handling things just right.

I, as well as my entire staff, will very much miss Muriel's calm demeanor and gracious manner. Her legacy of excellence will be felt in my office for a long time to come. One thing for sure is Muriel will rarely be found at home. She loves to travel and visit places of interest with her many friends. We wish her health and happiness in the years ahead. She truly deserves it.

OPERATION OF THE GRAND LAKE,  
CO, CEMETERY

**HON. DAVID E. SKAGGS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. SKAGGS. Mr. Speaker, I am pleased to introduce today legislation that will authorize an important and unique management agreement between the National Park Service and the town of Grand Lake, CO. This agreement will grant to the town the permanent right and responsibility to manage its century-old cemetery that is now inside the boundary of Rocky Mountain National Park.

This bill, on which my colleague from Colorado, Mr. MCINNIS, joins as a cosponsor, matches legislation introduced earlier this month by our State's two Senators.

The cemetery legislation is based on extensive negotiations between town and national park officials, with both groups supporting it.

Under the agreement, the cemetery will remain inside the national park; no boundary adjustments will be made. Normally, such a situation would be handled through a park service special use permit, which must be renewed every 5 years. Such a short-term permit is not appropriate for a site like this one.

The area to be used and managed by the town is precisely defined and limited to avoid future disputes. The agreement reflects an important spirit of cooperation and good will between the town and the Federal Government.

I recommend this legislation to my colleagues in the House, and I urge swift action on it.

TRIBUTE TO JEFF KATZ

**HON. DAN BURTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. BURTON of Indiana. Mr. Speaker, I would like to pay tribute to Jeff Katz, a radio

talk-show host in my district. Jeff's wonderful insights blasted the Indianapolis-area airwaves during the evening drive-time slot on WIBC. Jeff's program played a very integral role in the recent Republican revolution. You see, Jeff is one of the gaggle of conservative talk-radio hosts who helped spread the word before last fall's telling elections. Their courage and ability to bring moral, social, and political issues into the publics' eye had a very positive impact on helping the Republicans gain control of the Congress last November. Jeff continues his good work even today.

Jeff Katz has been a good friend of mine, and unlike some in the mainstream media, he covers issues fairly and honestly. Jeff is moving to the Sacramento, CA, area to another radio station. I wish him well and will miss him. While central Indiana is losing one of the finest talk-radio hosts in the country, the people of northern California will be gaining a very talented and capable radio personality. Jeff, thank you for all of your hard work, and best of luck.

H.R. 1386, THE CLINICAL LABORATORY  
ACT AMENDMENTS OF 1995

**HON. BILL ARCHER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. ARCHER. Mr. Speaker, I am introducing H.R. 1386 to reduce the burdens on physicians who perform laboratory tests in their offices and thereby, improve patient care and reduce patient costs. The Clinical Laboratory Improvement Act of 1988 [CLIA] has greatly increased health care costs associated with laboratory testing. Some physicians have reported that compliance with CLIA regulations have more than doubled the cost of providing tests in their offices. In fact, the Health Care Financing Administration estimated in 1992 that CLIA would add between \$1.2 billion and \$2.1 billion annually to the cost of performing clinical laboratory tests in a physicians office.

The CLIA 1988 restrictions have caused thousands of physicians in their offices to discontinue all or some portion of essential clinical laboratory testing on site. This creates a barrier to patient compliance with diagnostic and treatment protocols and causing patient inconvenience. For example, for many tests a patient must be referred to an outside laboratory to have the specimen taken and tested. This poses a substantial hardship for many patients, most notably the elderly, the disabled and families who live in underserved areas. Oftentimes these patients cannot travel or find someone to taken them to these facilities. The result is that they do not obtain the necessary test which may interfere with their treatment.

I hope that my colleagues, on both sides of the aisle, will join me in supporting this legislation which will reduce health care costs and improve the ability of patients to receive appropriate laboratory tests conveniently and in a timely fashion.

AN HONEST DIALOG WITH MY  
CONSTITUENTS

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. FRELINGHUYSEN. Mr. Speaker, since the November election, there has been a lot of national attention on the U.S. House of Representatives, the Republican majority and the Contract With America.

During all of this, I have been honored to serve 3 months as a Representative in Congress. It has been a time of both great change and opportunity. More than 7,000 constituents have taken the time to write or call me, visit my office or attend one of my town meetings.

Having read each of their letters and listened to their concerns, I have learned that we share common goals—putting our Nation's fiscal house in order, and balancing the Federal budget, making Government more efficient and more accountable, and preserving programs that actually work, that serve the national interest and that take care of the most needy in our country.

Unlike a lot of the media commentary on the contract and the speechmaking in Washington, their letters have expressed these concerns in very real terms.

Families are worried about financing their children's college education but are also concerned about whether or not the future holds the same opportunities for their children that we enjoy.

The people who serve the needy in our communities worry about Federal aid cuts but also feel they could do more with the money if there were less Federal strings attached.

And, thousands of constituents just ask why the Federal Government cannot balance their budget like American families do. People just cannot comprehend, and quite frankly neither can I, a national debt of over \$4.5 trillion and annual deficits of \$200 billion.

Many people have offered imaginative and sensible ideas about how to address these concerns and I sense a real willingness to try new approaches, including doing more with less if it means making real strides on our budget problems. Most important, there is once concern that weighs on all of us—our children's future and whether or not we leave them debt-free or debt-burdened.

In the pass 3 months, many citizens feel that we in Washington have started the process of really listening, and taking real steps to address their concerns.

Whether we agree or disagree on the specifics, the direction is clear:

They want accountability. We changed the way Congress conducts business. We brought term limits to the House floor for the first vote ever. We required Congress to live by the same laws as everyone else. We opened all committee meetings to the public and press, and we limited chairmen to a term of 6 years, probably the single most effective way to dismantle the arrogance of power that characterized past Congresses.

They want us to make the tough choices. We passed the balanced budget amendment and the line-item veto. And, we passed a first installment of \$17 billion in real spending reductions.

They want us to stop assuming that Washington knows best. We passed legislation eliminating unfunded mandates on the States and put a halt to Federal regulations and red tape while preserving national standards for health, safety and the environment.

They are willing to try new approaches. We are all frustrated that Washington-imposed programs to solve the crises of crime and welfare have not worked. So, we proposed giving our States and local communities the flexibility and the resources to try new approaches. And, we have not overlooked the fact that the Government programs are not a substitute for personal responsibility or community involvement.

In all, I have cast over 280 votes so far this Congress. I am told that not since 1933 has Congress been so active in voting on major issues. I weighed each vote individually and carefully and I know that there is still much room for improvement in many of our proposals as we work with the President and the Senate.

While we have made a lot of progress, the Congress faces more tough choices in the next 100 days as we lay out a plan to balance the budget by 2002.

The goal is clear—we must bring spending under control and allow all Americans to control more of their hard-earned money. It is the specific choices that will be tough and New Jersey will not be immune to them even as our delegation works to assure that we get our fair share.

I remember the tough choices I had to make working on the budget in Trenton. As I did then, I will continue to listen to all my constituents and pledge to do my share to make these tough decisions with the utmost of care and fairness.

I will do my best to explain our decisions, although I would forewarn that some media and political "sound bytes" often have more persuasive power than do the facts. We need an honest dialog with our constituents, and I welcome their ideas at all times.

RADIO VISION'S 15TH ANNUAL  
VOLUNTEER RECOGNITION DAY

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. GILMAN. Mr. Speaker, on May 6, 1995, Radio Vision, a service organization in my 20th District of New York which is staffed 100 percent by volunteers, will be celebrating its 15th annual "Volunteer Recognition Day."

Radio Vision is a closed-circuit radio broadcasting service that provides news and information for the blind and sight impaired throughout 5 counties in the Hudson Valley region of New York. The volunteers who give of their time to provide the Radio Vision service free of charge to hundreds of sight-impaired persons is highly deserving of our gratitude and special recognition. Without Radio Vision, sight impaired people would have no access to the day-to-day information, especially regarding local events, that the rest of us all take for granted.

A sight impaired person's access to the media is limited to listening to radio and TV broadcasts that briefly outline national and

world news stories. For a person that has difficulty holding or reading a newspaper, local news and happenings—such as the stores which are having sales, where new facilities have opened in the vicinity, and what our neighbors are accomplishing—is difficult to obtain. Without Radio Vision, a blind person has little or no access to information about his or her community.

Radio Vision provides a free closed-circuit radio to people who need help getting news. Over 100 volunteers read local news, topical literature, shopping hints and other vital information to the more than 400 blind, sight impaired or otherwise disabled Hudson Valley residents who subscribe to the Radio Vision service.

For the past 15 years, Daniel Hulse has done a superlative job as program director. In addition, Carol Cleveland has worked tirelessly to coordinate the volunteers who find time to aid disadvantaged members of their community.

Their voluntary hard work has enriched the lives of many of my constituents, and I am proud to honor them today.

TRIBUTE TO ERNIE PYLE

**HON. STEPHEN E. BUYER**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. BUYER. Mr. Speaker, I rise today to commemorate the life of one of the most beloved Hoosiers of the 20th century on the 50th anniversary of his death. He was a man of strong character, unwavering dedication, and a common touch. Born in the American heartland, he became world famous by chronicling the struggles of countless "G.I. Joes" during World War II. His writing remains some of the most poignant and moving in the history of warfare. I speak, of course, of that most beloved war correspondent and friend of the common soldier, Ernie Pyle.

He was born in Dana, IN, on August 3, 1900. It could have been Anywhere, USA. An only child, he was a wiry, red-headed, shy boy raised on a farm. After a short stint in the Navy, he enrolled in journalism at Indiana University. Restless and eager to move on, he left school his senior year to pursue a career in writing. His early jobs included positions with the La Porte Herald Argus, the Scripps-Howard Daily News in Washington, DC, and the Evening World and the Evening Post in New York.

Ernie Pyle began his career as a syndicated columnist in 1935 when he took a 3 month sick leave from the Washington Daily News and toured the country by car with his wife, Geraldine Elizabeth Siebolds. Returning to Washington, he wrote numerous columns describing his experiences. His chatty style, which became his trademark, was popular with readers and the Scripps-Howard group created the post of roving correspondent for Pyle. In this position, he criss-crossed the continent 35 times gathering material for his columns.

Ernie Pyle's first experience with war came in 1939, when he was sent overseas to cover the outbreak of World War II. His early coverage of the Nazi bombing of London was so gripping that his dispatches were cabled back

to Britain for readers there. Soon Pyle found himself accompanying military units to the various fronts that developed as the war progressed. It was here that Pyle developed his now famous love for the combat infantryman—the "G.I. Joes" of the U.S. Army. His coverage of the North African campaign, written in the folksy style that became his trademark, included the names and hometowns of the junior officers and men who actually did the fighting.

Known affectionately as "the little guy,"—he weighed only 110 lbs—Pyle accompanied the soldiers through North Africa and into Sicily. His writing is best described by Pyle himself:

I only know what we see from our worm's-eye view, and our segment of the picture consists only of tired and dirty soldiers who are alive and don't want to die; of long darkened convoys in the middle of the night; of shocked silent men wandering back down the hill from battle; of chow lines and atabrine tablets and foxholes and burning tanks and Arabs holding up eggs and the rustle of high-flown shells; of Jeeps and petrol dumps and smelly bedding rolls and C-rations and cactus patches and blown bridges and dead mules and hospital tents and shirt collars greasy-black from months of wearing; and laughter, too, and anger and wine and lovely flowers and constant cussing. All these things it is composed of; and graves and graves and graves.

Exhausted, Pyle returned home following the invasion of Sicily, only to return to Europe in time to cover the Italian campaign, including the Anzio landing. Although sick with anemia, it was here that Pyle wrote his most famous column on the death of Capt. Henry T. Waskow of Belton, TX. He returned to England in April 1944 to await the invasion of Normandy. During this period, he received the Pulitzer Prize for his war correspondence. He continued his coverage of the European theater from the Normandy landings to the liberation of Paris. After 29 months overseas and 700,000 written words on the war, Pyle returned home once again.

His restlessness continued. Half-bald, grey and thin, Pyle declared himself a deserter, and decided to return to combat, this time in the Pacific. He landed with the 77th Infantry Division on Ie Shima in the Ryukyus on April 17, 1945. It was here that Pyle's luck ran out. After spending the night under fire, he started out for the front in a jeep on the morning of April 18. Caught in a machine gun ambush, he dove into a ditch for cover. He was killed minutes later by a Japanese sniper when he raised his head. On learning of his death, the Secretary of War stated that "They like him because he talked their language. They trusted him because he reported them faithfully to the public at home."

Originally buried where he fell, Pyle's body was later interred on Okinawa and finally at the National Memorial Cemetery of the Pacific, the Punchbowl Crater, Hawaii. But he was never forgotten in his home in Vermillion County. In 1975, Pyle's farmhouse was moved into Dana and became a museum. On April 18, 1995, 50 years after his death, two Quonset huts will be dedicated as additions to this museum to store his memorabilia. There can be no more fitting symbol to honor a man who covered America's finest in the farthest points of the globe.

Today we remember Ernie Pyle. Not for his Pulitzer, or his honorary degrees, but for his

common touch. We remember him because 50 years ago, in a world at war, he reminded us that it is people—regular, everyday people from places like Dana, IN—who love, and fight and die in war. It is for this reason that as long as we remember World War II, we will remember the chronicler of America's G.I. Joes—Ernie Pyle.

TRIBUTE TO THE MACOMB COUNTY INTERFAITH VOLUNTEER CAREGIVERS

**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. LEVIN. Mr. Speaker, I wish to extend my congratulations to the volunteers and staff of the Macomb County Interfaith Volunteer Caregivers as they celebrate their first ever Volunteer Recognition Evening.

The Macomb Chapter of the Interfaith Volunteer Caregivers was established in 1993 to serve the older and physically challenged adults living in the community. These adults were struggling daily to maintain their independence. Interfaith discovered that a little extra help could make the difference between staying at home and moving into a nursing facility.

Macomb County Interfaith Volunteer Caregivers is an interdenominational network of local religious congregations joined together to respond to basic needs of those needing assistance. The program matches centrally trained volunteers of all ages with older and physically challenged adults to provide such services as housekeeping, home maintenance, shipping, transportation, and friendly visits. Because of the generosity and compassion of the program's 400 volunteers, the skilled management of Program Coordinator Karyn Dombrowski, and the strong commitment of the board of directors, the services are offered completely free of charge.

It is clear that faith and community involvement are key elements in the lives of all of the volunteers. Their sense of responsibility and concern for others have made the Macomb County Interfaith Volunteer Caregivers a truly remarkable organization.

My best wishes to all of the incredible volunteers on this special evening.

TRIBUTE TO ACCESS

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. DINGELL. Mr. Speaker, I wish to take the opportunity to congratulate and call to the attention of my colleagues an organization in my congressional district dedicated to the well-being of a rich and vibrant community in Dearborn, MI. The name of the organization is ACCESS, which has delivered immeasurable social service throughout its existence and is marking its success with the ACCESS annual banquet on April 8, 1995.

As a Member of Congress, it is a distinct pleasure to serve what is commonly recognized as the largest community of Arab-Americans

in the United States. Like every other person I represent in my congressional district, Arab-Americans are busy raising children, running their businesses, getting involved in local civic, cultural, and religious organizations, and trying to make the most of the American dream.

The executive director of ACCESS is Ismael Ahmed, an individual with whom I have worked to help secure support for health care, education, other support services for persons in need. During Ish's tenure, ACCESS has gone from a simple shop to a sophisticated organization. This parallels a renaissance in many neighborhoods in our Arab-American community, and tremendous growth in Arab contributions to the local, regional, and national economy.

Throughout our history, the American dream has represented the sum of our citizens' hopes, ambitions, and struggles to build a better life for ourselves and our children. Arab-Americans are only one more group of people who are successfully building their lives and planning better futures for their children. This success rests in part on the dedication of ACCESS to providing people with the means they need to overcome cultural and language barriers and become a part of our rich national fabric.

JIMMY STEWART MUSEUM TO OPEN IN INDIANA, PA

**HON. JOHN P. MURTHA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. MURTHA. Mr. Speaker, one of America's best-loved actors over the last 60 years is Jimmy Stewart. Recipient of the Academy Award for best actor for "The Philadelphia Story" in 1940, Jimmy Stewart appeared in more than 80 full-length feature films and numerous television specials. Who can forget his performances in such American film classics as "It's a Wonderful Life" and "Mr. Smith Goes to Washington"?

Although Jimmy Stewart is best recognized for the many film roles he played, too many people forget the role he also played as a fighter pilot in World War II. Less than a year after winning the Academy Award, he was in training in the Army Air Force, and by 1943 he was in command of a squadron in Europe. He returned from World War II a veteran of over 20 combat missions, and he's one of the true American heroes that we honor in 1995, the 50th anniversary of the conclusion of World War II. When he returned from the war, he didn't immediately go to Hollywood; he did what thousands of American soldiers did, and went back to his hometown—in this case, Indiana, PA.

Indiana, PA, is the birthplace of Jimmy Stewart, and this western Pennsylvania town is justifiably proud of its native son. To celebrate his 87th birthday on May 20, the James M. Stewart Museum in Indiana will be dedicated. The town is planning a gala celebration, including a dinner, parade, and ribbon-cutting ceremony.

The James M. Stewart Museum is bound to be a favorite stop for movie buffs all over the United States. I'd like to salute the folks in Indiana, PA, who have worked tirelessly to put this museum together and make it a place which tells the Jimmy Stewart story. And most

of all, I'd like to salute Jimmy Stewart, the actor who has brought us many hours of pleasure in his movie and television roles, the American hero who fought for his country, and the native son of western Pennsylvania who has never forgotten his hometown.

HONORING JOE ALEXANDER

**HON. THOMAS M. DAVIS**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. DAVIS. Mr. Speaker, I rise today to pay tribute to one of Virginia's best known and most successful political leaders, who is retiring from public office after 32 years of service. Joseph Alexander, known as "Metro Joe," or "The Baron of Lee District," has announced he will not seek reelection to the Fairfax Board of Supervisors from Lee District. He is being honored by the Fairfax Chamber of Commerce at this annual turkey roast on April 22, 1995.

Joe grew up in Franconia, where his father, Milton Alexander, established the Franconia Hardware Store at 6124 Franconia Road. His mother, Celia, was the local post mistress at the Franconia Post Office, which was located in the same building with the hardware store.

Joe moved on to attend college at Virginia Tech, where he served with the Corps of Cadets all 4 years of his stay. He graduated in 1951 with a degree in business administration and a commission of second lieutenant in the Air Force. Joe continued at Tech in 1952, and pursued a degree in public administration. He was called to duty this time and went to flight training. He served in the Korean war as a first lieutenant until 1955.

After leaving the service, Joe returned to Fairfax County and joined his father in the family hardware business, and became active in the Springfield Chamber of Commerce, where he served as president from 1959 to 1961. Prior to his leadership role with the chamber, Joe met Davina Einbinder, a Washington, DC, native. In June of 1956, they married and moved into the Rose Hill area of Lee District, where they have continued to live to this day.

While serving in the Springfield Chamber and being active in the community as a local businessman, Joe became interested and concerned about the future of Fairfax County. Other area businesses were also concerned that there was no representation for the business community on the Board of Supervisors during 1960. They began to press Joe to run for the Lee District position on the board. Joe decided to enter the race in 1963. With the Franconia Hardware Store as his headquarters, Joe received a large amount of public support from the Springfield Chamber, local fire fighters, and a number of Lee District communities. His bid for the seat was successful, and in 1964 Joe was sworn in as a member of the Fairfax County Board of Supervisors.

Joe always showed a strong interest in transportation issues, and in 1971 he was appointed as an alternate member of the Metro board. He was instrumental in getting the citizens of Fairfax County to approve bonds to finance the regional Metro system. He became a principle voting member in 1973, and he further advanced the organization to serve as

chairman of the board four times: 1975, 1981, 1987, and 1993.

Some of the organizations that Joe helped organize as a County Board member were: the Economic Development Authority, the South East Fairfax Development Corporation, and he pushed the county to begin promoting tourism. Joe has always been one of the most stable business leaders on the Board of Supervisors.

He has always paid attention to local concerns, and as the Lee District Board member, he has personally been responsible for the completion of over at least 200 million dollars' worth of public projects in Lee District. Projects range from neighborhood improvements, parks, drainage protection, trails, street lights, intersection improvements, new roads and streets, conservation and environmental projects, the Huntington, Van Dorn, and Franconia-Springfield Metro stations, as well as a number of other projects that are too numerous to mention.

During all of this time, he was very active in the American Public Transit Association [APTA]. The association represents all of the transit systems in the United States and Canada. Joe was elected vice president of APTA in 1981, and was elected chairman of APTA in 1982. He served as chairman until 1984. Joe developed a tremendous amount of knowledge about transit operations around the country.

Because of his transit experience, Joe was asked to join Ernst & Young and help develop the National Transit Consulting Practice. Joe left Perpetual in 1987 to go to work for Ernst & Young. He spent the next 5 years developing the transit practice and working with transit systems in Los Angeles, Atlanta, Chicago, Miami, and many other cities. Joe left Ernst & Young in 1992 to create the Alexander Group, in order to pursue additional consulting opportunities.

He is presently serving as the APTA membership committee chairman, president of the Virginia Association of Transit Officials, a member of the Virginia Railway Express Operations Board, a member of the NVTC Board, and a member of the Metro Board.

Joe and his wife Davie have two daughters, Cathy and Cheri, both graduates of the Fairfax County school system. Davie presently serves as the executive director of the Mt. Vernon-Lee Chamber of Commerce.

Mr. Speaker, I know my colleagues join me in honoring Joe Alexander for his 32 years of public service and wish him and Davie continued success in the years ahead.

#### TRIBUTE TO OTIS BOWEN

### HON. MEL HANCOCK

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 1995

Mr. HANCOCK. Mr. Speaker, Dr. Otis Bowen is one of the finest people God ever put on Earth. Indiana is justifiably proud of him and John Krull has captured Doc's goodness beautifully in the following article:

BOWEN REFLECTS ON LIFE OF POLITICS  
POPULAR FORMER GOVERNOR STILL HOLDS  
GREAT INFLUENCE  
(By John Krull)

BREMEN, IN.—Otis Bowen singles out one photograph on his wall of memories.

It is near the edge of one of the walls of a long hallway. Almost every inch of space is covered with certificates and pictures—photos of Bowen when he was in the Indiana Legislature, when he was governor, when he was the secretary of Health and Human Services in Ronald Reagan's Cabinet.

The images on Bowen's walls are a fairly comprehensive photographic record of recent American political history. There are pictures of Bowen with many of the most powerful politicians of the past 30 years. Richard Nixon. Gerald Ford. Jimmy Carter. Reagan. George Bush. Dan Quayle. Richard Lugar. Robert Orr.

As he points to one photograph, though, the former small-town doctor reveals something of the political know-how that made him one of the most popular politicians in Indiana history.

The picture is of the staff at the Department of Health and Human Services. In it, former Surgeon General C. Everett Koop is seated near Bowen.

"Koop was kind of a character," says Bowen, 77. "But Chick—that's what we called him—had great credibility with the media. So, whenever we had some idea we wanted to explore or try to get a fair hearing, we'd send Chick out to talk about it. It worked pretty well that way."

That hidden-hand style of leadership was one of the qualities that made Dr. Otis Bowen such a formidable politician, says William J. Watt.

"One of Doc's supporters had a saying that sort of captured it," says Watt, who wrote a book about Bowen's years as governor after serving as one of his executive assistants.

"He said that Doc always let other people have his way. That was the way he operated. He could control things without letting other people know it."

Watt attributes Bowen's success to several factors.

"Doc is very intelligent, but he has a greater sense of focus than a lot of intelligent people do. He had a very clear sense of what his priorities were. He knew what he wanted and he could be very determined in going after it. He would not quit or back off. And he could be very, very tough."

So tough that for a long time Otis "Doc" Bowen—the pride of Bremen, Ind., a small town not far from South Bend—practically ruled the political arena in Indiana.

In 1972, he ran for governor against a popular former governor, Matthew Welsh, and won convincingly. In 1976, he trounced then-Secretary of State Larry Conrad to win reelection.

In 1980, a young member of the U.S. House of Representatives felt compelled to ask Bowen if he intended to run for the U.S. Senate that year. Only after Bowen said he wasn't interested did Dan Quayle feel it was safe to enter the race.

His shadow has proven to be so long that rising Hoosier Republicans still feel the need to seek out his counsel and blessing.

"They still come up here. In the last election, a fair member—David McIntosh, Sue Anne Gilroy and some others—came up to sit down and ask my advice. It was gratifying to know that they haven't forgotten me," Bowen says, and smiles.

"Up here" is a converted barn on the outskirts of Bremen. It is a large, open house filled with memorabilia and souvenirs. Along the mantle atop the fireplace is a collection of ceramic elephants.

"Every time you speak at a Lincoln Day dinner, they given you an elephant. I've lost track of how many I have," he says.

It is the home Bowen built in the early 1970s with his first wife, Elizabeth, who died in 1981. They had been married for nearly 42 years at the time of her death.

She was the reason he did not run for the U.S. Senate.

"Her health was failing and she had to be my first priority," he says.

Later that year, he married an old friend, Rose Hochstetler. Because of his service in Washington, he only got to live in this house for a short time with her before she died in 1992.

He now shares the home with his third wife, the former Carol Mikesell.

He had known her for much of her life—even delivered her children. But they had lost touch during the years he was governor. She, too, had been married twice.

They became reacquainted at a political fund-raiser he held at his house in 1992. At the time, she was working at a bank in Warsaw.

Their courtship did not begin right away. "It took me about a month or more to work up the nerve to call her," he says.

When he did, they went to dinner in Fort Wayne.

"We knew pretty quickly that it was going to be serious," says Carol, 52.

They were married two years ago in the living room of the house, right in front of the fireplace with all the elephants. It was a small ceremony with only family members present.

Bowen says Carol helped him recover a zest for living.

"I have to give Carol much of the credit for turning me around. She made all the difference," he says.

When he met her, he says, the loss of his second wife still was fresh. The deaths of his two wives have been the most difficult things in his life.

"The grief was just devastating. You have six or eight months when you can't eat or sleep or even think about much. You lose 25 or 30 pounds and you wonder if you can go on," he says, shaking his head.

"But then there comes a point when you get tired of feeling so bad. You realize that you have to go on living. It's hard, but you do it."

He teases Carol about not being politically active.

"I don't even know if she voted for me," he laughs.

"Of course I did," she says, laughing too.

He and Carol now try to stay close to home. They work outside on their five acres of land. They journey into Bremen once a day. And they travel around the state, when Bowen delivers one of his many speeches, mostly about health-care issues.

Carol quit her job at the bank. Bowen says he's going to try to cut down on the number of speeches he makes. They plan to travel together some, but mostly they hope to enjoy their home and each other.

"This is a pretty good size bit of land, and we work on it ourselves, because we like that. And we want to spend the time together," he says.

Bowen says he doesn't know exactly why he was so popular with Indiana voters.

"Maybe it had to do with my medical training. You're taught as a doctor not to panic or act rashly in difficult situations," he says, and then he changes the subject.

His biographer and former aide William Watt sees it differently.

"With Doc Bowen, the public man and the private man were one and the same. There was a genuineness to the man people responded to," he says.

What's more, Watt says, Hoosiers remember the 1970s—the Bowen years—with fondness. Government and its problems seemed smaller and more approachable then.

Bowen recalls those days with affection, too.

"I miss the people contact," he says. "As governor, you always were with people, working with them, getting things done. I miss that."

He does not view his days at the Department of Health and Human Services with the same warmth he does his days at the Statehouse.

"I didn't enjoy my time in Washington as much. As governor, you could get things done. But in Washington you had more than 500 bosses in Congress to answer and bureaucrats to frustrate you. You never seemed to make contact with people," he says.

Still, there were people in Washington he respected.

"Gerald Ford was my favorite president, because he was just a good, down-to-earth man. He had common sense, and that's the most important thing.

Ford's successor in the White House, Jimmy Carter, also merits a spot in Bowen's affections.

"I don't think he was a very good president, but he is a fine man. He wanted to do the right things, but his management style undid him. But he is one of the nicest men you would ever want to meet," he says.

Closer to home, there are many people Bowen misses.

Again and again, as he points to people in the pictures, he has no say, "he has since died" or "he passed on a few years ago."

One person he mourns is one of his predecessors in the governor's chair and an occasional political adversary, Roger Branigin.

"He was a good man," Bowen says. "He was likable, personable and very open. It wasn't hard getting in to see him when he was governor. In fact, it could be kind of hard getting out of the office, because it was so pleasant to pass time with him and he enjoyed people so much."

Bowen says that some Indiana Republicans don't entirely accept the fact that he is retired.

"Some people have come up here to try to talk me into running for governor again," he says.

"I don't know if they were serious or if they were just trying to flatter me. I told them that I'd had my time at bat and it was time to let younger folks have their try."

Watt says he's not surprised that some people would want Bowen to run for governor again.

"Doc made people feel comfortable. It wasn't his style to have public confrontations. He seemed to make things work, and people liked that," he says.

That style manifests itself even in the way Bowen assesses his own career.

"I've been fortunate. Sometimes I almost have to pinch myself," he says.

"I've been a governor and I've worked with presidents. But then you realize that people of power and prominence came to their positions through some quirk or accident of fate, and that basically they're no more intelligent than you are. When you realize that, you can just go about doing what you have to do. That's what I tried to do."

## HONORING THE CESAR CHAVEZ WRITING CONTEST AWARD WINNERS OF THE EAST SIDE UNION HIGH SCHOOL DISTRICT

### HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 1995

Ms. LOFGREN. Mr. Speaker, I rise today to recognize more of the winners of the first annual Cesar Chavez writing contest held by the East Side Union High School District in San Jose, CA. I had the great privilege of attending the award ceremony honoring the student winners on March 31, 1995, and would like to continue sharing the essays and poems written by the student award winners with my colleagues.

Yesterday, I began by sharing the essays and poems of the grand prize winners and three of the first place winners, and today I will share the five remaining first prize entries, and the first three of eight second place winning entries. Tomorrow, I will share the remaining five essays and poems of the second place winners.

The first prize winning essays and poems of Lisette Munoz of W.C. Overfelt High School, Ahmed Desai of Piedmont Hills High School, Brenda Reyes of Silver Creek High School, and Eulala Reynolds of Yerba Buena High School follow:

Lisette Munoz of W.C. Overfelt High School

CESAR CHAVEZ

To some he was a hero but he only saw himself as a man.

A man I believe put on this earth to help the disadvantage.

His struggle was not easy for he faced much prejudice.

An acquire prejudice brought upon be ignorance.

His people, he saw hunched over in the fields, sweat upon their brows, pain in their backs, hands blistered and skin darkened from the sun.

All eyes were wide open, everyone looked around but no one took stand.

Cesar Chavez felt something in his gut this was 'El Movimiento.'

He stood amid the mist of the pesticides and began to walk, and surprisingly, the people followed.

He then knew that all the people needed was a leader who was dedicated to his cause.

He fasted so that people would listen.

He pointed out the forgotten ones.

Babies deformed by the hands and inventions of man.

He did what he needed to go change would come about.

He did all this but his body couldn't withstand the battle.

He entered the souls of his followers, and his spirit became the agila on our flag, soaring to continue the unfinished struggle.

Ahmed Desai of Piedmont Hills High School.

DEDICATED TO A DEDICATOR

In a modern world dominated by models who are athletic superstars, rarely is society given the gift of a true hero. The late Cesar Estrada Chavez was and continues to be such a unique individual who deserves the title of "genuine model." Chavez is an inspiration to many, and a teacher to all. There is much that he stood for, and even more that today's youth can learn from him.

A servant not to his own wants and desires, but rather to those of his community, Cesar Chavez reminds the young to put the needs of others before one's own. He utilized the tactics of civil disobedience and peaceful protests only to bring about change for the better and for society, and not for his personal gains or rewards. Armed with a strong dedication, yet a descendant of a poor background and minority ethnic group, Chavez proved that anyone, anywhere, with perseverance, can succeed and make a difference. Withstanding and conquering numerous obstacles, he neither gave up nor lost hope. He worked long and hard, rested little, and made nothing come between him and his goal. As a result of years of continuous struggles, Cesar Chavez achieved his goal and gained rights for farm laborers. Youths of today can see themselves in Chavez, as they prepare their future aspirations and discover ways to accomplish them. As a model, Cesar Chavez teaches youngsters that the best and only method for success is through dedication and persistence.

Cesar Chavez lives on as a leader to whom teens can relate and look up. He was human and knew his strengths and limits. He did not only talk about ideas, but took charge and did things to make them a reality. Chavez, even with his short stay on earth, proved that a lot can be done in and with so little. Moreover, he made the most of what he had and did not ask for more than what he felt was deserved. The lifestyle that he led includes many lessons that can be beneficial to today's new generation. Let us reflect the past actions of Cesar Estrada Chavez, a great humanitarian. Feliz Cumpleaños, señor Chavez.

Maria Gonzalez of Santa Teresa High School.

BATTLE

He fought for what was right,  
It didn't matter if it was  
Day or night.

He fought for our race,  
And battled face to face  
With the dangers we find  
When we are the alien race.  
Latino, Hispanic, Chicano

Some of the names he was  
Called.

Proud to be who he was,  
And what he stood for,  
Equality.

He was a leader urging us to  
Fight.

A leader explaining our right's.

Our right's as people  
Our right's for freedom  
Our right to come to this  
Country, fight the odds, and  
Win.

Brenda Reyes of Silver Creek High School.

"WHO IS HE?"

The fields were his life.

Los files eran su vida.

The crops in the fields were his life.

Las cosechas que crecian en los files, eran su vida.

The people picking the crops in the fields, were his life.

La gente que cortaba la cosecha en los files, eran su vida.

The pesticides that fell upon the people, became his enemy.

Los insecticidas que caian sobre la gente en los files, se convirtieron en su enemigo.

They became his concern.  
Ellos se hicieron su preocupacion.

His struggle.

Su batalla.

His fight.

Su pelea.  
 But no one cared.  
 Pero a nadie le importo.  
 "I will make a difference?" he said.  
 El dijo, "Yo hare la diferencia."  
 "I will bring justice" he said.  
 El dijo, "Yo traire justicia."  
 "Something will be done!" he said.  
 "Algo se hara!" El dijo.  
 But no one listened.  
 Pero nadien escucho.  
 "No grapes" he yells.  
 "Uvas no" El grita.  
 Who is he mommy?" a little girl asked.  
 "Quien es el mami?" una nina pregunto.  
 "I do not know" the mom answers.  
 "No lo se" contesto la madre.  
 "One day I will be like him, mommy." the girl said.  
 "Un dia sere como el mami." dijo la nina.  
 "I will fight for what I believe, and I will be a leader."  
 "Yo peleare por mis creancias y sere una lider."  
 "Many will believe in me, and I will believe in myself too."  
 "Muchos creran en mi, y yo creere en mi misma tambien."  
 "Crowds will come to listen to my words of wisdom, and there will be those that will want to stop me."  
 "Grupos bendran a oir mis palabras de sabiduria y habran unos que quedran interponer."  
 "But no one will succeed."  
 "Pero nadie lo hara posible."  
 "I will organize my own march's, and those who believe in me will follow."  
 "Yo organisare mis propias marchas, y esos que crean en mi, me sequiran."  
 "The sore blistered feet will be my reward."  
 "Los pies mayugados y ampollados, seran mi recompensa."  
 "I will have hunger strikes, as he."  
 "Yo trende guelgas de hambre, como el."  
 "And the grumbling of my stomach, will be my reward."  
 "Y los grunidos de mi estomago, seran mi recompensa."  
 "I can't wait to grow up mommy."  
 "No pudo esperar para crecer mami."  
 "I want to be just like Cesar Chavez."  
 "Quiero ser igualita que Cesar Chavez."  
 "It can be done, huh mommy?"  
 "Si se puede, eh mami?"  
 "Yes honey, it can be done." The mom smiles.  
 "Si miya, si se puede." La mama sonrie.

Eulala Reynolds of Yerba Buena High School.

#### CESAR CHAVEZ

Raw, callous, sun, rain  
 Eternal work, labor, pain  
 Grief, hurt, no reward  
 Living land a sharpened sword  
 Struggle, family, one thing clear  
 Survival, essential, defeat near  
 Uprooted and adrift behold!  
 For this an endless story told!  
 What one voice and truth is heard?  
 A man with whom a piercing word?  
 Loud for absorbed by truckloads of women and men  
 Who flight for justice again, again  
 The power of nonviolence but yet a war  
 Lead by him to soothe the wound  
 The wound an open cut, a pool desolate, defeat, doom  
 The union "La Causa" it's birth not a breech  
 Gallo wine, grapes, lettuce beseech  
 For had "La Causa" slowly climbed it's way  
 The picket march exist today  
 Child labor put to ends  
 By well pronounced fighting friends  
 Cesar Chavez stood brave, tall  
 His lifelong dream, "live for the cause!"  
 For now over is the war

Still the wound remains, a scar.

The second prize winning essays and poems of Lauren Droira of Andrew Hill High School, Eve Zuniga of Independence High School, and Troy Arevalo of James Lick High School follow:

Lauren Droira of Andrew Hill High School.  
 CESAR CHAVEZ'S TESTIMONY TO MODERN SOCIETY

A splendorous eagle soars through the boundless skies above on a quest to grasp the seemingly unattainable star. Off in the horizon a muffled roar: Come accompany us in accomplishing such a dream which appears so far. Ferocious winds encompass the creature, through it valiantly persists onward, an astonishing feature. Cesar Chavez: a dauntless, intrepid warrior; One who strived throughout his entire existence to eradicate the actual barrier. Racism? Latino farmers impetuously toil throughout the day, Hoping to be paid by the sun's final ray. Injustice? Living conditions were quite squalor, Personal wages as meager enough to leave a child's stomach hollow. Such reasons fed the brewing red fire of desecration; Protests, tumults, riots were born Mr. Chavez as the chieftain. "SOCIAL JUSTICE!" exclaimed the impoverished multitude, And the truth was revealed bare and crude. Now this great moment in time, Has influenced the viewpoints of society's mind. One can rationalize that such minorities stand beneath the human category, if you will, Regardless of their customs, ethnic backgrounds, or skill. Regressing to the era of John Locke and his corresponding theories, One recalls the Natural Rights: the right to life, liberty, and property. To whom was such theory directed towards? Why the people of the world, of course! Analyzing this statement, one can discover some significant aspects; CORRECT! Humans possess rights to live independently, to survive, and to own, though obliged to comply with the present-time precepts. For instance, this world can be pictured as a vast rainforest filled with thousands of different species, Among such myriad of creatures exists humanity. Each member must stand in one accord in order to endure The process in maintaining freedom and composure. Sacrificing every ounce of material obtained for his fellow agriculturers, Including the faithful supporters, Chavez eventually was depicted as a unique, symbolic figure for migrant worker's ethics, Simultaneously promoting social justice. Influentially, Chavez's devotion and dedication in transforming the "old society", Has conclusively become our tenacity to continue striving for equality. Yet beyond its effect on society's established regulations, Chavez's perseverant character has modified even the most desperado of people into diligent beings possessing substantial aspirations. During his amazing fulfillment, Cesar Chavez's speaking contained moral relevance. "The beauty of life is not what surrounds us, but the compassion and charity we have within our hearts."

Human beings tend to rank others according to outer bearings, Though interior values possess greater meanings. Considerate, abased, and anxious, Cesar Chavez could very well represent a golden sack of morals, so virtuous. Similar to Dr. Martin Luther King and Gandhi, Who both likewise elevated the social rights of their corresponding people utilizing a manner of fiery resolution and obstinacy, Cesar Chavez can be illustrated as the deliverer of his own compatriots, The stalwart defender who blanched the obscure unrighteous spots. In history such standard bearer that prominently Exudes in determination to conquer the epitamy, Specifically for his fellow workers and racial minorities, Is highly commended in the present times, And will be in the future minds. Eva Zuniga of Independent School.

#### "CHARITY"

All to many times while I was young, I was asked who my hero was. I had never stopped to think about the importance of this question until recently. Throughout my education I was given research assignments that require me to learn the lives of many people. I knew that these people were important to many people and I thought what they done was great but, I never felt a touching emotion for these people. I asked many people including teachers and friends what makes a hero heroic? However, I never found an answer that was suitable to me. I decided to compose a search of my own on what a hero should be and I realize that the characteristics of a hero couldn't be found in an encyclopedia article nor in a definition in a dictionary. It was a feeling you feel in your heart. It's a definition you crate on your own to fit your personal beliefs.

After reading about the life of Cesar E. Chavez I finally felt gratitude for a man who has brought so much knowledge to the lives of many. Cesar was born into a family with little of their own and nothing to spare. He learned the ways of life from his work in the farming fields of California. With little education and a strong will in life Cesar grew to be a leader, a man who took action, someone who speaks up, a man who will fight until he wins or die trying. He helped his fellow farm workers by gathering people who believed that working in the fields where poisonous gases are sprayed and threaten the lives of men women and children. He rallied against every health problem, every underpaid and overworked individual farm worker. This wasn't a job for Chavez, it wasn't something he was paid to do. It was a what he believed and what he knew his people deserved.

Many times Chavez risked his life for the welfare of his people. He starved himself for long periods of time to express his strong beliefs and he sacrificed anything to bring his people to a better way of life.

Chavez fought for the dreams of thousands of people and their families. The time, the effort, and the courage that Cesar has shown us we should honor and respect. He has taught many lessons, fought many battles and he has left us with the knowledge to fight on.

Troy Arevalo of James Lick High School.

#### CESAR CHAVEZ

He struggled, with persistence, for the rights of the oppressed, And in striving to bring about a change, he did not rest.

Despite the disheartening atmosphere in which he matured and grew, Chavez became the type of leader only of which there are a few. The needs of his people fell upon uncaring ears, And through his fight for liberation, there fell many, many tears. Although many Mexicans were helped by Cesar Chavez in bringing an end to their plight, He emphasized that his crusade was for all people, it was not just a Mexican fight. Chavez's organization of unions attracted many powerless people who would not confront the growers who proved to be formidable, But to gain liberation, he was surely capable. Because of his efforts in trying to help the California farm worker, his movement gained empathy from much of the nation, But there was still prejudice from many, many people against the workers in the organization. In order to form the union, Chavez went from door to door. In the end, when the workers had gained their liberation, it did not matter that they were all poor. After spending five years of his life for his people's liberation, Chavez finally succeeded, But these rights were by far not easily gained, but greatly needed.

#### THE FIRST 100 DAYS

### HON. MARTIN OLAV SABO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 1995

Mr. SABO. Mr. Speaker, I rise today to share my deep misgivings on the first 100 days of the 104th Congress, the first 100 days of Republican Party control, and the most grim 100 days I have served as a Member of the U.S. House of Representatives.

On September 27, 1994, the national Republican leadership, led by Congressman NEWT GINGRICH, proposed a Contract With America. They pitched it as a magic formula for everything that ails us. Eliminate crime. Reduce the deficit. Increase defense spending. Cut taxes on the rich. On April 7, 1995, the Republicans led by the new Speaker, NEWT GINGRICH, will celebrate their accomplishments.

But what are the true accomplishments of the Republican leadership? And who are the primary beneficiaries? The answer to these questions might surprise the average taxpayer.

The Republican Contract With America was advertised with great sounding slogans including: The "Fiscal Responsibility Act," the "Taking Back Our Streets Act," the "Personal Responsibility Act," the "Family Reinforcement Act," the "American Dream Restoration Act," the "National Security Revitalization Act," the "Senior Citizens Fairness Act," the "Job Creation and Wage Enhancement Act," the "Common Sense Legal Reform Act," and the "Citizen Legislature Act."

As I reflect on these bill titles, it is hard to imagine how anyone could be against such straightforward proposals. However, hidden behind these clever and appealing names are very dangerous efforts to systematically employ a reverse-Robin-Hood scheme—to take

from the most vulnerable in our society and give to the most affluent.

"JOB CREATION AND WAGE ENHANCEMENT" OR CUTTING TAXES FOR THE RICH?

The Republican tax cut proposal, or the crown jewel of the contract, benefits mostly those at the upper end of the income scale. The capital gains tax cut is a boon to wealthy investors—with more than three-quarters of this tax cut going to people with incomes of more than \$100,000. The child tax credit will be given to families with incomes of up to \$250,000 a year. When taken together, these tax cuts are clearly skewed to the privileged few who already have the most wealth.

For example, consider two average families that decide to spend their tax savings on education. The family earning less than \$75,000 a year would be able to pay for about three-quarters of the cost of books. Their tax break would be \$432 a year. But the family earning more than \$200,000 would be able to pay for all tuition and fees, books and supplies, room and board, transportation, and every other cost of a public college. Their tax break would be \$11,266 a year.

On the whole, the wealthiest 10 percent of families get 47 percent of the benefits. The wealthiest 1 percent get 20 percent of the benefits of the tax cuts. That is simply not fair.

Even if you look only at the child tax credit, the trend is the same. The Republicans were careful to make the credit nonrefundable. This means that lower income families could not receive the full \$500 per child tax credit because their tax burden is not high enough, but those earning up to \$200,000 would get a full tax credit. A full 35 percent of American children will receive no benefit from the children's tax credit: Thirty-four percent because their family's income is too low and only 1 percent because their family income is too high. Further, by the year 2005 the so called children's tax credit will account for less than a quarter of the overall tax cuts.

At the same time, the Republican leadership has proclaimed that they would not bring up a tax bill until they could pay for it, but that is not what is happening here. They do eliminate and slash some very important Federal programs, but they still do not cut enough to pay for their extremely expensive tax cuts. In fact, the combined effect of their tax and spending cuts will increase the deficit by \$12 billion in the year 2000.

Besides being misdirected and extremely expensive what are some of the offsets? Not surprisingly, they take money from programs designed to assist those with the least income.

"PERSONAL RESPONSIBILITY" OR TURNING BACKS ON THOSE MOST IN NEED?

Recent action on welfare reform provides a particularly vivid display of the Republicans' attitude toward disadvantaged Americans. The new majority voted in favor of a rash attempt to reform welfare by dismantling the safety net that protects children and their families.

Virtually every American agrees that the current welfare system must be reformed. Most of us also have a clear vision of what a successful welfare system would accomplish: It would put people to work. Yet, the Republican plan overlooks this goal. Instead, it cuts funding for child care and weakens Federal support for job training programs. The Republican plan would actually make it more difficult for people to get jobs than it is under current law.

Unfortunately, the damage does not stop there. This legislation seeks to slash spending on programs that provides school lunches to hungry children and protect children from child abuse and neglect.

If we are to measure the success of welfare reform by its effectiveness in putting people to work and its capacity to protect children from the dangers of poverty, the Contract With America clearly fails.

"TAKING BACK OUR STREETS" OR TAKING POLICE OFF THE STREETS?

The Republican crime bills take funds Congress designated last year for an additional 100,000 police on America's streets and crime prevention programs and reallocates it to build more prisons. If we can keep more cops on our streets and more kids out of trouble, we won't have to keep building more jails. It is naive to believe that we will solve America's crime problem by warehousing the criminal element in our society. We must reach out to the inner cities and other high crime areas with policies that help stop criminal activities before they begin. The Republican approach of building more prisons at the expense of police and prevention programs will never attack the true root of America's crime problems.

"COMMON SENSE LEGAL REFORMS" OR LIMITING JUSTICE FOR THE COMMON PERSON?

Without a doubt, certain aspects of our Nation's legal system need to be changed. Too many lawsuits are being filed in America's courts. Unfortunately, many of the provisions found in the commonsense legal reform package don't make much sense. The contract tort reform legislation is an assault on the safety of the American people. If enacted, this legislation would result in more unsafe products, more injuries, and less compensation for those who are hurt because of corporate misconduct.

The bill's cap on punitive damages at three times the claimant's award for monetary losses—such as wages and medical bills—or \$250,000, whichever is greater, removes the incentives corporations currently have to avoid developing and marketing unsafe products. While \$250,000 may be enough to stop small mom and pop businesses from making unsafe products, Fortune 500 companies could simply incorporate the fine as a cost of doing business and sell dangerous goods. With such changes, would unsafe products such as the exploding Pinto become more common?

Not surprisingly, this legislation also discriminates against the most vulnerable members of our society. Under these same caps, a corporate CEO might be able to recover \$1 million in punitive damages while an elderly couple living on Social Security would have their damages limited to \$250,000. If this is commonsense legal reform, we need to redefine common sense.

"NATIONAL SECURITY RESTORATION" OR THE GREAT DEFENSE BUILDUP CONTINUED?

The Republicans' defense build-up bill, passed by the House in February is a startlingly simple-minded measure that calls for restoring defense spending to the historic highs of the 1980's. In this post-cold-war era, we must be smarter than ever in spending our defense dollars. We cannot afford to be so foolish as to resurrect the old star wars missile defense program and finance other inefficient and unnecessary military programs.

On a positive note, with the help of a handful of Republicans, House Democrats were successful in rejecting provisions of the legislation that would have required the old star wars antimissile defense system program to be deployed at the earliest possible date.

However, should this measure become law it will hamper the President's ability to deploy U.S. troops in U.N. peacekeeping operations. As we have seen recently, United States leadership and participation in international peacekeeping missions, such as in Haiti, have produced positive results. While not all such operations are equally successful, this bill would put the United States in the position of acting alone or not at all in such humanitarian missions.

The Republicans' plan would also require that budget firewalls between defense and other domestic discretionary spending be restored, in order to prevent defense cuts from being used to pay for domestic programs. With the overblown rhetoric in Congress supporting a constitutional balanced budget amendment, it astounds me that the restoration of these budget firewalls is being contemplated. If we are to seriously attempt to balance the Federal budget, defense spending must also be on the table.

"BUSINESS INCENTIVES" OR DISMANTLING ENVIRONMENTAL AND WORKPLACE SAFEGUARDS?

The regulatory rollbacks and new entitlements proposed by my Republican colleagues would have disastrous consequences for our environment, The Federal budget, and our legal system. First and foremost, if passed by the House, this legislation would wreck havoc on the valuable environmental protection laws that we have enacted over the past 25 years. Laws that are proven successes, such as the Endangered Species Act, the Clean Water Act, and the Clean Air Act are all threatened in this bill.

The legislation also has the potential to explode the Federal deficit at a time when we are just beginning to bring it under control. The bill's takings provisions would require the Federal Government to compensate landowners when Federal actions affect their property values by 20 percent. The U.S. Constitution already protects private property rights. This proposal could create new liabilities costing the Federal Government billions of dollars. This new entitlement program is hardly in line with the downsizing of Government that the Republicans claim to support.

Finally, while the Republicans condemn excessive litigation in America today, this measure dramatically expands the scope of judicial review of Federal regulations, placing Federal courts in the unprecedented role of judging the scientific and economic merits of agency decisions. As past experience shows, this would clog America's courtrooms and give opponents of any new rule an ideal tool for creating gridlock in the regulatory process.

More bureaucracy, expanded Federal entitlement spending, additional work for already overburdened courts, and a rollback of protections for our health, safety, and environment are what America stands to reap from this crop of Republican regulatory reform proposals. While we must address the legitimate concerns of property owners, local governments, and industry, this is not the answer. We must find ways to increase regulatory efficiency and flexibility without compromising the environment or the health and safety of the American

public. These challenges are daunting, but the stakes are too high for us to fail.

"CREATING A CITIZEN LEGISLATURE" OR LIMITING VOTER CHOICE?

The Republican proposal to impose term limits on Member of Congress failed to pass because it was simply antidemocratic. Placing a limit on terms of service assumes that the American people lack the common sense and ability to decide if they want their Representative or Senators to continue serving. Imposing such limits abridges the fundamental right of all Americans to freely choose who will represent them. If the voters feel that someone has been in office too long, they can remove his or her at the ballot box. The last several elections prove this point.

Term limits are an emotional response to the notion that incumbents in Congress have become entrenched. The facts show, however, that a permanent Congress, as critics like to call it, is a myth. During the Reagan Presidency, for example, 55 percent of the House turned over. In other words, less than a quarter of the Members who were serving in 1980 are still in office. In just the last two elections, a total of 45 percent—196 members—of the House turned over. Further, the average number of years of service in today's Senate is 10.2 years, 1 year less than the average for the 103d Congress. Also since 1980, the political party whose majority controls the Senate has changed parties three times.

The antidemocratic nature of arbitrary term-limitation proposals should be reason enough to reject them, but there are also other reasons. While some turnover is healthy—and significant turnover already takes place—we also need experienced leadership. In today's Congress, we deal with very complex issues, and we need experts in Congress to address them. A new Representative, even one who has significant government experience, does not arrive in Washington with a full understanding of complex issues such as the budget, military weapons systems, and Federal housing policy. In many cases, it takes years to learn an issue fully. No one would want to turn their business over to entirely new management every few years, and it is audacious for proponents of term limits to contend that Congress is the only workplace in America where experience is inherently had.

Increasing the turnover rate of Members of Congress would also increase the power of staff members, lobbyists, and bureaucrats. In a Congress perpetually filled with inexperienced Members, these unelected yet highly experienced people would replace our duly elected Representatives as the true powers in Congress. That would betray what the Framers of the Constitution envisioned when they created Congress—the people's branch of Government—as the first branch of Government.

"FISCAL RESPONSIBILITY" OR CONSTITUTIONAL COVER?

In another attempt to tinker with the institution rather than deal with the real problems at hand, the Republicans sought to pass a balanced budget amendment to the U.S. Constitution. The majority party tried to perpetuate the myth that a constitutional amendment will erase the deficit and end all of our budget woes. The balanced budget amendment, which passed this House, was an attempt to escape political responsibility for the deficit. The Constitution did not create our budget problems, and changing it will not solve them.

The deficit is a problem created by politics, and one that must be solved by an exercise of political will.

The Constitution is our most valuable governing document and an expression of permanent policy. Amending it to deal with ever-changing economic conditions would be a grave mistake. In the words of Charles Schultze, a former Presidential economic advisor:

No Constitutional amendment can be written to cover the budgetary exigencies of the future. If interpreted literally, the amendment could lead to radically inappropriate budget decisions. . . . If interpreted loosely, the amendment would lead to a sharp deterioration in the quality of . . . governmental process generally.

As Members of the Senate defeated the amendment, they acknowledged that those of us who were elected must take responsibility for eliminating the deficit. Our job is to make these tough budget decisions—not simply to hope vainly that some constitutional machination will do the work for us.

In addition to their gimmick for a constitutional budget fix, my Republican colleagues want to shift more control to the White House by giving the President a line-item veto. This proposal also represents tinkering with our constitutional balance of powers. A measure such as this allows the President to substitute his or her judgment for that of 535 Members of Congress who are elected to represent all regions and viewpoints in our diverse Nation. While this measure is touted as a weapon against unnecessary spending, the line-item veto could backfire and actually increase spending under a strong President, such as Ronald Reagan or Lyndon Johnson. Our interests are best served by the give and take of the legislative process, not by granting new legislative authority to the executive branch.

THE FIRST "100 DAYS"—HISTORIC?

As the Republicans talk about the first 100 days and their Contract With America, they will undoubtedly boast of how historic it was and how much was accomplished. It's true that much legislation was passed in the House, but I will argue that it has not been good for our country.

The Republican majority seeks to shake the Federal Government at its foundations. But to what end and at what harm to the lives of Americans? If the Republican answer to our society's most difficult problems is to dismantle the Federal Government rather than develop real solutions, then perhaps the first 100 days of the 104th Congress was indeed historic.

The Republicans who set the agenda for the first 100 days should be recognized for their general contempt for the most successful democratic government in the world. In their haste and ideological purity, they would tear down basic protections for our quality of life and the safety net for our society's most vulnerable individuals. We should also be aware of their disregard for the wisdom of our Founders and their zeal to rewrite the U.S. Constitution to accommodate their political goals.

Haste rarely produces positive results in the democratic process. The House Republican leadership has had its 100 days in the spotlight. We must now take stock of this assault, and return our focus to governing for the good of the American people.

TRIBUTE TO THE AMERICAN  
LEGION ROOSE-VANKER POST 286

**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. LEVIN. Mr. Speaker, I wish to extend congratulations to the Roose-Vanker Post 286, American Legion as it celebrates 75 years of service to the community with a celebration on April 23, 1995.

Post 286 was organized on April 20, 1920, received its charter 2 months later, and has been in continuous service to the community assisting veterans' and their families, and helping preserve our American heritage.

The Post is named after two men, Roose and Vanker, who were killed defending our Nation in France during World War I. Like them, most past and present members of the Post are of Belgian descent and reside in the metro-Detroit area. Members of the Post have admirably served our Nation in every conflict from World War I to the Persian Gulf.

I commend the members of the Roose-Vanker Post 286, American Legion, for 75 years of dedication to their fellow members and their community. I congratulate them on this joyous occasion with best wishes for continued success.

TRIBUTE TO STEPHANIE DAVIS

**HON. PAT WILLIAMS**

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. WILLIAMS. Mr. Speaker, today I'm proud to share with you and my colleagues a remarkable essay written by a talented young Montanan. This essay, authored by 17 year-old Stephanie Davis of Livingston, MT, was selected as our State's lone winner in the Veterans of Foreign Wars Voice of Democracy scriptwriting contest. Mr. Speaker, I wish to enter this prize-winning essay into the CONGRESSIONAL RECORD not only to celebrate Stephanie's important personal achievement, but to draw your and my colleague's attention to a young woman's sincere vision of what makes our country great.

"MY VISION FOR AMERICA"

The band played an off-key rendition of a favorite patriotic song, the crowd cheered wildly, and everything was dotted with red, white, and blue! As Old Glory passed by, a young girl put her hand across her heart, and her daddy, in his faded brown army uniform, removed his hat. People from all walks of life watched in silence. Some even had tears in their eyes as the national anthem rang out from a solo bugle.

Many people, one America! It is filled with millions of people working individually. . . . diligently in pursuit of their own dreams. Yet, they somehow know that the total is more important than the sum of the parts. Their undying patriotism holds our society together, a large organization, strong and proud.

However, there is a segment of the American population that has forgotten what America truly means. It is our responsibility as citizens to inspire the 'love of country' which once filled this great land. My vision . . . anyone's vision of America's future begins by remembering the vision of the First Americans.

Over two hundred years ago a group of people had a vision. They saw a very large land, not measured by area, but by the generosity and dedication of its people. Their common dream of equality and justice was so strong that it led these people to turn against the only system they had ever known, and forge a new life, relying only on each other. Their undying perseverance became the American Dream. It is found in the wondering eyes of a child, in the drive for success of a college student and young professional, and in the reflective thoughts of a wizened adult.

The American Dream unites today's citizens with the first visionaries: George Washington, Thomas Jefferson, Thomas Paine, Molly Pitcher, and many others. The American Dream shines through in great men and women such as Woodrow Wilson, Janette Rankin, Neil Armstrong, and Sandra Day O'Connor. The American Dream has created and will continue to create an American Heritage that is uniquely our own.

That unique heritage has molded and shaped us into 250 million individual American citizens. Learning what that heritage is and who created it gives meaning and purpose to our lives. Our heritage is the first American's gift to us.

Unfortunately, too many people know little or nothing about our history. Preserving the American Dream begins at home. Parents and grandparents often tell the most fascinating stories about their lives and those of others. Taking the time to listen opens up a world of curiosity and knowledge. In school, we can continue the fascination by teaching history in new and different ways. I will always remember the story of Betsy Ross, because in the sixth grade, I gathered my friends together, and for fun we created a radio program from her story. (I played Betsy.)

Even when we reach adulthood we preserve the ideals of our heritage simply by fulfilling our responsibilities as American citizens: voting representing the public in office and out, serving on juries, and standing up for our rights. Attending Girls' State this summer taught me that one person can make a difference, but when we all work together we can start a revolution—Just remember 1776!

Preserving our heritage only takes a small effort from every person. In fact, just taking a few minutes each day to honor America is enough to keep us moving through the next 200 years!

"I have a dream \* \* \*", exclaimed civil rights leader Martin Luther King, Jr. Well, I also have a dream, that we will not forget what our ancestors fought and died for, that we will not forget the vision written in the Declaration of Independence, and that we will remember to continue striving for the American Dream—liberty, equality, and justice for all! Only then will we be able to walk in the footsteps of our forefathers and say, "I AM AN AMERICAN!"

IN TRIBUTE TO MILT JACKSON

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. CONYERS. Mr. Speaker, I rise on behalf of the Congressional Black Caucus to bring to the attention of my colleagues the distinguished cultural achievements of Milt Jackson.

Milt Jackson was born in Detroit, MI, in 1923. Milt started playing the guitar when he was 7 and by the time he was in high school he was proficient in a number of instruments,

including drums. He played in both the marching band and symphony orchestra.

As a young man in 1941, Milt Jackson heard Lionel Hampton at the Michigan State Fair and decided he wanted to play the vibraharp. Milt started playing with Clarence Ringo and the George E. Lee band. In 1942, he met Dizzy Gillespie. Through Dizzy, he got an opportunity to join Earl Hines' big band, with whom Gillespie was playing. Later, Milt was drafted and served in the Air Corps.

Milt returned to Detroit in 1944 and organized a group called "The Four Sharps." The Four Sharps performed for about a year until Dizzy came to Detroit, sat in one night, and persuaded Milt to go to New York.

Explaining why Jackson has such a fine sense of rhythm, Gillespie once exclaimed, "Why man he's sanctified!" Ironically, like Gillespie, Milt had grown up in a sanctified church.

In 1952, he joined John Lewis, Percy Heath, and Kenny Clarke, all members of the Gillespie band, to form the modern Jazz Quartet, a group with a unique collective sound which, in the words of Whitney Balliett, "recused jazz from the banality of the endless solo and the rigidity of conventional arrangements."

Milt Jackson is the perennial winner of practically every popular poll taken by jazz fans and critics—he has gotten used to being described in superlatives. Because he has performed in so many contexts, both within and without the Modern Jazz Quartet, he is now among the five most recorded artists in jazz history.

Milt's unique sound on the vibraharp gave it an entirely new direction and style—distinct from the contributions of other players such as Red Norvo and Lionel Hampton. He also became one of the principal proponents of bebop almost from its inception, and was one of the fathers of modern jazz while working with the famous sextet which included Dizzy Gillespie, Charlie Parker, pianist Al Haig, bassist Ray Brown, and drummer Stan Levy.

Mr. Speaker, during the 100th Congress, the House passed a resolution I authored, House Concurrent Resolution 57, which declared jazz "a rare and valuable national American treasure." On the occasion of the Detroit Symphony Orchestra's Tribute Concert to Milt Jackson on April 8, 1995, I am honored to call to the attention of the Members of the 104th Congress, a living testament of this national treasure, Milt Jackson.

TRIBUTE HONORING THE MARBLE-  
HEAD, OHIO VOLUNTEER FIRE  
DEPARTMENT ON THE OCCASION  
OF THEIR CENTENNIAL YEAR

**HON. PAUL E. GILLMOR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. GILLMOR. Mr. Speaker, it gives me great pleasure to rise today and pay tribute to an outstanding organization located in Ohio's Fifth Congressional District. This year, the Volunteer Fire Department of the Village of Marblehead, OH, celebrates its centennial.

The village of Marblehead is a community renowned for its civic pride and commitment to

service. Located along the shores of Lake Erie, it has been a favorite with tourists for decades. The department was created when the mayor appointed a committee to purchase three fire extinguishers to be placed at various locations throughout the village. It is still a volunteer department, but the equipment has grown from three extinguishers to three pumps, a rescue truck, and three ambulances.

The present fire chief is Harold Zura, a 25-year fire department veteran, with two assistant chiefs, Jim Lucas and Russel Zura. Marblehead was the first fire department in Ottawa County to begin ambulance service and now has a full-time paramedic/firefighter and several emergency medical technicians, in addition to well-trained firefighters. Throughout its history there has never been a lack of enthusiasm or labor for its many services.

Anniversaries are a time to reflect upon a steadfast tradition of service. They are also a time to look toward new horizons. The fire department has made it its responsibility to serve those in need by keeping pace with the ever increasing challenges facing residents.

Mr. Speaker, it is obvious that the community and the members of the department have greatly benefited from the effort that was started in 1885. I ask my colleagues to join me today in recognizing the achievements of the Marblehead Fire Department and encourage its volunteers to continue to uphold what has become the standard for excellence in Ohio.

TRIBUTE TO FELICIANO "NINO"  
GIORDANO

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. PALLONE. Mr. Speaker, on Thursday, April 13, 1995, a retirement dinner will be held for Mr. Feliciano "Nino" Giordano, the Deputy Director of the Research, Development and Engineering Center for the Army's Communications-Electronics Command [CECOM] at Fort Monmouth, NJ.

Mr. Speaker, it is a great honor to pay tribute to Nino Giordano, a man who truly epitomizes the American dream. A native of Italy, Mr. Giordano immigrated to the United States in 1956. He holds degrees from the Massachusetts Institute of Technology, Fairleigh Dickinson University and Northeastern University. Mr. Giordano has had a distinguished career with the Army, lending his technological expertise and leadership skills to the ongoing effort to keep our armed forces the best equipped and most technologically advanced in the world.

In his current capacity, Mr. Giordano is involved in managing the organization and has responsibility for directing strategic and operational planning for all technical programs to achieve the digitization of the battlefield. Prior to his current position, he was the Center's associate director, with responsibilities for electronic and signals warfare, night vision and reconnaissance, surveillance and target acquisition systems. Previously, he served as the Program Executive Officer, Strategic Information Systems, and directed the management of the Army's worldwide upgrade of strategic command and control capabilities. He also directed the acquisition, development, testing

and fielding of Army and Defense Communications Agency communications and information systems on a worldwide basis.

Now, I know that some of this terminology sounds like a real mouthful, but what it boils down to is leadership on the cutting edge technology that makes U.S. forces the best in the world. The American people, and the world, had a chance to see that technology in action during Operation Desert Storm, when United States forces routed the Iraqi forces with stunning speed and effectiveness. While we rightly pay tribute to the heroic fighting men and women who made that victory over tyranny possible, we should remember the highly talented and dedicated civilian professionals whose technological breakthroughs give our soldiers, sailors and Air Force personnel the edge they need. People like Nino Giordano, working at top-notch facilities like CECOM at Fort Monmouth.

Mr. Speaker, it is a great honor to pay tribute to Nino Giordano, whose distinguished career has been dedicated to preserving and enhancing the national security of our country. Although most Americans are probably unaware of the breakthroughs that Mr. Giordano has worked for, we can all rest easier knowing that he has served his adopted country, and the cause of world peace and stability, so well.

CONGRATULATIONS TO MAX  
SCHENKLER ON HIS 90TH BIRTHDAY

**HON. GARY L. ACKERMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. ACKERMAN. Mr. Speaker, I would like to ask my colleagues in the 104th Congress to join me in congratulating Max Schenkler on the occasion of his 90th birthday, on April 16, 1995. A decade after I extended my best wishes to Max on his 80th birthday, I am proud to again extend my regards in this same Chamber.

Mr. Speaker, Max Schenkler spent nearly 25 years as a pillar of the community in my home of Queens County. As a result, the entire neighborhood felt a sense of loss, when he and his wife Pearl relocated to Boca Raton, Florida, years ago. Max and Pearl had made everyone feel like a part of their family.

Max and Pearl Schenkler are special people, who are appreciated by everyone who has come to know them. Fortunately, in Queens, a great deal of people came to know them, through their generous contributions to their neighborhood and synagogue, through Max's many years as a teacher and educator, and through their loving service in community organizations. Every time then return to New York for a visit, the warm welcome they receive is a testament to how much they are missed.

Through his endeavors, Max gives himself to people in many ways. He spent 40 years sharing his talent, humor and insight with New York City school children. His enthusiasm for life and gift for sharing himself with others enabled him to form special bonds with his young charges. Max Schenkler was the type of teacher that students remembered for a lifetime. He has a way of showing students how to grow, and how to stretch their minds and imaginations to meet new challenges.

Mr. Speaker, Max had a distinguished career as both an educator, and as a principal of Public School 143, an elementary school in Queens. As a principal he inspired and trained scores of dedicated teachers leaving a legacy that will be felt for many generations. He is a man of varied interests and talents, one who throws himself into whatever he is doing—whether he is helping someone in need or in trouble, spending time with family or friends, or pursuing his most beloved pastime—doting on his children and grandchildren.

Max's professional and family life have been rich with success. His 90th birthday is a joyous occasion for his many friends and his beautiful family—his lovely wife Pearl, his loving daughter Carol Jacobson and her husband, Gil, and daughter, Debbie, and Max's son and my dear friend Michael, his wife Lillian and their children Lee and Allison. Max always gave his children the love and encouragement they need when the time came to make tough decisions or face new challenges.

Mr. Speaker, Max Schenkler is a beautiful man who has touched many lives. I would like to ask all of my colleagues in the U.S. House of Representatives to join with me now in wishing him a joyous 90th birthday. I wish him continued health and happiness, and look forward to again returning to this Chamber in 10 years, to congratulate Max Schenkler when he turns 100.

PROPOSED STUDENT LOAN CUTS  
HARMFUL TO AMERICA'S STUDENTS

**HON. STENY H. HOYER**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. HOYER. Mr. Speaker, today I joined hundreds of college and university students from around the Washington metropolitan area in a rally against proposed cuts in student aid and loan programs. The average American family today simply cannot afford to send a child—much less two or three—to college without some form of student aid. That is why I believe that cutting student aid is penny-wise and pound foolish. The Republican tax cut bill wants to provide families with a \$500 per child tax cut, while at the same time proposing that each student who receives student loans will pay, on the average, about \$4,000 more in additional interest costs over the 10-year life of a loan.

At today's rally was a young graduate student from the University of Maryland. Mr. Dominic Perri spoke on behalf of the National Association of Graduate and Professional Students and spoke of the additional costs that he and thousands of graduate students across this country would be forced to pay under this Republican plan. Mr. Speaker, I am pleased to share with my colleagues the remarks of Mr. Perri and urge my colleagues to read his remarks and understand the severity of these potential student aid cuts.

REMARKS OF DOMINIC J. PERRI, NATIONAL ASSOCIATION OF GRADUATE AND PROFESSIONAL STUDENTS

Good Afternoon, my name is Dominic Perri. I am a graduate student at the University of Maryland at College Park, and I want

to speak to you on behalf of the National Association of Graduate and Professional Students.

I want to talk to you about the effect the loss of the interest exemption and other proposed cuts would have on graduate and professional students. Lately opponents to student aid have made statements that trivialize the effect of these cuts.

One opponent of student aid here at the Capital claims that the loss of the interest exemption would cost students just \$21 a month. "So they won't be able to buy 2 CD's" he told USA Today.

Now, in addition to knowing where he buys his CD's, I'd like to know where he got his numbers. You see, for the graduate student who takes out loans to get an M.A., the loss of the interest exemption means that the loan payments could increase as much as \$110 a month. Or to put in terms our friend can understand, that's 11 CD's.

And just yesterday, another opponent of student aid claimed that the loss of the interest exemption would cost just . . . pennies a month.

Tell that to the graduate student who completes a Ph.D. and winds up with over \$68,000 in loans. The loss of the interest exemption could cost this student an additional \$33,000. That's an increase of over \$400 in the monthly payments, . . . or 40,000 pennies.

So you see, while eliminating the interest exemption is a disaster for undergrads, it's even worse for graduate students. Of course, the opponents of student aid have simply chosen to ignore the effects these cuts would have on more than a million graduate and professional students.

These cuts could drive many of these students right out of school. That's a loss that this country cannot afford.

This is because graduate programs prepare the nation's most highly skilled workforce, including faculty, business and industry leaders, social workers, physicians, ministers, researchers, and professionals.

Research conducted by graduate students contributes directly to economic growth. The University of California says that graduate student research drove the development of the biotechnology industry that today employs 80,000 Californians!!

In fact, studies show that U.S. economic production is directly related to government spending in higher education.

In the last week Governor Carlson of MN and Governor George Bush of Texas have both issued statements that "quality graduate education is crucial to the global competitiveness of the United States."

Graduate students are a valuable resource that the opponents of student aid seemed to have ignored. They have not taken calculated the devastating effect of their cuts on this nation's graduate and professional students. (Pause) But we have.

The National Association of Graduate and Professional Students warns you not to be deceived by those who would trivialize the effect of these cuts. These cuts are real, unwise, and undermine the very foundation of higher education.

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TRIBUTE TO THE 1995 ITALIAN-AMERICANS OF THE YEAR

**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Mr. LEVIN. Mr. Speaker, I wish to extend my congratulations to the 1995 Italian-Americans of the Year, as honored by the Italian Study Group of Troy, MI. Ed and Marlene

Baker and Frank and Angela Penna are truly deserving of this prestigious honor.

Ed and Marlene Baker publish the oldest Italian-American newspaper in Michigan, the Italian Tribune, spanning 86 years and four generations of Italian-Americans. Together, they also publish the County Line, a community newspaper which covers Madison Heights, Troy, Warren, and Sterling Heights, and have a long list of accomplishments and many years of community involvement.

Frank and Angela Penna own Penna's of Sterling Banquet Hall, in Sterling Heights, and Penna's Restaurant in Warren. In addition to their business involvement, the Pennas are involved with many charity organizations, including the Muscular Dystrophy Association, the March of Dimes Foundation, and the St. Vincent and Sarah Fisher Center.

This honor is just one of many testimonies to Frank and Angela's, and Ed and Marlene's, success and dedication to their community. Again, my congratulations to them and to the Italian Study Group of Troy on this joyous occasion.

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TRIBUTE TO THE GOVERNMENT PRINTING OFFICE

**HON. JACK REED**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. REED. Mr. Speaker, it gives me great pleasure to rise today to pay tribute to the Government Printing Office [GPO] for its outstanding work on the GPO Access Network. For its efforts, the GPO has received the James Madison Award for 1995.

The Madison Awards are presented by the Coalition on Government Information to those individuals or organizations who enhance citizens' knowledge while championing the public's right to know. Previous winners of these awards include Vice President ALBERT GORE, Secretary of Energy Hazel O'Leary, and Representative HENRY WAXMAN. The GPO is certainly worthy of joining this list of well-known and respected officials.

The GPO has developed an access system which allows American citizens to obtain information including congressional bills, the CONGRESSIONAL RECORD, Federal Register, the U.S. Code, and more than 6,000 other files from 25 Federal agencies. Additionally, the network can be accessed at no charge from libraries that act as Federal depositories 24 hours a day.

As James Madison stated, "a popular government without popular information, or the means of acquiring it, is but a prologue to a farce or a tragedy, or, perhaps both." Madison realized that a well-informed citizenry is the crucial ingredient for healthy debate. As all of my colleagues are aware, informed and spirited debate is the root of a healthy democracy. The GPO access network is a perfect example of how the new information "super highway" will heighten the level of public discourse.

In Rhode Island, the GPO has done an outstanding job of fulfilling Madison's vision of a politically aware and active citizenry. Because of the team effort of the GPO, Ocean State Free Net, and the Federal Depository libraries in the State, Rhode Islanders are now able to access all of the aforementioned information

with their own home computers. Having such information available will enhance our citizens understanding of Government and their desire to participate in the democratic process. I am confident that continued cooperation between the Federal Government, State Agencies, and American citizens will yield rapid advancement into this new era of shared information.

Mr. Speaker, it gives me great pleasure to commend the outstanding achievement and continuing efforts of the Government Printing Office, and I would ask my colleagues to join me in saluting them.

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TOBACCO HEALTH TAX AND AGRICULTURAL CONVERSION ACT OF 1995

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. STARK. Mr. Speaker, today my colleague from Utah, Mr. HANSEN, and I are introducing the Tobacco Health Tax and Agricultural Conversion Act of 1995, a bill to increase the cigarette tax to \$2 per pack and to increase taxes on other tobacco products.

We are joined in this by Mr. DURBIN, Mr. COYNE, Ms. PELOSI, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. Moran, Mr. OBERSTAR, Mrs. COLLINS of Illinois, and Mr. EVANS, as original co-sponsors.

The revenues raised by this bill would finance health education and medical research efforts, help fund the health care costs of our Nation's elderly, and assist tobacco workers and agricultural regions that may be adversely affected by an increase in the tobacco tax. But most importantly, this bill creates a powerful disincentive for Americans—particularly youngsters—from taking up smoking.

We all know of the scourge that tobacco brings to America's families. The American Cancer Society, the American Lung Association, and the American Heart Association have reported that "tobacco is the single greatest cause of preventable death and disease."

There are 419,000 deaths each and every year due to smoking. This equates to more than 1,100 Americans dying every day. Smoking-caused deaths exceed the number of deaths caused from alcohol, drug abuse, homicide, suicide, automobile and airplane accidents, and AIDS combined. Twenty-seven percent of all Americans who die between the ages of 35 and 64 die from tobacco-related disease.

The scores of lives lost to tobacco provide sufficient reason to take the action I call for in this legislation. But lives lost is not the only cost of smoking. Tobacco-caused illnesses tax our health care system, requiring more than \$50 billion per year in direct health care expenditures, including \$22 billion borne by the Federal Government. Losses in productivity suck tens of billions more out of our economy.

But if there is an area where federal action can make a positive impact, it is with smoking. Tobacco is the single greatest cause of preventable death and disease—preventable! As proven by experiences in several States and in other countries, tobacco consumption—and the related costs—can be reduced. In my home State of California, through a modest

rise in the cigarette tax and a statewide education campaign, a substantial reduction in smoking among California's teenagers resulted. The National Academy of Sciences' Institute of Medicine, a well-respected independent scientific organization, concluded that—

If tobacco is made less affordable . . . consumption will tend to decline, especially among children and youth, whose smoking habits are not fully established. Therefore, policymakers have an effective means available to them—increasing the real price of tobacco by increasing excise taxes—to reduce the consumption of tobacco by youths and thereby to reduce the health toll of tobacco use in future years.

Most people who smoke today—about 90 percent—began smoking when they were kids. If the cost of a pack of cigarettes were raised to the equivalent of two Big Macs rather than the equivalent of just one today, youngsters might think twice before putting down the money for the cigarettes. And without continued waves of new smokers, the 400,000 Americans who die each year from smoking will not be replaced.

In order to prevent nicotine addiction in children and youth, the National Academy of Sciences recommends the following—

(1) Congress should enact a significant increase in the tobacco tax,

(2) All tobacco products should be taxed on an equivalent basis, and

(3) The real value of tobacco taxes should be maintained to account for inflation.

The Tobacco Health Tax and Agricultural Conversion Act of 1995, if enacted, would accomplish each of these steps.

In the past, concerns have been raised over the impact a tobacco tax hike would have on tobacco farmers. We believe this bill offers a solution, not a problem, for tobacco farmers.

U.S. tobacco farming has been declining for more than a decade. This has not been caused by increased tobacco taxes in the United States. This is not a result of reduced cigarette manufacturing in the United States. The decline in U.S. tobacco farmers, from 179,000 in 1993 to 137,000 today, is because U.S. cigarette manufacturers like Philip Morris and R.J. Reynolds have more than doubled their imports of less expensive foreign-grown tobacco over the past decade. Today, more than one-third of tobacco used in U.S.-manufactured cigarettes is imported. This trend is anticipated to continue, leaving U.S. tobacco farmers and their farming communities devastated.

The legislation we are introducing today would allocate 3 percent of the revenues raised to a Tobacco Conversion and Health Education Trust Fund. The purpose of this is to assist individuals and communities that today are reliant upon tobacco farming to convert to other crops and industries. These funds could be used to purchase tobacco allotments from farmers or to finance infrastructure construction and modernization for agricultural diversification. Affected communities would be able to use these funds to stimulate nontobacco related economic development. Under this legislation, literally hundreds of millions of dollars annually would become available to tobacco farmers and tobacco-growing regions.

A portion of moneys in the Tobacco Conversion and Health Education Trust Fund would be allocated to support health education efforts. Rather than rely solely on the increase

in the price of cigarettes to educate American consumers of the true costs of cigarettes, the Secretary of the Department of Health and Human Services would conduct campaigns—building on efforts already underway in several States—to educate Americans on health risks, including the risks from tobacco use.

A larger portion of the funds raised would be used to fund expanded medical research efforts. A full 9 percent of the revenues raised, estimated at roughly \$1.5 billion per year, would be placed in a newly created National Fund for Medical Research. These resources will augment the current effort underway at the National Institutes of Health and throughout the Nation to expand our understanding and ability to deal with complex medical problems. As we all know, only one-quarter of all worthwhile grant applications submitted to the NIH each year receive funding.

The remainder of the revenues raised by this legislation would be deposited into the Medicare Part A Hospital Insurance Trust Fund. The reason for this is simple. As stated by a former HHS Secretary who held responsibility for the Medicare program, "Smoking is the single largest drain on the Medicare trust fund, poised to take \$800 billion over the next 20 years." The revenues from this bill may not cover Medicare's full smoking-related costs, but this bill provides a good start.

In sum, this legislation is good for America—for America's youth, America's families, and the American economy. Lives will be saved, suffering from disease will be diminished, long-term health care costs will be reduced, diversification in farming communities will be supported, and revenues will be generated for the health care needs of our elders.

Mr. Speaker, we could continue for hours to cite reason upon reason to support this legislation. Some may want me to do so, merely to delay taking action. But at some point we must take action. We must decide that this is a necessary step and that it can no longer be delayed. We believe that the time is now. We urge our colleagues to support this legislation.

A summary of the bill follows—

SUMMARY OF "THE TOBACCO HEALTH TAX AND AGRICULTURAL CONVERSION ACT OF 1995"

INCREASE IN TOBACCO EXCISE TAXES

This legislation would increase the excise tax on cigarettes by \$1.76 per pack (from \$.24 per pack to \$2.00 per pack) and increase the excise taxes on other tobacco products.

The excise taxes would increase in future years by an amount equivalent to the rate of inflation.

This legislation would become effective after September 30, 1995.

USE OF REVENUES

Medicare Part A Trust Fund—88% of revenues—to strengthen the solvency of the Medicare Part A Hospital Insurance Trust Fund.

National Fund for Medical Research—9% of revenues—to augment the resources currently available to the National Institutes for Health for medical research.

Tobacco Conversion Account—1.5% of revenues—to assist individuals and communities that today are reliant upon tobacco farming to convert to other crops and industries.

Health Education Account—1.5% of revenues—to educate Americans on health risks, including tobacco use.

PINE PLAINS, NY, HOSE CO. AND RESCUE SQUAD CELEBRATE 100TH ANNIVERSARY

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. SOLOMON. Mr. Speaker, I have always been partial to the charm and character of small towns and small town people. The town of Pine Plains, NY, is certainly no exception.

The traits which make me most fond of such communities is the undeniable camaraderie which exists among neighbors. Looking out for one another and the needs of the community make places like Pine Plains great places to live. The concept of community service is exemplified by the devoted service of the Pine Plains Hose Co. and Rescue Squad. For 100 years now, this organization has provided critical services for the citizens on a volunteer basis. As a former volunteer fireman myself, I understand, and appreciate, the commitment required to perform such vital public duties.

Mr. Speaker, it has become all too seldom that you see fellow citizens put themselves in harms way for the sake of another. While almost all things have changed over the years, thankfully for the residents of Pine Plains, the members of their fire department and rescue squad have selflessly performed their duty, without remiss, since the formation of this organization in 1895. From June 8, 1995 through June 10, 1995, the hose company will be hosting a celebration commemorating this milestone. Not only will this offer the residents of Pine Plains a chance to enjoy themselves at the planned festivities, including a parade, carnival and fireworks, but it will provide the perfect opportunity for them to extend their gratitude to this organization and its members.

Mr. Speaker, I have always been one to judge people by how much they give back to their community. On that scale, the members of the Pine Plains Hose Co. and Rescue Squad are great Americans. I am truly proud of this organization because it typifies the spirit of voluntarism which has been such a central part of American life. We would all do well to emulate the service of the men and women who comprise the Pine Plains Fire and Rescue Squads. To that end, it is with a sense of pride, Mr. Speaker, that I ask all members to join me in paying tribute to the Pine Plains Hose Co. and Rescue Squad on the occasion of their 100th anniversary.

LOVE STORY WITH A LONG HISTORY

HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. MANTON. Mr. Speaker, I rise today to recognize Michael and Marion Duckworth Smith, a special couple who live in a unique place in my district. Within the boundaries of one of the most urban areas of our country, Marion and Michael live on the Riker Estate, the oldest New York City farmhouse still used as a residence.

Michael and Marion's relationship blossomed just as the residence has over the

years. The 341 year old residence was originally built by Abraham Riker, who was awarded at least 120 acres by Peter Stuyvesant in the area then known as Bowery Bay. Later, it was expanded by Abraham Lent, a grandson of Abraham Riker. The home has remained largely untouched by the growing metropolis around it because the cemetery in the property is protected by law.

A new chapter for the Riker Estate began in 1960 when Michael Smith, a frequent visitor to the house, noticed its quaintness, but also the necessity of restoring the site. The house was declared a landmark in 1966, the same year Michael moved in. He was able to purchase the property in 1975, though his restoration work was far from finished. In 1979, Michael and Marion shared their second date at the house and continue to share their love with each other and the Riker Estate to this day.

Mr. Speaker, the Smiths continue to devote themselves to projects on the property over the years, including building a gazebo behind the house to commemorate their wedding where they renewed their vows in 1993. The couple looks forward to living and taking care of each other, as well as the historical house they share together for many years to come.

Mr. Speaker, I know my colleagues join me in recognizing this special couple and the outstanding job they have done bringing back to life a home and a special part of New York City's past that will continue to thrive for years to come.

THE JANE VORHEES-ZIMMERLI  
MUSEUM GALA HONORING PHIL-  
LIP DENNIS CATE'S SILVER AN-  
NIVERSARY AS DIRECTOR OF  
THE MUSEUM

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. PALLONE. Mr. Speaker, on the afternoon of Saturday, April 29, 1995, a gala in New Brunswick, NJ, will celebrate Phillip Dennis Cate's 25 years as director of the Jane Vorhees-Zimmerli Museum.

Mr. Speaker, Phillip Dennis Cate deserves to be recognized for outstanding work in the field of museum studies. Mr. Cate attended Rutgers, the State University of New Jersey, graduating in 1967 as an art history major and as a Henry Rutgers scholar. Using his experience as director of the art gallery at Rutgers, Phillip Dennis Cate has been able to create one of the foremost collections of art within the State of New Jersey.

Under direction of Mr. Cate, the Jane Vorhees-Zimmerli Museum has been transformed from a well-kept local secret into a renowned museum that hosts a multitude of eclectic exhibits. Some of these exhibitions include French 19th century graphics, American and European art, children's literature, and the most recent addition of the Norton and Nancy Dodge collection of nonconformist art from the Soviet Union.

Phillip Dennis Cate seized on the opportunity to make the Jane Vorhees-Zimmerli Mu-

seum a prominent resource center for the art world. Without Mr. Cate's ambition and training, the Zimmerli would probably not have reached such a level of respect and admiration.

Mr. Speaker, it is a great honor for me to pay tribute to Mr. Phillip Dennis Cate, to look back on his accomplishments of the past 25 years and to look forward to the great work yet to come.

EAST HARTFORD HIGH SCHOOL  
CHOIR AND BAND

**HON. BARBARA B. KENNELLY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mrs. KENNELLY. Mr. Speaker, I rise today to honor an outstanding group of students from my district, the East Hartford High School Choir and Band. They have been selected to represent the State of Connecticut in the 50th anniversary commemoration of World War II to be held in Washington at the end of April.

Inspired by the leadership of choir director, Mr. Leo Sayles and band director, Mrs. Kathy Neri, these students have earned a statewide reputation for excellence. Soon the entire Nation will recognize them as one of the premier high school musical groups in the country.

As we commemorate the end of World War II, I am especially pleased that so many young people will participate in the Washington event. History has many lessons to teach us—it is important for the leaders of tomorrow to learn from the heroes of yesterday. East Hartford High's participation is important not only because it will add to the ceremony, but because it will leave a lasting impression on these students, their teachers, parents, and friends.

I salute the East Hartford High School Choir and Band. They will be excellent ambassadors for the State of Connecticut.

TRIBUTE TO BOB SLADE

**HON. BART STUPAK**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to a good friend and an exemplary man, Bob Slade, who is retiring, after serving 18 years as a teacher in the Escanaba area public schools and 16 years as a representative for the Michigan Education Association in the central Upper Peninsula.

Bob Slade received a bachelor's degree from Northern Michigan University, a master's degree from the University of Pennsylvania, and did postgraduate work in labor law at the University of Michigan.

Bob Slade taught physics, physical science, math, and driver education at Escanaba area high school. During Bob's career as a teacher, he was twice awarded the Outstanding Teacher Award.

Always placing the needs of others before his own, Bob was rewarded for his dedicated

and professional service by being recognized by the Escanaba City Council for assisting at the scene of an auto accident in which a youngster was seriously injured.

Bob was also honored by Mead Paper Corp. for serving on the original citizens committee which instituted the MEAD science essay contest for high school students in the areas of biology, chemistry, math, and physics.

He is strong when strength is needed, and possesses a sense of humor when things are too serious. Always dignified, he helps others before himself. He will be remembered by his friends and family for his good sense of humor and his interest in politics.

Mr. Speaker, it is not only my hope, but all Escanaba's, that Bob will continue to enjoy the fruits of his labor starting with his retirement party, April 8, 1995. A man of great character, his achievements and contributions remain unparalleled. We can never adequately express our gratitude for his tireless service. I would like to express my deep pride and admiration in having such a fine citizen in my district. A citizen that my wife and I can call our friend and our teacher. Congratulations Bob, and best wishes.

CONTRACT WITH AMERICA TAX  
RELIEF ACT OF 1995

SPEECH OF

**HON. ELEANOR HOLMES NORTON**

OF DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1215) to amend the Internal Revenue Code of 1986 to strengthen the American family and create jobs:

Ms. NORTON. Mr. Chairman, I urge defeat of this rule. Republicans have boasted that they have reformed the process. It is anti-reform to bypass a committee of jurisdiction. It is worse than that when you do so in order to take people's retirement in order to fund a tax cut.

The American public regards its retirement as sacred, and this House has treated Social Security as sacred. Well, this is these folks' Social Security. You have used the contract time and time again as a metaphor. This is the Federal workers' contract. You asked them and forced them to choose between two systems in 1986. They chose. It is irrevocable for them, but you want to change the rules for yourselves in a tax cut. That is wrong.

It is a tax cut nobody wants except Republicans in this body. How many times, how many ways do Americans have to say it? Deficit reduction, deficit reduction. It is bad enough to give a tax break to the rich; it is shameful to do it by taking money from the retirements of middle-income workers.

MEDICARE MENTAL HEALTH  
IMPROVEMENT ACT OF 1995

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 1995

Mr. STARK. Mr. Speaker, today I am introducing the Medicare Mental Health Improvement Act of 1995. This bill will improve the mental health services available to Medicare beneficiaries. It represents an urgently needed change in benefits to reflect contemporary methods of providing mental health care and prevent unnecessary hospitalizations.

The bill expands Medicare Part A and Part B mental health and substance abuse benefits to include a wider array of settings in which services may be delivered. It eliminates the current bias in the law toward delivering services in general hospitals. It permits services to be delivered in a variety of residential and community-based settings. Through use of residential and community-based services, costly inpatient hospitalization can be avoided. Services can be delivered in the setting most appropriate to the individual's needs.

In 1991, as a nation we spent approximately \$58 billion for treatment of mental illness and another \$17 billion for substance abuse disorders. Medicare expenditures in these areas for 1993 were estimated at \$3.6 billion or 2.7 percent of Medicare's total spending. Over 80 percent of that cost was for inpatient hospitalization.

In addition to these direct medical costs there are also enormous social costs resulting from these disorders. It has been estimated that severe mental illness and substance abuse disorders cost \$78 billion per year in lost productivity, lost earnings due to illness or premature death, and costs for criminal justice, welfare and family care giving.

Mental disorders affect about 22 percent of the adult population in a 1 year period; 2 to 3 percent of the population experience severe mental illness or substance abuse disorders. This population is very diverse. Some people experience problems of recent origin that never recur, given appropriate treatment. Others have severe problems that persist for a long period of time. Mental illness and substance abuse disorders include many different diagnoses, levels of disability and duration of disability. Therefore, the people affected have many different needs.

Diagnosis and treatment of mental illness and substance abuse have changed dramatically since the Medicare benefit was designed. No longer are treatment options limited to large public psychiatric hospitals. The great majority of people can be treated on an outpatient basis, recover quickly and return to productive lives. Even those who once would have been banished to the back wards of large institutions can now live successfully in the community.

In recent years, the range of settings for care has diversified and providers have become more specialized. Treatments are more numerous and more effective than ever before. Treatment for mental disorders is in many cases just as effective as treatment for many physical disorders. For many people, however, appropriate treatment is inaccessible because they lack adequate insurance coverage. Medicare benefits have not kept pace

with advancements in the field of mental health.

This bill would permit Medicare to pay for a number of intensive community-based services. In addition to outpatient psychotherapy and partial hospitalization that are already covered, beneficiaries would also have access to psychiatric rehabilitation, ambulatory detoxification, in-home services day treatment for substance abuse and day treatment for children under age 19. In these programs, people can remain in their own homes while receiving services. These programs provide the structure and assistance that people need to function on a daily basis and return to productive lives.

They do so at a cost that is much less than inpatient hospitalization. For example, the National Institute for Mental Health in 1993 estimated that the cost of inpatient treatment for schizophrenia can run as high as \$700 per day, including medication. The average daily cost of partial hospitalization in a community mental health center is only about \$90 per day. When community-based services are provided, inpatient hospitalizations will be less frequent and stays will be shorter. In many cases hospitalizations will be prevented altogether.

This bill will also make care management available for those with severe mental illness or substance abuse disorders. People with severe disorders often need help managing many aspects of their lives. Case management assists people with severe disorders by making referrals to appropriate providers and monitoring the services received to make sure they are coordinated and meeting the beneficiaries' needs. Case managers can also help beneficiaries in areas such as obtaining a job, housing, or legal assistance. When services are coordinated through a case manager, the chances of successful treatment are improved.

For those who cannot be treated while living in their own homes, this bill will make several residential treatment alternatives available. These alternatives include residential detoxification centers, crisis residential programs, therapeutic family or group treatment homes and residential centers for substance abuse. Clinicians will no longer be limited to sending their patients to inpatient hospitals. Treatment can be provided in the specialized setting best suited to addressing the person's specific problem.

Inpatient hospitalization, of course, will remain an important avenue of treatment for some beneficiaries. Currently, the law contains a bias toward providing inpatient services in general hospitals. That bias results from the payment differences between psychiatric hospitals and general hospitals.

Right now in psychiatric hospitals, benefits may be paid for 190 days in a person's lifetime. This limit was established primarily in order to contain Federal costs. In fact, CBO estimates that only about 1.6 percent of Medicare enrollees hospitalized for mental disorders or substance abuse used more than 190 days of service over a 5-year period.

In general hospitals, benefits are available for 90 days in a benefit period and a person may have numerous benefit periods throughout his or her lifetime. This can result in people who have almost used up their 190 lifetime days in a psychiatric hospital being forced to receive services in a general hospital.

They are also shunted into nursing homes. A recent study found that, among nursing home residents who did not have a cognitive impairment, such as Alzheimer's disease, 13 percent exhibit mental disorders. While some general hospitals and nursing homes are up to this task, others are ill-equipped to meet the needs of people with severe mental illness or substance abuse problems.

Under the provisions of this bill, beneficiaries who need inpatient hospitalization can be admitted to the type of hospital that can best provide treatment for his or her needs. Inpatient hospitalizations would be covered for up to 60 days per year. The average length of hospital stay in 1992 for an adult was 16 days and for an adolescent was 24 days. The 60 day limit, therefore, would adequately cover inpatient hospitalization for the vast majority of Medicare beneficiaries, while still providing some modest cost containment. Restructuring the benefit in this manner will level the playing field for psychiatric and general hospitals.

The bill I am introducing today is an important step toward providing comprehensive coverage for mental health. Timely treatment in appropriate settings will lessen health costs in the long run. It will also lessen the social costs of crime, welfare, and lost productivity to society. This bill will assure that the mental health needs of Medicare beneficiaries are no longer ignored. I urge my colleagues to join me in support of this bill.

A summary of the bill follows:

IN GENERAL

The bill revises the current mental health benefits available under Medicare to de-emphasize inpatient hospitalization and to include an array of intensive residential and intensive community based services.

PART A PROVISIONS

The bill permits benefits to be paid for 60 days per year for inpatient hospital services furnished primarily for the diagnosis or treatment of mental illness or substance abuse. The benefit is the same in both psychiatric and general hospitals.

The following "intensive residential services" are covered for up to 120 days per year: Residential detoxification centers; crisis residential or mental illness treatment programs; therapeutic family or group treatment home; and residential centers for substance abuse.

Additional days to complete treatment in an intensive residential setting may be used from inpatient hospital days, as long as 15 days are retained for inpatient hospitalization. The cost of providing the additional days of service, however, could not exceed the actuarial value of days of inpatient services.

A facility must be legally authorized under State law to provide intensive residential services or be accredited by an accreditation organization approved by the Secretary in consultation with the State.

A facility must meet other requirements the Secretary may impose to assure quality of services.

Services must be furnished in accordance with standards established by the Secretary for management of the services.

Payment for intensive residential services would be the lesser of reasonable cost under 1816(v) or customary charges less the amount the provider may charge under 1866(a)(2)(A).

Inpatient hospitalization and intensive residential services would be subject to the same

deductibles and copayment as inpatient hospital services for physical disorders.

## PART B PROVISIONS

Outpatient psychotherapy for children and the initial 5 outpatient visits for treatment of mental illness or substance abuse of an individual over age 18 have a 20-percent copayment. Subsequent therapy for adults would remain subject to the 50 percent copayment.

The following intensive community-based services are available for 90 days per year with a 20-percent copayment (except as noted below): Partial hospitalization; psychiatric rehabilitation; day treatment for substance abuse; day treatment under age 19; in home services; case management; and ambulatory detoxification.

Case management would be available with no copayment and for unlimited duration for "an adult with serious mental illness, a child with a serious emotional disturbance, or an adult or child with a serious substance abuse disorder (as determined in accordance with criteria established by the Secretary)."

Day treatment for children under age 19 would be available for up to 180 days per year.

Additional days of service to complete treatment can be used from intensive residential days. The cost of providing the additional days of service, however, could not exceed the actuarial value of days of intensive residential services.

A non-physician mental health or substance abuse professional is permitted to supervise the individualized plan of treatment to the extent permitted under State law. A physician remains responsible for the establishment and periodic review of the plan of treatment.

Any program furnishing these services (whether facility-based or freestanding) must be legally authorized under State law or accredited by an accreditation organization approved by the Secretary in consultation with the State. They must meet standards established by the Secretary for the management of such services.

THE CATO INSTITUTE'S DRUG  
DECEPTION

**HON. GERALD B.H. SOLOMON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. SOLOMON. Mr. Speaker, I would like to bring attention to the truth about proposed legalization-decriminalization policies. Members have recently heard from the CATO Institute announcing a policy forum questioning the usefulness of continuing "the unwinnable war" on drugs. This forum is clearly just a thinly-veiled attempt to legitimize CATO's own prolegalization position.

However, what CATO refuses to publicly acknowledge are the devastating results of legalization-decriminalization policy, as evidenced in the Netherlands, where such a policy has been in place since the early 1980's. The president of the Dutch National Committee on Drug Prevention, K.F. Gunning, M.D., reports that crime and drug use have skyrocketed since the implementation of legalization in the Netherlands. According to the Dutch Government, their legalization-decriminalization has

resulted in: A 250-percent increase in drug use since 1993; a doubling of marijuana use by students since 1988; armed robberies up by 70 percent; shootings up by 40 percent; car thefts up by 60 percent.

The number of registered addicts in the Netherlands has risen 22 percent in the past 5 years, and there were 25,000 new addicts in 1993 alone. In addition, the number of organized crime groups in the Netherlands has increased from 3 in 1988 to 93 in 1993. For good reason, the American public has zero tolerance for legalization schemes.

Mr. Speaker, drug legalization has clearly been a disastrous mistake for the Netherlands. If organizations like CATO achieve their goals, drug legalization will worsen the crime and drug problem in America as well.

IN HONOR OF HERIBERTO QUINDE-  
OBANDO

**HON. THOMAS J. MANTON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. MANTON. Mr. Speaker, I rise today to honor Mr. Heriberto Quinde-Obando, a gentleman I am proud to represent in the Seventh Congressional District of New York.

Mr. Speaker, on March 16, I had the pleasure of joining Mr. Quinde-Obando and members of his family in my Washington office to celebrate Mr. Quinde-Obando's 80th birthday.

Mr. Speaker, for more than half of his 80 years, Mr. Quinde-Obando has lived in Woodside, Queens, which is part of my District. Mr. Quinde-Obando began his life in Guayaquil, Ecuador in South America. He moved to New York City in 1948 where he started a new life and began his career as an electronics technician. Mr. Quinde-Obando is well known for his contributions to his community and involvement in a number of civic organizations. Mr. Quinde-Obando's achievements demonstrate the great success immigrants have had in this country and his selfless devotion to our community serves as a shining example for all of us to follow.

Mr. Quinde-Obando has been particularly involved in the New York Intercontinental Lions Club since 1982. At the New York Intercontinental Lions Club, Mr. Quinde-Obando has successfully held several executive positions including director, chairman for social events, chairman of the health fair, club secretary, third, second, and first vice president, and president. He was selected Lion of the Year in 1984 and has received many other honors from his fellow Lions over the years. Mr. Quinde-Obando became a member of Lions International in 1980.

In addition to his charitable work, Mr. Quinde-Obando is a recognized leader within the Hispanic American community in Queens, helping unite his fellow Hispanic American neighbors on many issues important to Queens. He served as the president of the Queens Hispanic Day Parade Committee in 1992 and was also a member of the Hispanic task force in 1990. As a member of the Hispanic task force, Mr. Quinde-Obando was instrumental in helping retain Federal funds for transportation, education, job training, and housing.

Mr. Quinde-Obando also has served on the Woodside senior citizens advisory board and

is a member of St. Sebastian's Parish. Having met many members of the Quinde family, I know that Heriberto Quinde-Obando has also been a loving and dedicated husband, father, and grandfather.

Mr. Speaker, I know that my colleagues will join me in commending Heriberto Quinde-Obando for his outstanding service to his family, church, and community.

TRIBUTE TO DAVID B. CRABIEL

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. PALLONE. Mr. Speaker, on Sunday, April 30, 1995, Mr. David B. Crabiel, director of New Jersey's Middlesex County's Board of Chosen Freeholders, will be presented the Hubert H. Humphrey Friend of Labor Award at the 4th annual Middlesex AFL-CIO awards and scholarship brunch.

Mr. Speaker, it is a great honor to pay tribute to David Crabiel, a dedicated family man who has, since he became the youngest member of the Milltown Rescue Squad at age 16, selflessly dedicated his adult life to public and community service. Having been in public service as an elected official in various positions since 1960, Mr. Crabiel has held himself to an exemplary standard of citizenry.

Entering public life as a councilman, in 1967 Mr. Crabiel was elected mayor of Milltown, a position in which he served for 11 years before being appointed to the Middlesex County Board of Chosen Freeholders. Elected a freeholder after his appointed term expired, Mr. Crabiel served on the board through 1991 and was reelected in 1993. Wielding a distinguished record of leadership and service, he has, unsurprisingly, risen to a leadership position on the board, where he currently serves as Freehold director.

While this record is impressive by itself, it tells only have the story. In addition to the public positions he has held, Mr. Crabiel has generously donated his talents to several different community causes. To cite just a few examples, he has served as honorary chairman of the Melvin H. Motolinsky Research Foundation, as a member of the board of directors of the Cerebral Palsy Association, and as honorary cochair of the Middlesex County Human Relations Commission.

Mr. Speaker, it is a great pleasure and honor for me to pay tribute to a man whose life has been dedicated to the betterment of his community and the service to others. Personifying altruism through public and community service, Mr. Crabiel has truly set a standard which members of all communities would do well to follow.

TRIBUTE TO BILL NYSTROM

**HON. BARBARA B. KENNELLY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Ms. KENNELLY. Mr. Speaker, I rise today to honor the memory of Mr. Bill Nystrom, who

passed away after a lifetime of service to his community, State and country.

A distinguished veteran, he served in Europe from the Siegfried Line to the meeting of the Russians, and earned a Silver Star for his efforts.

Mr. Nystrom, a distinguished member of American Legion Post 197, was an artist, writer and sculptor who enriched the community of Marlborough with his work. As a sign of his commitment to his community, he designed the Marlborough Town Hall Monument, the bi-centennial emblem and the town seal.

Active in the American Legion and his church, he wrote both the post's and his church's newsletters, and for many years composed the details of their Memorial Day ceremony. It is very fitting that this year his memory will be honored at the Memorial Day ceremony—a day forever linked with his years of service.

During this year's ceremony, Mrs. Esther Nystrom will lay a wreath at the Marlborough Town Hall Monument in tribute to her late husband. As we honor those who served our Nation in the Armed Forces, it is fitting we remember one who served not only his country, but his community so well.

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TRIBUTE TO JAMES C. CARR

**HON. BART STUPAK**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 6, 1995*

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to my friend and law enforcement colleague, James C. Carr, who in February of this year retired from his post as undersheriff for Leelanau County, in Michigan's First Congressional District. Undersheriff Carr had held

his position for the last 10 years and retires with the admiration of all who have known him.

Our paths criss-crossed 17 years ago when Jim and I were members of the Michigan State Police, assigned to the State Capital Post No. 1616. I retired from the State Police in 1984 and left Jim to continue serving our citizens. A short time later Jim joined me in retirement, but as fate would have it, both of us went back to serving the citizens of the great State of Michigan.

Little did Jim know at the time of his retirement that he was destined to give 10 more years of his life to law enforcement and the people of Leelanau County. When Jim first retired, Sheriff Charles Johnson knew that Jim would be a perfect candidate for undersheriff and asked him to share his law enforcement professionalism and skills with the people of Leelanau County. As a result, Jim has been Sheriff Johnson's faithful undersheriff for the past 10 years.

The job of undersheriff is a difficult and challenging one. Jim, however, always handled it with ease. It is not for this reason, however, that I wish to pay tribute to him. Rather, it is because when one goes out on the street in Leelanau County, it becomes apparent how much admiration and respect Jim commands of the people which he served. It is easy to find people who are pleased to stop and tell stories about a positive encounter they had with Undersheriff Carr, about how Undersheriff Carr fixed a problem, about how he went about his job with a degree of professionalism and compassion that made his sheriff, the citizens of Leelanau County, and those of us who were privileged to serve him, or to be served by him, very proud. We are all proud that he is "our cop."

Jim has always been an avid sportsman. I hope that he will enter into retirement in

search of that "perfect buck" or that "perfect fish." If Jim pursues his hobbies the way he handled his professional life, I'm sure he'll find both. Thank you for your service Jim. We will all miss you, "old friend."

Thank you, Mr. Speaker.

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FEDERAL WORKERS

SPEECH OF

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 5, 1995*

Ms. NORTON. Mr. Speaker, do you have to represent Federal workers in order to believe they ought to be treated just like other Americans?

Federal workers have lost \$9.6 billion in pay and benefits over the last 5 years. Find me any other workers who have lost in that way. That was real money, cutting corners, often through stealth paybacks. Every year these people get a statutory pay cut. I cannot remember the last time that we gave Federal workers the statutory pay raise to which they are entitled. Now we want to steal from their retirement.

It is a brazen pay cut, because the contract they have is that they earn less in compensation in order to get more in retirement. It is a zero-sum gain and they are coming out more and more like zero.

What in the world is this doing in a tax cut bill? Because there is insult and injury here, to cut retirements for some in order to cut taxes for others. My dear colleagues, fairness should begin at home with the people who serve you as Federal workers.