

EXTENSIONS OF REMARKS

COMPREHENSIVE FETAL ALCOHOL SYNDROME PREVENTION ACT

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mrs. MORELLA. Mr. Speaker, I am pleased to join Congressman BILL RICHARDSON, Congresswoman SUSAN MOLINARI, Congressman DOUG BEREUTER, and Congressman JOE KENNEDY in introducing legislation today promoting public awareness of fetal alcohol syndrome, one of this country's leading causes of irreversible physical and mental retardation.

Although the lower limit of safe alcohol consumption has not been documented, it is clearly evident that even small amounts of alcohol adversely affects the developing fetus. The unfortunate fact is that this condition is 100 percent preventable. Fetal alcohol syndrome and the varying effects of this alcohol-related condition is a national problem that can impact any woman and child, despite their socioeconomic or racial status. According to CDC statistics, it is a problem that has increased sixfold since 1979.

In 1981, because of the Surgeon General's concern for the dangers of drinking during pregnancy, alcoholic beverages were required to carry warning labels. Yet in a 1991 CDC survey of pregnant women, 13.4 percent were found to have had at least 30 alcoholic drinks in the previous month. Recent surveys have also shown that one out of every five mothers will continue to drink during their next pregnancy. Because of social stigma, many women deny engaging in risky behavior, to their physician, thereby increasing the difficulty for physicians to identify and provide appropriate counseling. With greater effectiveness in identification of FAS, it is estimated that a more accurate estimate of alcohol ingestion in pregnant women is 20 to 35 percent.

Each year more than 50,000 children are born with some degree of physical or mental deformity that can be directly related to maternal alcohol ingestion. Nearly 1 out of every 750 children are born with some degree of fetal alcohol effects each year. FAS experts believe that one-third to one-half of all children in existing special education programs today have been affected by alcohol in some way. The cost of institutionalization and health provisions for these children approximates nearly \$1.4 million over the lifetime of a single child.

Mr. Speaker, the Fetal Alcohol Syndrome Research, Education, and Prevention Act that we are proposing provides for the evaluation of the existing research and prevention efforts, and the development of an educational curriculum for health professionals and the development of professional health standards with regard to FAS identification and treatment.

In addition, we are proposing a public-private collaborative effort to develop and implement an education awareness campaign on the effects of alcohol during pregnancy. The human and societal costs of this devastating

problem are enormous. Let us join together to increase the public's awareness of alcohol-related birth defects.

TRIBUTE TO FERNDALE ADULT AND COMMUNITY EDUCATION PROGRAM'S 50TH ANNIVERSARY

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. LEVIN. Mr. Speaker, I rise today to congratulate the Ferndale Adult and Community Education Program on the occasion of its 50th anniversary. At its inception in 1944, the program offered night classes at Lincoln High School in Ferndale, MI. Today the program has grown to include morning, afternoon, and evening classes at five centers and numerous other community sites.

The classes range from high school completion programs to teen parent programs, vocational training programs to preschool, latchkey and senior citizen programs. This wide variety of classes clearly involves the entire community, leaving no one out of continuing education.

In 1993-94 alone, the Ferndale Consortium served over 6,900 students in academic and vocational programs and an additional 3,500 in enrichment and community programs. The 414 members of the staff deserve our highest recognition, for without them this effort would not be possible.

The importance of community and adult education cannot go unrecognized. Without this cross-generational programming, our community would not be as strong as it is today.

My thanks and congratulations to the students, the staff, and the community of this milestone, with best wishes for continued success for the Ferndale Adult and Community Education programs.

HONORING TEMPLE BETH-EL OF CO-OP CITY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. ENGEL. Mr. Speaker, this year, one of the leading religious institutions in my district, Temple Beth-El of Co-Op City is celebrating its silver anniversary.

Temple Beth-El is one of the original religious institutions opened when Co-Op City was established over a quarter of a century ago. But, this temple takes its mission a step further. Its officers and members work not only on the religious needs of the community, but are active participants in the social and civic fabric of Co-Op City.

They are to be commended for their work. I join with all the residents of Co-Op City in

wishing Temple Beth-El a very happy 25th birthday.

SALUTE TO INSPECTOR JOSEPH DUNNE

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Ms. VELÁZQUEZ. Mr. Speaker, I rise to commend and congratulate Inspector Joseph Dunne. Joseph Dunne is a former inspector of the 75th Precinct, who recently was transferred to the Internal Affairs Division, because of the exemplary work that he demonstrated in his short time at the helm.

In his short tenure, Joseph Dunne has gained the confidence of the residents of the East New York community residents who once lost faith in those that were supposed to protect and defend them. Since his arrival at the 75th Precinct, Joseph Dunne has led the charge for better police and community relations. For 2 consecutive years, East New York led the entire New York City in homicide rates, but in his short time at the 75th, Joseph Dunne has successfully advocated for more police presence, which has contributed to the vast decline in the murder rates in East New York. This is great news, and while I am mentioning the decline of homicide in the East New York community let me add that all other crimes have also declined during Joseph Dunne's tenure.

Joseph Dunne has demonstrated his devotion and commitment to East New York and its residents. I congratulate him and wish him well in his endeavors. Joseph Dunne's accomplishments, though they have not made their way into the news media, have made their way into the hearts of my constituents.

Therefore, Mr. Speaker, it is with great pride that I come to the floor of the U.S. House of Representatives to speak of Joseph Dunne and his work for a better East New York.

PERSONAL EXPLANATION

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. PASTOR. Mr. Speaker, on Friday, May 12, I was granted a leave of absence to return to Arizona to attend the graduation of my daughter from Arizona State University. Consequently, I was absent for three rollcall votes on H.R. 961. Had I been present, I would have voted in the following manner: "Nay" on rollcall vote No. 327; "Aye" on rollcall vote No. 328; "Nay" on rollcall vote No. 329.

• 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.

COAST GUARD REAUTHORIZATION
ACT OF 1995**HON. STEVE C. LATOURETTE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. LATOURETTE. Mr. Speaker, when the House debated and passed the Coast Guard Reauthorization Act of 1995 on Tuesday of last week, the issue of Coast Guard inspection fees was raised by some of my colleagues on the Transportation and Infrastructure Committee. Although the amendment failed on a point of order, I wish to associate myself with the logical arguments made on the floor that day.

The Budget Reconciliation Act of 1990 requires that the Coast Guard impose user fees for some of its services. While I am in support of the concept, and recognize the importance of such an approach to assist in balancing the budget, the Coast Guard has gone off course with its fee schedule in terms of fairness and balance among different classes of boats.

The Coast Guard estimates it is charging \$87 per hour for the inspection service. However, my colleague from Louisiana, Mr. TAUZIN, cited an example of a 1 hour inspection costing \$545 under the current fee schedule. This is unacceptable. I believe in fee-for-service, but the fees must reflect the value of the services rendered. I fear that the burden of the current policy will fall disproportionately on small vessel owners and small businesses; those who can afford it the least. I am supportive of capping the inspection fees based on boat length to ensure fairness within the current system.

I also believe it is appropriate for the Coast Guard to consider a fee schedule that takes into account the seasonal nature of some commercial boating operations. For example, Rutherford's Cruise Line, which operates in my district from the Grand River on Lake Erie, only operates during summer months. Under the current system, Rutherford's would pay almost \$2,400 to the Coast Guard to inspect three vessels. Small cruise line businesses on the Great Lakes have a limited season and short time in which to make their operation run in the black. The current annual fee requirement, which treats a vessel in Florida the same as one on the Great Lakes, is burdensome and economically unfair to boaters in the Great Lakes region.

I understand Mr. TAUZIN's amendment will be the subject of hearings before the Ways and Means Committee and the Transportation and Infrastructure Committee in the near future. I am supportive of finding a rational and fair approach to the inspection fee schedule that more closely approximates the true cost of the inspection process.

Recreational boating, including charter boat fishing, is an important part of the economy in my district. The 60 miles of Lake Erie shoreline I represent has seen a tremendous resurgence over the past 10 years due to a revitalized Great Lakes fishery. I am encouraged by the small businesses entrepreneurs, who are taking advantage of the opportunity to start new businesses and do not believe they should be punished with unreasonable inspection fees.

YVONNE AND ARVIS RICHARDSON
CELEBRATE GOLDEN ANNIVERSARY**HON. GERALD B.H. SOLOMON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. SOLOMON. Mr. Speaker, as far as I'm concerned, there are two things which have made our Nation the greatest on Earth, our commitment to family and pride in country. It is my privilege today to pay tribute to a couple who together, have embodied these exceptional characteristics for 50 years now.

Upon the outbreak of World War II, these two young patriots lived far from one another. Yvonne grew up in Cohoes, NY, while Arvis was born in Salem, MO, and moved to St. Louis prior to the outbreak of war. Both of them responded to this impending national crisis like any great American would, they voluntarily enlisted in the military, Yvonne in the Navy Waves and Arvis in the U.S. Marine Corps. It was this love of Nation and service to country that brought the two of them together when their country needed them most.

Well, Mr. Speaker, we are all reminded of the fortunate ending of World War II, especially as we commemorate the 50th anniversaries of V-E and V-J days this year. However, there was another fortunate occurrence as a result of the end of this war. As he promised, Arvis returned when the fighting ceased to seek Yvonne's hand in marriage. On May 26, 1945, Arvis and Yvonne began their life together at Alameda Naval Base in California. Now 50 years later, as we commemorate the historic victory of democracy and freedom over tyranny and oppression, we can also rejoice in the happiness of the Richardson's whose marriage has stood the same test of time.

Yvonne and Arvis should be commended not only for their commitment to their Nation, but for their commitment to their family and one another. It is this commitment and understanding which laid the foundation for a solid family structure, pivotal to their success in raising their two children, Dennis and Peggy.

Mr. Speaker, I have always been one to judge people by their commitment to their family and children, and by what they return to their community. By this measure, Yvonne and Arvis are truly great Americans as evidenced by their clear devotion to family, and the American way of life. This May 28, family and friends will join them in commemorating their 50 years of happiness together. Mr. Speaker, I would ask that you and all Members join me now in paying tribute to two tremendous patriots and devoted family people, Yvonne Blair Richardson and Arvis Sanford Richardson of Waterford, NY.

KERNEL BLITZ AND PACMEDNET:
MEDICAL TECHNOLOGY SUCCESS
STORIES**HON. RANDY "DUKE" CUNNINGHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. CUNNINGHAM. Mr. Speaker, I would like to commend the men and women of our

Defense Department's medical corps for the fine job they performed during the Marine Corps' annual Kernel Blitz combat exercise, held last month at Camp Pendleton, California. This exercise showed how military medical care is on the cutting edge of the latest automation technology, and Kernel Blitz demonstrated the integral role that this technology plays in supporting the troops. Our fighting forces deserve nothing less than the very best.

Last year, Congress and the Defense Department proposed a demonstration project known as the Pacific Medical Network [PACMEDNET] which utilized investments already made in the Defense Department's Composite Health Care System [CHCS] and expanded these attributes for effective wartime deployment. This technology was successfully used in Kernel Blitz and will take the Defense Department into the 21st century in both its peacetime and wartime medical missions.

Mr. Speaker, I wanted to share the following article from Federal Computer Week on how this investment in technology is improving emergency medical care for the Defense Department. This successful usage of CHCS technology is a simulated wartime exercise demonstrates that PACMEDNET is the future of battlefield medical care.

[From the Federal Computer Week, Apr. 10, 1995]

HOSPITAL SYSTEM SURVIVES FIRST
BATTLEFIELD TRIAL
(BY BRAD BASS)

The Defense Department's \$1.1 billion Composite Health Care System (CHCS) went into battle last week, and early reports said the system came through with the colors flying.

The Marine Corps' annual Kernel Blitz combat exercise, held at Camp Pendleton, Calif., last week, featured deployable medical information systems for the first time. The training mission linked hospital based CHCS to battlefield medical systems composed of smart cards, ruggedized handheld and laptop computers, and wireless communications. The expansion of CHCS to the battlefield stems from lessons learned in Operation Desert Storm and other hot spots, where Defense forces suffered from inadequate medical technology, said officials with both DOD and with CHCS contractor Science Applications International Corp.

"The fleet hospitals in Saudi Arabia had no automation," said Cmdr. Mel Baxter, director of development in the DOD CHCS program office.

"Things could have gone a whole lot better if they had these tools," Baxter said. The Air Force has already decided to put a version of CHCS in its base at Guantanamo Bay, Cuba, next month, Baxter said.

SIMULATED CASUALTIES

The Kernel Blitz system connected two ships—the USNS Mercy, a medical ship, and the USS Peleliu, both off the coast of Camp Pendleton—to forward surgical companies near the beach.

After the Marines simulated a full-scale landing operation using helicopters, tanks and armored personnel carriers, troops moving inland suffered about 200 simulated casualties, according to Steve Hudock, SAIC's director of CHCS deployment. Each soldier carried a CHCS Multitechnology Automated Reader Card, a smart card equipped with a 2K chip, a bar code and a photograph. Manufactured by 3G Inc., Williamsburg, Va., the cards contained basic medical information on the "injured" troops.

Field medics used SAIC's ruggedized SE-1415 Agilpac, a 486SX-based handheld computer purchased from the Army's Common

Hardware/Software (CHS) contract, to translate data from smart cards into a format compatible with CHCS.

The Agilpacs then downloaded CHCS data onto the cards so that medical personnel at other locations would be aware of each patient's condition, medication or other essential information. The casualties were transported to the forward surgical companies, where smart card data was transferred to ruggedized laptops via SAIC's Tactical Communications Interface Module, a controller/signal processor designed for combat applications.

This module is also available on the CHS contract. Throughout the exercise, Marines used SAIC V2AI LC Lightweight Computer Units, 23-pound, ruggedized laptops based on 32-bit, 486DX processors. These machines were purchased from the Army's LCU contract, held by SAIC.

Medical personnel were able to use the LCUs to check the CHCS database for further information on each patient. The laptops connected to CHCS nodes located on the Mercy and the Peleliu via portable satellite dishes or radio.

When patients were evacuated, the forward surgical companies transmitted patients' records to medical staff at the Peleliu and the Mercy to alert them that casualties were on the way and to provide information on the type of injuries and what caused them.

"The doctor has a more complete picture of his patient as opposed to being surprised when the helicopter arrives," Hudock said.

NO GLITCHES

Baxter said people involved in the exercise reported no glitches.

"The summary information rolled from one medical treatment facility to another," he said. "I think people were skeptical at first, but everybody said it is working great."

Baxter said the exercise represents a new phase in the CHCS program and battlefield medical automation in general. CHCS was initially designed as a system for pharmacists, lab technicians, radiologists, and other hospital-based clinicians. DOD officials, however, decided to expand the system into the battlefield rather than develop a separate system for tactical users.

HONORING TOM BOLACK

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. RICHARDSON. Mr. Speaker, each of us is blessed with the responsibility of representing thousands of hard working Americans back in our districts. Of course, some of our constituents distinguish themselves by excelling in a particular field whether it is business, public service, athletics, or a whole host of other specialties.

One of my most distinguishable constituents is celebrating his 77th birthday. Tom Bolack, whose life has been one giant success story, is still going strong. Over the years, he has excelled in politics, business, and ranching.

In 1942, this Kansas native had a vision of rich oil deposits in the San Juan Basin of New Mexico. His hunch was based on some self-taught geology basics. Experts called his dream a fool's dream. As Tom Bolack says, he followed his dream "to a pool of oil and gas that would quench the thirst of even my harshest critic, the geologist who declared he

would drink every drop of oil I found in the Basin!"

Tom Bolack's reward for perseverance is his cherished home, his ranch, the B-Square, just outside Farmington, NM. It is 12,500 acres of agriculture, livestock, wildlife, and conservation and of course oil and gas.

Tom Bolack's political career began in the 1950's with his election to mayor of the city of Farmington. After serving as mayor, he pushed for construction of the Upper Colorado River Project. He helped secure Federal funding for one of the Southwest's greatest water engineering accomplishments, the Navajo Dam and Reservoir on the San Juan River.

After his lobbying days, Mayor Bolack ran for and was elected to the New Mexico State Legislature. In 1961, he became the first Republican Lieutenant Governor in 35 years. The following year, he was sworn into office as Governor and served out the remainder of Ed Mechem's term.

Governor Bolack retired from career politics after his 1962 service as Governor. But he has remained active in Republican circles over the last 30 years.

Governor Bolack has distinguished himself as an outstanding citizen who had a dream, pursued it and excelled in business, ranching, and politics. I urge my colleagues to join me in honoring former New Mexico Governor Tom Bolack as he celebrates his 77th birthday.

THE 50TH ANNIVERSARY OF THE POLISH AMERICAN CONGRESS

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. BORSKI. Mr. Speaker, I rise today to recognize the Polish American Congress, eastern Pennsylvania district, as it celebrates its 50th anniversary in Philadelphia this month.

Since its formation, the Polish American Congress has been an outstanding organization in southeastern Pennsylvania and continues to be a leading force in the unity of Pennsylvania and the fostering of Polish traditions and culture.

Over the last 50 years, the officers and members of the eastern Pennsylvania district have worked closely with the national organization in supporting its objectives. Members have proudly watched Poland gain her freedom from Communist Russia, and Polish Americans of all ages have supported cultural and educational events to demonstrate the pride in Polish heritage which will last for generations.

There have been many joyous moments in the 50-year history of the eastern Pennsylvania district. The organization has been instrumental in commemorating Pulaski Day and Polish Constitution Day in the Philadelphia region and has played an integral role in establishing the Thaddeus Kosciuszko House as a national historical memorial, so that tourists worldwide can appreciate the unique role this Polish patriot played in our Nation's history.

The Polish American Congress can also take special pride in sponsoring the Polish American Weekend at Penn's Landing, the largest ethnic event held along the riverfront in Philadelphia.

Mr. Speaker, as a Polish American and Congressman of the Pennsylvania's Third Dis-

trict, I am proud to represent the many dedicated people who have given so much of their time to keep the Polish spirit alive in the Philadelphia region.

THE NUCLEAR DISARMAMENT AND ECONOMIC CONVERSION ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Ms. NORTON. Mr. Speaker, in this time of budget rescissions and cutting of social programs, I am reintroducing a bill that would aid us in refocusing the debate on funding priorities. The Nuclear Disarmament and Economic Conversion Act, which is designed to take effect when all foreign countries possessing nuclear weapons enact and execute similar legal requirements, requires the United States to disable and dismantle its nuclear weapons and to refrain from replacing them with weapons of mass destruction. In addition, the bill proposes refocusing resources that are currently being used for nuclear programs to address human needs such as housing, health care, education, agriculture, and environmental restoration.

The Nuclear Disarmament and Economic Conversion Act is consistent with current U.S. policy and moves us to the next logical level by redirecting resources to essential domestic needs. The disarmament contemplated by this legislation is not unilateral on the part of the United States but requires multilateral cooperation to rid the world of nuclear weapons.

During the first 100 days of this Congress, many crucial programs were put on the chopping block—money for summer jobs for youth and future levels of funding for school lunches for our children. Yet, with the end of the cold war already making it into our children's text books, we have not yet refocused our priorities, nor reallocated our precious resources toward our most precious resource of all—our children. This act is a step toward that end.

TRIBUTE TO SENATOR JOHN S. STENNIS

HON. ROGER F. WICKER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. WICKER. Mr. Speaker, it is my honor and pleasure to pay tribute to the life and service of Senator John C. Stennis, who passed away April 23, 1995.

Senator Stennis' life is the story of 20th century America. In 1901, he was born the son of farmers in the red clay hills of east Mississippi. He graduated from Mississippi A&M College, and received a law degree from the University of Virginia, earning the honor of Phi Beta Kappa.

He kept the promise of his youth and moved back to his hometown of DeKalb, MS, where he began an extraordinary 62-year career in public service which was unblemished by scandal, untainted by personal gain, and unquestioned in statesmanship. He served as a district attorney, State representative, and circuit judge.

Then, in 1947, he ran for the U.S. Senate to fill the unexpired term of Theodore Bilbo. In today's era of contracts and 100 and 500 day timetables, I often think of John Stennis' campaign promise from his first Senate campaign. He pledged to "plow a straight furrow right down to the end of my row." Senator Stennis kept that simple promise with the people of Mississippi and plowed a straight furrow in the U.S. Senate for 42 years.

He served during a time when many politicians grabbed headlines by fanning the flames of prejudice and preying on the fears of the vulnerable. However, Senator Stennis always took the high road with integrity and courage. He was the first Senate Democrat to stand up to the fear of McCarthyism and was crucial in bridging our country's racial divide in the 1960's.

He began his service in the Senate by working each day until the Senate recessed and then studying at the Library of Congress until it closed. He rose to serve as chairman of the Armed Services Committee for 12 years, becoming one of the most influential voices in our Nation's military affairs during the Vietnam war and for much of the cold war. Every weapons system used in the 1991 Desert Storm offensive was authorized and appropriated under the leadership of Senator Stennis.

He also served as chairman of the Appropriations Committee as well as the first chairman of the Senate's Select Committee on Standards and Conduct.

Widely respected for his integrity, diligence, and judgment he was called upon time and again to investigate sensitive political matters. It became routine to refer to him as the "Conscience of the Senate." To illustrate the bipartisan respect he engendered, President Nixon looked to John Stennis' reputation and integrity during the height of Watergate. When President Nixon refused to turn over Watergate tapes to a special prosecutor, he offered to have Senator Stennis listen to their content and verify President Nixon's summary.

Mississippians knew they had no greater friend in Washington. Senator Stennis brought economic development to my home of north Mississippi through the Tennessee-Tombigbee Waterway. In south Mississippi, he secured the State's largest employer, Ingall's shipyard, and brought about NASA's testing facility for rocket motors, the John C. Stennis Space Center.

Senator Stennis retired from the Senate in 1989, having served eight Presidents from President Truman to Reagan in a career in which he would rise to President pro tempore of the body he so revered. Upon his retirement, President Reagan announced that the Nation's newest nuclear powered aircraft carrier would be named the U.S.S. *John C. Stennis*. The U.S.S. *John C. Stennis* will join the ranks in December of the U.S.S. *Nimitz*, *Vinson*, *Eisenhower*, *Washington*, *Roosevelt*, and *Lincoln*.

After his retirement, Senator Stennis moved to the Mississippi State University campus from which he graduated in Starkville, the home of the John C. Stennis Institute of Government and the John C. Stennis Center of Public Service, created by Congress to train young leaders.

When asked in the twilight of his career how he would like to be remembered, with his characteristic humility he responded, "I haven't

thought about that a whole lot. You couldn't give me a finer compliment than just to say 'He did his best.'" Senator Stennis' unyielding devotion to principle, character, and humility produced one of the greatest statesmen of the 20th century. Senator Stennis did his best and for that my State of Mississippi and America will always be grateful.

LOW-INCOME SCHOOL CHOICE EDUCATION BILL

HON. DAVE WELDON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. WELDON of Florida. Mr. Speaker, today I am introducing, with my good friend FRANK RIGGS, the Low-Income School Choice Demonstration Act of 1995.

Mr. Speaker, in some parts of this great country, the state of education continues to decay—despite throwing more money at the problem. The liberal solution is more money, more bureaucracy, more regulation, and greater Federal intrusion into our schools.

I, and my colleagues joining me on this bill, feel differently. We should focus on parental choices, deregulation of classrooms, the acquisition of essential skills and knowledge; and good, objective tests that tell us how our children are doing.

Education is subject to a great many debates and ideas. One of the those ideas is allowing parents to choose the school their children attend. Some may say we shouldn't allow the parents to decide what school might best prepare their child for the world outside. But, I believe it is essential that we allow our parents to determine what is best for their children.

In an article from the Washington Post this past weekend, a high school student was very surprised to find out she had scored perfectly on her SAT test. This was despite knowing she had incorrectly answered at least two questions. How could this happen? Well, currently the College Board, the organization that administers the SAT, is recentering the scores to bring the average back up to 500 points. It is a sad commentary on the state of our Nation's educational system when we have to lower the standards of education in order for our students to score well on their college entrance tests. This must stop. We must better educate our children.

Breaking down old, outdated barriers and confronting the new paradigm of change and innovation has been the hallmark of this Congress. The first 100 days of this Congress brought a tremendous amount of change. The primary thrust of all the ideas that have been circulating is to reduce the role of Government and empower the American people to make their own decision about their lives. The Weldon-Riggs Low-Income School Choice Demonstration Act of 1995 is an innovative and creative way of changing the status quo in the debate about education reform and education choice for all Americans.

This demonstration project is a tiny step, but a step nonetheless, toward change and a better educational future for our most valuable asset, our children.

A good education is a key ingredient in ending the cycle of poverty that entraps so many

of our Nation's children. This bill will liberate the parents of low-income children to choose a school that meets the educational needs of their children.

Improved education is essential for our Nation's economic vitality. Our increasingly competitive global economy demands a well-educated work force, and this bill will serve as a catalyst for improved education.

In 1986, almost 94 percent of high school seniors were unable to solve multistep mathematical problems or use basic algebra. In fact, a 1994 survey by the Carnegie Foundation found that few college professors feel U.S. undergraduates are prepared for higher education: only 20 percent of professors believe undergraduates have adequate written and oral communications skills and only 15 percent feel undergraduates are sufficiently skilled in math and qualitative reasoning.

As for literacy, most young Americans are functioning at rudimentary levels: enough to get through the day perhaps, but not enough to sustain a strong democracy, a competitive economy, and a vibrant culture. According to the U.S. Chamber of Commerce, functional illiteracy costs U.S. businesses \$300 billion in lost productivity annually.

Our children need the opportunity to pursue a good education. If this educational opportunity is outside their school district, they should have the chance to take advantage of it and find their American dream through quality education.

Last November, the American people sent me and many others to Congress to change the way the Government works. School choice is one step toward changing the attitudes of the Federal Government regarding education.

Under the Weldon-Riggs education bill, the Secretary of Education would review applications from school districts around the Nation and select 10 to 20 school districts to participate in the school choice demonstration project. Children who are eligible for the Federal School Lunch Program could participate, and their parents would receive certificates to use at any public, private, or charter school in the area.

Two \$5 million grants would be available to the most needy districts. They would be targeted to those communities with highest number of low-income children. The remaining grants would be in varying amounts up to \$3 million.

Parents could use the money to send their children to public, including charter schools, or private, including sectarian, schools of their choice. The money could be used to pay reasonable transportation costs and would be limited to the average per child expenditure in the local public school.

The Weldon-Riggs school choice demonstration bill would cover 3 years, with an initial cost of just \$30 million. Each participating school district must submit evaluation information to the Comptroller General for review. Data from the demonstration project would be studied after the 3-year period and a report would be submitted to Congress.

Earlier this year, Secretary Henry Cisneros of HUD said, "Low- and moderate-income families should have greater power to make decisions about their lives, and government should support their quest for self-sufficiency." This same principal should apply to education. These low-income families should have greater power to make decisions about their lives, that's what this bill does.

Mr. Speaker, I urge more of my colleagues to sign on in support of this demonstration project and put a little hope and innovation into our education system.

TRIBUTE TO JIM GRANT

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. LEVIN. Mr. Speaker, on May 17 the Overseas Development Council will honor James P. Grant. It will do so at a dinner in Washington to commemorate its 25th anniversary and will present awards to several who have chaired ODC. Jim Grant will be honored in memoriam.

If any word could characterize Jim Grant's distinguished career, and none adequately can, it might be dedication. Jim cared passionately about all the world's people and devoted his life to his dream of everyone on Earth having a real chance to enjoy its bounty.

Whether one knew Jim Grant during his early years in beginning to help others, his work in the U.S. Government trying to develop American assistance that would really matter to people in Third World nations, his days providing leadership as head of the ODC, or his glorious tenure as executive director of UNICEF, the conclusion was the same for so, so many of us. There was no one else quite like Jim—in his combination of imagination, enthusiasm, drive, perseverance, intelligence, and interpersonal skills.

He simply would never give up.

Jim Grant would understand the impetus in our Nation to focus on improving the opportunity for the millions of our citizens who have seen their standard of living stagnate over the last decade, and in many cases decline. At the same time he would not believe that, in doing so, our Nation would want to turn its back on the plight of millions elsewhere. He believed too much in the basic decency of the people of this country, and in this sense he was in all of his bones and in his fundamental attitude very much an archetypical American.

Literally, there are hundreds of thousands, if not millions, of children alive today because Jim Grant lived. Could anyone ask for more of his or her life?

Jim met more of the people he cared about than do most, but most of them he never met. But he could envisage them vividly, as if part of his own family, to whom he was so close and from whom sprang much of his humanity.

I had the privilege of working with Jim, also of seeing him preside over many a meeting. There was no one who could better stimulate a diverse group to work, sometimes struggle to a constructive conclusion—not infrequently the very one he had in mind from the very beginning. As the ODC notes his untimely death by commemorating his life, many who know him well join in and innumerable others who did not know him directly but benefited from his work would do so, if they could.

HONORING THE NEW YORK PUBLIC LIBRARY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. ENGEL. Mr. Speaker, the New York Public Library, one of the Nation's most treasured cultural institutions, and the only library in the world combining a preeminent research collection and a comprehensive system of neighborhood branch libraries, is celebrating its 100th birthday.

For 100 years, the New York Public Library has been a cornerstone of equal opportunity by providing free and open access to information without distinction based upon income, religion, nationality, or other human condition. The only criterion for admission is curiosity.

Through the 82 branch libraries and 4 research centers, the Library serves more than 10 million people each year. The research libraries, which include the Center for the Humanities, the Schomburg Center for Research in Black Culture, the Library for the Performing Arts, and the soon-to-be-opened Science, Industry, and Business Library, contain vast treasures which provide researchers, scholars, and students access to the accumulated wisdom of the world.

However, it is the neighborhood branches that are the cornerstone of many New York City neighborhoods. They provide a safe and inviting gathering place for the young, the elderly, and, in fact, for everyone to learn and enrich their lives. The branch libraries reach far beyond the traditional lending role usually associated with neighborhood libraries. The many branch libraries that are located in my congressional district play an extremely important role in the education and socialization of the residents of Bronx County.

I join with my constituents in recognizing the New York Public Library on the 100th anniversary of its founding.

TRIBUTE TO PETER CLENDENIN

HON. THOMAS J. BLILEY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. BLILEY. Mr. Speaker, I rise today to commend and pay tribute to a good friend and servant to the people of the Commonwealth of Virginia, Mr. Peter Clendenin. On June 30 of this year, Peter will end more than 12 years of service as president of the Virginia Health Care Association, a nonprofit association that represents assisted living, nursing facility, and subacute care providers throughout the State of Virginia.

For the 3 years preceding his tenure at the Virginia Health Care Association, Peter served the Commonwealth as assistant secretary of human resources where he oversaw the development of the budgets for 15 State agencies responsible for implementing security, manpower development, mental health services, and rehabilitation services for the people of Virginia.

Peter began his service to the Commonwealth in 1975 as a senior legislative analyst with the Virginia Joint Legislative Audit and

Review Commission where he worked for 4 years as project director of program evaluations.

Mr. Speaker, it gives me great pleasure to share with my colleagues the many contributions Peter Clendenin has made to the people and government of Virginia, and to wish him well on his future endeavors.

CONGRATULATORY REMARKS FOR MISS CHELSI SMITH, MISS UNIVERSE 1995

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. BENTSEN. Mr. Speaker, I rise today to recognize Miss Chelsi Smith who was crowned Miss Universe on May 12, 1995, in Namibia, South Africa. Miss Smith has become an inspirational figure to young people across the world.

Chelsi Smith represented the State of Texas at the Miss USA competition in 1995. Upon her award, she continued her duties in South Africa where she represented the United States of America in the Miss Universe competition. Of the 82 contestants Chelsi Smith, of Deer Park, TX, has become the sixth Miss USA to be honored with the title of Miss Universe.

Miss Smith, a 21-year-old woman, was raised in Deer Park, TX, where she graduated from Deer Park High School in 1991. She is a sophomore at San Jacinto Community College, where she intends to complete her studies in early childhood education after fulfilling her reign as Miss Universe.

Chelsi has worked to raise the awareness of racial issues and has served as a motivational spokesperson to the youth of America.

I congratulate Miss Chelsi Smith on her award of Miss Universe. I wish her well as she continues to represent the United States of America and the State of Texas. I am very proud that a fellow Texan has so well represented our Nation. It is with great pride that I extend my congratulations to Miss Smith for her important victory.

MARGARET MONTERO-LEADERSHIP IN THE PORTUGUESE-AMERICAN COMMUNITY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. STARK. Mr. Speaker, I rise today to recognize Mrs. Margaret Montero, the supreme president of the Associaçao Protectora Uniao Madeirence do Estado da California [APUMEC] a fraternal organization in California's 13th Congressional District. On June 20, 1995, she will finish her term in office.

The APUMEC is a fraternal benefit society which was started in Oakland, CA, in 1913, by several men from the island of Madeira, Portugal. The purpose of the society is to assist any member who might be ill or in need. If a member passes away, the society provides assistance to the member's family. Since 1913, the society has grown in membership to

nearly 2,000 members in several States. The APUMEC continues to provide these services and has expanded to provide others, such as the scholarship program which awards scholarships each year to qualified students.

Margaret Montero is currently the 70th supreme president of the APUMEC. She joined APUMEC Council No. 4 "Progresso" on February 4, 1967, and has served as an officer since 1970. She is the third member of her family to hold the office of supreme president. Margaret's late brother-in-law, José (Joe) J. Montero was supreme president from 1930 to 1932. Her daughter, Jackie Montero Flynn, served as supreme president from 1973 to 1974. She and her daughter are the first mother and daughter supreme presidents of the APUMEC.

Ms. Montero was born on May 28, 1915, in Honolulu, HA. She has been a resident of the bay area for over 60 years. She owned a business with her now deceased husband, Mr. Joaquim (Harry) Montero, to whom she was married for 45 years, and she still resides in the city of San Leandro, CA. She has one daughter, Jackie Montero Flynn, one stepson, John Lewis Montero; three grandson; and two great grandchildren.

Ms. Montero has also served as a member of many other community organizations, including the IDES, ISMM, SES, SPRSI, UPPEC, UPEC, the Brotherhood of St. Anthony, the Cabrillo Civic Clubs of California, and the ICDES. She is also a representative to the Portuguese Fraternal Benefit Societies of California.

Ms. Montero will finish her term on June 20, 1995. During her tenure as supreme president, she brought in a total of \$575,000 in policies and over 85 new members to the society. This is a significant contribution to the organization. But perhaps even more significant is the tireless dedication she has brought to the APUMEC for the 28 years that she has participated in the organization.

Today, I want to congratulate Margaret Montero on her successful term as supreme president and recognize her for her commitment to the APUMEC and to the entire Portuguese community, I wish her much happiness in the years to come.

REAUTHORIZATION OF THE CLEAN WATER ACT

HON. BLANCHE LAMBERT LINCOLN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mrs. LINCOLN. Mr. Speaker, I rise today to express my disappointment with provisions added at the last minute to H.R. 961, the Clean Water Amendments of 1995. The bill made an honest effort to correct some of the problems with the current Act. However, while I supported some of the strong elements of the bill, including the wetlands and the private property provisions, I could not, with good conscience, support the final amended bill.

During consideration of H.R. 961, the House approved an amendment that altered the allocation formula under the State Revolving Fund [SRF]. Under this new formula, the less industrialized States, like Arkansas, received significantly less money than they currently receive. The base bill contained a more equitable ap-

proach in its treatment of the allocation formula, but the amendment adopted by the House gutted the original agreement reached by the committee.

Last year Arkansas received nearly \$15 million under the SRF allocation. Under the amended bill, Arkansas would receive \$8 million—a 42 percent reduction.

Arkansas has a well run SRF program, leveraging two times the amount of its SRF funding. Last year, Arkansas leveraged nearly \$30 million from its \$15 million allocation. The severe reduction in the amended bill not only reflects a \$7 million reduction of federal obligated dollars, but it also adversely affects Arkansas' ability to leverage more funds. The bill's cut in fact represents a \$14 million total loss in funds that could be used to finance much needed wastewater treatment plants and infrastructure needs throughout the State. With the many Federal requirements imposed on our communities, they need the capital to comply with these national mandates.

Again, there were many provisions in the bill that I support, including relief for farmers under the wetlands and nonpoint source sections and small system hardship loans. However, when this bill pits Arkansas against other States in fighting for essential funds, I could not abandon Arkansas' needs in developing its clean water infrastructure.

I hope that the chairman and other Members involved in the negotiations with the Senate will press on in their obligation to consider this equity issue during the conference and resolve this unacceptable situation for Arkansas and 28 other States that lost SRF funding under the new allocation scheme. I would like to have a bill that I could support on behalf of my farmers and my rural constituents.

IN MEMORY OF EDWARD V. ROBERTS

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. DELLUMS. Mr. Speaker, it is with profound sadness that I rise to remember the late Edward V. Roberts, the father of the independent living movement and cofounder of the World Institute on Disability. Mr. Roberts passed from this life on March 14, 1995, at his home in Berkeley, CA, at the age of 56.

Mr. Roberts undeniably exemplified the epitome of what people with disabilities can accomplish with the right attitude, individual empowerment, and mutual support. The undefeatable Mr. Roberts laid the groundwork for disabled rights as he pursued his dream of liberation and education. His lifelong battle for the rights of the disabled began in high school when he vigorously challenged his school principal who balked at granting Roberts a diploma because the teenager had not completed the required physical education courses. Polio left Roberts a quadriplegic at age 14. Roberts, unable to move below the neck and dependent on an iron lung to breathe, was deemed "severely disabled" and "unemployable," according to a counselor at the California State Department of Rehabilitation. Convinced that he could defeat the odds, Roberts never accepted the idea that disabled people could not when the rest of society

could. He pursued his educational objectives with this idea in mind. After winning the battle to obtain his high school diploma, Roberts went on to earn a bachelor's degree and a master's degree. He was the first severely disabled student to attend and be housed on campus at the University of California, Berkeley. While there, Mr. Roberts helped fellow students organize into a self-help group whose services included free counseling, off-campus housing referrals, and a repair crew whose expertise was wheelchairs. He also led the lobbying effort for dorm housing for the disabled and eventually secured Federal money to establish the first ever Physically Disabled Students Program at the university. This was just the beginning of Mr. Robert's legacy to people with disabilities.

Committed to increasing the freedom of people with disabilities to live and work like other people and in response to increased demands for the services provided under the auspices of the Disabled Student's Program, in 1972, Mr. Roberts helped found the Center for Independent Living in Berkeley. The program was the first of its kind to be designed, developed, organized and managed by and for the disabled to achieve the best quality life possible. It became a national model for people with disabilities because it documented and resolved some of the basic problems of people with disabilities attempting to live independently with such essentials as personal care, modified living space, transportation, and wheelchair-accessible ramps and curbs. While at the center, Roberts successfully campaigned for the removal of Federal laws that were designed to keep the disabled out of school and work environments. His ideas were turned into law in the Rehabilitation Act of 1973. There are now some 400 independent living centers throughout the United States based on the Berkeley model demonstrating independent living with accommodations. Once again, Mr. Roberts scored a permanent mark for the disabled, transforming the way everyone thinks and acts toward the disabled and paving the way for the integration of the disabled into all forms of society.

Mr. Robert's longtime efforts and visions received affirmation when Governor Jerry Brown appointed Roberts to head the California Department of Rehabilitation in 1975. Roberts was the first California State director of rehabilitation with a physical disability. His presence alone at the agency, the same agency that sided with the University of California in denying Roberts admittance to Berkeley because the school had never had a wheelchair-confined student who required a respirator and iron lung, helped many understand the needs of the disabled seeking independence. With a staff of more than 2,500 and budget of \$140 million, Roberts implemented the independent living programs on the State level and established a national network of independent living centers. The independent living movement soon went national. Roberts' efforts to change disabled rights dramatically influenced policies that are in place today. Mr. Roberts was determined to change the whole system and move away from old ideas about the capabilities of the disabled.

In 1984, Mr. Roberts received a \$225,000 MacArthur Foundation award. Using this grant, he cofounded the Oakland-based World Institute on Disability [WID], to carry the philosophy of independent living into the national

arena. This organization, an influential think tank on disabled policy and research issues, is dedicated to eliminating handicappism through equity of opportunity, institutionalizing the full participation of the disabled within our society and ensuring economic parity for the disabled. Under Roberts, the organization conducted research and training on major policy issues, formulated new approaches to disabilities that are based on real-life emergencies and needs, began a disabled youth summer jobs and internship project, encouraged small businesses to identify barriers faced by the disabled and lobbied for small business loans for the disabled. His lobbying efforts gave rise to the Americans with Disabilities Act of 1990, section 504, and other important access laws for the disabled. Carrying his message of independent living, Mr. Roberts traveled worldwide pushing his message for disabled rights in Africa, Australia, Russia, El Salvador, and Japan, just to name a few.

Edward V. Roberts positively changed the perceptions of a whole society and revolutionized society's idea of what persons with disabilities could be. As a role model and leader with a vision, Roberts was committed to building an environment that supports the independence of people with disabilities. Roberts plotted his course early and never veered from his chartered path. He inaugurated a civil rights movement that changed the life of every disabled person and the structure of nearly every street and building in this Nation. Though there are no monuments to the man who launched the disabilities rights movement, we must recognize Mr. Roberts as the man who tried to build a dream that we all could share, now and in all generations to come. We will all mourn this loss.

ALDRICH AMES SPY CASE

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. COMBEST. Mr. Speaker, on November 30, 1994, the Permanent Select Committee on Intelligence issued its report on the Aldrich Ames espionage case. Among the findings of that report was the fact that "the CIA failed to keep the oversight committees fully and currently informed" about the case "despite several instances of pointed questioning by Committee members. The lack of notification extended to the end: Neither the CIA nor the FBI advised the oversight committees of the investigation until shortly before Ames' arrest."

This chilling finding left unanswered the question as to why the oversight committees had not been kept informed, as the law requires: Was it a witting coverup or inadvertent? Although neither answer would be comforting, the Permanent Select Committee on Intelligence deemed it necessary to close out this unanswered question with regard to the Ames case.

Despite the heavy press of business the committee's staff and Members made this a priority at the outset of this Congress. After extensive work by the staff and a review by the committee, the committee voted unanimously on May 11, 1995, to release the following statement:

CONGRESSIONAL OVERSIGHT OF THE ALDRICH AMES SPY CASE

On February 21, 1994, Aldrich Ames was arrested and charged with violating U.S. espionage laws and spying for the former Government of the Soviet Union and the Government of Russia. Since that date, the Committee has conducted an aggressive inquiry to determine what went wrong in the Ames case and how to fix it. In November 1994, we issued an exhaustive report that had specific recommendations for remedial action. The Intelligence Community and the FBI have taken significant steps to address problems we highlighted in our report. The remedial actions have had a positive effect on counterintelligence issues.

One issue, in particular, surfaced during our inquiry that necessitated additional follow-up: that is, whether the CIA violated Section 502 of the National Security Act of 1947 and whether that violation was intentional. Section 502 requires that the Congress be informed of "all intelligence activities . . . including . . . any significant intelligence failure." At a full committee hearing on February 7, 1995, and in correspondence with this committee, Acting Director of Central Intelligence Admiral Studeman has stated that the CIA failed to meet this statutory obligation.

The CIA's admission of its violation of Section 502 led us to the next question, whether this failure was intentional. The Committee has interviewed a wide range of current and former CIA officials involved in the Ames case. We also reviewed the voluminous reporting that we have received on the Ames case. This examination produced no evidence that any former Director of Central Intelligence, Deputy Director of Central Intelligence, or Deputy Director for Operations made a decision to withhold information about the loss of Soviet assets in 1985 and 1986 and the resulting investigation from this Committee.

At lower levels of the CIA, where the counterintelligence investigation was being conducted, it appears that no one ever thought to bring this matter to the Committee's attention. Five Members of this Committee asked precisely the right questions about espionage problems at CIA during the CIA's own investigation: former Chairman Anthony Beilenson; two ranking Members, Representatives Henry Hyde and Bud Shuster; and two Committee members, Representative Dick Cheney and Larry Combest. At a minimum, what is clear is that, at certain levels, CIA officials did not understand the requirements of the law. The CIA is taking steps to ensure that all employees are aware of Section 502. Moreover, it is important to note that it is not the responsibility of the Committee "to ask the right questions." The onus lies with the Intelligence Community to be forthcoming vis-a-vis its oversight responsibilities.

The Committee is taking the following additional actions:

We have prepared a letter for the new DCI, John Deutch, drawing his attention to Section 502 and the transcript of the February 7, 1995 hearing. We are confident that the new DCI will be vigilant in ensuring that the mandates of Section 502 are followed. Notification is not merely a matter of law, but is also a matter of common sense. Senior CIA officials must bring matters to the attention of the Congress when there is any "significant intelligence failure." This raises the corollary issue of ensuring that all officers of the CIA understand that they will be held accountable for the management of their operations, as Admiral Studeman has already informed personnel of the CIA. The new DCI has also pledged to make accountability a focus of his management policies.

The Committee has a continuing interest in the Ames case. A full briefing on the results of the Intelligence Community's damage assessment will be received later this year. Following that briefing, the Committee will determine if there is additional legislative or other remedial action that is required.

The Committee will also continue to monitor the counterintelligence reforms that have been put in place by the CIA, the Intelligence Community and the FBI to ensure that there is no backsliding on this matter.

MEDICARE DEPENDENT HOSPITAL RELIEF ACT OF 1995

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday May 16, 1995

Mr. SHAW. Mr. Speaker, I rise today to introduce timely legislation that will allow Medicare dependent hospitals, defined as hospitals with Medicare patient loads of 60 percent or more, to be reimbursed more fairly under the Prospective Payment System [PPS]. These hospitals, both rural and urban, have significantly higher Medicare losses and lower overall Medicare margins than other hospitals. This disparity threatens the viability of these hospitals and the access to, and the quality of, care for Medicare beneficiaries.

This legislation, which I am introducing in conjunction with my good friend from Florida, Senator BOB GRAHAM, is titled the Medicare Dependent Hospital Relief Act of 1995. To remedy the problem facing Medicare dependent hospitals, this bill includes three main provisions. First, Medicare dependent hospitals will be statutorily defined as hospitals with Medicare patients loads representing 60 percent or more of total patient days. Second, each year the Prospective Payment Assessment Commission [ProPAC] will compute, and the Health Care Financing Administration [HCFA] will implement, separate PPS updates for Medicare dependent hospitals and other hospitals. The update for Medicare dependent hospitals will have to make the average Medicare loss for those hospitals equal to the average Medicare loss for all hospitals. The computation and implementation will be budget neutral, thus this bill will not create additional costs. Third, ProPAC's annual report to Congress will include recommendations to ensure that beneficiaries served by Medicare dependent hospitals retain the same access and quality of care as Medicare hospital patients nationwide.

The need for this legislation is simple. Between 1983 and 1988, Medicare phased in the PPS to replace cost-based reimbursements with prospective, or pre-determined, payments to contain costs and encourage efficiency. Various PPS adjustments have produced wide variations in hospital profits and losses from Medicare. Medicare dependent hospitals, as a group, have been at a distinct disadvantage. While hospitals on average lose 2.73 percent on their Medicare business, Medicare dependent hospitals lose much more: on average, those Medicare dependent hospitals with 60-64 percent Medicare loads lose 4.57 percent, while those with 65 percent or greater Medicare loads lose 5.45 percent. Medicare dependent hospitals have less ability to offset

Medicare losses with payments from other payors because of their high Medicare patient loads. With such low margins, Medicare dependent hospitals are faced with only two choices: either close or reduce services. In either case, the ultimate losers will be the Medicare beneficiaries these hospitals serve.

I urge my colleagues to support this legislation and ask that this bill and these remarks be inserted into the RECORD.

H.R.—

SECTION 1. SHORT TITLE.

This Act may be cited as the "Medicare Dependent Hospital Relief Act of 1995".

SEC. 2. DEVELOPMENT OF SEPARATE APPLICABLE PERCENTAGE INCREASES FOR MEDICARE DEPENDENT HOSPITALS AND OTHER HOSPITALS BY THE PROSPECTIVE PAYMENT ASSESSMENT COMMISSION.

(a) DEVELOPMENT OF SEPARATE APPLICABLE PERCENTAGE INCREASES.—

(1) IN GENERAL.—The Prospective Payment Assessment Commission established under section 1886(e)(2) of the Social Security Act (42 U.S.C. 1395ww(e)(2)) (in this section referred to as the "Commission") shall, in accordance with paragraph (2), develop for fiscal year 1997 and each fiscal year thereafter separate applicable percentage increases described in section 1886(b)(3)(B) of such Act (42 U.S.C. 1395ww(b)(3)(B)) for medicare dependent hospitals and subsection (d) hospitals which are not medicare dependent hospitals.

(2) EQUALIZATION OF MEDICARE MARGINS.—The Commission shall develop separate applicable percentage increases under paragraph (1) such that, if such factors were in effect, the estimated average annual medicare margins of all medicare dependent hospitals in furnishing inpatient hospital services to medicare beneficiaries in such fiscal year would be equal to the average annual medicare margins of all subsection (d) hospitals which are not medicare dependent hospitals in furnishing inpatient hospital services to medicare beneficiaries in such fiscal year.

BUDGET NEUTRALITY.—The Commission shall provide that the separate applicable percentage increases developed under paragraph (1) would, if in effect, not result in aggregate payments under section 1886 of the Social Security Act (42 U.S.C. 1395ww) to medicare dependent hospitals and subsection (d) hospitals which are not medicare dependent hospitals for the furnishing of inpatient hospital services in a fiscal year in excess of the aggregate payments under such section to such hospitals in such fiscal year if such factors were not in effect.

(b) REPORTS.—

(1) IN GENERAL.—Beginning in March 1996, the Commission shall, in each of the Commission's March reports to the Congress required under section 1886(e)(3) of the Social Security Act (42 U.S.C. 1395ww(e)(3)) include—

(A) the separate applicable percentage increases developed by the Commission under subsection (a)(1) for the upcoming fiscal year; and

(B) recommendations on methods to ensure that medicare beneficiaries who receive services furnished by medicare dependent hospitals have the same access and quality of care as medicare beneficiaries who are furnished services by subsection (d) hospitals which are not medicare dependent hospitals.

(2) ANNUAL REVIEW OF MEDICARE MARGINS.—The Commission shall develop the recommended methods under paragraph (1)(B) after annually reviewing the average medicare margins in medicare dependent hospitals and the impact of such medicare margins on the medicare dependent hospitals' overall profit margins.

SEC. 3. DEFINITIONS.

In this Act, the following definitions apply:

(1) MEDICARE BENEFICIARY.—The term "medicare beneficiary" means an individual who is entitled to benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.).

(2) MEDICARE DEPENDENT HOSPITAL.—The term "medicare dependent hospital" means any subsection (d) hospital—

(A) that is not classified as a sole community hospital under section 1886(d)(5)(D) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(D)); and

(B) for which not less than 60 percent of its inpatient days were attributable to medicare beneficiaries during 2 of the last 3 preceding fiscal years for which data is available.

(3) MEDICARE MARGIN.—

(A) IN GENERAL.—The term "medicare margin" means for a fiscal year the ratio expressed as a percentage equal to—

(i) the difference between all medicare revenues paid to a hospital for the operating costs of inpatient hospital services in a fiscal year and all medicare program eligible expenses for such operating costs for such fiscal year (as shown by each hospital's HCFA 2552 report submitted annually to the Health Care Financing Administration); divided by

(ii) all medicare revenues paid to the hospital for the operating costs of inpatient hospital services for such fiscal year.

(B) OPERATING COSTS OF INPATIENT HOSPITAL SERVICES.—The term "operating costs of inpatient hospital services" has the meaning given such term in section 1886(a)(4) of the Social Security Act (42 U.S.C. 1395ww(a)(4)).

(4) SUBSECTION (d) HOSPITAL.—The term "subsection (d) hospital" has the meaning given such term in section 1886(d)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B)).

IN RECOGNITION OF THE SUCCESSFUL PARTNERSHIP BETWEEN ANCHORAGE NEIGHBORHOOD HOUSING SERVICES AND THE NATIONAL BANK OF ALASKA

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. YOUNG of Alaska. Mr. Speaker, I would like to congratulate both the Anchorage Neighborhood Housing Services and the National Bank of Alaska for being nationally recognized by the Social Compact in its 1995 Outstanding Community Investment Awards program for their partnership achievement: the rehabilitation of a historic downtown property into a mixed-use rental and retail development. ANHS and NBA were selected from over 160 applicants from across the country for their highly effective and innovative community investment strategies.

The project, known as the Loussac-Sogn Limited Partnership, marked a series of firsts in Anchorage: National Bank of Alaska [NBA] was the first financial institution in Alaska to purchase historic and low-income housing tax credits, Loussac-Sogn was the first housing built downtown since 1980, and it was the first limited partnership between a nonprofit and financial institution to provide for the housing needs of low-income individuals.

The shortage of affordable housing in Anchorage is critical. Significant increases in number of low- and moderate-income resi-

dents and a concurrent loss of almost 1,000 substandard housing units between 1988 and 1990 created the severe shortage. A decline in per capita income caused by a shift in the economy from oil-based jobs to service jobs also contributed to the problem. The affordable housing available in the Loussac-Sogn Single Rental Occupancy [SRO] building is helping alleviate the situation.

Located in Anchorage's downtown business district, this historically significant, 42,000 square foot art moderne structure was rehabilitated and preserved according to national historic standards. The building will be placed on the National Historic Register in 1996. It includes retail businesses on the ground floor and 52 renovated and furnished single room occupancy housing units on the upper floors. Residents, very-low income adults, will stay at Loussac-Sogn as the first step in a continuum of housing provided by Anchorage Neighborhood Housing Services [ANHS]. Support services, provided through a case management system, will also help the residents more successfully bridge a transitional period before finding permanent, independent housing.

The project could not have been completed without NBA's leadership and participation throughout the process. They assisted with the complex acquisition of the land and building. The bank convinced the landowner that the creation of low-income housing would be within its purpose as a charitable organization, and then they negotiated with the building's owners to settle litigation so that it could sell the property to ANHS at a reasonable price. NBA also provided funds in acquisition and renovation equity and a construction loan with \$1.55 million in financing through the Alaska Housing Finance Corporation. The additional financing needed to complete Loussac-Sogn was obtained through taxable bond financing and grants from the local historic preservation nonprofit, the Neighborhood Reinvestment Corporation, and the Federal Home Loan Bank of Seattle. NBA also stepped in with needed support when ANHS assumed the role of general contractor in order to address unexpected hazardous materials abatement requirements.

The Loussac-Sogn SRO is an asset and enhancement of downtown Anchorage. The residents take an active part in the community and focus on particular problems such as crime prevention. Thanks to Loussac-Sogn, businesses have learned about the positive effects of low-income housing.

TRIBUTE TO JESS DAMESWORTH

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. LEVIN. Mr. Speaker, it has become widely accepted in our Nation that when people become unemployed through no fault of their own, there should be a bridge for them and their family until a return to remunerative work.

It took considerable effort to weave that principle into America's economic fabric and it has taken constant effort to maintain it.

Jess Damesworth has been in the center of that endeavor. As unemployment compensation director for the United Automobile Workers for over a decade, he has devoted his

high energy and substantial talents to his work. Thousands and thousands, inside and outside of the UAW, owe a debt of gratitude to Jess' dedication. He has worked with industry to make the system work more effectively.

On Thursday, May 18, a retirement dinner will be held to honor Jess' years of service. There will be words of praise from leadership and rank an file. Both will have witnessed the good efforts of Jess Damesworth. As someone who has been privileged to work with Jess over the last decade, I heartily join in the accolades to him.

CONGRATULATIONS TO DRUG-FREE SCHOOLS

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. FIELDS of Texas. Mr. Speaker, I was pleased to learn that four schools located in my congressional district are recipients of this year's Drug Free Schools Award, presented annually by the U.S. Department of Education.

The four schools—Ehrhardt Elementary School, Strack Intermediate School, Dueitt Middle School, and Tomball Intermediate School—were among just 98 schools nationwide to be so recognized. Winning this award attests to the hard work and concern of the students, faculty and administrators of these four schools, as well as to the hard work and concern of the parents of the students attending those four schools.

In particular, I would like to congratulate Heather Maedgen, principal of Ehrhardt Elementary School in Klein; Gary Jones, principal of Strack Elementary School in Klein; Rosalind Keck, principal of Dueitt Middle School in Spring; and Dr. Lee Weeditz, principal of Tomball Intermediate School. Their leadership in eliminating drugs and alcohol from their schools, and in creating a positive learning environment, has inspired educators and students alike to work together for the common good.

America's Goals 2000—a series of educational goals to which President Bush committed our nation—includes a commitment that "by the year 2000 every school in the United States will be free of drugs, violence, and the unauthorized presence of firearms and alcohol, and will offer a disciplined environment conducive to learning."

Mr. Speaker, the four schools located in my congressional district that have received the Drug Free Schools Award are well on their way to achieving that goal of a drug-free, alcohol-free and nonviolent environment in which teachers can teach and students can learn. Again, I congratulate everyone associated with those schools—students, administrators, faculty members and parents—on this tremendous, and well-deserved honor.

Thank you, Mr. Speaker.

LET'S TALK ABOUT THE FACTS

HON. JACK METCALF

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. METCALF. Mr. Speaker, while discussing the massive Federal debt and annual

budget deficits of over \$200 billion at a recent town hall meeting in Oak Harbor, WA, I used a Member of the other body as an example of the old guard in Washington, DC. I criticized him for his opposition to the Balanced Budget Amendment, his reputation for securing questionable spending projects for West Virginia, and his unwillingness to cut wasteful Federal spending.

I then said in a light-hearted vein at the town hall meeting that because of this, the Member should be tarred and feathered. Historically, since the late 1800's, tarred and feathered has been a humorous reference, meaning community outrage at a person who violates the general good of the community. I have never, nor would I ever, seriously advocate mob violence toward anyone.

A more important note, in my mind, however, is the misinformation regarding a remark, made from the audience, that the Member should be shot. At the time of the comment I was speaking and thus did not hear nor was I aware of what had been said. Had I heard the statement at the time, I would have condemned it on the spot.

Political rhetoric is one thing, but threatening violence is quite another. I have always condemned senseless acts of violence and have worked to enact laws ensuring swift and sure punishment for those who break the law.

My comments were intended to illustrate the abuses of the old, outdated political process, certainly not to support the use of violence.

IN APPRECIATION OF THE COMMITMENT OF WILLIAM REES HARRIS TO THE SALISBURY VOLUNTEER AMBULANCE SERVICE

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mrs. JOHNSON of Connecticut. Mr. Speaker, it is with great pride and appreciation that I rise today to commend Rees Harris, a life-long resident of Salisbury, CT, for his generosity and leadership in forming the Salisbury Volunteer Ambulance Service in 1971.

Rees is known throughout the northwest corner of Connecticut for his vision of community life and his commitment to and support of programs that support the needs of the residents of the small towns, like Salisbury, that comprise the northwest corner. In 1971, through Rees' personal generosity, the Salisbury Volunteer Ambulance Service was established. Today, Rees will be honored by the board of trustees of the service in recognition of his dedication and compassion for his neighbors and for contributing to the quality of life they all enjoy.

In a small, tight-knit community such as Salisbury, many good deeds are accomplished, as neighbor helps neighbor in a quiet fashion. Rees is a humble man, a gentleman who has earned the respect of his peers for his unending concern for all those who call home the very special community of Salisbury, CT.

I know Rees finds deep, personal satisfaction through helping others, and on behalf of my Salisbury constituents, I express appreciation for his contributions to the lives of many

and for strengthening the services and institutions on which the community relies.

TRIBUTE TO GILBERT MURRAY

HON. FRANK RIGGS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. RIGGS. Mr. Speaker, I rise today to pay homage to a very special person, who was recently taken away from us by a cowardly and desperate act. Gilbert Murray, president of the California Forestry Association, was killed on April 24, 1995, by a mail bomb at his office in Sacramento, CA.

Gil touched many lives, both professionally and personally. He dedicated his life to protecting the forests, which he learned to love as a child. He continued to explore and enjoy the outdoor world as an adult. He taught his family to love and appreciate nature in all its majestic forms—exploring mountain peaks, churning rivers, tropical reefs, snowclad hillsides, glaciers, and deep blue lakes.

Born on June 18, 1947, Gil spent most of his childhood in Southern California. After serving in the U.S. Marine Corps from 1967–70 in Vietnam, he returned to the United States to marry his childhood sweetheart, Connie.

Gil spent most of his professional life devoted to forestry issues. After graduating from the University of California at Berkeley in 1975 with a degree in forestry, he went to work as a dirt forester for Collins Pine Co. in Chester, CA. Through the years he worked in several organizations involved in forestry, eventually rising to the presidency of the California Forestry Association.

What is unique and special about Gil is the incredible amount of love and affection that his friends and family have for him. Devoted to his job, he never lost sight of the people around him. His family was always his first priority. Perhaps his young niece stated it best, "He was just the best person in the world."

Mr. Speaker, I hope all Members will join me in saluting Gilbert Murray and condemning his assassination. Gil was indeed a special person, and we can all best respect his life by advancing his ideals now that he is gone.

GOP SAVES MEDICARE

HON. STEPHEN E. BUYER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. BUYER. Mr. Speaker, Medicare is in dire need of improvements. Medicare part A will go bankrupt by 2002; in just 7 years. Medicare part B, has already begun to lose money. Medicare is our forth largest Federal budget item, consuming 12 percent of the budget.

If the Medicare system is not reformed now, we may not have a program to reform in the very near future. Since 1992, Medicare has been paying out more money in claims than it has received in payroll taxes. These services must be run in a more responsible and fiscally prudent manner while maintaining Medicare's quality.

Medicare part A, the hospitalization insurance program, draws its revenue from a trust fund that currently contains \$135 billion. This trust fund will begin losing money next year and will be insolvent by 2002. We must provide security to our seniors that there will be a safety net for their use if needed in 7 years.

Enrollees in Medicare part B, the program that finances outpatient medical treatment, will pay a premium of \$46.10 a month and a deductible of \$100 this year. In return they will receive benefits averaging nearly \$2,400 per enrollee, with taxpayers subsidizing \$1,800 per beneficiary. By 2002, that subsidy will reach \$3,900 per individual. This subsidy will cost taxpayers \$1.5 trillion over the next 20 years if the current course continues. The average one-earner Medicare couple will receive \$126,700 more in benefits than they contributed over their working life.

In April, I completed another round of town meetings in the Fifth District of Indiana. The solvency of Medicare was a top concern. I heard a similar message from young and old alike from Kokomo to Winamac and from Logansport to Plymouth. Hoosiers don't want a quick fix that doesn't work. They don't want accounting gimmicks. They don't want political posturing. They want Congress to reform the system to ensure security for years to come. The solvency of Medicare is very real to Hoosier families and seniors.

House Republicans have proposed a budget plan that balances the Federal budget by 2002, without touching Social Security or raising taxes. This means that for the first time since 1969, our deficit by 2002 will be zero. Medicare spending is projected to increase from \$178 billion in 1995 to \$258 billion in 2002. That's a 45 percent increase over the next 7 years. What does this mean for the average Medicare recipient? In 1995, the average Medicare beneficiary will receive \$4,684 in benefits which increase to \$6,293 in 2002. Again, benefits increase—not decrease.

The Board of Trustees for the Medicare Trust Fund, appointed by President Clinton, have issued a report saying Medicare's short-term fiscal health requires either an immediate increase in payroll taxes of 44 percent or an immediate decrease in Medicare spending of 30 percent. Yet both of their proposals would only ensure solvency for 25 years. I support a less draconian approach such as reducing the growth of Medicare by just 5 percent a year. No tax increase nor enormous cuts. A 5 percent reduction in growth will provide for long term security of the Medicare program.

Because a centralized Government monopoly is inherently inefficient, wasteful, and too slow to adapt to new ideas and new solutions, we must transform Medicare. Every senior citizen should have more choices in health care and more control over their own lives, thus providing more security. A transformed Medicare system will provide better health care at lower cost with greater choice. Failure to transform Medicare will lead to cuts in services and financial crisis.

The President should be a leader, not a follower. The President's own Cabinet members, as trustees of the Medicare Trust Fund, have issued a report clearly stating that Medicare is in dire need of reform. President Clinton has been absent from this debate. Frankly, I am very disappointed that it will take Congressional legislation to bring the President into this discussion. I hope the President will take

a seat at the table and help the Congress address this important issue. If not, the Congress clearly has the determination to do so without him. I support H.R. 1590.

Finally, the imminent crisis in Medicare funding is real and unavoidable. Responsible reform of Medicare is a top priority of this Congress. It should be everyone's purpose to reform and improve Medicare to provide the best possible service to its beneficiaries. I look forward to working with my constituents, my colleagues, and hopefully the President to find real solutions to improve these programs.

THE FEDERAL AVIATION ADMINISTRATION REFORM ACT OF 1995

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. OBERSTAR. Mr. Speaker, I am pleased to cosponsor H.R. 1392, the Federal Aviation Administration Reform Act of 1995, introduced by our colleague, JIM LIGHTFOOT. Congressman LIGHTFOOT'S bill makes important reforms which will enhance FAA's ability to carry out its responsibilities, while preserving FAA's basic structure which has enabled the agency to become the world's finest. Although I have reservations about some provisions in the Lightfoot bill, overall it is a major contribution to our effort to reform the FAA.

I strongly support the provisions in H.R. 1392 which would take FAA out of the Department of Transportation and make FAA an independent agency. This reform has been supported by 10 of the 11 living former Administrators of FAA. The strong support of the former Administrators should be given great weight, in view of their distinguished careers in the military and private sector, and the fact that they served our a period of more than 30 years, under Presidents of both parties, from John F. Kennedy to George Bush.

As the former Administrators have pointed out, FAA's responsibilities to develop the aviation infrastructure and to ensure aviation safety and security are basically technical in nature. FAA's skilled professionals are well equipped to carry out these responsibilities, without second guessing from political appointees at the Department of Transportation.

I have observed DOT's oversight of FAA for many years. DOT's review often does little more than delay important decisions. In some instances, DOT overrules sound FAA decisions, on ideological grounds, or to gain short term public relations advantages.

I would also emphasize that all 11 of the living former Administrators strongly opposed a reform which is not in the Lightfoot bill, but has been proposed by the Department of Transportation; to split FAA into a quasi-public corporation, like the Postal Service, for air traffic control and a rump FAA to regulate the corporation and carry out FAA's other responsibilities. In hearings before the Aviation Subcommittee, Najeeb Halaby, FAA Administrators from 1961 to 1965, testified that: "Corporatizing part of the FAA could disintegrate the present comprehensive system of safety which has served the nation so well. It would result in potential serious conflict between the new corporation, the NTSB and the DOT/FAA. Since the proposed corporation

would be a monopoly, it would not achieve the savings of free competition. Since it would be a federal corporation, the public would not consider that federal employees really had been reduced or true savings achieved. . ."

Administrator Halaby's statement was specifically endorsed by all 11 former Administrators.

The Lightfoot bill makes important reforms in the laws and regulations governing FAA's procurement of equipment and FAA's relationship with its skilled work force. FAA is now governed by burdensome procurement laws and regulations which have slowed FAA's program to modernize the air traffic control system. Equally burdensome laws and regulations on personnel have limited FAA's ability to recruit scientific and engineering professionals and to fully staff air traffic control facilities in high cost of living areas. The Lightfoot bill adopts a balanced approach to these problems by giving FAA flexibility to develop its own procurement and personnel systems, while retaining an opportunity for Congress to review these programs before they are implemented. Congress would also review the new personnel and procurement programs in the year 2002 when they would need to be reauthorized. The personnel and procurement reform programs developed under the Lightfoot bill would not only benefit FAA, but would also provide important data for reforming these processes for other Government agencies.

I am also supportive of the provision in the Lightfoot bill which gives the FAA Administrator a 7-year term in office. In recent years, Administrators have often served for 2 years or less. This is not enough time to ensure that needed reforms are implemented. The turnover in Administrators has caused reform to proceed by fits and starts, and prevented a sustained, consistent approach. Last year we passed legislation giving the Administrator a 5-year term in office. A 7-year term would be even better.

I have reservations about the provision in the Lightfoot bill to establish a panel to consider innovative financing mechanisms to ensure adequate funding for aviation infrastructure needs. We do not need a panel to discover that the basic problem is that the more than \$5 billion a year generated by excise taxes on aviation system users, such as the 10 percent tax on airline passengers, is not being fully spent to develop the aviation infrastructure. The failure to fully spend these revenues is a breach of faith with aviation users. The taxes were imposed in 1970 for the purpose of financing the airport and airway trust fund which supports development of the air traffic control system and airports. In recent years, the user contributions have not been fully spent, but have been used to reduce the deficit in the general budget. The cumulative amount of taxes which has not been spent now totals more than \$3 billion. A critical step in overcoming this problem is to pass H.R. 842, which would take the trust fund out of the budget process and permit all funds contributed by users to be spent for the intended purpose of developing our Nation's airports and air traffic control system.

Overall, I believe that the Lightfoot bill makes a major contribution to FAA Reform. I look forward to working with Congressman LIGHTFOOT and my colleagues on the Committee on Transportation and Infrastructure to develop an FAA reform bill which will ensure that

we will continue to have the world's finest aviation system.

TRIBUTE TO MARGARET STANFILL MOORE ORIGINALLY OF HAYTI, MISSOURI

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. EMERSON. Mr. Speaker, I rise today to pay tribute to Margaret Stanfill Moore, whose outstanding service as a nurse in World War II provided an invaluable role in several key battles, including the liberation of Europe.

Margaret Stanfill Moore holds the distinct honor of being the first woman to set foot upon the beaches of Normandy on D-Day, June 6, 1944. She followed the first wave of Allied troops ashore and immediately began ministering to wounded soldiers and paratroopers. Her work was crucial to saving the lives of Americans and our Allied friends.

Not only did Lieutenant Stanfill heroically rush to the shores of Normandy, but she was also one of the first nurses on the scene in the North Africa campaign. After North Africa, she followed Allied troops into Sicily. Margaret bravely risked her life in some of the most important battles of World War II to save the lives of American and Allied troops.

I am proud to boast that lieutenant Stanfill is from Hayti in the Eighth District of Missouri. The daughter of Mrs. Ola Stanfill, Margaret Stanfill Moore is a graduate of Hayti High School, Class of 1930, where she was captain of the girls' basketball team and the county high school tennis singles champion. Following high school, Margaret entered Nurses Training at the Baptist Hospital in Memphis, TN. After spending a year in private practice, she joined the U.S. Army Nursing Corps.

It is with honor that I recognize Margaret Stanfill Moore for her invaluable and outstanding service to our country. There is no more honorable an occupation than saving the lives of wounded American soldiers. The veterans of World War II thank her, I thank her, and America thanks her.

END THE CUBAN EMBARGO

HON. JOHN JOSEPH MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. MOAKLEY. Mr. Speaker, I recently wrote to President Clinton urging him to immediately begin negotiations with the Government of Cuba aimed at lifting the economic embargo and normalizing relations.

For over three decades, we have tried to force Fidel Castro from power by maintaining a tight economic embargo on Cuba. But, that embargo has failed to hasten Mr. Castro's departure and has failed to fuel the type of internal pressures to advance the democratic reforms that so many of us want to see.

Instead, the embargo has encouraged and strengthened the sentiments of nationalism in Cuba, provoked an increase in immigration to the United States—and it has provided Mr. Castro with a perfect excuse to justify the failures of his system.

It is my hope that the Clinton administration will recognize the obvious failures of our current policy and change course.

I would like to call my colleagues' attention to a recent article written for the Boston Globe by Elizabeth Shannon entitled, "United States Should End Its Embargo Against Cuba." Ms. Shannon, who is a writer and administrator at Boston University, makes a compelling case for changing our policy.

[From the Boston Globe, May 4, 1995]

UNITED STATES SHOULD END ITS EMBARGO AGAINST CUBA

(By Elizabeth Shannon)

President Clinton's reversal of our Cuban refugee situation may be the administration's first step toward changing a policy which has been ill-advised and self-defeating throughout this century. To insist on continuing and expanding the harsh and illogical embargo against Cuba when an accord favorable to both countries could be reached is inconsistent with American self-interest. What good is it to have 11 million people near starvation or to create political chaos on a small island just 90 miles off our shores?

Whatever Fidel Castro is—guerrilla fighter, oppressive dictator, unrelenting windbag, nouveau capitalist—he is well aware of the failure of the Revolution and is groping for a way out, peering through the doors of private enterprise that are opening up to him and liking what he sees.

Through his own mismanagement and the loss of the \$5 million annual subsidy from the Soviet Union, the infrastructure of Cuba is in shambles. The Spanish colonial mansions in Havana's suburbs are in bleak disrepair. Black smoke from oil wells pollutes the air. The few cars one sees are vintage American models, making the streets of Havana look like a set for a Bogart film. Engines rust on unused rail tracks, and buses have been replaced by ancient flatbed trucks with benches nailed to the floor to serve as public transportation.

Children beg on the streets of Havana. The only miracle left, hard to fathom, is the good nature and indomitable spirit of the Cuban people and their faith, slightly frayed, in "El Comandante."

Cuba is trying to deal with its economic crisis by participating in joint private enterprise projects, mainly with Canada, Mexico and Europe. It is also pouring money into tourism, which is growing at the rate of 20 percent annually.

There is still no free press, radio or television and one wonders about the literacy level when there are so few books to read. There are no young, would-be Fidels in the university; dissenters who still fear a knock on the door at night.

Nevertheless, there is an easing of some of the harsh, repressive social policies of the past two decades. The availability of educational opportunities and day care centers have made it possible for women to achieve goals not available to them in the pre-Castro days. Churches are open again after more than two decades. The repulsive policy of informing—on one's neighbors, friends, family—is becoming discredited.

The farmers' markets that are now allowed in the cities have eased the harsh deprivation of food supplies. Pork and fowl, beans, rice and vegetables are plentiful. The markets are crammed with shoppers, trading in dollars, the favored currency, instead of Cuban pesos.

But the Cuban people, adoring as many are toward their "Maximum Leader," are restive and eager for a better life.

A respected journalist who has lived in Cuba through the Revolution said to me re-

cently: "Castro will change. He is, above all, a pragmatist and is keenly interested in how history will judge him. Of course, he must save face. Let him devise the words he will use to roll with the change. Democracy? People here aren't too interested in democracy. They are most interested in getting food on the table without having to stand in line for hours, in having things work, in good gasoline, new cars, a transportation system, electricity that doesn't work on whim."

Cubans want to talk business. And, ironically, it may be American businessmen rather than politicians and diplomats who change our Cuban policy. They are flocking to the island.

It would seem that these moves toward capitalism would make America happy and might even make Sen. Jesse Helms smile. But our reaction has been to tighten the embargo and punish those countries—our allies and friends—who do trade with Cuba, creating more ill-will.

What guides our current policy toward Cuba? It is a combination of inertia and our indefatigable desire to punish Castro, to bring him down, that feeds the inflammatory rhetoric of Helms and the implacable hatred toward Castro of members of the exile community, who are now threatening to shut down businesses in Miami in protest of Clinton's new policy. It does nothing to create a viable climate in which to bolster Cuba's waning economy into a stable, thriving and eventually capitalistic society.

If there is one lesson to be learned from the story of Vietnam, so sorely reopened by Robert McNamara's memoirs, it is to recognize the fatal miscalculation of foreign policy-makers who, so sure of their direction, don't read the road signs. Policies conceived in honest hope grow old and out-dated and, eventually, fatal. The theory that to make democracy work in Cuba we must "defeat Castro" and punish the Cuban people is flawed.

A European diplomat said to me in Havana: "Castro could probably defend Cuba against 100,000 American Marines. There is no way he could defend it against 100,000 American tourists!" This moment in Cuba's history is an opportunity for President Clinton to begin the process of negotiation. Perhaps Jimmy Carter could make a stopover in Havana when he is in the area.

ABOLISHING THE SUBMARINE PATENT

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1995

Mr. MOORHEAD. Mr. Speaker, recently, advertisements appeared in most of the newspapers in my 27th Congressional District, including the entire back page of the L.A. Times. These advertisements were purchased by a newly created group calling themselves Intellectual Property Creators. The ads were supporting the passage of H.R. 359, a bill introduced by my friend and colleague from California [Mr. ROHRBACHER]. The purpose of this type of lobbying is to bring pressure on me and the subcommittee I chair, to process this bill immediately. The bill, H.R. 359, is very controversial and of dubious merit. However, I have indicated that the subcommittee will hold a hearing on this issue next year.

The issue is the change in the U.S. patent law that occurred last year with the enactment of the GATT implementing legislation which

will change current patent law by adopting a 20-year patent term measured from the application filing date to replace the current term of 17 years measured from the date of the issuance of the patent.

That commitment was made in substance in the GATT Uruguay round TRIPs agreement, as well as in 1994 bilateral executive agreement with Japan. A 20-year term has been an agreed-upon point in GATT for at least the past 4 years through Republican and Democratic administrations alike. This is common knowledge. The idea of the 20-year term is not new. A 20-year proposal almost identical to the present law was recommended for the United States by President Lyndon Johnson's Commission on the Patent System in 1966 and Secretary of Commerce Mosbacher's Commission on Patent Law Reform in 1992.

I did not vote in favor of the GATT implementing legislation for a number of reasons, none of which concerned the intellectual property provisions of GATT. To the contrary, I do know that the copyright and patent provisions of GATT are good for the United States and supported by every major national copyright, patent, and bar association that takes an interest in patent and copyright law, as well as the National Association of Manufacturers and the Pharmaceutical Research and Manufacturers of America.

Present law provides 17 years of protection for a patent upon the issuance of that patent. The new law provides 20 years of protection for a patent upon filing of a patent application. The average time to examine and issue a patent by the U.S. Patent Office in 1993 was 19.5 months. This is expected to be reduced further in 1995 to 18.9 months. As of this past September the time to dispose of a biotechnology application is 20.5 months. GATT will add an additional 36 months to cover this examination period.

The American Intellectual Property Law Association and the Intellectual Property Owners, both watchdogs over the U.S. Patent Office, agree with the Patent Office that the vast numbers of patent applicants will gain 1 to 1½ years under GATT.

The Judiciary Committee Subcommittee on Intellectual Property on which I have served for 18 years, has jurisdiction over the patent law and the Patent Office. Has the Judiciary Committee been asleep at the switch so that Japan and certain multinational companies could damage the U.S. patent system through the GATT Uruguay round agreement? The exact opposite is true. We have closely monitored the intellectual property negotiations contained in GATT since 1987. This past January, the Japanese Patent Commissioner agreed to make substantive changes in their law to benefit United States inventors in exchange for the Patent and Trademark Office recommending the 20-year term from filing—a change the United States wanted to make anyway.

The features of the Japanese patent system that create problems for United States businesses are:

One, they do not permit filing applications in the English-language;

Two, the time it takes to obtain a patent is much too long—5 to 7 years;

Three, they permit competitors to oppose the issuance of a patent before the patent grant. Thus, delaying the rights of U.S. businesses;

Four, they permit competitors who develop minor improvements to obtain compulsory licenses for basic technologies developed by U.S. businesses.

These are the Japanese practices that they have agreed to change to make it easier and more economical for United States investors to file in that country.

To further protect patent applicants the new law legislation would extend the 20-year term of a patent for up to 5 additional years to compensate when an applicant is involved in a proceeding to determine who is the first to invent or an appeal of an examiner's decision in a court proceeding. This protection will further ensure that the applicant will not suffer any loss of term.

In addition to these protections the new law adds an additional year for what is called a provisional patent application. This adds an additional year during which the applicant can develop claims and potentially seek investment for development of the invention. During this provisional year the inventor retains his right to an early filing date, but the 20-year term doesn't start to run until the application is filed, which amounts to 21 years of effective patent term.

Our present term of 17 years measured from patent grant is being abused by a few inventors and is interfering with the patent system's objective of stimulating progress in technology. By filing successive continuing applications on the same invention, the original applications remain submerged in the Patent and Trademark Office in secrecy year after year. It's a legal means of intentional delays perpetrated by the inventor, until a company has grown up around or an existing company begins using the inventor's original idea. Once the patent is granted, sometimes as much as 20 years after filing, the inventor can demand significant licensing fees for continued use of the now patented process. This usually comes as a brutal surprise to companies who manufacturer in the United States both foreign and domestic. This is the practice that H.R. 359 would protect.

The longer an applicant can delay, the further into the future the patent monopoly will extend because the United States measures the term from date of grant rather than date of filing. All foreign countries have the safeguard of measuring the term from filing date.

The most extreme and successful abuse of our current patent system terms involves a fairly well-known U.S. inventor who may have helped pay for full page advertisements in leading U.S. newspapers in recent months opposing changes in U.S. patent law particularly the 20-year patent term in order to try and preserve this abusive practice. In other words, he supports the passage of H.R. 359.

The American Lawyer, May 1993, contained an article which explains how this inventor made millions of dollars by the use of a submarine patent. This is how it works:

In December 1956, the inventor files a patent application on a machine vision device.

Through a series of continuations he keeps his 1956 patent application, now divided into a number of separate applications, pending in secret in the Patent Office for decades.

Bar code scanning technology is developed throughout the world by many different inventors between 1956 and 1989. The uses of the technology run the gamut from supermarket checkout counters to automated automobile assembly lines.

As the technology is developed by others, he can amend his machine vision patent applications to bring them up-to-date with bar code scanning.

In 1989, his patents begin to issue. To the amazement of whole industries, these newly issued patents cover bar code scanning in widespread use throughout the United States. His patents will last into the next century.

In 1992, he collected \$450 million in royalties from the Japanese and European automobile industries and in return he allows them to continue to operate their factories.

In 1992, Ford, general Motors, and Chrysler refuse to pay him a royalty so that their assembly lines can remain open. The Big three U.S. auto-makers have used bar code scanners extensively since 1960. The inventor has filed a patent infringement suit against all three companies.

The U.S. patent system is designed to cause inventors to disclose inventions to, as the U.S. Constitution says, "promote science and the useful arts." in return, patents provide inventors with a 17-year monopoly.

Submarine patent abusers do not disclose anything. Just the opposite. They deliberately keep their inventions secret. Then, after decades of delay, they cause the patents to issue so that can collect royalties from existing businesses. These submarine patents are intended to be a weapon against legitimate businesses.

In 1966 President Johnson's Commission on the Patent System recommended the 20-year patent term. Judge Simon Rifkind was the cochairman of that Commission and in 1967 he testified in the Senate in favor of the 20-year term and said:

By this simple change, all of the motivations which today are organized in the direction of delay are redirected toward speed * * *. The harm that comes from our present system is very great. As long as that patent application lies in the Patent Office in secret it fails to make its contribution to the body of technological information that our society ought to have.

That criticism of our patent system was made over 25 years ago, it is still valid today. The 20-year term measured from filing would end this abuse.

The 20-year term in the GATT implementing legislation could reduce patent protection in a very small number of cases but in the vast majority of cases patent would be lengthened and in some cases as much as 2 years beyond the 17 years. The term for the rest of the cases would be around 17 years. The advantage of the 20-year term will be a longer patent term for most inventors, the abolition of the submarine patent, U.S. compliance with GATT and improvement of U.S. inventor rights in over 100 member countries.

The Subcommittee on Courts and Intellectual Property is faced with other pressing proposals that offer more promise for improving American patent, trademark and copyright laws to protect creativity and the genius of the American people. The patent term law taking effect on June 8, 1995 does not apply to any patents that have been granted in the past. Patent applications filed under the new law for the most part will not expire before the year 2015. So we have time to correct by legislation any injustice that may occur under the new law. The new law was promptly enacted by the Congress and signed by the President.

May 16, 1995

I did not vote for it but I believe it should be given a chance to take effect.

When the subcommittee reaches H.R. 359 for a hearing next year, we will investigate

whether anyone besides deliberate abusers of the patent system is likely to obtain shorter patent life under the new law. If any inventors

are losing patent life through no fault of their own, we will consider appropriate corrective action.