

## EXTENSIONS OF REMARKS

### INTRODUCTION OF THE FARM CREDIT SYSTEM REGULATORY RELIEF ACT OF 1995

**HON. WAYNE ALLARD**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 1995

Mr. ALLARD. Mr. Speaker, I am joined today by the gentleman from South Dakota [Mr. JOHNSON] in introducing a bill to provide regulatory relief to institutions of the Farm Credit System, the cooperative lender to America's farmers, ranchers, and member-owned service and supply cooperatives.

I should point out that the Farm Credit Administration [FCA], the System's regulator, has acted diligently in reducing, as safety and soundness considerations allow, the regulatory and cost burdens on System institutions. This legislation in no way reflects on FCA's ability or willingness to carry out the Farm Credit Act efficiently with an eye on the costs and benefits of its regulatory program.

Since assuming the chairmanship of the conservation subcommittee, I have made it a priority to reduce wherever possible the regulatory burden on farmers and ranchers. While the subcommittee, as well as the full Committee on Agriculture, has been looking more at the burdens of environmental regulations, we also must examine, within the full range of our legislative responsibilities, the provision of credit services to agricultural producers.

This bill requires FCA to continue its comprehensive review of regulations in order to identify and eliminate, consistent with safety and soundness, all regulations that are unnecessary, unduly burdensome or costly, or not based on statute.

The bill contains 14 sections, including the bill title and a section of findings and regulatory review requirements.

Section 4 amends the act to provide for institution examinations, except for Federal land bank associations, at least every 18 months. Current law requires examinations at least once a year, which is unduly burdensome. Under the amendment, FCA retains authority to examine institutions more frequently than 18 months should that be necessary.

Section 5 deals with the operations of the Farm Credit System Insurance Corporation [FCSIC]. The section authorizes FCSIC to allocate to System banks excess earnings of the insurance fund. Current law requires FCSIC to assess premiums until such time as the aggregate amount in the insurance fund equals the secure base amount. That number is equal to 2 percent of the insured liabilities of System institutions or such other amount FCSIC determines is actuarially sound. FCSIC assumes the secure base amount to be reached in early 1997, but current law provides no authority to deal with interest earnings once the secure base amount is attained.

This section provides for the rebate of excess interest earnings as well as authorizing the reduction of insurance premiums as the in-

surance fund approaches the secure base amount.

Section 6 of the legislation requires FCSIC to use the least costly approach should a System institution need assistance instead of the current requirement that any assistance provided must be less costly than liquidation.

Section 7 repeals provisions of the 1992 Safety and Soundness Act that require a new, full-time board to govern FCSIC. This is an unnecessary and costly requirement. The amendment would retain the status quo with the FCA board, a full-time, presidentially appointed panel, responsible for insurance fund activities.

Section 8 authorizes FCSIC to act as either a conservator or receiver.

Section 9 empowers FCSIC to prohibit or limit any golden parachute or indemnification payment by a System institution in troubled condition. This legislative language conforms to similar provisions contained in the Federal Deposit Insurance Act.

Section 10 extends authorizations currently enjoyed by System banks to other System institutions. These authorities would provide for the formation of administrative service entities but does not extend to the offer or sale of credit or insurance services to System institution borrowers.

Section 11 removes borrower stock requirements for any loan originated for sale into the secondary market. Current law requires System institution borrowers to purchase and maintain stock or participation certificates in the institution which originated a loan even though the loan was intended to be sold into the secondary market.

Section 12 removes or changes paperwork requirements currently in place, including disclosure requirements, compensation of certain System institutions' personnel and procedures for the approval of joint management agreements, as well as allowing for a borrower to finance more than 85 percent of the value of real estate if the borrower obtains private mortgage insurance.

Section 13 removes the certification requirement by the Rural Utilities Service [RUS] administrator for the private sector financing of loans or loan guarantees to borrowers who otherwise would be eligible to borrow from the RUS.

Finally, Section 14 provides the flexibility for evolving cooperative structures, including dealing with such issues as dividend, member business and voting practices. Current law requires rigid procedures to maintain borrowing eligibility from a System bank for cooperatives. The language would allow coops to adapt their operations, with the continued traditional farm relationships, so they may continue as a borrower of banks for cooperatives.

Mr. Speaker, the cooperative Farm Credit System has made great strides since the 1987 Agricultural Credit Act brought the System back to its feet. Institutions have provided for the repayment of the assistance received from the 1987 act. System institutions have consolidated and reformed their operations much as

the 1987 act contemplated. The System is to be congratulated for these improvements and their diligence in fulfilling the agreements they made with the Congress and each other. FCA has provided sound and efficient regulation; FCSIC will assure the System continues to move forward into the next century. This bill will assist the System institutions in moving forward, and I would hope the House could adopt this bill at its earliest opportunity. Thank you, Mr. Speaker.

RECOGNITION OF REAR ADM.  
JOHN HEKMAN

**HON. RICHARD W. POMBO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 1995

Mr. POMBO. Mr. Speaker, I rise today to recognize and honor Rear Adm. John Hekman, Supply Corps, U.S. Navy, as he prepares to retire on 28 July 1995. Rear Admiral Hekman is completing over 33 years of dedicated service to the Navy and our Nation.

A native of Ripon, CA. Rear Admiral Hekman graduated from Calvin College and was commissioned through Officer Candidate School in 1962. He subsequently earned a Masters of Business Administration degree from George Washington University, and is a graduate of the National War College, class of 1980. Rear Admiral Hekman is a CAPSTONE Fellow and a 1992 graduate of the Senior Executive Program in National and International Security at Harvard University.

For the final tour of his distinguished career, Rear Admiral Hekman currently commands the Naval Information Systems Management Center in Arlington, VA, and is the principal assistant to the Assistant Secretary of the Navy for Information Resources. In his current position Admiral Hekman has provided the leadership and direction for business process reengineering, information technology, enterprise planning, and the procurement of ADP equipment and software for Navy and Marine Corps activities.

Rear Admiral Hekman's other tours ashore have included command at the Defense General Supply Center in Richmond, VA, and the Navy Supply in Charleston, SC. He has also served at the Navy Finance Center, Cleveland, OH; Navy Supply Systems Command, Washington DC; Navy Fleet Material Support Office, Mechanicsburg, PA; Staff of U.S. Pacific Fleet, Pearl Harbor, HI; and at the Naval Support Activity, DaNang, Vietnam.

Admiral Hekman served at sea aboard U.S.S. *Fiske*, a destroyer that participated in the 1962 Cuban crisis and made deployments to the Mediterranean and Indian Ocean while he was aboard. He also served on the U.S.S. *Samuel Gompers*, a destroyer tender and on the staff of Cruiser Destroyer Group One where he served in the Western Pacific.

Admiral Hekman's decorations include the Defense Superior Service Medal, the Legion

• 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.

of Merit with one Gold Star, the meritorious Service Medal with two Gold Stars, the Navy Commendation medal with Combat "V", the Navy Achievement Medal, and numerous unit and campaign medals. He is a dynamic and resourceful naval officer who throughout his tenure has proven to be an indispensable asset to our nation and Navy. His superior contributions and distinguished service will have long term benefits for the U.S. Navy.

Mr. Speaker, John Hekman and his wife Gail have made many sacrifices during his 33-year naval career. It is only fitting that we should recognize their many accomplishments and thank them for the many years of service to our country. I ask all of my colleagues on both sides of the isle to join me today in wishing this great American every success as well as "Fair Winds and Following Seas" as he brings to close a long and distinguished career.

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S.O.S.—SAVE OUR SENIORS

**HON. RON PACKARD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 1995*

Mr. PACKARD. Mr. Speaker, this week we have witnessed, once again, the Democrats' steadfast opposition to change. Day after day, hour after hour, Democrats insist on playing politics as usual. I am tired of their obstructionist attitude, and so are the American people. When will they realize that America is crying out for change? Republicans have heard the message and are ready to act.

The Medicare crisis paints a crystal clear picture between the party of obstruction and the party of action. According to President Clinton's Medicare trustees, in just 7 years, Medicare will be bankrupt and 37 million senior and disabled Americans will be left out in the cold.

Are we going to wait until then, until it's too late, to do anything? I will not stand by and watch Medicare spend itself into bankruptcy. That is why I fully endorse the Republicans' statement of principles for strengthening Medicare for the 21st century. We must act now to save Medicare.

Thankfully, the President has finally acknowledged the need for action over Medicare. When will the rest of the Democrats wake up to this reality? How much longer will they continue trying to prop up a rotting status quo, blissfully unaware that by their actions millions of Americans will suffer? The fact is, they don't know what else to do. They have no ideas of their own. All they offer is obstruction. Well, I would like to repeat to them the British Prime Minister's words last week to his opponents, "put up or shut up."

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A SPECIAL SALUTE TO  
KALEIDOSCOPE MAGAZINE

**HON. LOUIS STOKES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 1995*

Mr. STOKES. Mr. Speaker, I rise today to salute an outstanding new publication which is enjoying wide circulation in my congressional

district. Since its founding in 1992, Kaleidoscope magazine has more than tripled its circulation. In fact, the magazine is the largest African-American owned and operated periodical in the State of Ohio, with a circulation of more than 20,000.

Kaleidoscope brings a refreshing and unique perspective on a variety of issues of importance to the community. The magazine often highlights individuals who represent professional fields including business, medicine, politics, and law, just to name a few. Kaleidoscope is very popular for its Forty-Forty Club, which focuses on African-American achievers in the Greater Cleveland area who are 40 years of age or younger.

Mr. Speaker, Kaleidoscope magazine can attribute its overwhelming success to the efforts of its publisher and coowner, Richard A. Johnson, and his talented staff. Mr. Johnson, who is a native of Cleveland Heights, takes responsibility for all aspects of publishing Kaleidoscope including editorials, advertising, production, and distribution. He enters the publishing arena with a wealth of experience and a vast knowledge of the greater Cleveland community.

Richard Johnson is a major consultant for minority outreach marketing campaigns. His efforts include work with The Center for Families and Children; Harambee, an organization which recruits black families for the adoption of black children; and MOTTEP, an organization which seeks to educate the African-American community on the issue of organ donation and transplantation. Mr. Johnson's affiliations also include advisory board memberships on the United Negro College Fund and the National Alzheimer's Association. He has been recognized by Crain's Cleveland Business as one of the top 40 leaders in the greater Cleveland area under the age of 40. In addition, the city of Cleveland recently saluted Richard Johnson for his community efforts by proclaiming October 7, 1994, as Richard A. Johnson Day.

Mr. Speaker, the promotion of Kaleidoscope Magazine is also being led by Kevin A. Carter. Mr. Carter serves as vice president and director of Diversity and Business Development for McDonald and Co. Securities, Inc. McDonald and Co. is the largest Ohio-based investment bank in the State. Without the business community's strong support for Kaleidoscope, it would not have been possible to move the idea forward.

Kevin Carter is a former senior analyst at LTV Steel, and a former senior consultant at Ernst and Young Consulting. He serves as president of the Cleveland Chapter of the National Black MBA Association and was elected to the 1993-94 Leadership Class of the Greater Cleveland Growth Association. Mr. Carter is a board member of the Cleveland branch of the NAACP. In addition, his board memberships include the Cleveland Convention Center and the Center for Contemporary Art.

Mr. Speaker, I am proud to applaud Richard Johnson, Kevin Carter and the entire staff at Kaleidoscope magazine. The wealth of information that Kaleidoscope shares with its readers is invaluable. I ask my colleagues to join me today in this special salute to Kaleidoscope magazine. I am certain that the publication will continue to enjoy great success.

THE PELL GRANT STUDENT/TAX-  
PAYER PROTECTION ACT OF 1995

**HON. MARGE ROUKEMA**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 1995*

Mrs. ROUKEMA. Mr. Speaker, I am pleased today to introduce the Pell Grant Student/Taxpayer Protection Act of 1995. This legislation would prevent a postsecondary school from participating in the Pell Grant Program if that school is already ineligible to participate in the federally guaranteed student loan program. Plain and simple, this legislation will make sure that if you have high default rates, then you should not receive any title IV higher education funding period.

This is a critical time for our country. Congress is trying to save taxpayer dollars while improving the quality of post-secondary education that is available to all Americans. We took strong steps forward in achieving this in 1992 when we reauthorized the Higher Education Act with nearly 100 sorely needed reforms that were good for students and good for taxpayers.

Reforms such as the 3 year 25 percent cohort default rate were intended to put an end to risk-free Federal subsidies for those unscrupulous, for-profit trade schools who promise students a good education that leads to a good job and then fail to deliver on that promise—at the expense of both students and the taxpayer. If these schools violated these rules, then they would be bounced from the program.

We have already determined that schools with unacceptably high student loan default rates should not be permitted to participate in the federally guaranteed student loan program. I submit that if a school is deemed ineligible to participate in the federally guaranteed student loan program, then it should also not be permitted to participate in the Pell Grant Program. While the House passed modified language addressing this concern in 1992, it was mysteriously dropped in conference. So, we are back here today discussing the one that got away.

If we could find a way to pay for an increase in title IV student aid programs, there would be a very few Members, if any, who would not be supportive. But, faced with a \$4.7 trillion debt and annual deficits exceeding \$200 billion, we do not have that luxury. However, today we have an opportunity to stretch our Pell Grant funds by disqualifying those schools that we have already disqualified from the federally guaranteed student loan program.

Today, the Senate Governmental Affairs Permanent Subcommittee on Investigations will be holding a hearing to examine the abuse of the Pell Grant Program by proprietary schools. In particular, the subcommittee will examine the case of a California-based trade school chain that allegedly stole millions in Pell Grant money, failed to reimburse loans, and filed false loan applications.

The title IV student aid program currently serves 2,487 proprietary schools, and proprietary schools represent 41 percent of all Pell Grant recipients. And, despite corrective actions taken through the 1992 Higher Education Amendments to prevent fraud and abuse of the Federal student aid program, this hearing only confirms that similar problems still persist,

and that much more needs to be done to stop them.

I urge my colleagues to support this critical legislation. Make our Pell Grant money go farther. Throw the scam schools out of the Pell program. Protect the taxpayer. Cosponsor the Pell Grant Student/Taxpayer Protection Act of 1995.

#### CLINTON'S POLICY ON VIETNAM IS CONTEMPTIBLE

### HON. DAVID FUNDERBURK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 1995

Mr. FUNDERBURK. Mr. Speaker, I am the only Member of the House to have served as an ambassador to a Communist country. I have seen first hand the barbarity and duplicity of Communists. In what Winston Churchill called "the dark and lamentable catalog of human crime," there is nothing on record to compare to the 30 years of destruction and human misery, communism brought to Europe, Latin America, Africa, and Asia. Hundreds of millions died. Religious and political freedom was obliterated. To fight communism America spent thousands of lives and trillions of dollars. In light of that bloody history it is all the more tragic that the Clinton administration has decided to ignore a clear campaign promise and recognize and assist one of the last but most brutal Communist dictatorships left—Vietnam.

The Vietnamese Communists deserve only our contempt. They crushed our allies in South Vietnam, killing millions. They overthrew the Government of Cambodia and Laos. They forced the entire ethnic Chinese population of their own country into the sea, prompting Beijing to invade. They opened up reeducation camps and suppressed all dissent and religious expression. As we speak, Buddhist monks are threatening to take to the streets to immolate themselves. Vietnam has entered into formal defense arrangements with Cuba and Iraq and has recently invited Saddam Hussein for a state visit thereby thumbing its nose at the world community.

Hanoi brutally murdered hundreds of American POW's before the Paris peace accords were signed and they have lied about it ever since. Yet, the Clinton administration claims that we must rethink our relationship with Vietnam and reward it with the benefits of American recognition and aid because progress has been made on the POW/MIA issue. That progress is so illusory it is scarcely worth the mention.

There has been no progress in accounting for over 300 Americans last known to be alive in the hands of their Communist captors. According to information produced by Congressman DORNAN's National Security Subcommittee on Personnel, Hanoi still refuses to hand over the remains of almost 100 Americans we know died in captivity. Recently, the Communists have resorted to releasing scores of records and boxes of remains which when examined prove to be the bones of animals and ethnic Asians. In fact over 150 boxes of remains handed over to American authorities in recent years show signs of chemical processing and prolonged cold storage. Mr. DORNAN's subcommittee disclosed that Hanoi stored

over 400 boxes of preserved remains to use as leverage over American leaders. Vietnam has cynically and criminally played upon the emotions of POW/MIA families to extract financial and diplomatic concessions from this administration.

In testimony last month, retired military POW/MIA investigators told the House that Hanoi still holds back remains, still holds back documentary evidence, and deliberately manufactures and manipulates crash site evidence. The administration was forced to admit that none of the hundreds of documents and remains handed over to a blue ribbon Presidential delegation in May will lead to the closing of one POW/MIA case. In fact, leaders of the most prominent POW/MIA family and veterans' groups were asked to participate in the administration's trip to Hanoi. They refused, feeling that the entire process was arranged to conclude that the Vietnamese were working hard to full account for missing Americans.

The Pentagon's own joint task force full accounting [JTFFA] has repeatedly been denied access to areas where live sightings have been alleged. In addition, the JTFFA has never been allowed to interview one witness without the presence of a Vietnamese military or political officer. Despite administration claims that better relations with Hanoi have led to more MIA case closings the opposite is in fact true. During the Reagan administration an average of 21 MIA cases were closed per year. Under Bush the average was 24. But, under the Clinton administration case closings have fallen off to 12 per year. Since the open door on trade was granted to Hanoi 5 months ago, only five cases have been closed.

For those who argue that opening up Vietnam to our largest companies will pave the way for reform, one need only look to China for refutation. We have been engaged in China for 25 years and all we have to show for it is an entrenched dictatorship and multinationals which are all too willing to bank in the slave-like working conditions which exist in that country. The same scenario will play out in Vietnam. But it won't stop there. The administration will request and the Vietnamese will demand—in exchange for more cooperation on POW/MIA's—access to the Overseas Private Investment and the Export-Import Bank. Once again the American taxpayer will be stuck floating a brutal dictatorship which will never have the means to repay us.

Some in the administration and Congress are now advocating that we open up relations with Vietnam and open up security ties with her in order to counter balance resurgent Chinese militarism. That is also a prescription for disaster. I have seen what happened when we toyed with a Communist dictator who promised us that he would side with us against a more powerful adversary. We placated Romania's Ceausescu and turned a blind eye to one of the most savage regimes in the history of eastern Europe. Kowtowing to Romania was shameful then, but it pales in comparison to the policy we are about to set for Vietnam.

Mr. Speaker, the only way for reform, the only way to stand up for our ideals is to say that respect for human rights and progress toward democracy is the precondition for American recognition. Vietnam fails our ideals on all accounts not the least of which is the contempt it has shown for the emotions and sensibilities of our POW/MIA families. In that light, the Clinton policy on Vietnam is contemptible.

#### BLM LANDS TRANSFER

### HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 1995

Mrs. CUBIN. Mr. Speaker, I rise in support of the legislation being introduced today by Mr. HANSEN of Utah to transfer lands administered by the Bureau of Land Management to the States. I appreciate the efforts that Mr. HANSEN and Senator THOMAS of Wyoming have put into this legislation and as an original cosponsor of the bill, I will do what I can to help move it quickly through the legislative channels.

In my opinion, this legislation is long overdue. Not since the Sagebrush Rebellion has there been such a groundswell of support for returning the lands to the States. As the 1994 election results have shown, the majority of Americans want to reduce the role of the Federal Government and grant the States more flexibility to arrive at localized solutions to a host of problems. The better the local understanding, the better the decision made by those most affected by a local problem.

With this legislation, the Western States are asking nothing more than to be put on an equal footing with the Eastern States. We want a stable tax base and we can and will see to it that our lands are more efficiently managed and more beneficially used. That includes protecting the scenic beauty of our States while promoting the wise use of our natural resources.

For too long, the Federal Government has forgotten that the Western States are its partners. It is time for us to send a clear signal that we are tired of the historical Federal dominance that has left the West in a state of political and economic decline. This legislation is the proper vehicle for examining how to best end Federal ownership of the vast areas of the West and return stability to that region of our country.

#### SALUTE TO HARRY WU

### HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 1995

Mr. GEJDENSON. Mr. Speaker, today is the 25th day of the arrest of American citizen Harry Wu, the tenacious human rights investigator, by the Chinese authorities at the Kazakhstan border.

These are the crimes for which Harry Wu is imprisoned, and facing a possible death sentence: Harry testified before the U.S. Congress many times in the past 5 years, including the subcommittee overseeing international trade which I chaired—that was a crime. Harry recorded and filmed forced hard labor prisons in China, where he himself was a prisoner for 19 years—that was a crime. Harry told the world China was exporting prisoner-produced goods to the United States, among other countries—once again that was a crime. Harry revealed the horrific evidence of forcible removal of prisoner organs; these donations occurred without the donors consent, and at times there were planned executions so that high society Chinese officials could get the organs at the right time—that too was a crime.

The Wall Street Journal calls Harry Wu "A hero of our time. A dissident of the stature of Vaclav Havel and Anatoly Scharansky, like them he suffered for his principles and speaks from personal experience." Harry Wu is an American citizen who was traveling with valid American papers, and was granted a visa from the Chinese Government. As an American citizen, Harry's rights, under the consular agreement between the two countries, to meet a U.S. Embassy official, within 48 hours of an official request, were violated. It took more than 20 days to arrange a meeting. When finally arranged, the conversation took place through thick glass and telephones, with armed supervision making sure the case was not being discussed. The Chinese Government and has continued to violate basic human rights of its own citizens, and is now doing the very same to a U.S. citizen. The United States cannot continue to reward China for these crimes with the most favored nation [MFN] status, as long as Harry's rights and so many others are being violated.

The Chinese Government calls all of these admirable and courageous acts preformed by Harry Wu espionage and treason. I call them worthy of the Nobel Prize, not the death penalty.

Congress' effort so far this year against the same time period in 1993:

	House (January 3–June 30)	
	104th Congress	103d Congress
Days in session .....	90	78
Hours in session .....	774	454
Pages in Congressional Record .....	6,699	4,409
Public bills enacted into law .....	10	20
Measures passed, total .....	183	208
Measures reported, total .....	164	157
Conference reports .....	7	4
Measures pending on calendar .....	30	22
Measures introduced, total .....	2,358	3,124
Yea-and-nay votes .....	117	141
Recorded votes .....	338	164
Bills vetoed .....	1	0

  

	Senate (January 3–June 30)	
	104th Congress	103d Congress
Days in session .....	108	85
Hours in session .....	950	587
Pages in Congressional Record .....	9,596	8,381
Public bills enacted into law .....	10	23
Measures passed, total .....	154	172
Measures reported, total .....	118	114
Conference reports .....	0	0
Measures pending on calendar .....	93	53
Measures introduced, total .....	1,218	1,452
Yea-and-nay votes .....	296	192
Bills vetoed .....	0	0

<sup>1</sup> All bills signed into law this year have originated in the Senate. Source: Congressional Record.

#### PERSONAL EXPLANATION

### HON. GLEN BROWDER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 1995

Mr. BROWDER. Mr. Speaker, due to malfunction of my pager yesterday, I missed the vote on final passage of the Energy and Water Appropriations Act.

Had I been present I would have voted "yea" on rollcall 494.

I ask unanimous consent that a statement to this effect appear in the permanent RECORD following that vote.

#### THE NEW HOUSE ORDER: BUSY-WORK UP—PRODUCTIVITY DOWN

### HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 1995

Mrs. SCHROEDER. Mr. Speaker, per today's Roll Call analysis, the House, under Republican rule for the first time in 40 years, has compiled a dismal productivity record so far this year. It's Parkinson's Law at its worst: more activity and less work.

Here are the gory details. As compared to the 103d Congress at this point in 1993, January 3–June 30, the House has been in session 15 percent more days and 70 percent more hours. So much for family friendly. It churned out 52 percent more pages in the CONGRESSIONAL RECORD—the "Hot Air Index"; and has had twice as many recorded votes—the "Busy Work Index." Yet it passed 15 percent fewer bills and had zero public bills enacted into law.

The Senate's record is marginally better, but nothing to write home about.

#### CONGRESS' BOX SCORE

The workload figures are in for the first six months of the year. Here's a comparison of

#### INTRODUCTION OF THE GUAM WAR RESTITUTION ACT

### HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 1995

Mr. UNDERWOOD. Mr. Speaker, today I am introducing legislation to address the mistakes that were made immediately following the occupation and liberation of Guam in World War II. My bill, the Guam War Restitution Act, would authorize the payment of claims for the people of Guam who endured the atrocities of the occupation, including death, personal injury, forced labor, forced march, and internment in concentration camps. I am introducing this bill today in honor of Mrs. Beatrice Flores Emsley, a great American and advocate of the Chamorro people and their struggle for recognition of their sacrifices on behalf of this great Nation during occupation of our island.

Mrs. Beatrice Flores Emsley has been a leader in this effort, and the bill I am introducing is made possible to a large degree by her work over decades to see that justice is done. She is a legend on our island, and her story of courage and survival against all odds is an inspiration to our people. Mrs. Emsley miraculously survived an attempted beheading in the closing days of the Japanese occupation. She, and a group of Chamorros, were rounded up in the city of Agana and were slated for execution. She was struck on the neck by a sword, was shoved into a shallow grave and left for dead. When she regained consciousness, Mrs. Emsley crawled out and made it to safety. Her survival, and the survival of others at mass executions, was as if the Good Lord ordained that there would be people to bear witness to these events.

Mr. Speaker, I regret to inform this body and this Nation that Mrs. Emsley is seriously ill at this moment on Guam. Our thoughts and prayers are with her today and with her family.

I am introducing this bill to let her know that her work is appreciated, her courage is admired, and her love of her people is reciprocated by all those who know her. She has testified in hearings on the war restitution bills that I have introduced, and on a bill to establish a memorial on Guam in honor of our people as part of the 50th anniversary of liberation commemoration last year. Each time her testimony has been powerful and poignant. Each time she has affected all the Members of Congress and congressional staffers who listened to her story. And each time she has helped us to move war restitution forward. I respectfully acknowledge the work and contributions of Mrs. Beatrice Flores Emsley as I call on my colleagues to enact the Guam War Restitution Act.

This is a year of commemoration as we look back 50 years to the Allied victory in Europe and the Pacific. This is also a year of healing for the remaining survivors and descendants of victims of wartime atrocities. While events such as the Holocaust receive vast media attention, there are other dreaded experiences that do not receive this attention and have not received proper restitution. Today, I introduce the Guam War Restitution Act that will compensate the American nationals on Guam who endured great hardship during the war and will help them to finally heal their wounds.

This is not the first time I have spoken to this House and to the American people about the wartime atrocities that were endured during World War II by the people of Guam, and I will continue telling the Nation until we bring justice to these people. It is the job of this Congress to correct the oversight of past Congresses and show the Chamorros that their Government remembers and values the loyalty they demonstrated to the United States during World War II.

From the invasion day of December 10, 1941, to liberation day on July 21, 1944, Guam was the only American soil with American nationals occupied by an enemy; something that had not happened on American soil since the War of 1812. Throughout the occupation, the American nationals' loyalty to the United States would not bend. They even defied the occupiers by providing food and shelter for American sailors who had evaded initial capture by the enemy.

In the months prior to the liberation, thousands of Chamorros were made to perform forced labor by building defenses and runways for the enemy or working in the rice paddies. Thousands were forced to march from their villages in northern and central Guam to internment camps in southern Guam. Everyone marched; old men and women, newborn babies, children, and the sick. They were marched to internment camps at Maimai, Malojo, and Manengon, where they awaited their fate—many did not live to see liberation. Once the Japanese realized the end of their occupation was close at hand, they began to execute these victims of war, some by beheadings. Mass executions at Fena, Faha, and Tinta and other atrocities were committed by the enemy forces as their fate became apparent.

There have been several opportunities in the past for Guam to receive war reparations; however, all failed to include Guam or did not provide ample opportunity for the people of Guam to make their claims.

The Guam Meritorious Claims Act of 1946 contained several serious flaws that were brought to Congress's attention in 1947 by the Hopkins Commission and by Secretary of the Interior Harold Ickes. Both the Hopkins Commission and Secretary Ickes recommended that the Guam Act be amended to correct serious problems. Both also noted that Guam was a unique case and that Guam deserved special consideration due to the loyalty of the people of Guam during the occupation.

The problems with this act include:

The act allowed only 1 year for claimants to file with the Claims Commission. Many Chamorros were not aware of the Claims Commission's work due to language barriers, displacement from their homes, and misunderstanding of the procedures. Instead of speeding up the process, the deadline served no useful purpose except to deny valid claims filed after the December 1, 1946, deadline.

It required that claims be settled based on prewar 1941 values. Therefore, property claims were undervalued and residents of Guam were not able to replace structures destroyed during the war.

The act did not allow compensation for forced march, forced labor, and internment during the enemy occupation. Another law, the War Claims Act of 1948, allowed for compensation for American citizens and American nationals for internment and forced labor; however, Guam was excluded from this act even though it was the only American territory occupied in the war.

It allowed death and injury claims only as a basis for property claims. This was another provision unique to the Guam law and an unexplained stipulation. The Guam bill, Senate bill S. 1139, was actually modeled on a claims bill passed for other Americans in 1943, the Foreign Claims Act. The legislative history for the Foreign Claims Act emphasized the need to address these claims. In a floor statement on April 12, 1943, in support of passage of this bill, Senator Barkley noted that, "it is necessary to do this in order to avoid injustices in many cases, especially in cases of personal injury or death."—Senate Report 145, 78th Congress, 1st Session, pp. 2–3. The original language for S. 1139, following the Foreign Claims Act model language, allowed the Claims Commission to adjudicate claims for personal injury and death. But the language was amended by the Senate Naval Affairs Committee to ensure that the U.S. Government, and specifically the Navy, would not be setting a precedent or legal obligation for the Navy—CONGRESSIONAL RECORD, 79th Congress, 1st Session, pp. 9493–9499. However, these types of concerns were not raised for the almost identical situation of the Philippines or other American citizens or nationals when the War Claims Act of 1948 was passed by Congress.

Finally, the Guam Meritorious Claims Act encouraged Chamorros to settle claims for lesser amounts due to the time delay in having claims over \$5,000 sent to Washington for congressional approval. Again, this was a procedure unique to the Guam law. No such requirement existed for those covered under the 1948 War Claims Act. The net effect on Guam was that Chamorros with property damage over \$5,000 would lower their claims just so that they could be compensated in some fashion and get on with their lives.

These flaws could have been rectified had Guam been included in the 1948 War Claims Act or the 1962 amendment to the act. Unfortunately for the Chamorros, Guam was not included.

The Treaty of Peace with Japan, signed on September 8, 1951, by the United States and 47 Allied Powers, effectively precluded the just settlement of war reparations for the people of Guam against their former occupiers. In the treaty, the United States waived all claims of reparations against Japan by United States citizens. The people of Guam were included in this treaty by virtue of the Organic Act of Guam which gave American citizenship to the people on August 1, 1950.

The bitter irony then is that the loyalty of the people of Guam to the United States has resulted in Guam being forsaken in war reparations.

So while the United States provided over \$2 billion to Japan and \$390 million to the Philippines after the war, Guam's total war claims have amounted to \$8.1 million, and the Guam War Reparations Commission has on file 3,365 cases of filed claims that were never settled. This is a grave injustice whose time has come to an end. It is our duty to bring justice to these people and their descendants; that is why I now propose the Guam War Restitution Act.

Not only will this act provide monetary support to the survivors and their descendants, it will also assure them that the United States recognizes the true loyalty of the people of Guam.

This act will provide for the Guam trust fund from which awards the benefits will be paid to the claimants. This fund will be established by a 0.5 percent surcharge on military sales to Japan and any gifts or donations of funds, services, or property.

Luisa Santos, a survivor of the Tinta Masacre, once told me,

I have fought hard and suffered, and no one has ever been able to help me or my children, but justice must be done. Even if you have to go to the President of the United States, let him know that the Japanese invaded Guam not because they hated the Chamorro people. The Japanese invaded Guam because we were a part of the United States, and we were proud of it.

Mrs. Santos passed away shortly after our conversation.

Mrs. Emsley, in testifying before a House subcommittee on May 27, 1993, ended her statement with the powerful plea of one who has survived and who daily bears witness to the suffering of the Chamorro people. Mrs. Emsley simply ended by saying, "All we ask Mr. Chairman, is recognize us please, we are Americans."

We cannot wait and hope that the last survivors will pass away before any action is taken. This event will never be forgotten by the people of Guam, and the Government's unwillingness to compensate victims such as Mrs. Santos and Mrs. Emsley will only serve to deepen the wounds they have already incurred, and deepen the bitterness of the Chamorro people.

I believe it is time to truly begin the healing process, and passage of the Guam War Restitution Act is the first step.

THE S CORPORATION REFORM ACT  
OF 1995

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 1995

Mr. SHAW. Mr. Speaker, I rise today to introduce legislation to strengthen small and family-owned businesses. Recently we have grown more aware of the burdens that regulations and tax complexities place on small and family-owned businesses. It is time for us to enact legislation to help the businesses that are the driving force of the American economy. The S Corporation Reform Act of 1995 will provide such support. Today almost 1.9 million businesses pay taxes as S corporations and the vast majority of these are small businesses. The S Corporation Reform Act of 1995 is targeted to growing these small businesses by improving their access to capital, by preserving family-owned businesses, and by simplifying many of the outdated, unnecessary, and complex rules for S corporations.

Under current law, S corporations face obstacles and limitations not imposed on other forms of entities. The rules governing S corporations need to be modernized to bring them more on par with partnerships and C corporations. For instance, S corporations are unable to turn to nontraditional sources of financing such as venture capitalists and pension funds because they are unable to offer inducements that partnerships or C corporations can offer. This has greatly hindered their growth as traditional sources of debt financing, such as commercial bank loans, can at times be hard to get, especially for smaller businesses. This bill would expand S corporations access to capital by increasing the number of permitted shareholders from 35 to 75, by permitting tax-exempt entities to be shareholders, and by allowing nonresident aliens to own S corporation stock. More importantly, S corporations would be allowed to issue convertible preferred stock opening the door to the venture capital market.

Additionally, the bill helps preserve family-owned businesses by counting all family members as one shareholder for purposes of S corporation eligibility and better enabling families to establish trusts funded by S corporation shares. Under current law, multi-generational family businesses are threatened by the artificial 35 shareholder limit which counts each family member as one shareholder. S corporations also do not have access to the same estate planning techniques available to C corporation owners since there are restrictions on the types of trusts permitted to be shareholders of an S corporation.

Another important feature of this bill is the flexibility it would offer to S corporations and their shareholders in structuring their business operations. Under the bill, S corporations would be allowed to hold wholly-owned corporate subsidiaries that would for Federal tax purposes be effectively treated as a division or branch of the parent company. From a compliance perspective, only one tax return would be filed by the corporations, which would significantly simplify the compliance burden imposed by present law.

Further, the bill would eradicate a number of outmoded and arcane provisions some of which date back to enactment of the S corporation in 1958. For example, S corporations

would be given the opportunity under the bill to clean up invalid or untimely S corporation elections.

I encourage my colleagues to support this important and badly needed legislation that is vital to small and family-owned businesses' ability to grow and compete in the next century. I am submitting a section-by-section summary of the legislation and I ask unanimous consent that the text of the bill be printed in the RECORD.

#### **TITLE I—ELIGIBLE SHAREHOLDERS OF A CORPORATION**

##### **Subtitle A—Number of Shareholders**

Sec. 101. S corporations permitted to have 75 shareholders—The maximum number of eligible shareholders would be increased from 35 to 75. Increasing the number of eligible shareholders would help S corporations stay within multi-generational families, and the expanded number would offer opportunity for additional cyclical investors.

Sec. 102. Members of family treated as one shareholder—All family members within seven generations who own stock could elect to be treated as one shareholder. The election would be made available to only one family per corporation, must be made with the consent of all shareholders of the corporation and would remain in effect until terminated. This provision is intended to keep S corporations within families that might span several generations.

##### **Subtitle B—Persons Allowed As Shareholders**

Sec. 111. Certain exempt organizations—A new source of financing would be provided to S corporations by allowing certain exempt organizations including pensions, profit sharing plans, and employee stock ownership plans (ESOPs) to acquire S corporation stock. S corporation income that flows through to these organizations would be treated as unrelated business income (UBI) to the organization or entity. In addition, charities would be allowed as shareholders of an S corporation for purposes of allowing more flexibility in estate planning.

Sec. 112. Financial institutions—Under the bill, financial institutions that do not use the reserve method of accounting for bad debts would be eligible to elect S corporation status.

Sec. 113. Nonresident aliens—This provision would provide the opportunity for aliens to invest in domestic S corporations and S corporations to operate abroad with a foreign shareholder by allowing nonresident aliens (individuals only) to own S corporation stock. Any effectively-connected U.S. income allocable to the nonresident alien would be subject to the withholding rules that currently apply to foreign partners in a partnership.

Sec. 114. Electing small business trusts—Trust eligibility rules would be expanded by allowing stock in an S corporation to be held by certain trusts ("electing small business trusts") provided that all beneficiaries of the trust are individuals, estates or exempt organizations. Each potential current beneficiary of the trust would be counted as a shareholder under the counting conventions of the maximum number of shareholder rules. In a situation where there are no potential current beneficiaries, the trust would be treated as a shareholder. For taxation purposes, the portion of the trust consisting of S corporation stock would be treated as a separate taxpayer and would pay tax at the highest individual tax rate.

##### **Subtitle C—Other Provisions**

Sec. 121. Expansion of post-death qualification for certain trusts—The bill would extend the holding period for all testamentary trusts to two years.

#### **TITLE II—QUALIFICATION AND ELIGIBILITY REQUIREMENTS FOR S CORPORATIONS**

##### **Subtitle A—One Class of Stock**

Sec. 201. Issuance of preferred stock permitted—An S corporation would be allowed to issue either convertible or plain vanilla preferred stock. Holders of preferred stock would not be treated as shareholders, thus, ineligible shareholders like corporations or partnerships could own preferred stock interests in S corporations. Payments to owners of the preferred stock would be deemed as interest rather than a dividend and would provide an interest deduction to the S corporation. This provision would afford S corporations and their shareholders more flexibility in estate planning and in capitalizing the S corporation by giving it access to venture capital.

Sec. 202. Financial institutions permitted to hold safe harbor debt—An S corporation is not considered to have more than one class of stock if outstanding debt obligations to shareholders meet the "straight debt" safe harbor. Currently, the safe harbor provides that straight debt cannot be convertible into stock. However, the legislation would permit a convertibility provision so long as that provision is the same as one that could have been obtained by a person not related to the S corporation or S corporation shareholders. Additionally, the straight debt safe harbor would be amended to allow creditors who are persons actively and regularly engaged in the business of lending money to hold such debentures.

##### **Subtitle B—Elections and Terminations**

Sec. 211. Rules relating to inadvertent terminations and invalid elections—The legislation would provide the IRS with the authority to extend its current automatic waiver procedure for inadvertent terminations due to defective elections. Additionally, the IRS would be allowed to treat a late Subchapter S election as timely if the Service determines that there was reasonable cause for the failure to make the election timely. The provision would apply to taxable years beginning after December 31, 1982.

Sec. 212. Agreement to terminate year—The bill provides that the election to close the books of the S corporation upon the termination of a shareholder's interest would be made by, and apply to, all affected shareholders rather than by all shareholders.

Sec. 213. Expansion of post-termination transition period—The post-termination period would be expanded to include the 120-day period beginning on the date of any determination pursuant to an audit of the taxpayer that follows the termination of the S corporation's election and that adjust a subchapter S item of income, loss or deduction of the S corporation during the S period. In addition, the bill would repeal the TEFRA audit provisions applicable to S corporations and would provide other rules to require consistency between the returns of the S corporation and its shareholder.

Sec. 214. Repeal of excessive passive investment income as a termination event—This provision would repeal the current rule that terminates S corporation status for certain corporations that have both subchapter C earnings and profits and that derive more than 25 percent of their gross receipts from passive sources for three consecutive years. The legislation would not repeal the rule that imposes a tax on those corporations possessing excess net passive investment income. It would liberalize this tax by raising the threshold triggering the tax to 50% of passive receipts from passive income sources rather than the present law 25% threshold. The rate of the passive income tax would be increased if applicable.

##### **Subtitle C—Other Provisions**

Sec. 221. S corporations permitted to hold subsidiaries—The legislation would repeal the current rule that disallows an S corporation from being a member of an affiliated group of corporations, thus enabling an S corporation to own up to 100 percent of a C corporation's stock. It does preclude, however, an S corporation from being included in a group filing a consolidated tax return. In addition, S corporations would be permitted to own wholly-owned S corporation subsidiaries. Thus, a parent S corporation and its wholly-owned subsidiary would be treated as one corporation and would file one tax return. This provision offers tremendous structuring flexibility to existing S corporations by allowing them to put operations into wholly-owned subsidiaries and be treated as one S corporation.

Sec. 222. Treatment of distributions during loss years—Basis adjustments for distributions made by an S corporation during a taxable year would be taken into account before applying the loss limitation for the year. This would result in distributions during the year reducing adjusted stock basis for purposes of determining the tax status of the distributions made during that year before determining the allowable loss for the year. A similar concept would apply in computing adjustments to the accumulated adjustments account.

Sec. 223. Consent divided for AAA bypass elections—The bill codifies a Treasury regulation which allows an election to by-pass the AAA to apply to deemed dividends.

Sec. 224. Treatment of S corporations under subchapter C—The current rule treating an S corporation as an individual in its status as a shareholder of another corporation would be repealed, permitting IRC Section 332 liquidations and IRC Section 338 elections. These rules effectively expand an S corporation's ability to participate in tax-free structuring transactions.

Sec. 225. Elimination of pre-1983 earnings and profits—S corporation earnings and profits attributable to taxable years prior to 1983 would be eliminated. This change will simplify distributions for those S corporations in existence prior to 1983.

Sec. 226. Allowance of charitable contributions of inventory and scientific property—This provision would allow the same deduction for charitable contributions of inventory and scientific property used to care for the ill, needy or infants for subchapter S as for subchapter C corporations. In addition, S corporations are no longer disqualified from making "qualified research contributions" (charitable contributions of inventory property to educational institutions or scientific research organizations) for use in research or experimentation. The S corporation's shareholders would also be permitted to increase the basis of their stock by the excess of deductions for charitable over the basis of the property contributed by the S corporation.

Sec. 227. C corporation rules to apply for fringe benefit purposes—The current rule that limits the ability of "more-than-two-percent" S corporation shareholder-employees to exclude certain fringe benefits from wages would be repealed for benefits other than health insurance. Under the bill, fringe benefits such as group-term life insurance would become excludable from wages for these shareholders. However, health care benefits would remain taxable (please note that on April 11, 1995, President Clinton signed into law P.L. 104-7, which provides in years 1995 and thereafter a 30% deduction for health insurance costs of the self-employed which partially offsets taxable health insurance benefits).

**TITLE III—TAXATION OF S CORPORATION SHAREHOLDERS**

Sec. 301. Uniform treatment of owner-employees under prohibited transaction rules—Provides that subchapter-S shareholder-employees no longer will be deemed to be owner-employees under the rules prohibiting loans to owner-employees from qualified retirement plans.

Sec. 302. Treatment of losses to shareholders—Loss recognized by a shareholder in complete liquidation of an S corporation would be treated as ordinary loss to the extent the shareholder's adjusted basis in the S corporation stock is attributable to ordinary income that was recognized as a result of the liquidation.

**TITLE V—EFFECTIVE DATE**

Sec. 401. Effective date—Except as otherwise provided, the amendments made by this Act shall apply to taxable years beginning after December 31, 1995.

**IMPROVING MEDICARE****HON. GEORGE P. RADANOVICH**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 1995*

Mr. RADANOVICH. Mr. Speaker, recently, Mr. Frank J. O'Neill, a constituent of mine from Dunlap, CA, wrote to me about his concerns regarding Medicare. I think he expressed his views very well, and I want to take this opportunity to share with my colleagues his words, which were also printed in the Fresno Bee.

Mr. O'Neill recognizes the need to slow the unsustainable high rate of growth in Medicare spending. However, he points out that many other programs are in desperate need of reform, such as food stamps and Social Security disability.

I want to assure Mr. O'Neill that there is a very big difference between the two parties. Republicans are committed to protecting and improving Medicare. We also are committed to reforming every other area of our Government, rooting out waste and fraud, and getting the Federal Government out of functions that are more appropriately handled at the State or local level or by the people themselves. And I think our commitment will be borne out in the months ahead.

The people want us to save Medicare, but at the same time they want us to bring fundamental reform to other programs. I urge my colleagues on both sides of the aisle to heed Mr. O'Neill's wise words of advice:

[From the Fresno Bee, June 10, 1995]

**MEDICARE RECIPIENT SAYS ALL PROGRAMS NEED EXAMINATION**

(By Frank J. O'Neill)

George Wallace had it exactly right. While campaigning for president as an independent he said, "There's not a dime's worth of difference between Democrats and Republicans."

I was thrilled at the Republican landslide last November. I really thought it would make a big difference. I'm 68 years old. You'd think I'd know better.

As I write there is an American Association of Retired Persons announcement on the radio. In a doomsday voice the speaker is asking if I know what Congress is planning to do to Medicare. He asks, do I know what the reductions in Medicare will cost me?

Why isn't the AARP looking at the big picture and lobbying for a plan that will be

good for me, good for my children, good for the country? If they succeed in terrifying all the seniors it will only precipitate a partisan screaming match and solve nothing. Of course it will promote a "who's to blame" contest and generate innumerable bumper stickers for next year's election.

Is it possible that I don't understand the problem? My hero, Rush Limbaugh, coming from the right, challenges that I must understand that "something must be done about Medicare—it will be broke in 2002." Well, a pox on both their houses. I am willing to accept numbers that we say we can't keep spending at the current rate. I am also more than willing to cinch up my belt and contribute my share. But I am not willing to do it alone.

**NOT ALONE**

Limbaugh says the government has become a giant sow with everyone looking for a nipple. Well, he may be right. And I'll agree that one of the nipples may be labeled "Medicare," but what about all the others?

I'll share my nipple as soon as there is an overall plan to get everyone else to do the same thing. No way will I agree to be penalized as long as I can stand in line at a 7-Eleven in Henderson, Nev., watching a young 30-something buy a package of gooey cinnamon buns with food stamps and then walk across the store to play the slot machine with the change she received in cash. My Medicare is threatened when there is a big new sign in front of the Subway sandwich restaurants announcing, "We now accept food stamps!" Food stamps to eat out! And my Medicare is the economic culprit?

Even if a child's disability is the result of physical abuse inflicted by the parents, the child is still eligible for Social Security disability payments—payments made to the parents who caused the disability. A spokesman for Social Services says, "Well, it is extremely difficult to remove a child from the home of its natural parents!" Need money? Hurt the kid. While my Medicare is threatened.

Drug abusers are in many cases classified as disabled. As such they are eligible for Social Security disability payments. But my Medicare is threatened.

What is needed is an across-the-board analysis of these programs to make sure all facets are examined and treated fairly. The very first step is something that could be done quickly. Separate the Medicare program for seniors over 65 from all these other Social Security activities.

**CLEAR DISTINCTION**

The Republicans are reported to be surprised to find from a survey that most people don't realize that Medicare and Social Security are separate and different. Oh, yeah? If so how come the Part B payment I must make for Medicare is deducted from my Social Security check? And where does that money go? Into a "trust fund"? Sure. Just like my 40 years of Social Security payments.

I accept as a fact that the Medicare program needs a close examination but I will not support any revisions that penalize me without correcting abuses that are financially impacting the system.

AARP is wrong. Limbaugh is wrong. George Wallace was right.

IN HONOR OF GERALD W. OLSON

**HON. PHIL ENGLISH**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 1995*

Mr. ENGLISH of Pennsylvania. Mr. Speaker, it is with great pride that I rise to honor Gerald W. Olson, a distinguished policy officer from Lawrence Park, who is retiring tomorrow, July 14, 1995, after 28 years of outstanding service to his community. Mr. Olson began his career as a part time police officer at the age of 27. In addition to serving on the Lawrence Park police force, he also protected his community as a volunteer fireman. While working to make our streets safer, Gerald is also heavily involved in Little League and American Legion Baseball.

A hero can be defined in many different ways. A soldier who is courageous in the face of death on a battlefield, a person who gives selflessly for the benefit of the whole or someone who makes a positive difference in the lives of others. Perhaps the most heroic act is to live your life in a honorable way. Gerald Olson has served his community in many facets and has shown that you can have an impact on the world even if you do so quietly, without the fanfare. He has been a role model to the children of his community and an example to us all.

**PERSONAL EXPLANATION****HON. DOUGLAS "PETE" PETERSON**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 1995*

Mr. PETERSON of Florida. Mr. Speaker, due to an illness in the family, I was forced to miss rollcall votes 346 through 366, 389 through 391. Had I been present, I would have voted "yes" to rollcalls 349, 354, 355, 358, 360, 361, 365, and "no" on rollcalls 346, 347, 348, 350, 351, 352, 353, 356, 357, 359, 362, 363, 364, 366, 389, 390, 391.

**TRIBUTE TO THE WASHINGTON-BONAPART FAMILY REUNION****HON. THOMAS M. FOGLIETTA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 1995*

Mr. FOGLIETTA. Mr. Speaker, the Washington-Bonapart family gathers this weekend to celebrate its 15th national family reunion, which has some of its roots in my district in Philadelphia, PA.

The Washington-Bonapart family reunion is composed of the descendants of Moses and Grace Washington, Sr. Grace was born as a slave in the West Indies, eventually immigrating to the United States as a free woman. She settled in Charleston, SC, where she met and later married her beloved husband, Moses. It is from this union that the Washington-Bonapart family was born, now more than 500 members strong.

Family members from six States, and 20 cities will gather in Washington this weekend for a celebration of family, community, and

heritage. Highlights of the weekend include an African cultural, fashion, and talent show, and honorary awards dinner, and a posthumous dedication ceremony to distinguished family member Jesse Nathaniel Hunt.

I am especially pleased to commemorate the Winder family of Philadelphia, PA, who are serving as key organizers of this special event. Their dedication to their family and community is most impressive, and will certainly be evident in every activity this weekend.

The Washington-Bonapart family motto is: The family is the strongest institution in the world, and its preservation is essential to a prosperous future for all humankind. I could not agree more. I ask my colleagues to join with me in saluting the Washington-Bonapart family reunion, which I am certain will be a weekend to remember.

RECOGNIZING UNION CITY FOR ITS PARTICIPATION IN NATIONAL NIGHT OUT

**HON. ROBERT MENENDEZ**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 1995*

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize and commend Union City for its participation in National Night Out, 1995. On August 1, residents in this municipality of the 13th District will join fellow Americans across the country to create a night of celebration free from the fear of crime and drugs.

I wish also to pay tribute to the National Association of Town Watch in New Jersey for sponsoring the event. They have succeeded in developing community awareness within many American cities and towns by bringing concerned citizens to the forefront. Community leaders and law enforcement officers are joining them to send the message that crime will not be permitted to threaten our communities and dictate our lives.

I am proud to say I have dedicated citizens in my district creating safe neighborhoods through education and action. On this night Union City residents and law enforcement officers in participating cities will celebrate with a town-wide block party, contests, dances for community youth, concerts at various senior centers, safety demonstrations, and educational forums. These events are a continuation of past efforts whose full benefits will be felt for years to come in my district.

This admirable project is a nation-wide endeavor supported by over 8,000 communities throughout our 50 States. Their continuing aim is to focus America's attention on the alarming crime rates and the unacceptable level of drug abuse which has affected every community in our Nation. Police-citizen partnerships created by the efforts of these organizations have promoted cooperative crime prevention programs allowing Americans to come from behind their locked doors and join their neighbors in the fight for our Nation's safety.

The "12th Annual National Night Out" comes at a time when the leaders of our Nation are debating the appropriate methods of crime prevention here, in the Nation's Capital. But in Union City and in other communities around our great Nation, the people are taking a stand, defending their streets, their homes, and their families.

Union City officials are to be commended not only for their participation in National Night Out 1995 but also for their concern and their efforts. Their fight for safer communities gives me hope that America can build a crime and drug-free Nation for our children. I salute them today, thank them for their past efforts, and wish them luck in their future crime-fighting endeavors.

IN MEMORY OF EDWARD CHARLES BEDDINGFIELD, SR.

**HON. GLENN POSHARD**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 1995*

Mr. POSHARD. Mr. Speaker, I rise today to express the sorrow of the people of Decatur and the 19th District at the passing of Mr. Edward C. Beddingfield. Ed's passing is a great loss to all that knew him, and the community he devoted his life to helping.

Ed worked for the Pontiac Division of General Motors for 11 years, and dreamed of one day owning his own automobile business. In 1989, Mr. Beddingfield's dream came true when he purchased a Buick dealership in Decatur, IL, and with much ambition and hard work, Edward turned his dealership into a thriving and successful business.

Mr. Speaker, Ed was involved in many things to help make his community a better place to work and live. He was a Millikin University Trustee, a Decatur sanitary district commissioner, and a pillar of the National Association of the Advancement of Colored People. He also served as president of Webster-Cantrell Hall's board of directors and on the boards of the First National Bank and the Metro Decatur Chamber of Commerce. In addition, he touched the lives of many children throughout central Illinois through his work with the Y.M.C.A., the Boys Club & Girls Club, and the Decatur-Macon County Opportunities Corp.'s summer jobs program.

Mr. Ed Beddingfield was a true example of a public servant. Mr. Speaker, Ed Beddingfield will not be forgotten. His everlasting love, commitment, and dedication serves as a living monument to his family, friends, and neighbors. I want to take this opportunity to offer my condolences to all the people that knew and loved this fine man.

INTRODUCING THE PARENTAL CHOICE IN TELEVISION ACT OF 1995

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 1995*

Mr. MARKEY. Mr. Speaker, today, Representatives JIM MORAN, DAN BURTON, JOHN SPRATT, and I, along with a long list of bipartisan cosponsors from every region of the United States, are introducing the Parental Choice in Television Act of 1995.

We are introducing this bill with the intention of offering it as an amendment when the telecommunications bill comes to the House floor in July.

It is supported by a broad coalition of groups from the PTA to the AMA.

It is supported by 90 percent of the American public.

In short, its time has come.

In my view, there is no more compelling governmental interest in the United States today than providing families a healthy, safe environment in which to raise healthy, productive children.

The fact is that television is one of the most important influences on our children's lives. We might wish it were different, but that won't bring us back to the 1950's when children watched relatively little TV. Today they watch 4 to 7 hours every day. "Electronic teacher" for many children, but what it teaches to young children is scary. The average American child has seen 8,000 murders and 100,000 acts of violence by the time he or she leaves elementary school.

Parents know what's going on. I have held six hearings over the last 2 years on the subject of children and televised violence. In every hearing I have heard both compelling testimony about the harmful effects of negative television on young children, and about the efforts of industry to reduce gratuitous violence. But parents don't care whether the violence is gratuitous or not. When you have young children in your home, you want to reduce all violence to a minimum.

That's why parents are not impressed with the temporary promises of broadcast executives to do better. Parents know that the good deeds of one are quickly undermined by the bad deeds of another.

The pattern is familiar. Parents plea for help in coping with the sheer volume and escalating graphics of TV violence and sexual material. Congress expresses concern. The industry screams "first amendment". The press says they're both right, calling on Congress to hold off and calling on industry to tone things down.

Meanwhile, parents get no help.

Until parents actually have the power to manage their own TV sets using blocking technology, parents will remain dependent on the values and programming choices of executives in Los Angeles and New York who, after all, are trying to maximize viewership, not meet the needs of parents.

In 1993, a USA Today survey found that 68 percent of its readers supported mandating the inclusion of V-chip technology in new TV sets. By 1996, a similar survey found that this number had risen to 90 percent.

Clearly the public is clamoring for solutions which make it easier to control their own TV sets.

That is why we in the House intend to move forward with the V-Chip.

We will give the industry a year to develop a ratings system and activate blocking technology on a voluntary basis, but if they fail to act, then the legislation will require the FCC to:

First, form an advisory committee, including parents and industry, to develop a ratings system to give parents advance warning of material that might be harmful to children;

Second, prescribe rules for transmitting those ratings to TV receivers, and

Third, require TV set manufacturers to include blocking technology in new TV sets so that parents can block programs that are rated, or block programs by time or by program.

We want both the House and the Senate on record as favoring this simple, first-amendment friendly, parent-friendly, child-friendly solution to this ongoing problem.

You will hear arguments from some that this technological way of dealing with the problem of TV violence is akin to "Big Brother." It's exactly the opposite. It's more like "Big Mother" and "Big Father." Parents take control.

And we know this technology works. In this country, the Electronics Industries Association has already developed standards for it. In Canada, a test in homes in Edmonton proved that it works and works well.

This is not a panacea. It will take some time for enough new sets to be purchased to have an impact on the Nielsen ratings and, therefore, an impact on advertisers. But its introduction in the cable world through set-top boxes is likely to be much more rapid. The cable industry has said that it is prepared to move forward with a V-chip approach as long as broadcasters move forward as well.

And the Electronic Industries Association has already agreed to introduce the technology into sets that would allow up to four levels of violence or sexual material to be rated.

Only the broadcasters have remained adamant in their opposition. They are opposed because the V-chip will work so well, not because it won't work. It will take only a small number of parents in key demographic groups using the V-chip to test the willingness of advertisers to support violent programming.

Parents will have the capacity to customize their own sets—to create their own private safe harbor—to protect their own children as they see fit.

I urge my colleagues to support this important initiative.

#### ELIMINATION OF THE INDIAN ARTS AND CRAFTS BOARD

### HON. TIM JOHNSON

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 1995

Mr. JOHNSON of South Dakota. Mr. Speaker, I rise today in opposition to the elimination of funds for the Indian Arts and Crafts Board at the Bureau of Indian Affairs. The Board is the primary Federal advocate for American Indian and Alaska Native art and its interconnected economic, cultural, social, and spiritual purposes. I feel strongly that the activities of the Board are in large part responsible for the explosion of interest in contemporary Native American arts and crafts in recent years, laying the ground work for long-term economic benefits to Indian tribes.

The Board is the only Federal program concerned with increasing the economic benefits of American Indian creative work. According to a 1985 Congressionally-mandated Commerce Department study, annual sales of Indian handicrafts and other artwork are over \$1 billion. Many producers reside on their own reservations, however American Indians and tribes control only a small portion of this market. The Board engages in a variety of promotional efforts to change that. For example, the Board's source directory publication is the primary means of establishing direct contact between consumers and Indian producers at

an annualized cost of \$50,000—this publication will end with the termination of the Board.

Federal expenditures for social programs continue to exceed investments for economic growth in Indian country. I feel strongly that the role of the Federal Government must be to encourage tribal self-sufficiency at every opportunity and to prioritize programs which enhance economic growth for tribal communities. Without the Board, the Federal Government will no longer have the capacity to provide economic development assistance for Indian art to the 554 federally-recognized tribes and their thousands of artists and crafts people.

Additionally, the Board has been charged by the Congress with developing regulations and administering, on an ongoing basis, the Indian Arts and Crafts Act of 1990 (Public Law 101-6440), which provides specific legal protection for Indian art producers. This congressional charge of responsibility reflects the unique expertise of the Board relative to marketing Indian arts and crafts. Abolishing the Board will deprive the Secretary of the Interior of the expertise necessary to fulfill this congressional mandate.

The Board maintains outstanding collections of contemporary and historic American Indian and Alaska Native art (23,000 objects), which are a multi-million dollar promotional asset and include over 50 percent of the artwork managed by the Department of the Interior nationwide. The Board's collection's will require continued management and protection and should not be hastily dispersed, as they include objects that some tribes consider sacred, as well as objects of cultural patrimony under the Native American Graves Protection and Repatriation Act (Public Law 101-601). Although the board's collections are well cared for, management of museum property in general is currently identified as one of the most critical department material weaknesses under the Federal Financial Manager's Integrity Act. Abolishing the Board will add to, not diminish, this departmental material weakness.

Mr. Speaker, two thirds of these collections are located at the three Indian museums operated by the Board in reservation areas in Montana, Oklahoma, and my State of South Dakota. They are major economic, cultural and educational attractions in their regions. In Browning, MT, annual attendance at the Museum of the Plains Indians averages over 78,000. Annual attendance at the Southern Plains Indian Museum in Anadarko, OK, and the Sioux Indian Museum in Rapid City, SD, averages over 41,000. For \$600,000 per year, the Board maintains its collections and operates these three museums with contemporary exhibitions and sales of the work of emerging Indian artists. These museums, and the museum sales shops operated by local Indian organizations, will close their doors if funding for the Indian Arts and Crafts board is eliminated.

Closing the Sioux Indian Museum in South Dakota will have an especially adverse effect, as the city of Rapid City has just voted \$11,000,000 of local tax funds to build an innovative new museum facility which will include the Board's Sioux Indian Museum collection at no additional cost to the Federal Government. It would have a projected operating deficit of \$169,000 without the Board's continued financial participation in maintaining the Board's own collection. That level of operating deficit will undermine Rapid City's plans to raise \$1.6 million in additional capital from

private foundations required to complete the project, which is expected to attract at least 182,000 annual visitors and to generate a direct spending impact of \$3.6 million annually on the regional economy.

There are nine federally recognized tribes in South Dakota, whose members collectively make up one of the largest native American populations in any State. At the same time, South Dakota has 3 of the 10 poorest counties in the Nation, all of which are within reservation boundaries. While the elimination of the Board would be a direct blow to the encouragement and development of native American arts and crafts in South Dakota as a sound source for economic growth, I believe the repercussions of the board's termination will be felt nationwide.

#### THE B-2: A PERFECT WEAPON FOR THE POST-COLD WAR WORLD

### HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 13, 1995

Ms. HARMAN. Mr. Speaker, I would like to bring to the attention of my colleagues an article by Charles Krauthammer that appeared in today's edition of the Washington Post.

I believe that Mr. Krauthammer presents cogent and powerful arguments for continued production of B-2 bombers. He points out that only the B-2, with its long range, can deploy from secure U.S. bases on short notice and is invulnerable to enemy counterattack. It is the kind of weapon the United States needs for the post-cold war world.

I recommend Mr. Krauthammer's article to my colleagues:

[From the Washington Post, July 13, 1995]

THE B-2 AND THE "CHEAP HAWKS"

(By Charles Krauthammer)

We hear endless blather about how new and complicated the post-Cold War world is. Hence the endless confusion about what weapons to build, forces to deploy, contingency to anticipate. But there are three simple, glaringly obvious facts about this new era:

(1) America is coming home. The day of the overseas base is over. In 1960, the United States had 90 major Air Force bases overseas. Today, we have 17. Decolonization is one reason. Newly emerging countries like the Philippines do not want the kind of Big Brother domination that comes with facilities like Clark Air Base and Subic Bay. The other reason has to do with us: With the Soviets gone, we do not want the huge expense of maintaining a far-flung, global military establishment.

(2) America cannot endure casualties. It is inconceivable that the United States, or any other Western country, could ever again fight a war of attrition like Korea or Vietnam. One reason is the CNN effect. TV brings home the reality of battle with a graphic immediacy unprecedented in human history. The other reason, as strategist Edward Luttwak has pointed out, is demographic: Advanced industrial countries have very small families, and small families are less willing than the large families of the past to risk their only children in combat.

(3) America's next war will be a surprise. Nothing new here. Our last one was too. Who expected Saddam to invade Kuwait? And even after he did, who really expected the

United States to send a half-million man expeditionary force to roll him back? Then again, who predicted Pearl Harbor, the invasion of South Korea, the Falklands War?

What kind of weapon, then, is needed by a country that is losing its foreign bases, is allergic to casualties and will have little time to mobilize for tomorrow's unexpected provocation?

Answer: A weapon that can be deployed at very long distances from secure American bases, is invulnerable to enemy counter-attack and is deployable instantly. You would want, in other words, the B-2 stealth bomber.

We have it. Yet, amazingly, Congress may be on the verge of killing it. After more than \$20 billion in development costs—costs irrecoverable whether we build another B-2 or not—the B-2 is facing a series of crucial votes in Congress that could dismantle its assembly lines once and for all.

The B-2 is not a partisan project. Its development was begun under Jimmy Carter. And, as an urgent letter to President Clinton makes clear, it is today supported by seven secretaries of defense representing every administration going back to 1969.

They support it because it is the perfect weapon for the post-Cold War world. It has a range of about 7,000 miles. It can be launched instantly—no need to beg foreign dictators for base rights; no need for weeks of advance warning, mobilization and forward deployment of troops. And because it is invisible to enemy detection, its two pilots are virtually invulnerable.

This is especially important in view of the B-2's very high cost, perhaps three-quarters to a billion dollars a copy. The cost is, of course, what has turned swing Republican votes—the so-called "cheap hawks"—against the B-2.

But the dollar cost of a weapon is too narrow a calculation of its utility. The more important calculation is cost in American lives. The reasons are not sentimental but practical. Weapons cheap in dollars but costly in lives are, in the current and coming environment, literally useless: We will not use them. A country that so values the life of every Capt. O'Grady is a country that cannot keep blindly relying on non-stealthy aircraft over enemy territory.

Stealth planes are not just invulnerable themselves. Because they do not need escort, they spare the lives of the pilots and the fighters and radar suppression planes that ordinarily accompany bombers. Moreover, if the B-2 is killed, we are stuck with our fleet of B-52s of 1950's origin. According to the undersecretary of defense for acquisition, the Clinton administration assumes the United States will rely on B-52s until the year 2030—when they will be 65 years old!

In the Persian Gulf War, the stealthy F-117 fighter flew only 2 percent of the missions but hit 40 percent of the targets. It was, in effect, about 30 times as productive as non-stealthy planes. The F-117, however, has a short range and thus must be deployed from forward bases. The B-2 can take off from home. Moreover, the B-2 carries about eight times the payload of the F-117. Which means that one B-2 can strike, without escort and with impunity, as many targets as vast fleets of conventional aircraft. Factor in these costs, and the B-2 becomes cost-effective even in dollar terms.

The final truth of the post-Cold War world is that someday someone is going to attack some safe haven we feel compelled to defend, or invade a country whose security is important to us, or build an underground nuclear bomb factory that threatens to kill millions of Americans. We are going to want a way to attack instantly, massively and invisibly. We have the weapon to do it, a weapon that

no one else has and that no one can stop. Except a "cheap hawk," shortsighted Republican Congress.

#### HONORING BON VIEW ELEMENTARY SCHOOL

**HON. JAY KIM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 1995*

Mr. KIM. Mr. Speaker, it gives me great pleasure to rise today and pay tribute to a wonderful accomplishment that occurred on Saturday July 8, 1995—the grand reopening of Bon View Elementary School in Ontario, CA.

Several years ago, parents, school staff members, and concerned neighbors alerted me to problems surrounding the existing Bon View Elementary School. The school was in a neighborhood that had gone from a rural neighborhood to one in an urbanized setting. The changing environment encroached on the campus with low-flying planes, industrial traffic, city yards and the inherent problems of being completely surrounded by industrial facilities. This was not a good environment for our students to learn in.

The need for a new or relocated school was apparent. Working together with a design team of two teachers, parents, classified staff, maintenance staff, the board of trustees for the Ontario-Montclair School District, the school superintendent, school principal and the architect, a school was put together that truly meets the needs of quality education. This \$7.5 million facility was designed for a team approach to both curriculum and management, with the year-round schedule in mind. With funding from Asset Management, \$1.5 million from the FAA and Department of Airports, State matching funds, and a generous \$2.1 million gift from the city of Ontario, the dream of a new, state of the art school was realized.

The new Bon View Elementary School is truly a school for the entire community, and it is indeed a day for celebration.

#### A TRIBUTE TO THE VICTIMS OF "13TH OF MARCH" TUGBOAT

**HON. ILEANA ROS-LEHTINEN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 1995*

Ms. ROS-LEHTINEN. Mr. Speaker, today marks the first anniversary of the indiscriminate murder by the Castro regime, of over 40 Cuban citizens, mostly women and children, while they were attempting to escape the island aboard the *13th of March* tugboat. We do not forget the love of freedom which these Cuban nationals represented nor the risks they took to obtain that freedom.

Today, hundreds of Cuban exiles sail toward those same waters where the massacre occurred in order to pay tribute in a solemn ceremony to those who perished on that day and to the thousands of Cubans who struggle daily against Castro's repressive apparatus.

On this tragic anniversary, the White House and the State Department have acted as Cas-

tro's spokesman and have warned the flotilla participants that if attacked by Castro authorities, expect no help from their own national government. So it is that the saga continues in the Clinton administration's drive to coddle up to dictator's from Cuba to Vietnam while setting aside the aspirations of freedom of millions of citizens from around the world.

On this day, let us remember that while in the United States we are blessed with countless freedoms, only 90 miles from our shores, in Cuba, life is marked by repression, persecution, and misery. Let us remember those who have perished and continue to suffer under the hand of Cuba's tyrant.

#### ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1996

SPEECH OF

**HON. WILLIAM P. LUTHER**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 11, 1995*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1905) making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes:

Mr. LUTHER. Mr. Chairman, I wish to express my concerns regarding the future status of funding for the National Ignition Facility [NIF] included in the fiscal year 1996 House Energy and Water Appropriations measure.

I applaud the Appropriations Committee's decision to defer money for construction on this project. However, I am concerned that the full Appropriations Committee added \$10 million to the bipartisan subcommittee funding proposal for the NIF.

My major concern with the NIF is the stark reality of budgetary demands in future years, particularly with respect to the construction funds necessary of completion of the NIF. Current estimates of completion of the NIF, after design and construction, place the cost at more than \$1 billion and perhaps as much as \$1.5 billion.

At a time when Federal budget realities require hard, difficult choices, the NIF project will require an obligation of an ever-increasing amount of funds from an invariably shrinking funding source.

Therefore, in order to protect higher priorities, particularly basic science research projects, serious questions need to be raised in the coming months about future plans involving future funding for NIF design and construction.

There are some who argue that we need the NIF in order to keep our stockpile of nuclear weapons safe. The NIF is, in fact, the most expensive of many components that make-up DOE's stockpile stewardship program. Yet, according to most experts, the NIF's contribution to stockpile safety is nominal.

Given our current budget situation, and the recommended levels of funding for energy research in the recently passed budget conference report, we cannot afford to fully construct the NIF.

While I understand the compromise position of the full Appropriations Committee, Mr.

Chairman, I intend to monitor the NIF through-out future authorizations and appropriations legislation and when appropriate, will support efforts to limit significant amounts of funding intended for NIF construction.

EMERGENCY SUPPLEMENTAL AP-  
PROPRIATIONS FOR ADDITIONAL  
DISASTER ASSISTANCE FOR  
ANTI-TERRORISM INITIATIVES  
FOR ASSISTANCE IN THE RECOV-  
ERY FROM THE TRAGEDY THAT  
OCCURRED AT OKLAHOMA CITY,  
AND RESCISSIONS ACT 1995

SPEECH OF

**HON. ERNEST J. ISTOOK, JR.**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 1995*

Mr. ISTOOK. Mr. Speaker, Congress is aware that several downtown churches were severely damaged as a result of the April 19, 1995, terrorist bombing of the Alfred P. Murrah Federal Building in Oklahoma City. Among these are first United Methodist Church, First Baptist Church, St. Paul's Episcopal Cathedral and St. Joseph's Catholic Church. These churches assisted in the emergency relief effort immediately after the bombing and one was even used as a temporary morgue for victims of the blast.

These religious institutions have been informed by the Federal Emergency Management Agency that under current regulations they are not eligible for any Federal disaster assistance for the repair and reconstruction of their facilities. However, Congress recognizes that the Oklahoma City bombing is a unique case. The bombing was a single, man-made assault directed against our National Government. These churches, like the other businesses and residences in the damaged area, were innocent bystanders to a violent attack on the Federal Government. This special instance is therefore distinguished from other kinds of disasters in which religious buildings may be damaged. Congress thus agrees that religious institutions in Oklahoma City should be eligible for the Federal assistance provided in this bill in the same manner as nonprofit organizations providing public services.

THE 100TH ANNIVERSARY OF  
SUNNY HILLS CHILDREN'S SERV-  
ICES

**HON. LYNN C. WOOLSEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 1995*

Ms. WOOLSEY. Mr. Speaker, I rise today to pay tribute to Sunny Hills Children's Services as they celebrate their 100th anniversary. Sunny Hills has a main campus in San Anselmo, CA, as well as two group homes in Novato, CA, and a school and therapy program in San Rafael, CA, all of which are located in the congressional district that I am privileged to represent.

Started in 1895, Sunny Hills Children's Services is an extraordinary nonprofit organization that assists troubled teenagers, and helps them overcome their lives of abuse, ne-

glect, abandonment, and hopelessness. Sunny Hills' programs are so successful that they have become famous throughout the North Bay Area serving as a national model. There is no doubt that Sunny Hills helps hundreds of youth every year to lead independent and productive lives by providing them with the tools they need to deal with their troubles and problems.

The founders of Sunny Hills, which was then called the San Francisco Presbyterian Orphanage and Farm, clearly possessed the vision, compassion, and determination to make this endeavor the success it is. One hundred years later, the many people affiliated with Sunny Hills can be extremely proud of their numerous successes and accomplishments. On July 15, I am proud to be able to join them as they celebrate their achievements and recognize the many outstanding Sunny Hills volunteers, such as Helen Caletti, who has volunteered for the agency for almost 50 years. We will also be joined by current and former members of the Sunny Hills Board of Directors who are to be commended for contributing their time and energy, as well as for their commitment, to such a worthwhile cause.

Sunny Hills continues to be a major resource for young people in the San Francisco Bay area. The need for its services persists. In fact, in 1995, it is expected that half a million California children will be reported abused or neglected. Suicides are twice the national average in the Bay Area where one is seven teenagers contemplates suicide.

Mr. Speaker, I urge my colleagues to pay tribute to everyone who has contributed to making Sunny Hills the success that it is today. It is appropriate that we offer sincere thanks for their dedicated and selfless commitment to helping our Nation's youth—and building our Nation's future.

TRIBUTE TO BOB COLLINS

**HON. ANDREW JACOBS, JR.**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 1995*

Mr. JACOBS. Mr. Speaker, they very definitely threw away the mold when Bob Collins came along. He bought sunshine to the lives of hundreds of thousands of Hoosiers during his career as both sports writer and all-around wit for the Indianapolis Star.

The reason that we shall miss Bob unusually painfully is that he literally and literarily cannot be replaced.

[From the Indianapolis (ID) Star, May 30, 1995]

ROBERT J. COLLINS

Bob Collins professionally and personally was a legend in his own time. His death here Friday on the eve of this year's biggest sports weekend was as if he planned it that way. And maybe he did.

The veteran sports editor and columnist for the Indianapolis Star, who retired in 1991 after three years of serious illness and dire predictions from his doctors that he would not live another, had said he wanted to die in May because that was when so many of his friends from across the country would be in Indianapolis. But he didn't say what May.

Collins was correctly eulogized by Star sports writer Robin Miller as "the toughest of the tough":

"He never missed a deadline or a nightcap. Burn the candle at both ends? Collins was the eternal flame."

In his 43 years with The Star, Collins had covered virtually every major sporting event of the day, from the Superbowl, the World Series and the Olympics to the Final Four, the PGA tour and the Indianapolis 500 Mile Race where he could count many of the drivers as good friends.

There was no reason to doubt him when he said best of all he had enjoyed covering Indiana high school basketball, that and the Masters golf tournament at Augusta. The Masters, he wrote, was like stepping into another world.

Collins, who was a key organizer of the Indiana Pacers, was also a founder of the Indiana Basketball Hall of Fame. His early reporting of the all-black Crispus Attucks High School teams helped bring them into the mainstream of Indiana basketball.

As a writer's writer, Collins was a master storyteller with an elephantine memory. His simple, straight forward style rippled with humor, surprises and historical references.

Indiana University basketball coach Bob Knight, not one to praise journalists, once wrote that simply calling Collins a writer was an injustice.

"He is an analyst, a satirist, humorist and a philosopher bound together with an extraordinary ability of expression."

Longtime friend and Star sportswriter Don Bates noted correctly that Collins was "one of those rare journalists whose talent was as big as his ego."

Robert Joseph Collins, dead at 68, will be laid to his final rest tomorrow after 11 a.m. services in St. Anthony's Catholic Church. His legend and his words will long live in the hearts and minds of his many readers and friends.

SESQUICENTENNIAL OF CHESTER,  
ORANGE COUNTY, NY

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 1995*

Mr. GILMAN. Mr. Speaker, I want to take this opportunity to pay tribute to the town of Chester in Orange County, NY. Chester celebrated its 150th anniversary on March 22, 1995.

Chester's beginnings can be traced as far back as 1712. The first settlers of Chester settled on a spot on the edge of an Indian trail, later known as Kings Highway. The first house was built in 1716 by Daniel Cromline in Grey County. Chester is named after the birthplace of John Yelverton, the first private property owner in Chester.

In 1775, several inhabitants of Chester participated in engagements against the British during the Revolution. George Washington frequently visited Chester on his way from Trenton to his main army on the Hudson.

Many of Chester's first residents served in the Continental Army in the American Revolution. Early settlers of Chester were industrious, helping the town to grow quickly into farms and many small businesses. One of the most prominent early settlers of Chester was Hector DeCreveoeur, author of "Letters From an American Farmer." This novel which was written in and about Chester assumed international, literary, and political significance.

On March 22, 1845, after about three quarters of a century as a precinct of Goshen, NY,

the town of Chester was founded. Chester was formed from parts of Warwick, Goshen, Monroe, and Blooming Grove.

With its Greycourt meadows known as the Black Dirt Area, Chester provided an unparalleled farming area for early settlers. Onions, celery, lettuce, and other vegetables provided a market that sustained many families whose ancestors still reside in Chester. The uplands of Chester provided a dairyman's paradise. The advent of the Erie Railroad in 1841 provided these farmers with an outlet to distant markets. Moreover, the formation of this railroad provided residents of New York City with their first means of fresh milk and vegetables.

In 1892, the village of Chester, in the northern part of the town, was incorporated. About that same time, an ingenious system brought water to Chester from Walton Lake. In 1903, the Grange came to Chester and was an important influence on the agricultural sciences until the 1960's.

Dairy farming continued to grow in Chester until the 1950's when it slowly began to decline. The Chester Meadows still produce an abundance of vegetables. New businesses, shopping malls, industrial parks are all growing and becoming an integral part of the Chester economy. A new town hall, and library have both been constructed to meet the ever growing needs of this now modern town. Sugar Loaf, one of the oldest communities in Orange County, has changed from a sleepy country village to one of industry and skilled craftsmen. While many of the farmers have disappeared, Chester has now become a desirable place to settle and raise a family.

Beginning on June 2, the town of Chester held a 3-day celebration commemorating its sesquicentennial anniversary. The celebration was hosted by town supervisor, Stephen Shortess, and town historian, Clark Holbert, and included the dedication of a new town flag for Chester, an award ceremony from Chester High School, a dinner dance, and many other fun-filled events. A dinner dance featuring a live band and a fireworks show concluded the opening ceremonies.

On Saturday, June 3, a celebrity softball game against a team of town officials took place. After the game, Vidbel's Olde Circus performed at Chester Commons. A barbecue dinner and dance concluded the second day of the celebration.

On Sunday, June 4, a religious service began the day, and was followed by an old time community picnic, featuring performances by various ethnic groups. Closing ceremonies began at 5 p.m.

Mr. Speaker, I invite all of my colleagues to join in congratulating the town of Chester on this very special occasion.

HAPPY 53D ANNIVERSARY TO  
HELEN AND HUBERT JOLLY

**HON. JAMES A. BARCIA**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 1995*

Mr. BARCIA. Mr. Speaker, I rise today to salute a couple who has endured the test of time. Today, Hubert and Helen Jolly are celebrating their 53d wedding anniversary.

They met at a high school dance in Albany, NY—two young people from adjoining boys

and girls schools. Soon after, they fell in love and on July 13, 1942, Helen and Hubert made a commitment to spend their lives together, a commitment they have taken very seriously.

In these days of disintegrating families, it is reassuring to see a strong, stable marriage built on love, respect, and trust. They show the rest of us by example that a marriage can truly endure. Their faith, loyalty, and sense of humor has been a great example to their 7 children and 10 grandchildren. Their willingness to help others by giving their time and service to their church, scouts, little league, PTA, and other organizations throughout their lives has been greatly appreciated by their family and friends.

While the families have spread across the country, not a Christmas goes by where their children and grandchildren don't think of Helen and Herb's wonderful Christmas Eve celebrations filled with good food, drinks, and lots of laughter and joy. Although the entire family cannot celebrate together, the traditions are carried on through the generations.

A World War II veteran, Herb is active with the VFM and has marched in dozens of parades proudly wearing his uniform. A lifelong humorist, Herb can still reel off a dozen jokes on any topic at the drop of a hat. Helen is a dynamic and energetic woman and her children and grandchildren often have a hard time keeping up with her fast pace. Together, they blossomed into a strong family that is on 53 years and growing. Their newest grandchild is due in November and two of their granddaughters are getting married this year.

With so much talk on reinstalling traditional family values, this event deserves special recognition. I ask my colleagues to join me in wishing Hubert and Helen good health and many more happy years together.

FROM THE HORSE'S MOUTH

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 13, 1995*

Mr. FARR. Mr. Speaker, Members on both sides of the aisle have been known on occasion for playing fast and loose with the facts and obscuring the truth with statistics.

Tonight I'd like to submit for your consideration a different perspective.

This one comes from someone in the field—a nose-to-the-grindstone Federal employee who works as a tax collector for the IRS. In correspondence I received from him, he tells me of the folly of Republican proposals ensconced in the budget resolution to cut funding for, and then privatize certain tax collection activities.

His argument is clear: only the force of the Federal Government can compel tax evaders to comply and only well-trained, dedicated IRS agents have the wherewithal to produce the kind of results that Congress seeks in bringing scofflaws to justice.

You may be tempted to put my comments down as partisan posturing but I submit here a copy of my constituent's letter for the RECORD and ask you to take it from one who knows.

July 7, 1995.

Hon. SAM FARR,

*Congress of the United States, Salinas, CA.*

DEAR CONGRESSMAN FARR, I just heard some of the provisions of the House Budget Resolution passed last week in the name of deficit reduction, and I am appalled at the contents. It is clear that some members of Congress have taken leave of their senses, and I hope that you can assist me in changing their minds.

As a federal employee, I strongly resent the fact the House chose to "balance the budget" on our backs by increasing the contributions we will have to make to our retirement system, weakening our health insurance system, changing how pensions are to be calculated, etc. As far as I'm concerned, it was an act of cowardice, because law enforcement and general government operations only constitute about 2% of federal outlays. What about taking a look at the other 98%?! However, Congress has never been known for its ability to make the tough choices, so we expected that. We've had to make sacrifices for so many years . . . I guess we can make a few more.

Much worse than that, however, are the seeds of 'FISCAL INSANITY' contained in the Treasury Appropriations portion of the Resolution. Not only does it contain provisions for testing the contracting-out of tax collection activities (a supremely stupid exercise in futility), it cuts the Internal Revenue Service's budget for the Compliance Initiative by \$130 million, Returns Processing by \$130 million, and enforcement by \$268 million!! If the Republican majority in the House thinks this is the way to achieve deficit reduction, I know what they've been smoking—and they did inhale!!

Let me explain. I am a GS-12 Revenue Officer with the IRS here in Salinas. Even if some of your Congressional counterparts don't understand it, we at IRS do understand money. After all revenue is our middle name!! First, we are sworn, commissioned officers with broad powers of collection granted to us by statute. Giving equal powers to a private firm operating under contract would require the modification or deletion of literally hundreds (if not thousands) of existing laws! We have a rate of assaults and threats against us that is twice that of the next highest agency, The Drug Enforcement Administration. How is a private company going to find people that will take that kind of abuse, collect taxes as efficiently and effectively as we do and make a profit?!?!! Whoever proposed that idea has an intelligence level sufficient to qualify him as plant life. Second, actual numbers are quite telling. The house has proposed a cut in the enforcement portion of IRS budget of \$268 million. Well, enforcement is Collection, basically. So how much does Collection collect? Here are some real numbers. My Collection group consists of a Group Manager, a secretary, a Revenue Representative (for simpler, smaller cases) and thirteen Revenue Officers (five of whom are trainees). During the first nine months (which included the highly disruptive move of our entire office to a new location), our group has collected over \$9.8 million in back taxes. At an average of \$1.1 million per month that would be \$13 million for a year. The total of salaries for our sixteen people is \$582,953 a year. That means \$22.30 in delinquent taxes collected for each dollar of our salaries. That is a "Return on Investment" (ROI) of 2200%!! Where else can you find an ROI like that? Real Estate? The Stock Market? Collectibles? None of them come close—and we do it year after year.

So in order to reduce the deficit, the house intends to cut the Enforcement portion of IRS' budget by \$268 million. Well, \$268 million X \$22.30 equals almost \$6 billion that

won't get collected. what a novel idea—you reduce the deficit by adding to the deficit!!! The number of returns to be processed increases each year, so we'll decrease the budget for doing that. Compliance has been steadily eroding for years so why not cut monies there and make it even easier for the cheats, the scofflaws and the underground economy to flaunt their noncompliance in the face of the taxpaying public. All of this OZ-type logic is giving me a headache. I guess I'd better hold onto Toto a little more tightly. It doesn't look like we're in Kansas anymore.

I hope that you share my concerns for the severely adverse impact that this portion of the House Budget Resolution will have not

only on the administration and enforcement of America's tax laws but on the budget itself? Killing the goose that lays the golden egg is counterproductive.

I've been a registered Republican all my life, but now I'm ashamed to admit it. How the House leadership could even permit (much less promote?) such a gross act of fiscal irresponsibility is beyond my comprehension. They need to rise above whatever petty personal grievances they may have with the Service and think about their country.

Taxes are the lifeblood of Government, and if the taxes due cannot be collected because of budgetary insufficiencies, we will only sink deeper into the morass of mounting

deficits in which we find ourselves already. In the end it will be the body politic that will suffer, and the damage will last for years.

I hope you will exercise your good offices as Congressman for our District by meeting with the Treasury Appropriations Committee conferees next week and convincing them how short-sighted and ill-conceived this piece of budgetary lunacy really is. Don't hesitate to give them copies of this letter if you think it will help. Any assistance you can provide will be greatly appreciated.

Sincerely yours,

JAMES R. NORMAN,  
*Revenue Officer.*