

There are several factors driving the renewed interest in the Tenth Amendment. First is the general hostility to the federal government; there is a sense that government is too intrusive in peoples' lives and too disruptive of business. Second is the view that problems can best be handled by those closest to them, namely state and local governments and individual citizens. Third is the federal budget deficit, which requires that more responsibilities be shifted to states as cost-saving measure.

BALANCED APPROACH

I am generally supportive of efforts to return power to the states. The federal government has become too large, bureaucratic and intrusive, and needs to be downsized. I have supported measures to cut the federal workforce, turn more responsibilities over to the states, and reduce government spending.

However, I am uncomfortable with the proposition that the Tenth Amendment forces us to take such actions. The Tenth Amendment raises the question of how powers should be distributed in our system of government, without really answering that question. The Constitution has to be read as a whole, with consideration given to other clauses which provide large powers to the federal government. The Constitution is ambiguous on the question of where federal powers end, such as the regulation of interstate commerce, and where state powers begin. We have never been able to resolve how much power should be kept at the center of the federal government and how much could be left to the states. That was a tough call in 1789 and it is a tough call in 1995.

Americans have always been hesitant to lodge too much power in the central government. During the first 150 years of our government, states had the dominant role. But with the onset of the Great Depression, power shifted dramatically to Washington. In more recent years the tide has been flowing toward the states, slowly at first but now more strongly. Today what we have is a period of competitive federalism, which means that the federal government and the states are competing with each other for leadership in domestic policy.

I am not sure that any level of government is necessarily wiser, more efficient or more frugal than other levels, nor am I sure that people know more about what happens at the state level than the federal level. It is also unclear whether giving more power to the states is the best form of moving power away from Washington. Why not give power and money directly to the counties or the cities? Why not, as we do with social Security, provide assistance or vouchers directly to individuals, bypassing both the state and the local governments?

Americans do not like big centralized bureaucracies. That's a healthy instinct. The task is to go beyond it and try to determine which level of government can best handle a certain function. As the Congress looks at shifting more responsibility for welfare, Medicaid, transportation, job training, and the environment to the states, we have to be careful that the states have the financial and managerial resources to run the programs. We also have to be careful not to dump too many burdens on states in an extremely brief period of time. The task is to turn a pragmatic eye toward what has a chance of working. If we can do that, the nation will be well served.

CONGRATULATIONS REV. WILLIAM J. KEY

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 1995

Mr. FOGLIETTA. Mr. Speaker, I rise today to congratulate the Rev. William J. Key on his installation as pastor of the Zion Baptist Church, located in North Philadelphia.

Reverend Key, educated at Morehouse College, Indiana University, and the Howard University School of Divinity, began his tenure with the Zion Baptist Church over 12 years ago, first as a minister of youth and young adults and later as executive director of the Zion Community Center.

Reverend Key has been responsible for many valuable projects in the North Philadelphia community including community outreach by joining with Zion Social Services and the Frontiers in developing and implementing Life Planning workshops and activities for church and neighborhood youth. Reverend Key also managed and developed 15 community empowerment programs directed to the Nicetown-Tioga community and established the Joseph DeBerry Choir. Reverend Key's management capabilities coupled with his strong prayer life and leadership skills have greatly contributed to Zion Baptist Church's spiritual success and enrichment.

I hope my colleagues will join me today in congratulating the Reverend William J. Key on his installation as pastor for the Zion Baptist Church. I wish the Reverend Key and the Zion Baptist Church the very best as they continue their service to the Baptist community in North Philadelphia.

TRIBUTE TO THE LATE WILLIAM N. KENEFICK

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 1995

Mr. VISCLOSKY. Mr. Speaker, northwest Indiana lost a great business leader last month. William N. Kenefick, who devoted every ounce of his spirit to the Indiana Port Commission and development of northwest Indiana, passed away on August 10, 1995.

William was the son of a lawyer and a grandson of Michigan City, IN's, first judge. He graduated from Notre Dame University, the Benjamin Franklin School of Accounting, and Georgetown University Law School.

Following service in the U.S. Navy from 1943 to 1946 as a lieutenant, he began his law practice in Michigan City. William actively practiced law until 1978. It was at this point in time that William launched another career as a land developer. William's major projects included the Marina Park South, Commerce Square, Medical Plaza, and Congress Park condominium and office complexes in Michigan City.

Moreover, in 1989, William joined the Indiana Port Commission, which oversees all three of Indiana's port sites. In 1991, William became the head of the commission. During his tenure, William stressed maritime-related industrial development at port properties. Wil-

liam succeeded in developing family-wage jobs for residents of northwest Indiana. As Indiana's International Port at Burns Harbor, IN, celebrates its 25th anniversary, the citizens of northwest Indiana can thank William for his dedication to the Port Commission to make Indiana's ports a success.

William's determination to better northwest Indiana for all of its residents did not stop in the business community. In 1968, William underwent surgery for cancer of the larynx and then traveled to Arizona to learn to speak without a voicebox. He later counseled people facing the same operation.

Mr. Speaker and my other distinguished colleagues, William Kenefick's legacy is a superb example of how the business community can make a difference for everyone in northwest Indiana. William will be missed by all who loved him.

TRIBUTE TO HARLAN MILLER,
LONG BEACH, CA

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 1995

Mr. MINETA. Mr. Speaker, I rise today to pay tribute to a fellow Californian and friend, Harlan Miller of Long Beach, who is nearing completion of his 1-year term as president of the Independent Insurance Agents of America [IIAA]. Mr. Miller is president of Hamman-Miller-Beauchamp-Deeble, Inc., an independent insurance agency located in Long Beach.

The closure of his term as the elected leader of the Nation's largest insurance trade association next month in Las Vegas will be the crowning accomplishment of Mr. Miller's many years of distinguished service to IIAA, his profession, and most importantly, to his 300,000 colleagues across the country.

Harlan has enjoyed a long and distinguished career as an independent insurance agent. His service to both his national and State associations—the Insurance Brokers & Agents of the West—is equally long and impressive. Harlan has held several elective offices in the Californian association including secretary-treasurer, vice president, and president. He began his commitment to the national organization by serving as the State association's representative to IIAA's national board of directors.

Harlan was elected to IIAA's executive committee in Los Angeles in 1989. In the time since then he has served with unwavering leadership, distinction, and commitment to his thousands of professional counterparts.

Harlan's selfless attitude is also evident in the depth of his involvement in Long Beach area community activities. He is a past president of the Kiwanis Club, Community Volunteer Office, the International City Club, and the Long Beach Boy Scout Council. Additionally, he was an active member of the California State University's President's Associates and has worked with numerous other Long Beach civic groups.

Currently, he sits on the boards of the Memorial Medical Center, Memorial Heart Institute, and the Advisory Council Junior League of Long Beach and serves on the Planned Gifts Sponsor Committee for the Long Beach Symphony Orchestra.

I congratulate my fellow Californian and concerned citizen for a job extremely well done. I am confident in his selfless service to IIAA, his colleagues, and his fellow citizens of Long Beach will continue uninterrupted well into the future.

MSTRAP AND LEAD PROVIDE A TECHNOLOGICAL LEAP

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 1995

Mr. HUNTER. Mr. Speaker, last week on August 29 and 30, the officers and crew of the U.S.S. *Hayler* made history. In exercises against one of the most sophisticated diesel submarine forces in the world, armed with a full load-out of modern torpedoes, the ship successfully defeated every simulated attack. The state of the art capability that was most professionally demonstrated by the ship's captain, CDR Alan B. Hicks, and the U.S.S. *Hayler* represents a technological breakthrough and a real success story for acquisition reform and reinventing Government. This technological leap was provided by two new systems known as MSTRAP and LEAD that were developed and deployed in a fraction of the time and at a fraction of the cost than traditional Mil-Spec approaches would have taken.

PRESS ADVISORY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 1995

Mr. STARK. Mr. Speaker, I would like to issue a press advisory concerning the coalition to save Medicare.

Earlier this month, a spokesperson for the coalition was quoted as saying—

We want to reform Medicare and we want to save it. That's what it's all about. No one's going to be forced into managed care or anything else. It's so simple and so innocent. I'm just amazed at how it's being depicted. (Associated Press, August 9, 1995.)

The person who made this comment on behalf of the coalition was Claire del Real. Ms. del Real served as the Deputy Assistant Secretary for Public Affairs in the Department of Health and Human Services [HHS] during the Reagan administration. Upon leaving HHS, Ms. del Real took a position with International Medical Centers [IMC]. IMC was a private HMO participating in a Medicare demonstration project that promised to provide free prescription drugs, eyeglasses, and doctor and hospital care without Medicare deductibles in an effort to increase competition and reduce costs to the Medicare Program. (The Washington Post, June 23, 1987.)

In reality, IMC President Miguel Recarey was indicted for being one of the most fraudulent parties to ever participate in the Medicare Program, with the fraudulent activity permitted largely as a result of waivers approved by HHS officials. Recarey remains a fugitive from U.S. courts. The inspector general of the Department of Health and Human Services, the

General Accounting Office, and a congressional committee found that—

Between 1981 and 1986, a period in which HHS was making key decisions regarding IMC, numerous HHS employees left Government service for employment with IMC, either directly or as consultants providing services to IMC. ("Alleged Misconduct by International Medical Centers, Inc. Officials." Report of the Office of Special Investigations, General Accounting Office, December 15, 1987.)

Among the former HHS officials hired by IMC was Juan del Real, the HHS general counsel who left the Government in November 1984 to work for a large Washington law firm. The firm began representing IMC several months later and was paid \$800,000 in 1986 by IMC. In June 1985, del Real quit the firm to work for IMC at a salary of \$325,000, four times what he earned as a Government lawyer. IMC also hired his wife, Claire, a former HHS spokesperson at \$130,000 per year. (Miami Herald, 1988.)

McClain Haddow, the chief of staff to the Secretary of HHS, was found to have circumvented his agency's normal procedures, got a secret opinion justifying the waiver to IMC and granted it. Months after Haddow left HHS in 1986, Claire del Real offered him a job and hired him as an IMC lobbyist. ("Medicare Health Maintenance Organizations: The IMC Experience." Hearing of the Committee on Government Operations, December 15, 1987.)

In sum, Ms. del Real was a senior representative in an organization that offered to strengthen, but actually looted, Medicare. Today, she represents an organization with the stated goal of saving Medicare.

"MY VISION FOR AMERICA"

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 1995

Mr. POMEROY. Mr. Speaker, I rise today to bring to the attention of my colleagues a letter written to me from the Veterans of Foreign Wars of the United States regarding the Voice of Democracy broadcast scriptwriting contest. Jennifer Schuler, a senior at Devils Lake High School from North Dakota, has been named a national winner in the 1995 Voice of Democracy Program for her essay entitled "My Vision For America" which emphasizes remembering the positive things in this world. I have included Jennifer's essay for the benefit of my colleagues.

Bullets flagged down thirty protesters in front of the capitol. . . (click) Four B-52 bombers flew over Kwait today. . . (click) A 7.1 earthquake struck southern California. . . (click) The mid-west estimates flood damage to have reached. . . (click) The World Trade Center was evacuated today after a bomb blast. . . (click)

Its hard to watch the news at night and come away with a positive outlook on what the future holds. I, like many other people, get caught up in the media's negative portrayal of the world. If we are so wrapped up in the negative, it closes us off to so many opportunities to see the good that is around us. A perfect example is Susan Smith; the woman who confessed to murdering her two children. The nation, perhaps even the world, was struck to the soul by this story. A shadow fell over the United States filling us with helplessness and now hinders us from seeing the good that so many people are giving.

My vision is that people stop and take the time to see what is actually being accomplished for the better good of this nation. Look for the people who haven't given up on our country. Look at our teachers. Everytime that a teacher helps just one student understand, is another step forward. Look at the organizations dedicated to helping citizens of our own United States and the world. Consider for example, Mothers against Drunk Driving, or students against drunk driving. Everytime their message touches a parent or a child, chances are that someone will be spared from an alcohol related accident. What about UNICEF. Does anyone know what UNICEF stands for anymore? The Jerry Lewis Telethon or the March of Dimes. These organizations, too, are fighting for the people. The people of the United States. It's not just organizations who are making the world a better place. Individuals who donate organs, give up a half an hour of their time to tutor someone, or organize a program like Just Say No are all contributing to the positive side of America.

Certainly our world is not a perfect place. It does have its share of problems. But rather than making these problems so large that they seem impossible or insurmountable, doesn't it make much sense to look at what has already been accomplished. There are many people who have not let the negativism of our country to pull them down. Would African American's have their rights and freedom if Martin Luther King, Jr. hadn't had the courage to bring his dream to life? Would women have won the right to vote if Susan B. Anthony had not held fast to her vision? The Wright Brothers may have not have even attempted to design or construct a plane if they had let the negativism and ridicule of their peers influence their vision that flight was possible. Without these visions, if people had not blocked out the negative, America would not be a safe haven for refugees and immigrants. Without a vision, America would international relations be possible? Take for example Space Station Alpha. Would this be an all-American project with closed doors to the world if someone had not had a vision? In reality, the U.S., Europe, Canada, Japan, and Russia have all bonded together to create Space Station Alpha. This station is a vision to our future.

We all have visions of what we want America to accomplish. Some examples are world peace, hunger relief, a cure for Aids, or even a unified nation. But my vision is simple. All I ask is that we remember the good, while we're dealing with the bad.

LEGALIZATION OF MARIJUANA

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 1995

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, September 6, 1995, into the CONGRESSIONAL RECORD.

WHY I OPPOSE LEGALIZING MARIJUANA

I am almost always asked during high school convocations in southern Indiana whether I think marijuana should be legalized. The question reflects a widespread perception, particularly among young people, that marijuana is a "safe" drug and, like tobacco, should be made legal. I do not agree with this view. Recent scientific studies continue to demonstrate that marijuana is dangerous and can cause significant health problems for those who consume it.