Pete served with the U.S. Army and was honorably discharged.

I share with my friends of the Cocopah Nation a deep personal loss. The Cocopah Tribe has not only lost a great leader, but I have lost a dear friend. I request that my fellow colleagues join me in honoring and remembering this great man: Chairman Peter Soto of the Cocopah Nation.

STATEMENT REGARDING THE JOB CORPS

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 1995

Mr. WILLIAMS. Mr. Speaker, I wanted to take this opportunity to clarify the legislative intent of H.R. 1617 regarding the Job Corps Program.

The committee did not include Job Corps as part of the block grant consolidation proposed in H.R. 1617. After numerous hearings, site visits, and debate, the committee determined that Job Corps is one of the few Federal programs that is most cost-effectively administered at the national level. The committee strongly believes that Job Corps should remain a distinct, national program for the following reasons:

Job Corps is effective. Historically, the young people served by Job Corps are America's poorest and most at-risk. Their needs have not been met by their schools, families, communities, or State governments. Job Corps, through its comprehensive residential education and training components, is extremely effective in dealing with this difficult population. In fact, in program year 1994—July 1994–June 1995—73 percent of all participants were placed into jobs or advanced to higher education.

Job Corps provides universal access. By virtue of being a national program, Job Corps allows equal, universal access to all young people eligible for the program, regardless of their residence. There are no constraints of State boundaries. In fact, a substantial amount—roughly 35 percent of all Job Corps students attend centers not located in their State.

Low administrative costs. As currently operated, Job Corps has minimal bureaucratic overhead. There are 179 Federal staffs that oversee services to almost 65,000 youth annually at 110 centers nationwide. It would make no sense to create 50 separate State bureaucracies to administer approximately 2 Job Corps centers per State.

Job Corps is accountable. Given its size and cost, Job Corps must be accountable to Congress. Today, Job Corps has the most extensive performance standards of any job training program. Job Corps measures student advancement in academics, vocational completion, and job placement rate as well as the starting salary once they leave the Job Corps. This is done for every one of Job Corps' 65,000 students each year. In addition, Job Corps has now instituted student surveys to assess student perceptions of the program and campus safety.

Local input with a national focus. Job Corps is unique from other Federal training programs in its uniformity across the Nation. This has allowed the program to develop a cost-effective and efficient system to serve both the local and national needs of Job Corps students. Each Job Corps campus is required by law and regulation to develop community linkages, local support groups, and participation. Students are referred to and from other State programs and services. The national network of placement services offered through the international labor unions and the National Association of Home Builders allow Job Corps graduates access to job markets across the Nation.

Mr. Speaker, while the goal of H.R. 1617 is to consolidate the vast array of job training and education programs into a more cohesive structure that makes sense to participants, to service providers, to the Congress, and most importantly to the American taxpayer, we did not want to eliminate programs that operate effectively. Job Corps is one program the committee felt was best kept at the national level. As the old adage goes ''if it ain't broke, don't fix it.''

HONORING THE EPIPHANY BYZANTINE CATHOLIC CHURCH

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 1995

Mr. DAVIS. Mr. Speaker, I rise today to honor the Epiphany Byzantine Catholic Church of Annandale, VA, which is celebrating its 25th anniversary on Sunday, September 24, 1995.

The parish was founded in 1970 by a few Slavic people with a vision and love for their Byzantine Rite. Many of the founders were first generation Americans who wanted a place to worship in the traditions of their Slavic ancestors. Since that time the parish has grown and become an integral part of the community and serves over 300 families of diverse ethnic and cultural backgrounds who live in the Washington metropolitan area.

In 1973, the construction of Epiphany Byzantine Catholic Church was completed and on April 29 was dedicated. Father John Danilak who served as pastor at that time wrote the following to parishioners: ''The erection of this beautiful edifice shall ever by a living testimonial of the generations of the unborn, and it will be a memorial to of your ardent faith and an inspiration for your children to manifest the God-given faith and the glorious heritage that you will entrust to them. May the doors of the Epiphany Church be always open to all who seek the soothing balm of Christ's healing graces and that there be charity and love for the helpless, and that Epiphany serve as a reservoir of moral strength for the weak, a sanctuary for the oppressed and comfort and consolation for the aged and forgotten.''

Since those words were written in 1973, Epiphany Byzantine Catholic Church has strived to fulfill this commitment. The parish has grown and people of different cultures and backgrounds attend and participate in the religious services. Yet, the goals set in 1973 remain unchanged. Epiphany Byzantine Catholic Church continues to nurture its family in the gospel of Jesus Christ, through the unique genius of the Byzantine Rite.

In 1987, the multipurpose parish center was dedicated and serves as a place for parishioners and the community to meet for educational and social events. The parish not only continues traditions of the Slavic people but also the ethnic and cultural traditions of their parents and grandparents. Epiphany Parish is truly committed to the Byzantine Catholic Rite and welcomes all who desire to worship with them.

Mr. Speaker, I know my colleagues join me in honoring the Epiphany Byzantine Catholic Church on the occasion of its 25th anniversary.

TRIBUTE TO DR. ABRAHAM M. PHILLIPS

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 1995

Mr. GEPHARDT. Mr. Speaker, I rise before my colleagues today to pay tribute to Dr. Abraham M. Phillips, a pediatric specialist in juvenile diabetes in the St. Louis community. Dr. Phillips is a colonel in the U.S. Army Reserve and a commander of the 21st General Hospital in St. Louis.

Dr. Phillips' career is a remarkable story of dedication and service to his community and his country. After being commissioned to service in 1971, he moved quickly through military ranks and was appointed colonel in 1987. He has held various non-active duty hospital assignments in the St. Louis area and was assigned to active duty in Kuwait and Saudi Arabia during the Persian Gulf war. After more than 24 years of service in the military, Dr. Phillips has been decorated with more than 18 medals and awards in recognition of his outstanding military service.

In his role as a civilian physician, Dr. Phillips' service and scope of work to the medical community are equally impressive. He serves as the medical advisor to a local high school football team, is the consulting physician to a diabetic camp for children in Missouri, and recently concluded work for the Nursery and Newborn Clinic Service at Deaconess Hospital in St. Louis. In addition, Dr. Phillips serves on the Pediatric Quality Assurance Committee at John's Mercy Hospital and on the Pre-Natal and Pediatric Care Committee at Deaconess Hospital, both of which are located in St. Louis.

Dr. Phillips' work illustrates the importance of military reservists in our country, and their invaluable contributions to our society. He has unselfishly given his time and talents to our community. His devotion to our community and to our country should be an inspiration to us all.

THE SURFACE MINING CONTROL AND RECLAMATION AMENDMENTS ACT OF 1995

HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 1995

Mrs. CUBIN. Mr. Speaker, today I am pleased to introduce the Surface Mining Control and Reclamation Amendments Act of 1995. I am joined in this effort by Mr. CREMEANS and several other colleagues all of whom share my interest in reinforcing the

original intent of the 1977 statute: To place with the primacy States the exclusive jurisdiction to regulate surface coal mining operations within their borders. The bill will clarify the respective roles of the Federal and State governments, avoid costly and inefficient duplication in inspection and enforcement and establish clearer lines as to the activities subject to the law.

When the Surface Mining Control and Reclamation Act [SMCRA] was enacted in 1977, it was hailed as a model of cooperative federalism. It established a set of pervasive environmental and reclamation performance standards for all surface and underground mines in the United States. It also included provisions to allow each coal producing State which was able to demonstrate that it had adequate laws and organizations in place to assume primary responsibility for regulating coal mining operations with its State. Since that time, 23 of the 26 coal producing States have assumed the role as the SMCRA regulatory authority.

Unfortunately, The Office of Surface Mining [OSM] has proven reluctant to live up to this statutory promise and hand over fully the reins of regulation to these primacy States. Instead, OSM has perpetuated a dual regulatory scheme by its policies that entail daily interference through the issuance of notice of violations [NOV's] directly to coal mine operators in primacy States. The original act was clear that OSM's oversight role did not allow such pervasive intervention. OSM is only authorized to issue a cessation order for serious violations constituting an imminent harm or danger to the public or environment. Otherwise, OSM was to evaluate State performance, and if dissatisfied, initiate proceedings to substitute either Federal enforcement or a Federal program for all or part of the State program.

OSM's policies have ignored the careful balance of authority by intervening every day in State program matters by issuing notice of violations directly to operators anytime OSM disagrees with a State's view of program requirements. This practice has victimized coal mine operators caught in the middle of Federal-State disputes; perpetuated a scheme of dual and conflicting program administration; caused regulatory uncertainty and confusion, and bred disrespect for the States and the law itself.

As one Federal court observed, OSM's practice has upset SMCRA's fragile balance ''between the federal and state roles with its trampling of the state's right to enforce its laws.'' *Fincastle Mining Inc.* v. *Babbitt,* 842 F.Supp. 204, 209 (W.D. Va. 1993).

A poignant example of this problem occurred in 1993 when OSM challenged one of Wyoming's existing permit conditions at the Black Thunder Mine as it related to its rough backfilling and grading plan. OSM wanted to issue an order requiring Black Thunder to mine and reclaim in a manner that practically speaking could not be achieved and which was actually based on an outdated rule.

After the mine submitted a modified mining and reclamation plan to the State agency, the State requested that it delay its backfilling and grading until it had an opportunity to review the plan revisions. In the meantime, OSM issued a 10-day notice to the Wyoming Department of Environmental Quality in an effort to pressure the State into bringing enforcement action against the mine. The State rigorously opposed OSM's efforts. Yet only after extensive time and resources were expended on the issue did OSM finally agree that the issue was programmatic rather than regulatory and dropped its threat.

The amendments act will clarify that OSM does not have the authority to issue notice of violations in primacy States unless and until it has followed the procedures set forth in the 1977 law to substitute Federal enforcement for the State program.

The act's legislative history confirms the original intent that notice-of-violation authority belonged only to the regulatory authority and operators need to know who that regulatory authority is at any particular time—OSM or the States. My legislation will further restore meaning to the concept of State primary by codifying the well-established principle that the approved State program is the law applicable in that State. Permits issued pursuant to those State programs would be the benchmark for compliance until modified in accordance with the permit revisions procedures of the State program.

This legislation is also intended to avoid regulatory duplication among various programs, require greater efficiency in enforcement actions and streamline the administrative appeal process for agency actions.

Since the passage of SMCRA, the number of producing mines has declined by more than 50 percent and the States have assumed the primary role for implementing SMCRA for 97 percent of the Nation's mines and production. However, the agency overseeing the States, OSM, has not changed significantly in terms of its size or duplicative role. The agency still has substantially more personnel than it had 12 years ago when the States assumed primacy.

As a result, the agency has sought to expand its reach to other activities such as regulating public roads, attempting to assume the role of separate agencies vested with authority to administer the Clean Water Act and raising stale matters as possible violations of SMCRA.

My amendments to the act will clarify that: public roads are not subject to regulation; the authority to administer the Clean Water Act at coal mines belongs to the regulatory authority under the Clean Water Act and not SMCRA; and, place a 3-year time limitation upon commencing actions for alleged violations. Finally, the legislation would remove an extra and inefficient layer of administrative review of agency decisions before seeking review in court. The extra layer of administrative appeals is a creature of OSM's regulations and not mandated by the existing statute.

In summation, the Surface Mining Control and Reclamation Amendments Act of 1995 would reinforce the federalist scheme of the original law and restore true meaning to the concept of State primacy.

THE KEY TO JOBS

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 1995

Mr. ROTH. Mr. Speaker, I had a meeting this morning with the congressional travel and tourism caucus.

I'm reporting that the travel and tourism is hard at work in every district in the Nation: from restaurants to retailers, hotels to campgrounds, airlines to rental cars.

With 13 million employees nationwide and an economic impact of $416 billion, each and every one of you here needs to stand up and take notice.

Now, I know we're all very busy, but listen to these facts: Tourism is No. 1 in service exports; tourism generates exports equal to exporting 4-million cars, 1.15-million blue jeans or 5.5-billion bushels of wheat.

Tourism generates $54 billion in Federal, State and local taxes.

If this had to be replaced, the average American household would have to pay an additional $652 in income tax every year.

But note well for three straight years, U.S. market share of international travelers has deteriorated. And it's going to fall again this year.

Clearly, we must take action. I offer you three solutions:

First, On October 30 to 31, join the 1,700 travel industry professionals for the first ever White House Conference.

Second, join the tourism caucus—support your district. We already have more than 273 members.

Third, cosponsor H.R. 1083—The Travel and Tourism Relief Act. It's economically vital to your district and it's vital to America.

MILITARY EXCESS AND THE PROGRESSIVE ALTERNATIVE

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 1995

Mr. CONYERS. Mr. Speaker, I have addressed this body often to discuss America's exorbitant defense spending. As the former chairman of the Government Operations Committee and its subcommittee on Legislation and National Security, I am intimately familiar with fraud, waste and financial self-indulgence in the Pentagon and the military-industrial complex at large. The fact that every one of the top 10 military contractors has either been convicted of or admitted to procurement fraud since 1980 as the Campaign for New Priorities recently pointed out, reminds all of us just how deep and pervasive their breach of trust with the American taxpayer has been.

Besides abuse and mismanagement in the private sector though, neglect by the Government remains equally of concern. We have funded meaningless, unnecessary military programs year after year.

Today I rise to bring to your attention the work of my distinguished colleague from California, RON DELLUMS, the ranking member of the House National Security Committee, who has articulated an alternative to this madness. In the October 2 issue of the The Nation, he outlines a post cold war paradigm—at post cold war funding levels. I think this article, which I am entering into the RECORD, demonstrates my colleague's years of reflection and expertise on these issues. I commend him for his scholarship and I hope you will grant it the careful study it deserves.

STEALTH BOMBING, AMERICA'S FUTURE

(By Ronald Dellums)

The September 7 House of Representatives vote to approve funding for the B-2 bomber—money the Pentagon does not even want—thrust forward the crucial question of the nation's military budget. After World War II,