# EXTENSIONS OF REMARKS

## TRIBUTE TO BILL EMERSON

SPEECH OF

### HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 25, 1996*

Mr. BILIRAKIS. Mr. Speaker, I rise today to say goodbye to a friend. Although many Members of this body have risen and recounted what kind of man, legislator, and public servant Bill Emerson was, I believe it certainly cannot be said enough.

I always thought that one of Bill's most outstanding qualities was that he held passionate beliefs about how to improve the lives of our Nation's citizens, while at the same time possessing the innate quality to debate divisive issues in an honest and straightforward manner. Bill was one of the driving forces behind the formation of the Alliance, a group of Republicans who believe that we must return civility and respect to the debates in the House of Representatives.

Unfortunately, we did not serve on the same committees in Congress, in fact, our congressional districts were in very different parts of this country. I was, however, pleased to have the opportunity to serve as a member of the Alliance with Bill, and to see him working at our weekly meetings. I also was able to work with Bill several years ago as cochairs of the House Task Force on Fair Trade and Open Markets.

There is no question that he served the Eighth District of Missouri and the citizens of our country very well. I know he will be missed by all those who were fortunate to come into contact with him over the years.

We were all heartened at the way Bill remained strong during his last days in this institution which he loved so much. Whenever I walked on the floor and saw him following the debate, even though it was obvious that lesser men would have been unable to do so, I realized just what kind of devotion and commitment he had for his service to his constituents and to his country.

Mr. Speaker, we will all miss Bill Emerson. I know, however, that his work in this body will serve as a lasting tribute to a man who devoted his life to public service.

## TRIBUTE TO THE LEDFORD HIGH SCHOOL PANTHERS

### HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. COBLE. Mr. Speaker, the Ledford High School Panthers are State champions once again. On June 9 in Raleigh, the Ledford women's softball team captured the North Carolina State 2A softball championship, defeating the Forbush High School Falcons, 4–1.

For the women of Ledford it was their second consecutive championship and their third in the past 6 years. With the title win, the Panthers capped off an outstanding 25–4 season under head coach John Ralls.

Like much of their season, the Panthers' pitching was the key to victory. The championship game's Most Valuable Player, Melissa Petty, was superb on the mound, holding Forbush to just one run off of five hits. But, Mr. Speaker, defense alone does not win championships. The Panther offense was led by Stacey Hinkle, who knocked two home runs as Ledford rolled to victory.

Mr. Speaker, congratulations must also go to team members Kelly Thomas, Ashley Craven, Molli Patterson, Angie Wesson, Quinn Homesley, Amy Disher, Heather Pitts, Courtney Troutman, Laurie Smith, Paige Koonts, Kim Clodfelter, Amy Wells, Ginger Whitt, Amanda Reece, Lauren Craven, Misty Sharp, Leslie Thomas, Janell Curry, assistant coaches Joe Davis, Danny Thomas, David Smith and manager Tara Bowers.

To Principal Max Cole, Athletic Director Gary Hinkle, and to all of the students, faculty, staff, families, and friends of Ledford High School, congratulations on winning the North Carolina State 2A women's softball championship.

Mr. Speaker, as we honor Ledford High School's season, we must also commend two other Sixth District high schools on their fine seasons on the diamond.

The North Davidson High School Black Knights women's softball team, under Coach Mike Lambros, went undefeated this season and made it all the way to the North Carolina State 3A/4A semifinals.

Congratulations must also be extended to the East Davidson High School men's baseball team, which recently finished a terrific 22–8 season, making the North Carolina State 2A semifinals.

Mr. Speaker, the Sixth District is proud of the winning tradition of its high school athletes and wishes them much success next season.

## TRIBUTE TO WILLIAM INGRAHAM

### HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. STUDDS. Mr. Speaker, I rise today to join with the people of Provincetown and Truro, MA as they gather this week to honor and pay tribute to Mr. William Ingraham, who is retiring after more than 50 years of years of outstanding public service.

Bill Ingraham came to Provincetown in 1970, after serving off-Cape as a firefighter for more than 25 years. Since then, he has become a fixture in the town halls of Provincetown and Truro, serving as wiring inspector, building inspector, and volunteer firefighter.

His dedication to public safety and his extensive knowledge of construction is unequalled. Over the years, he served as clerk of works for every major municipal construction project in the town of Provincetown. And his inspection work has significantly reduced the number of fires in the community.

In all his years of public service, Bill was on call every day, literally 24 hours a day. Whether at home or at the office, the radio scanner would always be on in the event of a fire, flood, hurricane, or other emergency.

Former town manager Bill McNulty said in a recent newspaper story ''there is no way they will replace Bill. He was always there, always on call. He knew everyone, and everyone knew and liked him.''

So today, I seek to bring to the attention of my colleagues the fine work of an outstanding public servant. Bill Ingraham grew up just wanting to fight fires, but has become one of Cape Cod's most respected and beloved citizens.

It is my pleasure to join with the people of Provincetown and Truro as they honor Bill Ingraham to extend to him the best wishes from this Congress on a job exceedingly well done.

## TRIBUTE TO CANDACE SHEA

### HON. WILLIAM H. ZELIFF, JR.

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. ZELIFF. Mr. Speaker, I would like to take this opportunity to bring to attention the outstanding accomplishment of Ms. Candace Shea, an eighth grader from Hampstead Middle School, Hampstead, NH. As the author of an inspirational and patriotic essay honoring veterans and her explanation on the importance of the Tomb of the Unknown Soldier, she has made me very proud to be her Representative. I am pleased to submit a copy of her essay to the CONGRESSIONAL RECORD on her behalf.

WHAT EVERYONE SHOULD KNOW ABOUT THE UNKNOWN SOLDIER

(By Candace Shea)

The Unknown Soldier. Those words are like a light, pointing out all those killed in action. All those who fought for our country, and then died for our country.

The Tomb of the Unknown Soldier is a tomb in which the remains of a soldier whose identity is unknown is ceremonially laid to rest.

The first unknown soldier was a tribute to those who had made the supreme sacrifice in World War I. It was placed in Arlington National Cemetery on November 11, 1921. The tomb is a white marble structure that has ''Here rests in honored glory an American soldier know but to God'' carved indelibly on it.

In Memorial Day of 1958, two more unknown soldiers were buried in full tribute—one from the Korean War and one from World War II. On Memorial Day of 1984, a soldier from the Vietnam War was laid to rest at the monument.

The Unknown Soldier is silently speaking to us all, saying we must never forget those who had full lives ahead—and those whose lives were quickly shattered, perhaps by a bullet, a grenade, and other such weapons. He is saying, ''Never let it happen again—never.'' He is a voice that shall never be silenced by anyone or anything.

And forget him no one does. The President of the United States and other such people pay their respects the unknown soldier. It is truly a great honor to lay a wreath at the unknown soldier's tomb. You are saying, ''I honor and respect those who served for our country, who served for me. I will never forget those who died for our country, who died for me.''

The unknown soldier—a common soldier whose identity is never known, but his presence and voice is always there.

## CONGRATULATIONS DAVID MCNEILL

### HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. BARCIA. Mr. Speaker, one of the greatest inspirations for people is knowing that their friends and neighbors have been able to deal with unfortunate happenings in their lives. Even more inspiring is seeing how people can turn these unfortunate occurrences into new opportunities for greatness. I am pleased to tell our colleagues that one of my constituents, David McNeill, has done exactly that: He has taken what was a terrible moment in his life and turned it into an accomplishment for all to hail.

In 1992, David McNeill was the victim of a car accident that left him confined to a wheel chair and forced him to find new employment because his accident would not allow him to continue to his profession as a tool and diemaker. Instead of becoming overcome with anxiety, David accepted his challenge head-on. He and his wife, Deborah, refinanced their home, sold his motorcycle, and other prized possessions to use money for their expenses. At Deborah's urging, he entered Delta College at the age of 46 where he has excelled academically, maintaining a 3.8 average and being named to the 1996 Community College All-State Academic Second Team.

His tremendous effort earned for him a competitive 6-week internship from Phi Theta Kappa at the U.S. Department of Education, which he is currently serving. I have had the pleasure of meeting with David McNeill, and I must tell you that we would all do much better if we had his spirit and his determination.

Education is a never-ending process, and in our ever-changing world, we all need to keep learning new information and skills. David's efforts to expand his education is an inspiration to everyone. I am sure that it has been an exciting and challenging experience, and at times somewhat daunting. But to carry on in the outstanding fashion that he has at Delta is a clear demonstration of the value of focus and commitment.

His internship at the Department of Education will help develop the cutting edge of future education programs. If our Nation is to remain a world leader, it will be because we took the time to educate our people and to provide opportunities for continuing education.

Mr. Speaker, I urge you and all of our colleagues to join me in wishing David McNeill the very best as he continues to show each use that the only limit to hold us back is ourselves.

## PERSONAL EXPLANATION

### HON. MICHAEL D. CRAPO

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. CRAPO. Mr. Speaker on June 5, 1996, I was unavoidably detained due to my daughters graduation. I missed rollcall votes: 210, 211, 212, and 213. Had I been present I would have voted ''yea'' on all.

Additionally, Mr. Speaker on June 10, 1996 I was unavoidably detained due to illness. I missed rollcall votes: 222, 223, and 224. Had I been present I would have voted ''yea'' on all.

## CLINTON WON'T LET WELFARE CHANGE

### HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. BEREUTER. Mr. Speaker, this Member highly commends to his colleagues this editorial which appeared in the Omaha World-Herald on June 24, 1996.

CLINTON WON'T LET WELFARE CHANGE

People keep trying to help President Clinton accomplish his stated goal of ''end(ing) welfare as we know it,'' but he won't let them do it.

Congress presented him a welfare-reform bill in 1995 that seemed destined for presidential approval. But liberal groups criticized the legislation and persuaded Clinton to veto it.

In February this year, the National Governors' Association produced a bipartisan plan to reform welfare and Medicaid, a plan endorsed by Nebraska Gov. Ben Nelson. Clinton, too, spoke favorably of the plan, but officials of his administration have been fighting it in congressional hearings.

Two months ago Gov. Tommy Thompson of Wisconsin signed his state's welfare reform plan. It would end welfare as an entitlement program. People could be denied benefits without recourse to hearings. Welfare assistance would be conditioned on work. Jobs, child care and health care would not be guaranteed.

Three weeks after the Wisconsin plan was completed, the president called it ''a solid, bold welfare reform plan'' in his weekly radio address. Bob Dole was scheduled to give a major speech on welfare reform three days later. It was a preemptive political strike by a president who lately has talked, but not acted, like a Republican.

Now that the president has exploited the opportunity to upstage Dole by patting the Republican Thompson on the back and appearing to be the champion of welfare reform, his administration is challenging the Wisconsin plan.

For proof of its welfare-reform credentials, the Clinton administration cites waivers it has granted to 39 states to implement welfare programs that don't conform to federal requirements. But in this case the Washington penchant for centralized bureaucratic control may prevail. Wisconsin may not get the federal waiver it needs to proceed.

In 1993, first lady Hillary Clinton's proposal to reduce the growth of Medicare spending from 10 percent to 7 percent was touted by the administration as responsible reform. Two years later, when congressional Republicans proposed the same spending growth rate reduction, the president decried a 7 percent growth cap as an attempt to ''cut'' and ''destroy'' Medicare.

Governor Thompson's once ''solid'' and ''bold'' welfare plan may face the same fate that befell Mrs. Clinton's 7 percent growth cap once it was expropriated by Republicans.

## 40TH ANNIVERSARY OF THE AMERICAN-ITALIAN PROFESSIONAL AND BUSINESS WOMEN'S CLUB

### HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. LEVIN. Mr. Speaker, on Sunday, July 21, the American Italian Professional and Business Women's Club will celebrate its 40th anniversary. AMIT, as it is known, was established in 1956 by Maria Lalli and Maria Giuliano to further cultural, charitable, and social functions, with an emphasis on Italian culture whenever the opportunity arises. The club derives its membership from women who are of Italian descent or are married to a man of Italian descent.

AMIT's list of beneficiaries includes a broad range of organizations around the world. Missions and health care institutions in Burma, India, and Detroit, MI, children and orphans in the United States and Italy, Italian earthquake and flood relief efforts, public television, symphony orchestras, and Orchestra Hall in Detroit, all have been assisted by their interest and generosity. A special focus of their support is those places which celebrate Italian culture: The Italian American Cultural and Community Center, the Italian Heritage Room at Wayne State University, and the Church of San Francisco.

Social functions arranged around artistic and cultural presentations provide the funds for AMIT's charitable work. The club is proud to have presented lectures by the daughters of distinguished Italian scientists Guglielmo Marconi and Enrico Fermi. They have sponsored book and author luncheons featuring Italian-American authors or writers on Italian subjects, and have promoted events at the Detroit Institute of Arts when Italian artists were on special exhibition. Italian musicians, both established artists and prodigies, have been presented in recital.

Now at the close of its fourth decade of activity, AMIT boasts several families with multiple generations of membership and leadership. The Giuliano-Baker family takes great pride in its four successive generations of women who have served the club as president, beginning with the first president and cofounder, Maria Giuliano.

Mr. Speaker, I congratulate the American Italian Professional and Business Women's Club on achieving 40 years of outstanding service to the community, and I wish them many more years of successful endeavor. Our Nation's strength lies, in part, in groups such

as AMIT whose members take their place in American life while fostering appreciation for the future of their homeland.

## SAFE DRINKING WATER ACT AMENDMENTS OF 1996

SPEECH OF

### HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 25, 1996*

Mr. REED. Mr. Chairman, I rise in support of H.R. 3604, the Safe Drinking Water Act amendments. This bill includes an important provision: H.R. 3280, the Water Quality Right-To-Know Act of 1996, of which I am a cosponsor. I am pleased that the House will pass this bipartisan piece of legislation, which will continue to protect our Nation's drinking water. While I remain concerned about the last-minute inclusion of projects which threaten to diminish the State revolving fund [SRF], overall I believe this is a good bill. It is my hope that this issue will be resolved in the House-Senate conference.

This bill takes many important steps to improve the Safe Drinking Water Act. It authorizes the SRF, which is essential to our communities in providing safe drinking water; it gives the EPA more flexibility in issuing regulations; it requires that standards be set for arsenic and radon; and it requires the EPA to conduct studies on sulfates.

One of the most important provisions would require water systems to public information annually on the status of drinking water and notify consumers of any contaminants. While the United States has one of the safest drinking water supplies in the world, there have, unfortunately, been incidents of contamination. I have heard from many constituents who expressed support for this provision because Americans have a right to know what is in their drinking water. I agree with them, and that is why I am a cosponsor of this provision.

I commend my colleagues who kept negotiations on this bill open and involved all interested parties to produce a sound piece of legislation that will establish good public policy. It is a relief to support a commonsense, bipartisan bill that will ensure that Americans have clean, safe drinking water. This bill will allow our communities to meet the goals of the act cost effectively and responsibly without sacrificing the quality of our drinking water.

Mr. Speaker, again, I urge my colleagues to work in the House-Senate conference to ensure that funding for the SRF is not cut, and I look forward to passage of this important piece of legislation.

## DISAPPROVAL OF MOST-FAVORED-NATION TREATMENT FOR CHINA

SPEECH OF

### HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 27, 1996*

Mr. KENNEDY of Rhode Island. Mr. Speaker, a year ago I heard and heeded the arguments of those who claimed that by maintaining MFN we would have the leverage to force change in China. In light of what has transpired over the last year, I find it difficult to reconcile the benefits of MFN with China, with China's refusal to obey international law regarding the proliferation of weapons of mass destruction and its continued abuses of human rights. My hopes for change as a result of engagement through MFN were dashed.

The record of China over the past year merits a strong and unequivocal message of protest from this body. On every issue that is central to United States-China relations we have witnessed a steady and serious deterioration over the past year. In the critical areas of human rights, weapons proliferation, trade, and military aggression we have seen retreat, not progress.

I fully recognize the benefits of trade with China, and have held out the hope that by maintaining that relationship we could achieve progress in these critical areas. Therefore, I supported renewal of MFN last year. My hopes proved elusive, however, and the price of our forbearance has been an escalation in the threats to the security of the United States, both economic and strategic. I cannot stand by and watch China engage in practices that threaten the security of our Nation. If we are going to create a more secure place for the United States in the future, we must take the right actions today which will ensure that goal tomorrow.

The greatest threat to the United States and world security is the proliferation of weapons of mass destruction. In the hands of rogue nations, in the hands of nations that support terrorism, in the arsenals of nations with simmering disputes that stand the risk of erupting any day, chemical and nuclear weapons are a threat, not just to the United States but to the world.

In recent years, contrary to the promises made by the Chinese, China has increased both the quantity and the quality of its arms transfers. Not only has China transferred missile technology, but now China has transferred nuclear and chemical weapons technology to nonsafeguarded nations. Protests have produced promises, but what we have gotten in return for our indulgence and patience is continued defiance of international law. A record of broken promises is not strong enough to support renewal of MFN.

The human rights abuses of China are almost too numerous to mention. Time and time again, we have been promised that reforms would be enacted. But once again, there was not progress this year.

For these reasons, I cannot in good conscience support MFN renewal this year. I hope that in the future China reforms its practices, and demonstrates through meaningful, positive reforms its desire to join the international community. The door is open for a China that obeys treaties and respects the rule of law. There is no place for a China that behaves with the disrespect for international law which China has exhibited in the past year. There is a need to send a message to China when their behavior so endangers our national security. Therefore I will oppose MFN this year.

## COST OF GOVERNMENT DAY

SPEECH OF

### HON. SUE W. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 9, 1996*

Mrs. KELLY. Mr. Speaker, I rise today in strong support of House Concurrent Resolution 193, a resolution expressing the sense of Congress that the cost of Government spending and regulatory programs should be reduced so that American families will be able to keep more of what they earn.

July 3, 1996, is Cost of Government Day, the date when the average American has earned enough in gross income to pay off all direct and hidden taxes—total Federal, State, and local government spending, plus the cost of regulation. In other words, July 3 is the day when Americans stop working for Uncle Sam and start working for themselves and their families.

This year, the total bill comes to $3.38 trillion—$13,000 for every man, woman, and child in America.

Mr. Speaker, the people that I represent live in the 12th most taxed congressional district in the Nation, and the 2d most taxed State in the Union. The cost of government has become too expensive, too burdensome, and they need relief. When working Americans are forced to take two jobs, work longer hours away from their families, simply to makes ends meet, something is wrong.

Congress created new programs in the past, often with the best of intentions, but failed to consider how its decisions affect the people who must pay the bills. When you add to the Federal tax burden the taxes paid at the State and local level, and consider the hidden costs—costs associated with compliance with Federal regulations and mandates—it becomes clear that the American people can no longer afford the huge government bureaucracy that has been created over the years.

I am proud to say that this Congress recognizes the fiscal pressures facing working Americans today, and is working to ease the burdensome cost of government. We passed a balanced budget plan to stop the runaway spending that threatens our future and the future of our children and grandchildren; we've passed regulatory relief legislation to restore a degree of common sense to the manner in which Government regulations are drafted and carried out; we've passed legislation to give working Americans a modest degree of tax relief, and we have even attempted to roll back the tax increase that President Clinton pushed through Congress in 1993.

Unfortunately, the President has fought us at every turn. We owe it to working Americans to keep trying, Mr. Speaker, and enact policies that will allow them to keep more of what they earn. The cost of government is simply too high. We can do something about it, and I urge my colleagues to join me today in supporting this important resolution, and join me in working for a leaner—and better—government.

## TRIBUTE TO COACH CAMERON

### HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. HALL of Texas. Mr. Speaker, as our Nation's teachers and students complete the end of another school year and enjoy a much-deserved vacation, I would like to salute our teachers and pay tribute to one in particular—coach James Cameron—a well-known and well-respected Texas coach who accumulated a record of more than 200 victories prior to his unexpected death last year. Coach Cameron leaves behind a legacy, however, that is far greater than his teams' victories on the playing field. The measure of his legacy can be found in the hearts and minds of those who had the privilege of knowing him and whose lives were influenced by a great coach who was also a great man.

Coach Cameron achieved fame first on the gridiron for Commerce in the mid-1050's and as an offensive center at East Texas State University, where he helped guide his team to consecutive Tangerine Bowl victories. He was drafted by the AFL's Los Angeles Chargers but chose instead to finish his degree. His coaching days began even before his graduation, and his reputation soon spread throughout the high school and small-college ranks of Texas. He amassed victories at high schools in Mansfield, Waco, and McKinney before taking over at Howard Payne University and leading his team to a tie for first place in the first and only Lone Star Conference championship. He then moved to Angelo State University, where he achieved the best record in school history. Along the way he was recruited by Grant Teaff at Baylor University and was considered for the top position at North Texas State University. For varying reasons, he did not find those positions to be part of his destiny. He returned to high school coaching at Rockwall, Kilgore, and finally Sulphur Springs, where he was coaching at the time of his death and where he led the Wildcats to half a dozen district championships.

But what equally distinguished his career was his influence on his players and his community. The Sulphur Springs News-Telegram wrote a feature about Coach Cameron in 1994 that included comments by those who knew him well. Joey Florence, head football coach at Cooper, said:

> He gets more out of his kids because of motivation, but he also motivates the entire community. . . . He told me something one time that I'll never forget. He said he'd rather lose with class than win without it. And that's something I try to impart to our team.

Bill Grantley, superintendent at Kilgore, said, ''It was more than just the winning—it was how he dealt with the townspeople and the students.'' Paul Glover, the superintendent at Sulphur Springs, said:

> I think James saw the situation here and decided he could be a factor, not only in the athletic program but the community as well. He saw a need he could fill and obviously we have not been disappointed at all.

One of his students, Matt Rosamond, wrote an essay for his Sulphur Springs High School English class this year that illustrates Coach Cameron's extraordinary influence. Matt wrote:

> Not only was he a great man, but also he was a great teacher. Not a class room teacher, but a teacher of life . . . Coach lived his life the way most people only wish to live theirs. He was the most understanding and forgiving person I ever knew . . . Coach was by far the most influential person in my life.

Coach Cameron was one of those exemplary teachers who made a difference in the lives of his students, and he was an exemplary American who made a difference in his community. He is truly missed by all those who knew him and loved him. His brothers, Bill and Raymond, who are prominent businessmen, outstanding civic leaders, and my good friends in Rockwall, are particularly proud of James and of what he accomplished in his life.

So it is a privilege, Mr. Speaker, to have the opportunity to pay tribute to this great man whose influence continues to live on in the lives of those who knew him. In his essay Matt Rosamond concluded, ''I realized deep inside that Coach is very much alive. He is alive in every player and every person that knew one of the greatest men who had ever lived.'' Such is the legacy of coach James Cameron.

## COMMITMENT TO INTERNATIONAL ANTINARCOTICS COOPERATION

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. RANGEL. Mr. Speaker, I would like to bring to the attention of my colleagues a report issued following the Third Annual Narcotics Control Conference I and several of my colleagues attended in Taipei, Republic of China this past February. This report outlines the important and successful steps Taiwan has taken in their antinarcotics efforts, as well as their commitment to international antinarcotics cooperation. This conference was part of an on-going effort between the United States Congress and the Government of the Republic of China to improve bilateral and regional cooperation in the antinarcotics effort, and I would also like to thank Congressman ED TOWNS who participated in this conference with our delegation. Finally, Mr. Speaker, I would also like to personally thank Dr. Ying-jeou Ma, Taiwan's Minister of Justice, for his outstanding dedication and personal attention to our joint antidrug efforts, and I wish to commend him for a job well done in his role as Minister of Justice.

#### THIRD ANNUAL NARCOTICS CONTROL CONFERENCE

SUMMARY

Representatives Charles B. Rangel (D-NY). Edolphus Towns (D-NY), former Rep. Lester L. Wolff and former Rep. Frank Guarini participated in a 3 day conference in Taipei, Republic of China on Taiwan entitled the Third Annual Narcotics Control Conference, from February 14–17, 1996.

Conference included the following host country officials: Ying-jeou Ma, Minister of Justice; Dr. Cheng-Hao Liao, Director General, MJIB; Chuan Cheng, Deputy Director General, MJIB; Wei-Herng Hu, Director, Taipei City Psychiatric Center; Shih-Ku Lin, Chief, Taipei City Psychiatric Center; Szu-Yin Ho, Institute for International Relations; Mr. B. Lynn Pascoe, Director, American Institute in Taiwan; Harvey A. Somers, American Institute in Taiwan; and Eric Wu, Former Member of Legislative Yuan.

Consultative meetings were also held with the following dignitaries: Lee Teng-hui, President; Frederick Chien, Foreign Minister; Stephen S.F. Chen, Vice Foreign Minister; and Chung-ling Chiang, Minister of National Defense.

The primary purpose of this conference was to discuss narcotics control issues facing the Republic of China on Taiwan, U.S.-RoC counter-narcotics efforts, and discuss cooperative solutions to the narcotics threat in Southeast Asia. In response to the shift from narcotics interdiction to ''in-country institution building'' by the current U.S. administration, the conference focused on the Republic of China's efforts in formulating a cohesive anti-drug strategy which focuses on law enforcement, public education, and drug treatment (including rehabilitation).

BACKGROUND

Although according to the U.S. State Department's International Narcotics Control Strategy Report, Taiwan is not a significant cultivator or producer of illegal narcotics, the illegal consumption of both heroin and methamphetamines does present a serious social problem. In recent years, Taiwan has faced a growing problem with heroin trafficking, to which the government of the Republic of China has responded with a major effort to stop the flow of Southeast Asian heroin into Taiwan, the United States and elsewhere. Taiwan continues to implement an aggressive domestic counternarcotics program, which has led to a decline in drug trafficking, demonstrated by lower seizure rates and consumption in Taiwan. Taiwan's cooperation with U.S. anti-narcotics efforts (conducted under the auspices of the American Institute in Taiwan) has substantially expanded over the past year, and the appropriate offices representing the US and the RoC are negotiating a new MOU on even broader counternarcotics cooperation. New legislation is under consideration to augment existing counternarcotics laws and bring Taiwan into conformity with the 1988 UN Convention and recommendations of the Financial and Chemical Action Task Forces relating to money laundering and precursor chemical controls.

NARCOTICS CONTROL CONFERENCE

The Narcotics Control Conference consisted of a series of meetings and fact-finding visits to various ministries within Taipei in order to receive information and exchange views on Taiwan's counternarcotics efforts. These ministries included the Ministry of Justice, Taipei City Psychiatric Center, Investigation Bureau (MoJ), Ministry of National Defense, and the Ministry of Foreign Affairs.

INVESTIGATION BUREAU, MINISTRY OF JUSTICE

On Wednesday, February 14, the delegation was received by Director General Dr. Cheng-Hao Liao, and Deputy Director General Cheng at the Investigation Bureau of the Ministry of Justice. The delegation was given a thorough briefing on RoC narcotics issues, with particular emphasis being placed on efforts for increased international cooperation and coordination with U.S. efforts. Discussions were held concerning the RoC's efforts on halting the illegal trafficking of narcotics to Taiwan, in addition to stopping the illegal transit of narcotics through Taiwan's international ports. A useful exchange of views followed this briefing, covering various areas of mutual concern to both the Republic of China and the United States in their anti-narcotics efforts.

Following these discussions, the delegations was then escorted by Dr. Liou to the Investigation Bureau's extensive laboratory

complex, in order to view the Republic of China's state of the art processing and research facilities. This equipment, purchased from the United States, is used to conduct research, analysis, chemical testing, and identification processing for use in criminal investigations and law enforcement R&D. After an extensive tour of the laboratory and discussions concerning similar approaches by the Republic of China and the United States, the delegation was then escorted to the narcotics depository and storage facilities where confiscated drugs are kept under strict control. This storage facility is held under tight security arrangements, where narcotics are kept for use as evidence in prosecuting drug-related crimes. After their use in trials, the narcotics are then held for public destruction and anti-drug education purposes. The delegation was very impressed with the laboratory and storage facilities at the MJIB, and in the progress made in developing enforcement capabilities.

TAIPEI CITY PSYCHIATRIC CENTER

The delegation was next received by Dr. Wei-Herng Hu, Director of the Taipei City Psychiatric Center (TCPC) to learn more about the RoC's treatment and rehabilitation efforts. TCPC is the major municipal psychiatric hospital in Taipei city, and plays a key role in the treatment of heroin addicts. The hour long discussion with Dr. Hu included issues such as drug abuse prevention, treatment methods, and educational efforts aimed at stopping narcotics before it starts. The delegation also toured the center's patient wards, where medical personnel briefed the delegation on rehabilitation efforts for recovering addicts. TCPC has conducted extensive research in the treatment of heroin addiction, including: the use of tramadol in heroin detoxification, the relationship between substance abuse and criminal activity, pharmaconetics of heroin use in Chinese drug abusers, group psychotherapy, drug abuse screening, naltrexone maintenance trials on parole patients, and out-patient drug free program management.

MINISTRY OF JUSTICE

Following the tour and discussions at the Investigation Bureau and the TCPC, the delegation continued its conference program with extensive discussions with the highest ranking law enforcement official from the Republic of China, Dr. Ying-jeou Ma, Minister of Justice. Dr. Ma, a Harvard educated S.J.D., enjoys wide popularity among the citizens of Taiwan and is widely respected among his colleagues for his efforts in tackling narcotics and corruption issues during his tenure. Dr. Ma outlined various developments within Taiwan concerning the narcotics situation, including an account of the largest narcotics seizure ever to take place in Taiwan's history. ''On May 12, 1993, while conferring medals and awards on meritorious officials taking part in the seizure, Premier Lien Chan formally declared war on drugs. The RoC's anti-drug campaign thus entered a brand new era.''

As Dr. Ma reported, in the later half of the 1980's, a double-digit economic growth, low inflation, and minimal unemployment steadily pushed economic prosperity in Taiwan towards new heights. The process of political democratization further loosened the social discipline. Since 1990, methamphetamine suddenly replaced soft drugs as the most popular drug in Taiwan, and its abuse spread at an astonishing rate. Meanwhile, heroin consumption also started to jump during 1990–93. Since 1994, however, both the volume of drugs seized and the offenders convicted have declined at an increasing speed.

TAIWAN'S ANTI-DRUG STRATEGY

Dr. Ma related, in sum, that narcotic drugs from Southeast Asia and mainland China had invaded Taiwan in an unprecedented fashion. As late as seven years ago, drug abuse was still unknown to the majority of people in Taiwan. It is no wonder that the legal and medical communities were caught off guard initially. But since the RoC Government declared war on drugs in May, 1993, government agencies have beefed up their efforts to tackle the problem. Dr. Ma compared some of the measures being taken in various countries throughout the region, having just returned from a fact-finding tour throughout Southeast Asia and Golden Triangle area. Dr. Ma's extensive knowledge and dedication was considered by the delegation to be a great asset to the Republic of China in their anti-narcotic efforts.

A discussion was also held during this phase of the conference with AIT Director Lynn Pascoe, who confirmed the RoC's efforts in international cooperation.

Dr. Ma, however, expressed strong dissatisfaction with the fact that the Republic of China had been singled out as one of the transit countries in the INCSR report over the last few years, and stated his view that the transit allegation was being applied without concrete evidence. In fact, Dr. Ma stated, since 1990 there had only been one case where it was proven that Taiwan had served as a transit point for narcotics, and that given the huge volume of international shipping that goes through Taiwan, these incidents would be a great deal higher if Taiwan was being used as a transit country. He stated that the Republic of China had given its utmost effort in handling this issue, and stated his hope that the delegation would note his concerns and relay this information to the U.S. government. The delegation noted Dr. Ma's concerns and stated that all views would be presented in their report of this conference.

Dr. Ma went on to outline the RoC's anti-drug strategy. The overall strategy is simple: supply and demand reduction. And implementation takes a three-prong approach: law enforcement, public education and drug treatment (including rehabilitation). In the RoC, law enforcement agencies include the National Police Administration (NPA), the Ministry of Justice Investigation Bureau, the Military Police Command and the Customs Service. International cooperation is also important. In the last three years, the MJIB has called three international conferences to discuss drug enforcement problems with participants coming from more than 24 countries. The Drug Enforcement Administration (DEA) of the U.S. Department of Justice has shown interest in setting up an office in Taiwan to coordinate intelligence cooperation with NPA and MJIB. The NPA and MJIB are also building up ties with Southeast Asian countries near the Golden Triangle. Finally, Dr. Ma pointed out that, while the RoC is not a party to the United Nations Convention against illegal narcotics trafficking due to the PRC's deliberate obstruction, the RoC has taken steps to start regulating the importation and use of precursors, chemicals, and solvents in conformity with the U.N. convention.

CHINA EXTERNAL TRADE DEVELOPMENT COUNCIL AND OTHER ACTIVITIES

On Thursday, February 15, the Congressional delegation visited the China External Trade and Development Council and the Taipei World Trade Center to discuss trade matters between the United States and the Republic of China. The delegation was briefed on the current balance of trade between the two countries, in addition to various other trade related matters.

The delegation was next received by the Hon. Frederick F. Chien, Minister of Foreign Affairs where current issues facing the U.S.-RoC, RoC-PRC, and U.S.-PRC relationship were discussed. The delegation also paid a visit to Vice Foreign Minister Stephen S.F. Chen, who hosted a dinner in honor of the delegation the following evening. Also on Thursday, Representative Rangel and Representative Towns were joined by Representative Bill Brewster (D–OK) and Representative Maurice Hinchey (D–NY) in meeting with President Lee Teng-hui. Bi-lateral issues including trade, narcotics and recent political developments were discussed, and President Lee commented on the importance of keeping the pressure on narcotics traffickers and on the efforts of the RoC government in halting the transit of illegal narcotics through Taiwan.

As reported in the United States International Narcotics Control Strategy Report, recent efforts by the RoC government has led to ''a major effort by the Taiwan authorities to stop the flow of heroin and reduce domestic usage. Taiwan continues to implement an aggressive domestic counternarcotics program which has led to a decline in drug trafficking, demonstrated by lower seizure rates, and consumption in Taiwan.'' The delegation pledged its continued support for Taiwan's counternarcotics program, and a continuation of the close bi-lateral relationship the two countries have enjoyed.

## OATH OF UNCERTAINTY

### HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. DUNCAN. Mr. Speaker, American soldiers and sailors should not be sent to foreign battlefields except under the command of American generals and admirals. Even then, they should not be sent unless there is a very clear vital U.S. interest or threat to our national security. Neither of these is present in Bosnia, Haiti, or some other recent foreign social work projects undertaken by our military. I would like to place in the RECORD the following article from the American Legion magazine pointing out U.S. military men and women take an oath to defend the U.S. Constitution not the United Nations.

[From the American Legion, July 1996]

OATH OF UNCERTAINTY

(By Cliff Kincaid)

*I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States Against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice, So help me God.*—The oath of enlistment

The future looked bright for 22-year-old Army Specialist Michael G. New. He had been decorated for his service in the Persian Gulf War and seemed to have a promising military career ahead of him. But that was before he was ordered to serve in a United Nations military unit, wearing a U.N. insignia on his shoulder and a U.N. cap on his head.

When New refused—citing his oath as a soldier to the U.S. Constitution—he rekindled a firestorm of controversy about the meaning of the soldier's oath as well as the soldier's right to refuse orders he deems ethically or procedurally objectionable. It is a debate whose overtones take us back a half-century to arguments raised in the aftermath of Nazi atrocities.

New himself was willing to accept a different assignment (under U.S. command in his own Army uniform) or even an honorable discharge. The Army chose to court-martial him. In a complex legal case that will continue to be argued in Congress and the courts, New received a bad-conduct discharge as well as a stigma that will follow him the rest of his life.

From the beginning, the military oath has been considered a soldier's sacred connection to America's Founding Fathers and the Constitution. ''When taking the oath,'' says one Army pamphlet, ''you accept the same demands now that American soldiers and Army civilians have embodied since the Revolutionary war.''

The first Officer's oath was in fact established in 1776 by the Articles of War under the Continental Congress. It required the officer to ''renounce, refuse and abjure any allegiance or obedience'' to King George the Third of Great Britain. The U.S. Constitution carried this patriotic impulse one step further, declaring in Article I, Section 9 that no U.S. official or officer ''shall, without the consent of Congress, accept any present, Emolument, Office, or Title, of any kind whatsoever, from any King, Prince or foreign state.''

In a filing in the new court case, the Army conceded that the U.N. insignia and caps had not been approved by the Army and that a U.N. identification card ''is the only identity document required in the area of operation.''

Nonetheless, the Army's designated spokesperson on the New affair, Lt. Col. Bill Harkey, says this would not have amounted to serving under foreign command. ''The president [of the U.S.] never surrenders command of U.S. troops,'' maintains Harkey. He adds that ''nobody was asking [New] to shift his allegiance. Over his left breast pocket it still says, 'U.S. Army.'''

Unconvinced, New continues to insist that serving the U.N. and wearing its symbols was a blatant violation of his oath. ''As an American soldier,'' he says, ''I was taught and believe that the Constitution is the fundamental law of America, and if there is any ambiguity or conflict with the U.N. or any treaty or international agreement or organization, that the U.S. Constitution would always prevail. My Army enlistment oath is to the Constitution. I cannot find any reference to the United Nations in that oath.''

As for the argument that New's disobeying of orders had the potential to disrupt military order and discipline, his lawyers, led by Marine Colonel Ron Ray (retired), point out that the oath says the orders have to be ''according to regulations and the Uniform Code of Military Justice.'' The orders, in other words, must be lawful. This raises issues about the individual responsibility to choose between right and wrong that hark back to Nuremberg and the infamous ''I was just following orders'' defense.

New's superiors suggested that he study the U.N. Charter, the governing document of the international organization. New did so—and concluded that it was ''incompatible'' with not only the U.S. Constitution but also the Declaration of Independence.

The military judge in New's case elected to sidestep the matter of the Constitution and the deeper meaning of the oath, focusing instead on his the relatively simple issue of his refusal to live up to an agreement he had signed. As Army spokesperson Harkey puts it, ''The oath says, 'I will obey the orders of the officers appointed above me. . . .'

''However, the military panel refused to send New to jail, a possible indication of sympathy for his plight.

In the past, mostly in times of war, U.S. soldiers have temporarily served under foreign commanders or in U.N.-authorized operations; indeed, the Persian Gulf War was backed by the U.N. Security Council. The Congress has passed a U.N. Participation Act, authorizing military involvement with the U.N. under limited circumstances.

The Clinton Administration has gone even further by issuing a secret pro-U.N. Presidential Decision Directive 25 (PDD 25) that has been withheld from Congress. In the public version of this document, entitled ''The Clinton Administration's Policy on Reforming Multilateral Peace Operations,'' the president pledges that he ''will never relinquish command of U.S. forces''—but he also reserves for himself the authority to place troops under ''operational control'' of a foreign or U.N. commander within the approval of Congress.

Harkey emphasizes that operational control is not the same as being under foreign command—and he uses the Bosnia peacekeeping mission as a case in point. He says the U.S. Task Force commander reserves the right to act in the best interest of our troops and may in fact oppose a foreign commander's orders by going up the U.S. chain of command.

In any case, it wasn't until the Clinton administration that U.S. soldiers started receiving orders to wear U.N. symbols on their uniforms. Part of the fallout from the New case has been the introduction of legislation in Congress to prohibit this practice.

Aside from being ordered to wear the U.N. ''uniform''—the insignia on the sleeve and the blue cap—New was told to report to Brig. Gen. Juha Engstrom of the Finnish Army, the Commander of the U.N. Preventive Deployment forces in the former Yugoslavia Republic of Macedonia. Engstrom had said of his position, ''This is a very unique and historic opportunity. Before Macedonia, a non-American or non-NATO officer has never before had command of an American battalion abroad . . . .''

As of Jan. 11, 1996, official Department of Defense figures showed that a total of 69,847 U.S. forces were participating in, or acting in support of, U.N. operation or U.N. Security Council resolutions. This includes 37,000 troops in Korea.

Though much effort is expended in official Washington circles to down-play the implications of such situations, there are times when the reality blares forth in dramatic fashion. When a U.S. helicopter was shot down by Korean communists in December 1994, the body of the American pilot, Chief Warrant Officer David Hilemon, was returned in a coffin draped with a blue U.N. flag, and was handed over to a U.N. honor guard. And in April 1994, after American personnel participating in a U.N. mission were downed over Iraq, Vice President Albert Gore stated that the casualties ''died in the service of the United Nations.''

That ideology has inspired a good deal of discomfort in the ranks. Navy Lt. Cmdr. Ernest G. ''Guy'' Cunningham has undertaken a controversial study of U.S. involvement in U.N. operations titled ''Peacekeeping and U.N. Operational Control: A Study of Their Effect on Unit Cohesion.'' Cunningham asked a group of 300 Marines if they agreed or disagreed with the statement that, ''I feel there is no conflict between my oath of office and serving as a U.N. soldier.'' Fifty-seven percent disagreed.

## DOLLAR FOR DOLLAR, CRIME PREVENTION EFFORT PAYS

### HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. VENTO. Mr. Speaker, I rise today to share with my colleagues an important article published in the St. Paul Pioneer Press on June 6, 1996

The article highlights a new crime prevention study released by the Rand Institute and features a prevention program in my district called Teens Networking Together [TNT]. The study found that, dollar for dollar, programs like TNT that encourage high-risk youth to finish school and stay out of trouble prevent five times as many crimes as stiff penalties imposed on repeat offenders. This also, according to the study, holds true for programs that teach better parenting skills to the families of aggressive children.

Nearly 2 years ago, this House debated the prevention programs included in the 1994 crime law. Many of my Republican colleagues at the time maligned these prevention provisions and mislabeled them as Government waste, insisting that they would do nothing to reduce crime. Now, however, these programs, which included the Community Schools Initiative, Youth Employment Skills [Y.E.S.] Program, midnight sports programs and the Vento/Miller at-risk youth recreation grant, are being vindicated by the facts and findings like Rand's. It seem that the old adage an ounce of prevention equals a pound of cure once again holds true.

According to the Justice Department, crimes committed by young people are growing at the fastest rate in this country. It is obvious to me if we are truly going to address our country's crime problem we must focus on prevention; we must give our young people hope and opportunity; we must give them a haven from the street where they can develop positive values such as responsibility, teamwork, leadership, and self-esteem.

I hope my colleagues will take the time to read this article and learn more about these youth crime prevention programs across the country that not only reduce future crime, but also save American tax dollars.

DOLLAR FOR DOLLAR CRIME PREVENTION EFFORT PAYS

(By Lori Montgomery)

It turns out that often-scorned crime prevention efforts aimed at disadvantaged kids may be far more effective than tough prison terms at keeping you safe.

In a new study released Wednesday, researchers with the highly respected RAND institute found that, dollar for dollar, programs that encourage high-risk youth to finish school and stay out of trouble prevent five times as many crimes as stiff penalties imposed on repeat offenders with so-called three-strikes-and-out laws.

And programs that teach better parenting skills to the families of aggressive children prevent almost three times as many serious crimes for every dollar spent.

The study—a two-year effort by researchers at RAND, a nonprofit, nonpartisan research institute in Santa Monica, Calif.—is the first to compare crime prevention programs to incarceration on the basis of cost and effectiveness at preventing future crimes.

''There has always been a 'disconnect' between everybody's agreement that prevention is a good thing and some estimate of that benefit. That's what's new here,'' said Peter Greenwood, RAND's director of criminal justice programs and the study's primary author.

''In one sense, it's surprising how effective some of these things are,'' Greenwood said. ''But on the other hand, it shouldn't be surprising at all.

We all know the two institutions that socialize kids and keep them on the right track are the family and school. And our study shows that incentives for graduation and parent training are the two things that work.''

A program on St. Paul's West Side called Teens Networking Together provides a good example of how kids can be kept on the right track.

The West Side youth program is concentrated on building self esteem of high-risk youth, mostly minorities, through mentoring and anti-gang programs.

''The program showed me that there were two paths for me: One, the life of a gang member, and the other something that involves giving back to my community,'' said Roberto Galaviz Jr.

One year away from getting a degree in management from Concordia College, Galaviz is the program director of Teens Networking Together, a program he joined seven years ago to keep himself out of trouble. He still has gang members as friends, he said, but the program has made his life different from theirs.

Galaviz said critics of youth programs for high-risk kids should visit the Teens Networking Together center to see the progress it has made in the West Side community.

''The people who are doing the criticism don't know the hardships and obstacles of being minority and living in the inner city. This program gives people like me a goal and direction in life.''

The RAND study of crime prevention programs comes at a time when congressional Republicans are proposing yet again to increase penalties for juvenile offenders, and to eliminate the Office of Juvenile Justice in the Justice Department,—the primary source of leadership and funding for crime prevention.

It also comes at a time when juvenile jails are dangerously overcrowded.

The RAND study does not suggest ''that incarceration is the wrong approach'' to this rising tide of juvenile crime, the authors said in a statement. Nor that the three-strikes laws, which affect primarily adults, are not worth their high cost.

However, the current obsession with longer and tougher sentences has produced a ''lopsided allocation of resources,'' they said, that gives short shrift to preventing crime among kids who can still be saved.

## HONORING THE 20TH ANNIVERSARY OF THE LONG'S PEAK SCOTTISH HIGHLAND FESTIVAL

### HON. WAYNE ALLARD

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. ALLARD. Mr. Speaker, I would like to take this opportunity to recognize the 20th anniversary of the Long's Peak Scottish Highland Festival which will be celebrated September 5–8 in Estes Park, CO. In the past, I have had the honor of participating in this event which highlights the contributions and ethnic cultural roots of the Celtic people of the United States.

I would like to commend the festival committee on its ability to orchestrate one of the largest and most diversified events in North America. Not only does the Long's Peak Scottish Highland Festival celebrate the long-term alliance of the United Sates, Canada, and Great Britain, it exemplifies the attributes of hard work and perseverance.

Mr. Speaker, it is my pleasure to congratulate the Long's Peak Scottish Highland Festival on 20 very fine years, and to honor one of the largest events of its king in North America by recognizing September 5–8, 1996, as ''20 Years of Celtic Tradition Week.''

## TRIBUTE TO ESTHER LEAH RITZ

### HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. KLECZKA. Mr. Speaker, I rise today to pay tribute to my friend, Esther Leah Ritz, who is being honored by the Jewish Community Centers Association of North America with the 1996 Community Builder's Award.

In honoring Esther Leah, the JCCA is paying tribute to an individual who has done so much for the Jewish community. Esther Leah has played a major role in several local and nationwide organizations, including serving as president of the JCCA. In addition, she has provided leadership for Americans for Peace Now, the Council of Jewish Federations, and the World Confederation of Jewish Community Centers.

Throughout her career, Esther Leah has also been a strong advocate for promoting Jewish education, both formal and informal. As president of the JCCA, she implemented the Commission on Maximizing the Effectiveness of Jewish Education. Her leadership on this issue has served as an example for all within the Jewish community to follow.

Over the years, Esther Leah has become a good friend and a trusted adviser. I have called on her for advice throughout my career on various topics, especially for her input on Israeli issues that are debated by this body. She always provides me with an honest, well thought out view of issues important to the Jewish community and to all Americans.

The Jewish Community Centers Association has made an excellent choice in bestowing upon Esther Leah the Community Builder's Award. I share in her family's pride for her receiving this recognition.

Congratulations, Esther Leah, that is an honor that is well deserved.

## IN MEMORIAM—BRIAN WILLIAM McVEIGH

### HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. MICA. Mr. Speaker, Brian William McVeigh, Airman First Class, U.S. Air Force, was born in Sanford, FL and a resident of Debary, FL. Airman McVeigh was killed in a terrorist attack in Dhahran, Saudia Arabia June 25, 1996. The following are remarks by U.S. Congressman JOHN L. MICA at his memorial service at the Trinity Assembly of God Church in Deltona, FL on July 3, 1996:

We come together as loved ones, neighbors and Christians to recall the life of Brian McVeigh. We come together today to honor the service of Brian McVeigh to his country. How honored am I as Brian's Congressman to be asked to help pay tribute to his memory. However, as my first responsibility I must on behalf of the entire Florida congressional delegation and on behalf of all the citizens of our community and State extend my deepest sympathy to Brian's family and loved ones.

To Brian's parents and especially his mother Sandy Wetmore, I cannot think of any greater sacrifice than for a mother to loose a son in service to his country. To Brian's loved ones and his fiancé—we as a community share your grief. To Brian's friends we as a community mourn your loss. To the terrorist who cowardly took Brian and 18 other Americans from us we will not rest until justice is served. Today we gather as a family, friends, and a community to remember Brian's sacrifice and death in service to our country. Tomorrow, ironically we celebrate the anniversary of the birth of our Nation.

Without the service and sacrifice of patriots and heroes like Brian McVeigh there would be no Independence Day. There would be no America as we know it. So today we recall as we have for 220 years that freedom has never been free. Today we honor a modern patriot, Brian McVeigh for his life, his service, and his love.

Brian's life should be a reminder of a comment he was said to have made, that ''He wanted to give something back to this country.'' Brian's service to his country should be remembered by us all, for he placed it before his own life and he sacrificed his life in service to all Americans. Brian's love we celebrate together today, his love for his mother, his love for his fiancé and family and his love for his God and his country. The sad part about today is that we cannot have one brief moment as loved ones to tell Brian how much we cared. The sad part about today is that we cannot have one moment as friends and a community to tell Brian how much his service to our Nation meant to each of us.

The wonderful thing about today is we have Brian's life to remember as an example to all of us. So as we gather this week to celebrate our Nation's birth and everyday and every holiday, let us remember Brian and all the other patriots whose memory we must always cradle in our hearts. Let us remember our hero, Brian McVeigh.

May God bless Brian and God bless America.

## ARTISTIC DISCOVERY

### HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. KING. Mr. Speaker, it gives me great pleasure to take this opportunity to honor some very special and talented young people from my district. The students who participated in the ''Artistic Discovery'' Congressional Art Competition are all deserving of praise for their efforts.

These students each demonstrated remarkable enthusiasm, boundless creativity and outstanding artistic talent. I was awed by the remarkable display of artwork at the Third Congressional District's local competition.

As the honorary chairman of this event, I enjoyed meeting with the young artists and viewing the fruits of their artistic expression. I like to congratulate all of the students from my district who took part in this event, beginning with the first prize winner, Christopher Papa of Farmingdale High School. Other award winners were second prize winner, Sarah Han of Manhasset High School; third prize winner Jeremy Pama of Syosset High School, and honorable mention winners, Glenn Steinle of Farmingdale High School, Christine Sampson of Island Trees High School, Sara Becker and Sari Gordon of Oceanside High School, Dan Torok of Seaford High School, and Chris Boniface of Wantagh High School.

The following students also submitted entries to the Congressional Arts Competition: Bellmore J.F.K. High School: Stephanie Barge, Janis Temchin; Hicksville High School: Janine Friedmann, Dawn Sumner, Tania Trikha, Kristen Wigand, Antonio Jimenez, Nicole Terranova, Myra Velez; Island Trees High School: Kathryn Curran, Victoria Gonatas, Joe Manzella, Janine Minai, Justin Orlando, Dawn Giunta, Jesica Linzie, Melissa McMills, Richard Molinelli.

Manhasset High School: Jeremy Arambiro, Matt Despegni, Doug Gilman, Chelsea Karges, Leslie Koch, Serena Dawn Leong, Sylvia Lin, Juan Mialon, Hector Orihuela, Katie Reilly, Meredith Trufelli, Dwayne Wilson, Ella Berroya, Elizabetha Donoghill, Richard Kim, Rebekka Kuhn, Daniel Leung, Matt McCann, Juan Nealon, Sarah Outten, Sarah Richardson, Kareem Wallace, Tom Young.

Oceanside High School: David Burtman, Hadass Dagan, Pamela Gordon, Deborah Graffigino, Alexandra Lasky, Danielle Marchetta, Jessica Milberg, Nicole Nolan, Mike Postle, Aimee Smith, Alexandra Beloshkurenko, Lorraine Cerami, Joe Fotana, Matt Herr, Sara Lieberman, John Marino, Anthony Nicolo, Robert Peppers, Scott Segal, Lauren Williamson.

Seaford High School: Anthony Carozza, Lenore Madonia, Kimberly Seluga, Keith Hunter, Paul Marko, Bonnie Thompson, Christine White; Syosset High School: Jaqueline Dashevsky, Lauren Merril, Bruce Gilbert; Wantagh High School: Denise Becker Shawn, Allison Galvin, Annie Lo, Donna Pearson, Shanna Greenberg, Jacqueline Moon, Lisanne Todaro.

## LAFAYETTE DAY CELEBRATION TO HONOR THE NAMESAKE OF FAYETTE COUNTY

### HON. FRANK MASCARA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. MASCARA. Mr. Speaker, I rise today to make my colleagues aware of a special event which will occur in my district this weekend. It is the first annual Lafayette Day celebration to be held in Uniontown, PA, on July 14, 1996. As part of this day's events, I will help dedicate a center at the Uniontown Library honoring this French soldier.

Many of you may not know, but the Marquis de Lafayette is the namesake of Fayette County, a portion of which lies in my district. A member of a titled, military family, Lafayette was enamored with Benjamin Franklin's writings about freedom. As a result, spending his own money, he traveled to this country at the age of 17 on his way to join George Washington at Valley Forge to help fight the Revolutionary War. General Washington was so impressed with young Lafayette that he was soon commissioned as a major general in the Continental Army.

After helping to win freedom for our country, Lafayette returned to France and aided the French Revolution. He came back to America in 1825 with his son, appropriately named George Washington Lafayette. The pair traveled for a year throughout our Nation and made a triumphant return to Fayette County. Lafayette was so taken with the area that legend has it that he took a trunk full of the county's soil back home to be placed on his grave.

The leaders of Uniontown, anxious to promote tourism and economic development, have joined with the Fayette County Tourism Advisory Board in planning the Lafayette Day events for this coming Sunday. Next year, they plan to expand the celebration to a weeklong event which will feature French dignitaries and Lafayette descendants.

Their long-range hope is that this annual event will lead to the construction of the Hall of Fame of Freedom, a museum which would not only honor Lafayette's deep commitment to freedom, but also George C. Marshall, who was born and raised in Uniontown, and many other historical figures who grace Fayette County's colorful history.

Mr. Speaker, the citizens of Fayette County should be very proud of this event and hope fully they, and any citizens and Members visiting in the area, will stop by and enjoy this wonderful and important celebration.

## CELEBRATING WEST VIRGINIA'S HERITAGE: HOMECOMING '96

### HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. RAHALL. Mr. Speaker, not so long ago, West Virginia was known primarily as a mighty coal producing State fueling much of America's economy. Many Americans simply did not know all West Virginia had to offer. However, thanks to the hard work and dedication of the people of West Virginia, we are opening our doors to show America and the world what all West Virginians know; our State has much to offer.

Since 1989, West Virginia has gone through a metamorphosis that has put the most beautiful butterfly to shame. We have invested $1 billion in computers for our classrooms, and placed them in modern schools that can handle the latest technology. Our roads and bridges are in the best shape in our history, our rural health program is considered a national model, and the public safety program is considered one of the best in the Nation.

And, Mr. Speaker, we are proud of our accomplishments. We want all Americans, especially West Virginians who have left, to come home and take note of the progress we have made, as well as our plan for the future. That is why we are engaged in a statewide effort known as Homecoming '96.

Homecoming '96 is a celebration of West Virginia. It's the largest community effort ever undertaken in our State—a celebration of our heritage and our future. Under the direction of steering committee cochairs Senator ROBERT C. BYRD and country music superstar Kathy Mattea, Homecoming '96 has many exciting statewide events planned.

We are inviting old and new friends to return to West Virginia and experience the unparelled beauty and friendship we have to offer. We invite everyone to travel our highways and take part in our rich heritage.

Mr. Speaker, there are over 300 communities in West Virginia participating in Homecoming '96, 78 of which are in my district. These communities have planned many activities for all people of all ages. For example, in Bluefield, the Historic Railroad Association has planned a train excursion in Mercer County. In Huntington, the celebration of the city's 125 birthday will coincide will Homecoming '96 activities, and in my hometown of Beckley, a Labor Day weekend concert will take place.

1996 is the year the residents of West Virginia recognize each other for the tremendous accomplishments made in the past. We are excited to show the world just how beautiful the Mountain State really is. Whether it's skiing the white peaks or thundering down the great New River, West Virginia is a State with much to offer.

Many past and current residents of the State will be sporting attractive Homecoming '96 pins and bumper stickers to encourage all Americans to join us in the most wondrous of celebrations. Many of these people will be more than happy to lead you where the delicious smell of apple butter is being made or homemade pies being cooled.

I close by inviting my colleagues, present and past residents of West Virginia, as well as all Americans, to come home to West Virginia and join the festivities this summer.

Mr. Speaker, I ask that the names of the communities in the Third Congressional District participating in Homecoming '96 be entered into the record: Alderson, Ansted, Athens, Ballard, Barboursville, Beckley, Big Creek, Bluefield, Boomer, Bramwell, Brenton, Buckeye, Camden on Gauley, Caretta, Ceredo, Chapmanville, Crumpler, Danville, Delbarton, Diana/Jumbo, Durbin, Fayetteville, Fort Gay, Frankford, Gary, Gauley Bridge, Gilbert, Greenbrier, Greenville, Hacker Valley, Hamlin, Hanover, Hinton, Huntington, Itman, Jodie, Jumping Branch/Nimitz, Kenova, Kermit, Kopperston, Lansing, Lerona/Speedway, Lewisburg, Lindside, Logan, Madison, Marlinton, Matewan, Matoaka, Maxwelton, Meadow Bridge, Milton, Montgomery, Mullens, Nemours, Northfork, Oak Hill, Oakvale, Oceana, Pence Springs, Peterstown, Pineville, Pipestem, Princeton, Prosperity, Rainelle, Renick, Ronceverte, Smithers, Sophia, Spanishburg, Summerslee, Summersville, Sylvester, Talcott, Union, War, Webster Springs, Welch, West Logan, West Virginia State Fair, White Sulpher Springs, Whitesville, Williamsburg, Williamson, and Wolf Creek.

## THE PRISON WORK AND VICTIM RESTITUTION ACT

### HON. JOHN E. ENSIGN

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. ENSIGN. Mr. Speaker, today, I introduced bipartisan legislation, the Prison Work

and Victim Restitution Act of 1996, with 15 of my colleagues. This measure builds on our efforts to reform the Federal prison system and reduce recidivism among released inmates while promoting justice for victims and society. My bill is a tough measure, but its intent goes far beyond simply punishing inmates.

One of the major barriers to the successful rehabilitation of Federal prison inmates has been the weak work requirements contained in the Omnibus Crime Control Act of 1990. The 1990 Crime Control Act does not require a minimum work requirement for inmates. Although it costs over $21,000 annually to care for each prisoner in the Federal prison system, a statutory minimum workweek for prisoners does not exist. Instead, the United States Code touches on the subject with vague language which simply states that it is the policy of the Federal Government that prisoners should work.

The reality is that the average workday for a prisoner in the United States is only 6.8 hours long. While some States have longer workdays, the average prisoner is working fewer hours than the taxpayer who supports him.

Mandatory work for prisoners should serve the dual purpose of compensating taxpayers and victims while instilling values and responsibility in those who have failed to live within an orderly society. The Prison Work and Victim Restitution Act of 1996 would correct some of the basic failings of our criminal justice system by requiring Federal prisoners to work at least 50 hours per week. The earnings of prisoners will be distributed as follows: one-third to compensate the Bureau of Prisons for the cost of incarceration, one-third to a victim restitution fund, one-tenth to be placed in a savings account for an individual prisoner, and the remainder, 23 percent, will go to States which enact the same work requirements for their own prison systems.

My legislation clarifies that OSHA and the Fair Labor Standards Act—including minimum wage—do not apply to inmates. It also prohibits prisoners from engaging in nonrehabilitative behavior such as smoking, possessing pornography, and listening to vulgar music. Drug testing is mandatory.

This bill addressed the problem of ensuring there is an adequate supply of paying work for prisoners. My legislation permits UNICOR, the prison industries system, to expand and allows nonprofit agencies—many of which receive Federal grants to combat crime and poverty in our communities—to use prison labor.

Justice Fellowship, a national organization committed to restoring justice to victims and society and promoting work for prisoners, has endorsed the Prison Work and Victim Restitution Act.

I urge my colleagues to join me in supporting this important bill.

## THE FULBRIGHT PROGRAM—THE VALUE OF EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

### HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. LANTOS. Mr. Speaker, one of the profound successes of our Nation's foreign policy and one of the critical programs that has provided critical support for democracy and respect for human rights has been our Nation's farsighted educational and cultural exchange programs, which are administered through the U.S. Information Agency.

Just a few days ago, Mr. Speaker, the Subcommittee on International Operations and Human Rights of the Committee on International Relations held an excellent oversight hearing on these vital programs. My colleagues on that committee from both sides of the political spectrum expressed strong bipartisan support for these essential educational and cultural exchange programs.

Mr. Speaker, the Ambassador of the Czech Republic, His Excellency Michael Zantovsky, recently sent an excellent letter to Dr. Joseph Duffey, the outstanding Director of the U.S. Information Agency, expressing his and his country's enthusiastic support for the Fulbright Program. His letter is typical of the ardent support that has been expressed by many foreign leaders for the Fulbright Program and for other educational and cultural exchange programs administered by the USIA.

Mr. Speaker, I ask that Ambassador Zantovsky's letter be placed in the RECORD and I urge my colleagues here in the Congress to give that letter thoughtful and serious consideration. The small amount of money that we spend on the Fulbright Program and on the other cultural and educational exchange programs under USIA is among the most important and worthwhile investments in our Nation's future. I urge my colleagues to join me in enthusiastic support for these programs.

THE CZECH AMBASSADOR,
*Washington, DC, June 25, 1996.*

DR. JOSEPH DUFFEY,
*Director, U.S. Information Agency,*
*Washington, DC.*

DEAR MR. DUFFEY: It is my particular pleasure to inform you about the significance the Czech Republic attributes to the renowned Fulbright Program.

Even before 1989, thanks to this Program, the then Czechoslovak scholars, experts, and students had a unique opportunity during their stay in your country to be exposed to a free democratic society, to the most recent advances in science, and to the creative environment of U.S. universities. After having come back home, they brought fresh, unworn ideas and approaches that transformed society and re-established democracy in our country.

The Velvet Revolution brought enhancement to the Fulbright Program. Each year about twenty to thirty Fulbrighters come to the Czech Republic, and a similar number visit the United States. Many American professors coming to our country develop the fields of American Studies, American Literature, Economics, Political Science—i.e. areas that were rather weak or even missing under the previous regime. Their contribution to reforming university curricula is of critical importance. The American students within the Fulbright Program are extremely interested in our arts, history, and political economy in relation to privatization. On the other hand, Czech Fulbrighters in the U.S. are active in teaching the Czech language, literature, and film for many Slavic departments within your universities. At your prominent research institutions, many technically oriented Czech Fulbrighters benefit from developing their research projects and studies in physical, biological, and engineering sciences.

Needless to say, the exchange of students and researchers is mutually beneficial. One's own professional and personal enrichment is surpassed by the enrichment of the society as a whole. Through an individual's encounter with a different culture, one gains an experiential knowledge of cultural conditions that impact very basic policies and questions—e.g., how to establish future entrepreneurial activities and in what markets. In addition, Fulbrighters become consumers from within that society, gaining a practical level of intellect, the insight that cannot be replicated from reading a textbook or seeing a movie. And, most importantly, there is the multiplier effect because of their enthusiasm to share it with their colleagues and friends.

The Czech Government, being aware of all the merits of the Fulbright Program and its outstanding significance among any other international programs, has decided to increase its funding up to 40% of the U.S. contribution. It is our strong belief that the U.S. Congress, taking into account all the benefits of this wonderful and unique educational and research program, will continue to support it at the current level.

Sincerely,

MICHAEL ZANTOVSKY,
*Ambassador.*

## IMPLEMENTATION OF THE CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY ACT, PUBLIC LAW 104–114

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. HAMILTON. Mr. Speaker, unless the President decides by July 16, 1996, to exercise his authority to suspend its implementation, title III of Public Law 104–114, the Cuban Liberty and Democratic Solidarity Act, will take effect on August 1. Title III of Public Law 104–114 grants U.S. citizens the right to sue foreign companies that may be using or otherwise benefiting from properties seized by the Castro government following the Cuban revolution in 1959. A key objective of this title is to encourage foreign firms to abandon existing investments in Cuba, and to discourage future investment.

I believe implementation of title III of Public Law 104–114 would be contrary to U.S. national interests in two ways. First, by escalating pressure on the Cuban economy, title III will increase, rather than decrease the chances for a peaceful transition to democracy in Cuba. Second, by penalizing foreign companies for commercial conduct toward a third country, title III will provoke trade conflict with many close friends of the United States, countries with which we cooperate on a range of issues. Several foreign governments have already warned that they may take retaliatory steps, and that could cost U.S. jobs.

I commend to the attention of Members two valuable statements on the implementation of Public Law 104–114. The first is a briefing paper written by Jorge I. Dominguez, coordinator of the Task Force on Cuba of the Inter-American Dialogue and Professor of Government at Harvard University. The second is a letter to the President from five major business groups: the U.S. Chamber of Commerce, the National Foreign Trade Council, the Organization for International Investment, the European-American Chamber of Commerce, and the U.S. Council for International Business.

Both statements make a persuasive case for a waiver of title III of Public Law 104–114, and the business letter demonstrates the broad support for a waiver in the U.S. business community.

The implementation of the Helms-Burton legislation raises two key questions for US policy. Does Helms-Burton serve U.S. interests? And will the legislation help promote democratic change in Cuba? The immediate policy issue that President Clinton faces with regard to the Helms-Burton legislation is whether to waive application of its Title III. This title, the most controversial in the legislation, would permit U.S. citizens and firms to sue in U.S. courts to obtain compensation from non-U.S. firms that, through investment or trade, ''traffic'' in the properties or enterprises seized decades ago by the Cuban government.

INTERNATIONAL TRADE

The major trading partners of the United States in Canada, Europe, Latin America, and East Asia have expressed concern and anger over the Helms-Burton legislation. They consider the law a violation of international trade agreements establishing the World Trade Organization and the North American Free Trade Area. Title III of the legislation is viewed by every major country as detrimental to its relations with the United States.

U.S. interests will suffer even if none of the governments retaliate against the United States for violations of international conventions. Other countries might more readily violate the international trade regime because of the U.S. violation. This U.S. policy is eroding that regime that the United States has worked so hard to construct. Moreover, the United States has long opposed ''secondary boycotts'', and U.S. legislation prohibits U.S. firms from participating in such boycotts. Yet the Helms-Burton legislation mandates a secondary boycott on other nations.

THE ECONOMIC EFFECTS IN CUBA

The long-standing U.S. embargo on the Cuban economy has had several economic effects. It has caused a rise in the costs to Cuba and the Cuban government of engaging in any international economic activities and it has raised the profits of those firms that are active in the Cuban market. Foreign investors are well aware of the political risks posed by investments or trade with Cuba, so they demand and receive from the Cuban government ''sweeter deals'' than those offered elsewhere in Latin America or the world. And because Cuba must offer more attractive concessions to international traders and investors, Cuba pays a higher cost to participate in international economic activity than it otherwise would. Moreover, firms that invest in Cuba face no competition from U.S. businesses.

The Helms-Burton legislation magnifies each of these effects, and adds one more. It sorts out firms that trade with Cuba by size. Large international firms—because they are likely to do business with the United States—will be discouraged from trading or investing in Cuba. But smaller firms that do not operate in the U.S. market are not exposed to Helms-Burton retaliation. These will find it extremely attractive to invest in Cuba. These economic effects, however, do not advance democratic change in Cuba.

SIGNIFICANCE FOR U.S. POLICY

From the perspective of U.S. policy, the achievements of Helms-Burton are: (1) increased economic costs have been imposed on Cuba, punishing its government for shooting down the two Cessna planes on February 24, and (2) the legislation communicates clearly to all governments and firms the serious U.S. government disapproval of their economic relations with Cuba. Neither of these accomplishments, however, helps to foster democracy in Cuba.

DEMOCRACY IN CUBA

The political consequences within Cuba of Helms-Burton have been either irrelevant or counterproductive in terms of promoting liberty and democracy. For example:

The Cuban government has persevered in its policy of economic opening as though the legislation did not exist.

The legislation has provided the Castro government—appearing as the defender of the homeland under attack from a powerful neighbor—with an opportunity to rally nationalist support, even from many Cubans who otherwise oppose their government's policies.

The Helms-Burton legislation, in effect, told the Cuban government that it could repress as it pleased because there is no change left of improving its relations with the United States. The Cuban government has reversed none of the repressive acts that preceded the passage of Helms-Burton.

Within ten days of President Clinton signing the Helms-Burton Act, General Raul Castro launched attacks on various Cuban academic institutions and intellectuals, further chilling public expression and curtailing academic freedom.

There are some positive political developments in Cuba, but these are the result of the longer-term economic opening and the continuing engagement with Cuba of the governments of Canada, the European Union, and Latin America. They include, for example, the recent authorization of free trade zones, which may enable some firms to contract their own labor rather than relying on the Cuban government to supply it; the loss of full state control over the economy and the flourishing illegal markets; and the government's authorizing some self-employment and farmers' markets. Castro has, in short, felt compelled to allow an economic policy shift despite his distaste for capitalism. Citizens have begun to take control of their economic lives, and the private economy has begun to finance a re-birth of civil society. Former state farms, newly turned into cooperatives, have begun to display greater autonomy, some even dismissing long-time bosses. Some poor Cubans have gained political independence. These democratizing political effects from economic changes are not surprising. The surprise is that U.S. policy toward Cuba is at odds with a long-standing U.S. belief in open markets as a mechanism to open politics.

COSTS TO THE UNITED STATES

President Clinton needs to recognize the costs associated with the Helms-Burton Act. The legislation has already cause friction for the United States in its diplomatic and trade relations with its principal trading partners; these costs would rise if Title III of the act is fully implemented. Liberty and democracy in Cuba have not been advanced by this legislation, and, in some cases, the Castro government has been strengthened and political repression has become more intense. Were Title III to be enacted, U.S. courts would be flooded with lawsuits.

Waiving Title III would reduce these costs somewhat, and would also give the U.S. government leverage it would otherwise lack—leverage to continue to pressure Cuba in the near future. Uncertainty over the application of title III for another six months would serve as a deterrent to trade with and investment in Cuba. By waiving now the implementation of Title III, the United States would reserve full implementation for a later date, thereby retaining an instrument to pressure the Cuban government on an ongoing basis, an a means to retaliate should the government break international law once again. A waiver would also be consistent with the design of the Helms-Burton Act, which contemplates a calibrated and protracted process of implementation capable of imposing costs on Cuba over a sustained period of time.

Signing the waiver would reduce the damage to general U.S. interests; may reduce the adverse effects that Helms-Burton has had on Cuba's prospects for political change; and will create leverage for future use consistent with the logic of coercion that underlies the legislation.

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JULY 1, 1996.

The PRESIDENT,
*The White House,*
*Washington, DC.*

DEAR MR. PRESIDENT: As representatives of a broad cross-section of the U.S. business community, we urge you to suspend for six months the effective date of Title III of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act.

As you have frequently explained to the American people, the United States' ability to benefit from the global economy is dependent on strong, stable, and reliable rules. We believe that these benefits are jeopardized by the enormous friction that will result if Title III is allowed to take effect. Some of our closest allies and most important trading partners are contemplating or have legislated countermeasures. U.S. firms will bear the brunt of these countermeasures. We believe that suspending the effective date would permit you to accomplish the purposes of the law without needlessly jeopardizing U.S. interests.

Many of our member companies had property in Cuba that was expropriated by the Castro regime. Yet, many of these companies, constituting some of the largest certified claimants, do not believe that Title III brings them closer to a resolution of these claims. To the contrary, Title III complicates the prospect of recovery and threatens to deluge the federal judiciary with hundreds of thousands of lawsuits. These companies, Title III's intended beneficiaries, support our view that Title III should be suspended at this time.

We would also note that Section 207 of the law requires the Administration to prepare a report giving its estimate of the number and value of such claims. That report is not due until September. A six month suspension from August 1 would give the Administration time to fully assess the impact of Title III and consult further with our allies.

Finally, we believe that if Title III were to become effective, it would drive a wedge between the United States and our democratic allies that would significantly hinder any future multilateral efforts to encourage democracy in Cuba. For this, and the reasons stated above, we urge you to act in the interest of the United States by suspending the effective date of Title III of the LIBERTAD Act.

Sincerely,
The National Foreign Trade Council.
Organization for International Investment.
U.S. Chamber of Commerce.
European-American Chamber of Commerce.
U.S. Council for International Business.

## INTRODUCTION OF THE ISTEA INTEGRITY RESTORATION ACT

### HON. TOM DeLAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. DELAY. Mr. Speaker, today I am introducing a bill that will dramatically improve the current system of allocating Federal highway funds. But first I would like to pay tribute to my colleague and fellow sponsor, GARY CONDIT, for his leadership on the Democrat side on this vital issue. I would also like to recognize the tremendous efforts made by my good friend and colleague, JOHN HOSTETTLER, who as cochair of the I–69 Mid-Continent Highway Caucus has demonstrated an unparalleled commitment to reforming the Highway Fund Program. We would not have built up the support that currently exists for this bill without his help.

Although I shared in the excitement of celebrating the 40-year anniversary of our Interstate System last month, it saddens me to think about how the formulas we use today to distribute Federal highway funds to the States have broken down alongside the road. As our Nation speeds into the 21st century, those formulas force State departments of transportation to steer the development of our Nation's transportation system with both hands firmly grasping the rear view mirror.

To try to remedy this situation, Mr. CONDIT and I, along with 37 of our colleagues on both sides of the aisle, are introducing The ISTEA Integrity Restoration Act. It is our hope that this legislation will serve as a basis for discussion during the reauthorization process. Our bill accomplishes four primary objectives:

Funds the National Highway System as the key Federal responsibility:

Simplifies and makes more flexible the Federal Highway Program;

Updates the antiquated Federal funding distribution formulas; and

Equitably balances the amount of Federal gas tax dollars collected from each State with the amount of funding each State receives back from the Federal highway trust fund.

When enacted, our proposal will at least focus our Nation's surface transportation programs on the 21st century. State DOT's can finally let go to the rear view mirror and get their hands firmly on the steering wheel.

FOCUSING FEDERAL RESPONSIBILITY

By maintaining a strong National Highway System program that includes the interstate, the ISTEA Integrity Restoration Act recognizes that the purposes of the NHS—national defense, interstate and international commerce, and the safety and mobility of our people—are the basic responsibilities of the Federal Government and should shape the Federal role in transportation.

SIMPLICITY AND FLEXIBILITY

As America enters the 21st century, and encounters the many challenges and opportunities that it will offer, our Nation needs a streamlined Federal surface transportation program that will position its citizens and economy to respond well to this dynamic new era.

The ISTEA Integrity Restoration Act consolidates various existing Federal highway programs into two simple and focused programs:

The National Highway System Program [NHS] consolidates the Interstate Maintenance Program and the NHS portion of the Bridge Reconstruction and Rehabilitation Program.

The Streamlined Surface Transportation Program [SSTP] blends the Congestion Mitigation and Air Quality Improvement Program, enhancements, the non-NHS Bridge Program and others into the existing Surface Transportation Program to create a new, broader category.

Our bill continues the eligibility of all current ISTEA activities, but gives State and local transportation officials the responsibility and authority to decide on what, when, where, and how much to spend to meet their diverse transportation needs. Too often State DOT's have a surplus in one category and inadequate funding in another because the Federal Government has decided it knows better than the State what its needs are.

The ISTEA Integrity Restoration Act will ensure that States—working together with their local partners—can respond to their own needs with individual solutions, instead of being limited by the current array of one-size-fits-all Federal requirements.

UPDATING FORMULAS

Since ISTEA went into effect, with the exception of the Interstate Maintenance Program neither a State's population, the size of the system of highways and bridges, nor the number of people or tons of freight moving across a State's highway has made any difference in the share of Federal-aid highway funds it receives.

Instead, each State's share of these funds today is determined by the share of all highway funds that State received between 1987 and 1991. And the share of all highway funds a State received between 1987 and 1991 was determined in part by that State's population in 1980, nearly 20 years ago. Other factors in determining the 1987-to-1991 share include the size of the State's highway system during that period and the traffic that system carried.

Perhaps the most irrelevant factor is the number of rural postal delivery miles in the State—a measure the post office quit using more than 40 years ago. These formulas penalize States that are home to increasing numbers of Americans and dramatically increasing traffic.

The ISTEA Integrity Restoration Act's system of apportionment is simple, free from the obsolete characteristics of the current Federal funding system, and is related the real world. It is based on relevant factors such as the size of the public highway system in each State, the wear and tear on highways caused by the intensity with which a State's highway system is used, and the greater transportation needs of urban areas.

FAIRNESS AND EQUITY

The ISTEA Integrity Restoration Act also creates an objective, simple methods of distributing highway funds among the States that strikes a more equitable balance between the contributions each State's motorists and motor carriers pay in the Federal highway trust fund and the funds returned to the State from that fund. Our bill establishes the following two programs:

An Equity Program which ensures that all States receive at least a 95-percent return—including attributable interest and other assets—on the payments made to the Federal highway trust fund. Ideally, the NHS Program and SSTP would provide more than a 95-percent return for all States. If not, the Equity Program would ensure this 95-percent return level.

An Access Program which ensures an adequate level of resources for highways in large land area, low-population density States, and in States with small land area and low-population density. This would help provide the road systems that are urgently needed for national mobility, economic connectivity, and national defense.

CONCLUSION

The DeLay/Condit ISTEA Integrity Restoration Act is not a radical departure from ISTEA. It builds on traditional partnerships while modernizing Federal aid formulas that are inadequate to meet the mobility and economic development needs of the next century. This act strikes the appropriate balance between the national interests in highways, and the rights and responsibilities of each State. I hope this Congress will look favorably upon it in the months to come.

## INTRODUCTION OF THE THRIFT CHARTER MERGER COMMISSION ACT OF 1996

### HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 10, 1996*

Mr. ROTH. Speaker, I have introduced the bill, H.R. 3407, the Thrift Charter Merger Commission Act of 1996. This comprehensive bill would finally close the door on the costly savings-and-loan associations [S&Ls] cleanup. The bill would break a dangerous legislative deadlock over extremely complex banking and thrift issues and merge their charters.

The bill's purpose is to establish a bipartisan commission to examine and reconcile the maze of conflicting, overlapping, and obsolete legal and public policy issues in the merger. The commission would make legislative recommedations for the merger and for reorganizing Federal bank regulatory agencies to conform with the merged charter. This is an unusual approach—patterned on the successful military base-closing commissions. Additionally, the commission concept is combined with fast-tract legislative machinery utilized for trade legislation.

My bill provides a comprehensive mechanism for considering many thorny issues one by one.

While the commission could hold public hearings, its main work would be walled off from incessant partisan bickering. All the commission's proceedings, information, and deliberations would be open—upon request—to the banking committee members of House and Senate.

Here's how it would work. My bill would establish and independent commission of eight qualified persons representing a balance of interests. The commission members would be appointed by the President with the advice and consent of the Senate and after consultation with both majority and minority leaders of both House and Senate. A director and staff would be authorized to support the commission's work.

The commission would be empowered to hold public hearings, obtain official data, and

procure necessary support services from executive branch agencies. Duties of the commission are listed in the bill in some detail, including preparation of an implementing bill to merge the thrift and banking charters.

The commission would be directed to address at least 13 specific, particularly troublesome issues as follows: conversion period; form of bank charter; applicability to State-chartered thrifts; treatment of thrift powers; treatment of thrift holding companies; FICO carrying costs; recapitalization of the Savings Association Insurance Fund [SAIF]; branching; regulations; Federal Home Loan Bank membership; reorganization of Federal banking agencies; treatment of banking agency employees during and after any reorganization; and treatment of Oakar banks in conversion.

Appointments to the commission would have to be made by February 15, 1997.

The commission's final report and a proposed implementing bill would have to be submitted to the President and the Congress by October 1, 1997. After receiving comments from the President and the Congress, the commission would have to submit a revised final implementing bill to the Congress by December 1, 1997, or 30 legislative days after submission of the final report, whichever is later.

Fast-track legislative rules for consideration in House and Senate would then take effect. No amendments would be allowed. Committees of jurisdiction would be given 45 days to report the bill. Failing that, the bill would be automatically discharged for floor action within 15 days after leaving the committees. The bill could be brought up for floor consideration by a highly privileged, nondebatable motion by any Member.

The commission would cease to exist 30 days after submitting the final text of the implementing bill.

I wish to acknowledge the encouragement of both thrift and banking leaders in drafting this legislation.

We cannot afford to continue the hazardous stalemate over who should help pay for the remaining S&L cleanup costs and how to recapitalize the S&L deposit insurance fund. My bill provides a sensible, tested, workable way out of the banking-thrift gridlock.

I urge my colleagues to become cosponsors of the bill, to support its serious consideration, and to vote for its enactment.

I insert a section-by-section analysis of the bill and the text of H.R. 3407 at this point in the RECORD.

H.R. 3407—THRIFT CHARTER MERGER COMMISSION ACT OF 1996

SECTION-BY-SECTION ANALYSIS

Section 1: Purpose of the act is to establish a nonpartisan commission to examine the legal and public policy issues in merging thrift and bank charters, make legislative recommendations for the merger, and to reorganize Federal bank regulatory agencies to conform with the merged charter.

Sections 2, 3, and 4: An eight-member commission of qualified persons representing a balance of interests is to be appointed by the President with the advice and consent of the Senate and after consultation with both majority and minority leaders of both House and Senate. A director and staff are authorized to support the commission's work.

Section 5: Powers of the commission are authorized, including holding public hearings, obtaining official data, and procuring necessary support services from the Executive Branch.

Section 6: Duties of the commission are listed, including addressing 13 specific policy and technical issues and preparing an implementing bill to merge the thrift and banking charters. The 13 issues are: Conversion period, form of bank charter, applicability to state-chartered thrifts, treatment of thrift powers, treatment of thrift holding companies, FICO carrying costs, recapitalization of the SAIF, branching, regulations, Federal Home Loan Bank membership, reorganization of federal banking agencies, treatment of agency employees, and treatment of Oakar banks.

Section 7: A final report and a proposed implementing bill must be submitted to the President and the Congress by October 1, 1997. After receiving comments from the President and Congress, the commission must submit a revised final implementing bill to the Congress by December 1, 1997, or 30 legislative days after submission of the final report, whichever is later.

Section 8: Fast-track legislative rules for consideration in House and Senate are detailed. No amendments would be allowed. Committees of jurisdiction would be given 45 days to report the bill; failing that, the bill would be automatically discharged for floor action within 15 days.

Sections 9, 10, and 11: The commission would be terminated 30 days after the final text of the implementing bill is submitted to Congress and appropriations are authorized for carrying out the act.

H.R. 3407

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; PURPOSES.**

(a) SHORT TITLE.—This Act may be cited as the ''Thrift Charter Merger Commission Act of 1996''.

(b) PURPOSE.—It is the purpose of this Act to establish a nonpartisan commission to—

(1) examine the complex legal and public policies issues involved in the proposed elimination of savings association charters and the conversion of such institutions into banks, the short- and long-term consequences of such proposed actions on the financial services industry and consumers, and other related issues;

(2) make recommendations to the Congress on the most efficient, fairest, and least disruptive way to achieve the conversion of such institutions into banks and resolve the legal, policy, and other issues relating to the holding companies of such associations; and

(3) review ways to rationalize the regulation of depository institutions and reorganize the Federal banking agencies.

**SEC. 2. ESTABLISHMENT.**

There is hereby established a commission to be known as the ''Thrift Charter Merger Commission'' (hereafter in this Act referred to as the ''Commission'').

**SEC. 3. MEMBERSHIP.**

(a) NUMBER AND APPOINTMENT.—

(1) IN GENERAL.—The Commission shall be composed of 8 members appointed by the President, by and with the advise and consent of the Senate, from among individuals especially qualified to serve on such Commission by reason of their education, training, and experience.

(2) NOMINATION SCHEDULE.—The President shall transmit to the Senate the nominations for appointment to the Commission by no later than February 15, 1997.

(3) CONSULTATION WITH CONGRESS.—In selecting individuals for nomination for appointments to the Commission, the President should consult with—

(A) the Speaker of the House of Representatives concerning the appointment of 2 members;

(B) the majority leader of the Senate concerning the appointment of 2 members;

(C) the minority leader of the House of Representatives concerning the appointment of 1 member; and

(D) the minority leader of the Senate concerning the appointment of 1 member.

(4) PROHIBITION ON APPOINTMENT OF FEDERAL OFFICERS OR EMPLOYEES TO COMMISSION.—No officer or employee of any Federal department or agency, including any member of the Board of Governors of the Federal Reserve System, may be appointed as a member of the Commission.

(5) BALANCE OF INTERESTS.—Recognizing that the individuals with the experience and expertise which qualify them for service on the Commission are likely to have been employed by or represented depository institutions or Federal banking agencies, the President, in the consultations pursuant to paragraph (3) and the selection of individuals for nominations for appointments to the Commission, shall seek to attain a balance in the interests represented, at the time of the nomination or in the past, by members of the Commission.

(b) CHAIRPERSON.—At the time the President nominates individuals for appointment to the Commission, the President shall designate one such individual who shall serve as Chairperson of the Commission.

(c) TERMS.—Each member of the Commission shall serve for the life of the Commission.

(d) PUBLIC MEETINGS.—

(1) IN GENERAL.— Each meeting of the Commission, other than meetings in which classified information is to be discussed, shall be open to the public.

(2) OPEN TO MEMBERS OF CONGRESS.—All the proceedings, information, and deliberations of the Commission shall be open, upon request, to the following:

(A) The Chairman and the ranking minority party member of the Committee on Banking, Housing, and Urban Affairs of the Senate, or such other members of such committee as may be designated by such Chairman or ranking minority party member.

(B) The Chairman and the ranking minority party member of the Subcommittee on Financial Institutions and Regulatory Relief of the Committee on Banking, Housing, and Urban Affairs of the Senate, or such other members of such subcommittee as may be designated by such Chairman or ranking minority party member.

(C) The Chairman and the ranking minority party member of the Committee on Banking and Financial Services of the House of Representatives, or such other members of the committee as may be designated by such Chairman or ranking minority party member.

(D) The Chairman and ranking minority party member of the Subcommittee on Financial Institutions and Consumer Credit of the Committee on Banking and Financial Services of the House of Representatives, or such other members of the subcommittee as may be designated by such Chairman or ranking minority party member.

(e) VACANCIES.—A vacancy on the Commission shall be filled in the same manner as the original appointment.

(f) PAY AND TRAVEL EXPENSES.—

(1) PAY OF MEMBERS OF COMMISSION.—

(A) IN GENERAL.—Each member of the Commission, other than the Chairperson, shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(B) CHAIRPERSON.—The Chairperson of the Commission shall be paid for each day referred to in subparagraph (A) at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level III of the Executive Schedule under section 5314 of title 5, United States Code.

(2) TRAVEL EXPENSES.—Members shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(g) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act shall not apply with respect to the Commission.

**SEC. 4. DIRECTOR AND STAFF OF COMMISSION.**

(a) DIRECTOR.—

(1) APPOINTMENT.—The Commission shall have a Director who shall be appointed by the Commission.

(2) PAY.—The Director shall be paid at the rate of basic pay payable for level IV of the Executive Schedule.

(b) STAFF.—

(1) APPOINTMENT.—The Director, with the approval of the Commission, may appoint and fix the pay of such additional personnel as the Director considers appropriate.

(2) PAY.—An individual appointed pursuant to paragraph (1) may not receive pay in excess of the annual rate of basic pay payable for level V of the Executive Schedule.

(c) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Director and staff of the Commission may be—

(1) appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service; and

(2) paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

(d) EXPERTS AND CONSULTANTS.—The Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule.

(e) STAFF OF FEDERAL AGENCIES.—

(1) IN GENERAL.—Upon request of the Director, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties under this Act.

(2) LIMIT ON DETAILS FROM BANKING AGENCIES.—Not more than ⅓ of the staff of the Commission at any time may be employees detailed from Federal banking agencies.

**SEC. 5. POWERS OF COMMISSION.**

(a) HEARINGS AND SESSIONS.—The Commission may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate.

(b) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.

(c) OBTAINING OFFICIAL DATA.—

(1) IN GENERAL.—The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act.

(2) TRANSMITTAL BY AGENCIES.—Upon request of the Chairperson of the Commission, the head of a department or agency of the United States shall furnish information to the Commission.

(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(e) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this Act.

(f) CONTRACT AUTHORITY.—The Commission may contract with and compensate government and private agencies or persons for the lease of space and the provision of other services, without regard to section 3709 of the Revised Statutes.

**SEC. 6. DUTIES OF COMMISSION.**

(a) IN GENERAL.—The Commission shall carry out the purposes of this Act.

(b) CONSIDERATION OF SPECIFIC ISSUES.—In addition to such other issues as the Commission may find appropriate to review, and make recommendations with respect to, in order to carry out the purposes of this Act, the Commission shall consider and make recommendations with respect to the following issues:

(1) CONVERSION PERIOD.—The appropriate period of time during which a savings association would be required to convert to a bank charter or liquidate.

(2) FORM OF BANK CHARTER.—The form of any bank charter to which savings associations would be required to convert and the bank powers which would be associated with any such charter, including the feasibility of establishing a community bank charter with more limited commercial banking powers than full-service banks.

(3) APPLICABILITY TO STATE-CHARTERED THRIFTS.—The manner in which legislation requiring the conversion of savings associations to banks would be applied to State-chartered savings associations.

(4) TREATMENT OF THRIFT POWERS.—The treatment of powers of savings associations which are not permitted for banks following any conversion of a savings association to a bank.

(5) TREATMENT OF THRIFT HOLDING COMPANIES.—The extent to which the conversion of savings associations to banks should require a change in the existing savings and loan holding company framework, the powers of such companies (including diversified savings and loan holding companies), and the regulation of such companies (including consideration of the most appropriate regulator for such companies) and the appropriate period of time during which any such change should be implemented.

(6) FICO CARRYING COSTS.—All appropriate sources of funds for paying interest on, and other costs incurred in connection with the obligations issued by the Financing Corporation, including the surplus funds of the Federal Reserve System, net earnings of the deposit insurance funds, banks, savings associations, credit unions, Government corporations and other Government sponsored enterprises, unexpended funds appropriated to the Resolution Trust Corporation, and any other feasible source of funds.

(7) RECAPITALIZATION OF THE SAIF.—The manner in which the Savings Association Insurance Fund should be recapitalized.

(8) BRANCHING.—The appropriate treatment, after any conversion of an savings association to a bank, of branches which the savings association was operating before the conversion.

(9) REGULATIONS.—The extent to which the regulations applicable to savings associations differ from regulations applicable to banks, and the extent to which a transition period and special transition rules may be appropriate with regard to those areas where such regulations differ in connection with the conversions of savings associations to banks.

(10) FEDERAL HOME LOAN BANK MEMBERSHIP.—The manner in which membership eligibility and withdrawal requirements with respect to Federal home loan banks shall apply to savings associations following any conversion of the associations to banks and the extent to which banks should have unlimited access to advances from such home loan banks.

(11) REORGANIZATION OF FEDERAL BANKING AGENCIES.—The manner in which Federal banking agencies should be reorganized, consolidated, or abolished.

(12) TREATMENT OF BANKING AGENCY EMPLOYEES DURING AND AFTER ANY REORGANIZATION.—The appropriate treatment of employees of Federal banking agencies who are or would be affected by any reorganization, consolidation, or abolition of any Federal banking agency.

(13) ''OAKAR'' BANKS.—The appropriate treatment of banks which have deposits insured by the Savings Association Insurance Fund pursuant to section 5(d)(3) of the Federal Deposit Insurance Act in connection with the conversion of savings associations to banks.

(c) PREPARATION OF IMPLEMENTING BILL.—After completing consideration of the issues required to be considered by the Commission, the Commission shall prepare a bill consisting only of—

(1) provisions directly related to—

(A) the conversion of savings associations to banks;

(B) issues directly related to such conversions (including the issues specified in subsection (b)); and

(C) other purposes of this Act;

(2) if changes in existing laws or new statutory authority is required to carry out the purposes of this Act, provisions, necessary to carry out such purposes, either repealing or amending existing laws or providing new statutory authority; and

(3) provisions necessary for purposes of complying with section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 in connection with such legislative provisions.

**SEC. 7. REPORTS AND IMPLEMENTING BILL.**

(a) INTERIM REPORTS.—The Commission may submit to the President and the Congress interim reports as the Commission considers appropriate.

(b) FINAL REPORT.—

(1) REPORT REQUIRED.—The Commission shall submit a final report to the President and the Congress not later than October 1, 1997.

(2) CONTENTS.—The final report shall contain a detailed statement of the findings and conclusions of the Commission, together with a final draft version of the implementing bill prepared pursuant to section 6(c) and such recommendations for administrative actions as the Commission considers appropriate.

(c) FINAL IMPLEMENTING BILL.—

(1) IN GENERAL.—Before the later of December 1, 1997, or 30 legislative days after submitting the final report with the final draft version of the implementing bill to the Congress pursuant to subsection (b)(2), the Commission shall, after taking into account such comments on the final draft version of the implementing bill as have been transferred to the Commission by any committee of the House of Representatives or the Senate (which has jurisdiction over legislation involving subject matters which would be affected by the implementing bill), the Commission shall submit a final implementing bill to the House of Representatives and the Senate.

(2) COMPUTATION OF LEGISLATIVE DAYS.—In computing the number of legislative days

for purposes of paragraph (1), there shall be excluded any day on which either House of the Congress is not in session.

**SEC. 8. CONSIDERATION OF BILL IMPLEMENTING PURPOSES OF THIS ACT.**

(a) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—The provisions of this section are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of implementing bills described in section 6(c) and they supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(b) IMPLEMENTING BILL DEFINED.—For purposes of this section, the term ''implementing bill'' means only a bill of either House of Congress which is submitted by the Commission pursuant to section 7(c) and introduced as provided in subsection (c) (of this section).

(c) INTRODUCTION AND REFERRAL.—

(1) INTRODUCTION ON DAY OF SUBMISSION.—On the day on which an implementing bill is submitted to the House of Representatives and the Senate by the Commission under section 7(c), the implementing bill submitted shall be—

(A) introduced (by request) in the House by the majority leader of the House, for himself and the minority leader of the House, or by Members of the House designated by the majority leader and minority leader of the House; and

(B) introduced (by request) in the Senate by the majority leader of the Senate, for himself and the minority leader of the Senate, or by Members of the Senate designated by the majority leader and minority leader of the Senate.

(2) SUBSEQUENT INTRODUCTION IF A HOUSE IS NOT IN SESSION.—If either House is not in session on the day on which an implementing bill is submitted, the implementing bill shall be introduced in that House, as provided paragraph (1), on the first day after such date of submission on which the House is in session.

(3) COMMITTEE REFERRALS.—An implementing bill introduced in either House pursuant to paragraph (1) or (2) shall be referred by the presiding officer of such House to the appropriate committee, or, in the case of a bill containing provisions within the jurisdiction of 2 or more committees, jointly to such committees for consideration of those provisions within their respective jurisdictions.

(d) AMENDMENTS PROHIBITED.—

(1) IN GENERAL.—No amendment to an implementing bill shall be in order in either the House of Representatives or the Senate.

(2) NO MOTION TO SUSPEND APPLICATION OF SUBSECTION.—No motion to suspend the application of this subsection shall be in order in either House.

(3) NO UNANIMOUS CONSENT REQUESTS.—A request to suspend the application of this subsection by unanimous consent shall not be in order in either House and it shall not be in order for the presiding officer in either House to entertain any such request.

(e) PERIOD FOR COMMITTEE AND FLOOR CONSIDERATION.—

(1) COMMITTEE CONSIDERATION.—If any committee of either House to which an implementing bill has been referred has not reported such bill to such House as of the close of the 45th day after the introduction of the bill, the committee shall be automatically discharged from further consideration of the bill and the bill shall be placed on the appropriate calendar.

(2) VOTE ON FINAL PASSAGE.—A vote on final passage of an implementing bill shall be taken in each House on or before the close of the 15th day after the bill is reported by the committee or committees of that House to which the bill was referred, or after such committee or committees have been discharged from further consideration of the bill.

(3) CONSIDERATION BY 1 HOUSE AFTER PASSAGE OF BILL BY OTHER HOUSE.—If, before the passage by 1 House of an implementing bill of such House, the House receives the same implementing bill from the other House, then—

(A) the procedure in that House shall be the same as if no implementing bill had been received from the other House; but

(B) the vote on final passage shall be on the implementing bill of the other House.

(4) COMPUTATION OF LEGISLATIVE DAYS.—For purposes of this subsection, in computing a number of days in either House, there shall be excluded any day on which that House is not in session.

(f) PROCEDURAL RULES FOR FLOOR CONSIDERATION IN THE HOUSE.—

(1) HIGHLY PRIVILEGED MOTION.—

(A) IN GENERAL.—A motion in the House of Representatives to proceed to the consideration of an implementing bill shall be highly privileged and not debatable.

(B) MOTION NOT AMENDABLE.—An amendment to the motion described in subparagraph (A) shall not be in order.

(C) NO MOTION TO RECONSIDER.—No motion to reconsider the vote by which the motion described in subparagraph (A) is agreed to or disagreed to shall be in order in the House of Representatives.

(2) DEBATE.—

(A) TIME LIMIT.—Debate in the House of Representatives on an implementing bill shall be limited to not more than 20 hours, which shall be divided equally between those favoring and those opposing the bill.

(B) NONDEBATABLE MOTION TO FURTHER LIMIT DEBATE.—A motion to further limit debate on an implementing bill shall not be debatable.

(3) NO MOTION TO RECONSIDER OR RECOMMIT.—It shall not be in order in the House of Representatives to move to recommit an implementing bill or to move to reconsider the vote by which an implementing bill is agreed to or disagreed to.

(4) MOTIONS TO POSTPONE CONSIDERATION OR PROCEED TO CONSIDERATION OF OTHER BUSINESS NONDEBATABLE.—Motions to postpone, made in the House of Representatives with respect to the consideration of an implementing bill, and motions to proceed to the consideration of other business, shall be decided without debate.

(5) APPEALS FROM RULINGS OF THE CHAIR NONDEBATABLE.—All appeals from the decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to an implementing bill shall be decided without debate.

(6) RULES OF THE HOUSE OTHERWISE APPLY.—Except to the extent specifically provided in the preceding paragraphs of this subsection, consideration of an implementing bill in the House of Representatives shall be governed by the Rules of the House of Representatives applicable to other bills in similar circumstances.

(g) PROCEDURAL RULES FOR FLOOR CONSIDERATION IN THE SENATE.—

(1) PRIVILEGED MOTION.—

(A) IN GENERAL.—A motion in the Senate to proceed to the consideration of an implementing bill shall be privileged and not debatable.

(B) MOTION NOT AMENDABLE.—An amendment to the motion described in subparagraph (A) shall not be in order.

(C) NO MOTION TO RECONSIDER.—A motion to reconsider the vote by which the motion described in subparagraph (A) is agreed to or disagreed to shall not be in order in the Senate.

(2) DEBATE.—

(A) TIME LIMIT GENERALLY.—Debate in the Senate on an implementing bill, and all debatable motions and appeals in connection with the debate on such bill, shall be limited to not more than 20 hours which shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(B) TIME LIMIT ON DEBATABLE MOTIONS OR APPEALS.—Debate in the Senate on any debatable motion or appeal in connection with an implementing bill shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the bill, except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee.

(C) ALLOTMENT OF TIME DURING CONSIDERATION OF DEBATABLE MOTION OR APPEAL.—The majority leader and the minority leader may, from time under their control on the passage of an implementing bill, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(D) NONDEBATABLE MOTION TO FURTHER LIMIT DEBATE.—A motion in the Senate to further limit debate is not debatable.

(3) NO MOTION TO RECOMMIT.—It shall not be in order in the Senate to move to recommit an implementing bill.

**SEC. 9. TERMINATION.**

The Commission shall terminate 30 days after the final text of the implementing bill has been submitted to the Congress pursuant to section 7(c).

**SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated for the fiscal years 1997 and 1998 such sums as may be necessary to carry out this Act.

**SEC. 11. BUDGET ACT COMPLIANCE.**

Any spending authority (as defined in subparagraphs (A) and (C) of section 401(c)(2) of the Congressional Budget Act of 1974) authorized by this Act shall be effective only to such extent and in such amounts as are provided in appropriation Acts.

## HEALTHY START: LEGISLATION TO GUARANTEE HEALTH CARE INSURANCE FOR ALL AMERICAN CHILDREN

### HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. GIBBONS. Mr. Speaker, today, along with Representatives RANGEL, STARK, GEORGE MILLER, GONZALEZ, LAFALCE, HILLIARD, LANTOS, and NORTON, I am introducing legislation entitled ''Healthy Start'', to provide Medicare-type health insurance for all women during pregnancy and for children from infancy through age 12.

Just as Head Start has helped millions of children prepare for school and reduce the burdens of poverty, Healthy Start will ensure that all American children can obtain adequate

medical care in the first years of life. Health insurance has been shown to be the key to adequate access to health care; and adequate access to health care is a key to a healthier life. That is why the bill we are introducing will concentrate on ensuring that all American children and mothers during pregnancy have adequate health insurance.

Today, there are approximately 7.1 million children under age 13 who are uninsured. Three-fourths of these children have parents who work, most of them full-time, but their employer either does not offer health insurance coverage or the family does not make enough to buy insurance. Because of the decline in employment-provided health insurance, it is estimated that each year, 1 million additional children lose private insurance coverage. If these trends continue, in 4 years—at the end of this decade—more than 2 out of 5 children will lack private health insurance. The failure to provide health care for our children costs our Nation a productive workforce for the future. It costs us at the hospital, in the schoolyard, in our ability to defend our Nation and to produce competitively. No industrialized or civilized society on earth treats its children so callously.

This health disaster would be somewhat mitigated if our Nation had a reliable low-income insurance program that ensured access to quality care for children. But Medicaid provides an uneven and often inadequate protection that varies from State-to-State, and that program is under severe attack by Republican budget cutters here in Congress and in State capitols across the Nation. Rather than the uncertainty of Medicaid, we need a uniform, high-quality health insurance plan for all our children.

We should be improving health insurance for our children—not slashing it. Although we are one of the richest, most advanced countries in the world, the United States ranks 18th among industrialized nations in overall infant mortality. Only Portugal has an infant mortality rate worse than ours. The infant death rate among African-American babies is two and a half times that of caucasian children. Poor children, many of whom come from working families with no health coverage, are 60 percent more likely than children with health insurance to die before their first birthday and four times more likely to suffer from infection or serious illness.

The General Accounting Office has just issued a report to Senator CHRISTOPHER DODD, dated June 17, 1996, entitled ''Health Insurance for Children: Private Insurance Coverage Continues to Deteriorate'' [GAO/HEHS–96–129]. The report states:

> The number of children without health insurance coverage was greater in 1994 than at any time in the last 8 years. In 1994, the percentage of children under 18 years old without any health insurance coverage reached its highest level since 1987—14.2 percent or 10 million children who were uninsured. In addition, the percentage of children with private coverage has decreased every year since 1987, and in 1994 reached its lowest level in the past 8 years—65.6 percent.

The GAO's report also provides an eloquent summary of why the lack of insurance is so important:

> Studies have shown that uninsured children are less likely than insured children to get needed health and preventive care. The lack of such care can adversely affect children's health status throughout their lives. Without health insurance, many families face difficulties getting preventive and basic care for their children. Children without health insurance or with gaps in coverage are less likely to have routine doctor visits or have a regular source of medical care. . . . They are also less likely to get care for injuries, see a physician if chronically ill, or get dental care. They are less likely to be appropriately immunized to prevent childhood illness—which is considered by health experts to be one of the most basic elements of preventive care.

We spend long hours debating whether there should be prayer in school, but no time discussing how much parents pray that their children don't get sick because the parents can't pay the bills. We spend days debating obscenity on the Internet, but little time debating how obscene it is for a society as rich as ours to have so many children and parents unable to seek adequate medical care.

We must commit ourselves to insuring all pregnant women and all children, regardless of the financial ups and downs of the family unit. There is only one way to do this. Let me repeat: there is only one way to guarantee universal coverage. It is through a social insurance program in which we all pitch in to guarantee health insurance for all children at all times. I am here today to propose that we make that guarantee, once and for all.

That is what the bill we are introducing today achieves. It uses the tested Medicare Program to cover all young American children and their mothers during pregnancy with the basic package of Medicare benefits plus additional benefits designed to ensure a healthy start for babies and young children. These additional benefits include full coverage for pregnancy care, immunizations, follow-up visits for new babies with pediatricians, routine checkups to monitor development, and preventive dental care.

Any parent can, of course, purchase additional medigap-type insurance coverage for more benefits and more coverage. Freedom of choice of doctor is preserved.

The bill we are introducing ensures that every child and mother-to-be will have health insurance equivalent to Medicare plus the special prenatal and well-baby care provisions I've described. If a family already has this level of coverage, it is not affected by this bill; the family will see no change. If the family doesn't have such a level of coverage, it will purchase this package, or a similar package, through sliding scale, very affordable, income-related premiums administered through the Tax Code. Families below the poverty level will basically be exempt from the premium tax.

This legislation is similar to the procedure we used in 1994, when the Ways and Means Committee approved a bill which, according to Congressional Budget Office estimates, achieved enough savings in the health care sector and in Medicare to both improve Medicare and expand coverage to all the uninsured. A comprehensive health care reform bill may not be possible in the near future, but we can surely find a way to protect our youngest and most vulnerable citizens. We can look to other spending cuts to find the resources to fund this basic right.

Through the Social Security and Medicare Program, our society has advanced further than most in ensuring that old age is a time of security. We have reduced poverty among seniors to the lowest of any group in our society. In many ways, the health status of a 65-year-old in our society is better than younger groups'. Sadly enough, we have left our children behind. Poverty rates for children are higher than average. The health status of millions of our children is equal to that of a Third World country. What we have achieved for seniors we can surely achieve for their grandchildren.

The bill we are introducing today would at long last give our children the same level of care we provide their grandparents.

Following are facts and figures on how health insurance equals better health, and how we have failed to provide that better health to our Nation's future—our children.

CHILD HEALTH IN U.S. RANKS LOWER THAN MANY NATIONS

In the industrialized world, the United States ranks 18th in overall infant mortality. Only Portugal's infant death rate is worse. The infant mortality rate of African-American babies is 2.5 times that of caucasian children, and is worse, for example, than Sri Lanka's or Jamaica's. In 1993, more than 33,000 American babies died before age 1. More than 16,000 of these babies would have survived if the United States had the same infant mortality rate as the Japanese.

LOW-INCOME CHILDREN NEED HEALTH COVERAGE

Compared to other children, poor children are 60 percent more likely to die before the age of 1, 4 times more likely to be hospitalized with asthma or pneumonia, and 5 times more likely to die from infection or parasitic disease.

HEALTH INSURANCE FOR CHILDREN IS DETERIORATING RAPIDLY

[In percent]

| | 1988 | 1994 |
|---|---|---|
| Children under 18 with employment-based insurance .... | 66 | 59 |
| Children under 18 on Medicaid ..... | 16 | 26 |

During their first 3 years of life, over 22 percent of U.S. children were without health insurance for at least 1 month. The number of children in working-poor families, who are least likely to have Medicaid or employment-based insurance, rose to 5.6 million in 1994, up 65 percent from 1974.

MEDICAID CUTBACKS WILL INCREASE NUMBER OF UNINSURED CHILDREN

Forty percent of all pregnant women and infants are now covered by Medicaid. More than half of all Medicaid recipients are children, although less than 25 percent of Medicaid spending is on children. Under current law, additional low-income children are being phased into Medicaid, but proposed changes would end that guarantee. Experts estimate that if the decline in employment-based insurance continues and Medicaid enrollment is frozen, there will be a total of 67 million people of all ages who are uninsured in 2002.

HEALTH INSURANCE HELPS

Since 1965, infant mortality has been reduced by ⅔ds. An increase of 15 percent in Medicaid eligibility for children in the 1980's decreased child mortality by 4.5 percent. In 1987, only 22 percent of Medicaid beneficiaries had no physician visits within a year, compared to 49 percent of the uninsured poor.

## COMMEMORATIVE STATEMENT FOR GEORGE F. JONES

### HON. JAMES B. LONGLEY, JR.

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. LONGLEY. Mr. Speaker, this month of June marks the anniversary of the passing of a very special constituent, George F. Jones, who died in June 1995, at the blessed age of 105. I would like to take this opportunity to commemorate his remarkable life.

Born in Gardiner, ME, Mr. Jones was a direct descendant of Samuel Huntington, President of the Continental Congress and a signer of the Declaration of Independence. George was well respected by those who knew him. He was a sincere believer in the American ideals of hard work and honesty. A man who lived by his convictions, George Jones was dedicated to his profession as a furnituremaker and ascertained a worldwide reputation. It is even rumored that furniture was sent to him from Buckingham Palace in the 1930's for repair.

As a talented violinist, George Jones played for the Lincoln County Community Orchestra, and even enjoyed playing a little fiddle at church services and area dances. George also worked to aid the community as a member of the Alna Lodge of Masons and the Saint Andrews Society of Maine.

Mr. Jones is truly missed by the many individuals whose lives he touched, and stands as an example for all Americans who can learn from his dedication to those around him and to life itself.

## CABLE'S HIGH SPEED EDUCATION CONNECTION

### HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. FIELDS of Texas. Mr. Speaker, I would like to commend the cable television industry for its recently announced plan to provide America's elementary and secondary schools with high-speed Internet access via cable modems. Under this innovative educational plan—''Cable's High Speed Education Connection''—local cable companies will provide the equipment necessary to connect schools located in their service areas to the Internet free of charge.

There is universal agreement that the Internet is an increasingly important information resource—one that can contribute significantly to the overall educational process. As a result of rapid technological advances, we are witnessing an information explosion—and much of that information is located on, and available from, the Internet.

By undertaking this initiative, the cable television industry is assuming a leading role in making the information on the Internet available to millions of young Americans. I applaud the cable television for devising this plan that will put more and more young Americans online, and that will provide them with access to this important information resource.

We all recognize that our children are our country's future. That is why I hope that this important program will encourage other industries to do what the cable television industry has already done with its ''Cable's High Speed Education Connection'' Program—that is, to contribute their expertise and a portion of their earnings to the goal of improving the quality of education our children receive.

Once again, I want to applaud the cable television industry for its efforts to assist our schools, which will improve the quality of education our children receive, which will—in turn—help ensure the continued economic well-being of our country in the years ahead.

## THE LATE REVEREND RALPH DAVID ABERNATHY, JR., HONORED

### HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. LEWIS of Georgia. Mr. Speaker, during the 1960's, I was honored to be a part of the civil rights movement—a movement that changed the face of our Nation. People from throughout our Nation—old and young, black and white, rich and poor—joined the nonviolent revolution that made our country a better, fairer, more just Nation. I was fortunate to get to know Dr. Martin Luther King, Jr., and his partner in the movement—Dr. Abernathy.

Dr. Abernathy was an inspiring and committed leader from the earliest days of the movement. When Rosa Parks was arrested for refusing to stand in the back of the bus while there were empty seats in the ''white'' section of the bus, she inspired the Montgomery bus boycott. As ministers of the two leading black churches in Montgomery, AL, Dr. King and Dr. Abernathy worked together to organize and sustain that boycott. Thus began the strong bonds of friendship and commitment that would last as long as the two men lived.

Dr. Abernathy had a lifelong commitment to securing and protecting basic civil rights for all Americans. I marched with him many times throughout the South, including Selma and Montgomery. After the assassination of Dr. King in 1968, Dr. Abernathy assumed leadership of the Southern Christian Leadership Conference, and worked to carry on the dream of Dr. Martin Luther King, Jr. After Dr. King's death, Dr. Abernathy continued to organize and lead marches and other events, included the Poor People's Campaign, a massive demonstration to protest rising unemployment, held in Washington, DC.

The Reverend Dr. Abernathy passed away, too young, 6 years ago. Today, I am introducing a resolution authorizing the construction of a memorial to the Reverend Dr. Abernathy and the Poor People's Campaign on the National Mall. I invite my colleagues to join me in supporting this effort. The monument will celebrate the achievements of the past, commemorate those who marched alongside us many years ago, and pay special tribute to the sacrifices and the contributions of Dr. Abernathy and others who participated in the Poor People's Campaign. Thousands of people participated. Some has small roles, others large roles. The Reverend Ralph David Abernathy had many roles, often at the same time. He was a teacher, a leader, an organizer, a soldier, and a friend. Many were inspired by his good humor, and his guidance. Today, I Invite my colleagues to join me in celebrating his legacy and his life.

## H.R. 3703, A BILL TO PROVIDE INSURANCE RESERVE EQUITY

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. RANGEL. Mr. Speaker, on June 24, 1996, I introduced legislation to amend section 832(e) of the Internal Revenue Code to extend the scope of its provisions to financial guaranty insurance generally. Senators D'AMATO and MOYNIHAN recently introduced a companion bill, S. 1106, in the Senate.

Financial guaranty insurance, commonly called bond insurance, is an insurance contract that guarantees timely payment of principal and interest when due on both tax exempt and non-tax exempt bonds. The bond insurance contract generally provides that, in the event of a default by an insured issuer, principal and interest will be paid to the bondholder as originally scheduled.

Internal Revenue Code section 832(e) originally enacted in 1967, applied only to mortgage guaranty insurance. At that time, Congress permitted mortgage guaranty insurance companies to take a deduction for certain extremely high contingency loss reserve requirements imposed by State regulatory authorities, provided that they invested the income tax savings associated with such a deduction in non-interest-bearing tax and loss bonds issued by the Federal Government. Since such bonds are treated as an asset by the State regulatory authorities, this relieves the companies from the substantial cash-flow and impairment of capital problems that they would otherwise face if the deduction was not allowed. At the same time however, since bonds do not bear any interest, the economic position of the Federal Government remains the same had not the deduction been permitted first.

When the State authorities applied the same reserve requirements to lease guaranty and municipal bond insurance, Congress amended Internal Revenue Code 832(e) in 1974 and applied it to such insurance as well.

State authorities now apply such contingency reserve requirements to financial guaranty insurance generally, including non-tax-exempt debt, such as asset-backed securities, which are a growing segment of the bond insurance market. Therefore, consistent with the reasons why it was originally adopted in 1967, and amended in 1974, IRC section 832(e) should be amended again to apply to such insurance.

The superintendent of insurance for the State of New York, Edward J. Muhl, has urged enactment of this legislation. A copy of his letter follows these remarks. I understand that the insurance commissioner of the State of California has written a similar letter to Members of the California delegation. I invite all concerned to join me in cosponsoring this legislation.

STATE OF NEW YORK
INSURANCE DEPARTMENT,
*New York, NY, November 9, 1995.*

Hon. CHARLES B. RANGEL,
*U.S. House of Representatives, Rayburn House Office Building, Washington, DC.*

DEAR CONGRESSMAN RANGEL: I write to seek your support of S. 1106, a bill introduced

by Senators D'Amato and Moynihan, to amend section 832(e) of the Internal Revenue Code of 1986 to apply to financial guaranty insurance generally. Under present law, the tax and loss bonds provisions thereof are applicable to mortgage guaranty, lease guaranty, and tax-exempt bond insurance but are not applicable to insurance of other taxable debt instruments, a growing segment of the financial guaranty insurance business.

Article 69 of the New York Insurance Law, which governs financial guaranty insurance corporations, was enacted on May 14, 1989. Article 69 establishes contingency reserve requirements in respect of all financial guaranty insurance corporations where in the past these requirements only applied to insurers of municipal obligations.

In formulating this new legislation and establishing contingency reserve requirements applicable to all financial guaranty insurance corporations, there was no intention to create a disparity between insurers of taxable and tax-exempt obligations in respect of their ability to invest in tax and loss bonds. Section 6903(a)(7) of Article 69 provides that ''any insurer providing financial guaranty insurance may invest the contingency reserve in tax and loss bonds purchased pursuant to Section 832(e) of the Internal Revenue Code (or any successor provision) only to the extent of the tax savings resulting from the deduction for federal income tax purposes of a sum equal to the annual contributions to the contingency reserve.'' This provision of Article 69 expressly contemplates that all financial guaranty insurers would be entitled to benefit from an investment in tax and loss bonds within the limitations provided by the insurance law.

S. 1106 eliminates the disparate treatment of insured mortgages, leases and tax exempt bonds, on the one hand, and of other insured taxable bonds, on the other, which the provisions of IRC section 832(e) now create. Your efforts to secure enactment of the proposal will be most appreciated.

Very truly yours,

EDWARD J. MUHL,
*Superintendent of Insurance.*

## THE ELECTRIC POWER COMPETITION AND CONSUMER CHOICE ACT OF 1996

### HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. MARKEY. Mr. Speaker, today I am introducing legislation aimed at promoting competition in the electric utility industry. This legislation seeks to create Federal incentives for removal of existing State-level barriers to full competition and consumer choice in electricity generation.

Today, the generation, transmission, and distribution of electricity remains largely a monopoly enterprise. The monopoly nature of this industry has, in turn, necessitated a very strict system of Federal and State utility regulation aimed at protecting captive utility ratepayers from potential overcharges, abuses and conflicts of interest. Today, however, we are now at a crossroads. We now have an historic opportunity to bring full competition to the business of electricity generation. The transition to such a competitive market, however, will require both Federal and State action.

Electricity restructuring legislation at the Federal or State level should be aimed at demonopolizing the electric power industry, not simply deregulating it. There is now no reason why electricity generation should remain a monopoly business, and no reason why consumers should not be free to choose their power supplier, just as they now can choose between rival phone companies. Our objective must be to create a competitive marketplace where many sellers and many buyers can come together. In some cases, this may mean getting rid of old utility regulations that no longer are needed because their purpose can now be achieved through reliance on market forces. In other cases, it may mean preserving existing rules where necessary to respond to those aspects of the industry which remain a monopoly, such as distribution of electricity over local power lines. But restructuring also means Congress will have to enact some new rules that assure the benefits of competition—lower prices and consumer choice—are not effectively undermined by anticompetitive practices by recovering utility monopolists who fall off the competition wagon.

Earlier this year, I introduced H.R. 2929, the Electric Power Competition Act of 1996 to advance the goal of electric utility demonopolization. That bill linked repeal of the mandatory power purchase provisions of PURPA to State action to open up full retail competition. This would be achieved either through utility divestiture of powerplants or by State approval of a so-called retail wheeling plans that would allow consumers to buy power from competing generating companies that would be granted nondiscriminatory access to utility power lines. In order to preserve environmentally sound renewable energy sources, energy conservation programs, and low-income consumer protections, H.R. 2929 also requires the States to certify they have met certain minimum standards in each of these areas in order to qualify for relief from PURPA. Finally, to promote a fully competitive marketplace, certain exemptions which electric utilities currently enjoy from the Federal antitrust laws would be repealed.

At the time I introduced H.R. 2929 and in subsequent hearings before the Energy and Power Subcommittee I noted that in addition to these reforms, electric utility restructuring legislation also must address the risks that electric utility mergers, utility market power, or utility diversification into new lines of business might harm electricity consumers or undermine the emergence of a fully competitive electricity generation market. The legislation I am introducing today addresses each of these critical areas and should be viewed as the companion bill to H.R. 2929. The bill requires each State to initiate a retail competition rulemaking proceeding pursuant to certain Federal standards; repeals PUHCA for those electric utility holding companies whose service territories have been opened up to full retail competition and met minimum standards for renewables, efficiency, and low-income consumer protections; and gives FERC and the States enhanced authority to oversee mergers and acquisitions to protect consumers from transactions that are inconsistent with effective competition in electricity markets or would increase electricity prices.

It also gives FERC and the States authority to regulate utility market power to guard against anticompetitive practices; grants FERC and the States authority over electric utility interaffiliate transactions to guard against cross-subsidization or self-dealing; directs FERC to establish regional transmission markets to assure functionally efficient and nondiscriminatory transmission and prevent pancaking of rates; and, assures FERC and State regulators have full access to electric utility books and records.

It is important to keep in mind that Congress enacted PUHCA 60 years ago in response to the myriad of anticonsumer abuses that occurred during the initial growth of the electric utility industry. These abuses included the creation of complex utility holding companies not readily susceptible to effective State regulation, cross-subsidization, self-dealing, and other abuses, and blatantly anticompetitive practices and activities. While much has changed in the electric power business since PUHCA was enacted in 1935, even in a restructured electricity industry, Congress must be concerned about the potential for a recurrence of such abuses. For example, utilities who control generation, transmission, and distribution assets might still engage in self-dealing transactions among their affiliates, cross-subsidize unregulated business ventures at the expense of the captive consumers in their monopoly transmission or distribution businesses, or exploit their substantial market power to impede the growth of effective competition. Moreover, the accelerating pace of utility mergers threatens to create giant mega-utilities that could dominate regional electricity markets and effectively bar other entrants from vying for customers.

Comprehensive electricity restructuring legislation must address each of these potential threats to the development of a competitive electric generation market. I intend for the reform proposals contained in this legislation to be considered as part of any comprehensive electricity legislation that moves through the Commerce Committee, and I look forward to working with my colleagues on a bipartisan basis to secure their enactment into law.

## THOU SHALT NOT BEAR FALSE WITNESS AGAINST THY NEIGHBOR

### HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. JACOBS. Mr. Speaker, I insert a July 29, 1966, letter to the editor of the Indianapolis Star and a July 1, 1996, article from the Indianapolis News.

Among the Ten Commandments of God Almighty is this: ''Thou shalt not bear false witness against thy neighbor.''

Of course the repulsive concept has garnered different terms through the years—slander, libel, perjury, smear, vicious gossip, mudslinging, character assassination, gutter tactics, McCarthyism, the politics of personal attack, uncivilized, and indecent. How about primitive? In the 81st Congress my father said, ''The extremists thought they had President Truman in '48 and ever since they have been going around like a mad dog whose victim escaped.''

And in defining the difference between the two major political parties, President Lyndon Johnson said, ''We don't hate their Presidents.'' Perhaps a paraphrase is in order, to wit: We don't hate their Presidents' wives.

Faults are things which describe our friends and disqualify our adversaries. My mother's favorite quotation is, ''There is so much good in the worst of us and so much bad in the best of us that it hardly becomes any of us to say very much about the rest of us.''

P.S. Just in case the mud slingers run short of wild charges against the President, they should try this one: A few days ago one of our little boys came home and said a chum of his solemnly insisted that there are Nazis in the White House.

[From the Indianapolis Star, June 29, 1996]

THE RIGHT STUFF

(By Ron Byers)

In The Star's June 25 search for an explanation of President Clinton's commanding lead in the polls, you may have overlooked a minor detail: four years of steady economic growth, reduced inflation and declining deficits.

It's not the stuff the Republican right claims he has done wrong. It's the stuff the public knows he has done right.

[From the Indianapolis News, July 1, 1996]

CRITICS ATTACK AGENT'S BOOK ABOUT INSIDE WHITE HOUSE

WASHINGTON.—The former FBI agent who wrote an insider's book on White House security is being attacked from all sides for what critics say is a pack of unbelievable tales and ''wild speculation.''

First lady Hillary Rodham Clinton today blasted the book during a visit to Bucharest, Romania.

''I see it as a politically inspired fabrication and I don't think anybody should take it seriously,'' she said.

She also denied suggestions that she played a role in the hiring of the White House security chief who collected private FBI files on more than 400 people. ''There is no connection,'' she said.

A top White House aide denounced author Gary Aldrich as a person of no credibility whose book is part of conservative Republicans' efforts to ''destroy the president.''

And White House spokesman Mike McCurry today called on Republican candidate Bob Dole to separate himself from a one-time volunteer adviser to Dole's campaign who is promoting Aldrich's book.

''It would be a surprise to us if Senator Dole didn't indicate that the activity of one of his paid advisers with respect to this book is unacceptable,'' McCurry said. ''I assume he'll do that and do it promptly.''

Even leading conservative journalists are denouncing Aldrich, including the apparent source of his book's wildest allegation—that President Clinton sneaks out of the White House without his guards for romantic hotel trysts.

''I never knew I would be used as a source,'' David Brock, a writer for the American Spectator, told *Newsweek* magazine. He said he never thought Aldrich would use the ''wild speculation'' he traded about the alleged presidential outings to a Washington hotel, which the Secret Service says would be impossible.

Conservative columnist George Will, who quizzed Aldrich Sunday on ABC, said Brock told him he was appalled to see the unverified story published.

''Can't someone say that, in fact, your book is a raw file and that you have gone into print with the kind of evidence that no prosecutor would ever go into court with?'' Will asked Aldrich.

''This is not a case presented to a grand jury,'' Aldrich replied, saying he had relied on his observations and untaped interviews for his book.

''I conducted investigations and talked to many sources, trying to knock this particular issue down as to whether the president could in fact travel without a Secret Service complement. I was unable to knock down that possibility,'' Aldrich said.

He acknowledged that much of the material came from second and third-hand source, some of whom have publicly disputed his account.

Still, Aldrich, who retired from the FBI in 1994 after 30 years as an agent, said he would be willing to go before Congress to reveal his sources and back up his insider tales of sloppy White House security and alleged former drug use by some officials, including a senior staffer.

''I'm willing to swear under oath to anything that I have in this book,'' Aldrich said on ABC's This Week With David Brinkley.

Senior Clinton adviser George Stephanopoulos, who had urged ABC to cancel Aldrich's appearance, said, ''His story couldn't get past the fact checker at the National Enquirer.''

Stephanopoulos said Aldrich's book was being promoted by people with Republican connections. He said several ''GOP operatives'' were present for the ABC show's taping, including those with ties to Republican president candidates Bob Dole and Pat Buchanan.

He named Craig Shirley, a paid adviser to Dole in his 1988 presidential campaign. His company, Craig Shirley & Associates Inc., is promoting the book, published by the conservative Regnery Publishing Inc.

''If you look at the people behind him, they're right-wing Republican political operatives who are determined to destroy the president,'' Stephanopoulos said. ''They're trying to tear him down.''

## EVALUATING THE EVEN START PROGRAM

### HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. GOODLING. Mr. Speaker, as the Member of Congress who developed the Even Start Program, I was understandably disappointed by the language discussing Even Start in the committee report accompanying the Labor, HHS, and Education appropriations bill for fiscal year 1997.

The Even Start Program was first funded in 1989 and, therefore, the program has only been in existence for a short period of time compared to other major elementary and secondary education programs. Thus, I believe it is unfair to say there is little in the way of evaluations to support the request for funding for this program.

I must admit that I, too, was disappointed with the last program evaluation. However, I never expected that the program would not have to undergo change in order to effectively carry out its goals. There is not a program in the Federal Government which cannot be improved. However, Even Start is new and we are just now learning what does and doesn't produce the positive results we are seeking.

For example, the interim evaluation reports called attention to the fact that adults participants were not benefiting as much as their children. As a result, the Department of Education started to stress with States and program providers the need for a stronger parent component. Additionally, early evaluations indicted that not all Even Start projects were operating all three program components. Again, this was corrected.

One of the findings of the most recent and final report was that the intensity of services was not strong in many programs and parents were receiving a minimal number of hours of adult education. The fiscal year 1996 appropriations bill for the District of Columbia contained language modifying the existing Even Start law to require intensive services be provided to program participants.

It is also easy to misinterpret data contained in evaluation studies. For example, the results on preschool experiences were misinterpreted. Children in Even Start did significantly better than the control group on school readiness tasks during the preschool year. Most children in the control group did not attend a preschool program and they did not learn skills needed for kindergarten by staying home. It was only at the end of the kindergarten year that the control group children learned the skills that the Even Start children had learned a year earlier.

Mr. Speaker, the committee did not cut funding for this program, for which I am grateful. However, I would hope that any future discussion of the effectiveness of Even Start would take into consideration the information I have discussed today and not jump to the conclusion that this program has not proven its worth.

## LUCY BOWEN MCCAULEY'S CHOREOGRAPHIC MAGIC

### HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. HYDE. Mr. Speaker, I wish to take this opportunity to advise my colleagues of a magical event which took place recently. Virginia's own Lucy Bowen McCauley, a renowned dancer and teacher, who has expanded her art into choreography, staged her first dance concert consisting solely of her own choreography.

The concert was a wonderful potpourri of passion and humor, style and grace. Ms. Bowen McCauley demonstrated her choreographic range in splendid fashion. From the classical ''Brahms Trio'' with its depth of lyrical movements, to the marvelously humorous ''What'll Ya'ave, Luv,'' to the deeply moving ''At Last,'' the evening was filled with excitement, emotion, and fun. One critic was especially moved when she noticed that the couple dancing the romantic ''At Last'' are married to each other and truly exuded the love which Ms. Bowen McCauley had choreographed into the piece. Ms. Bowen McCauley gave the audience a special treat by dancing in ''Fracture Zone,'' a wonderfully imaginative and dynamic work.

In her inaugural choreographic triumph, Ms. Bowen McCauley has managed not only to demonstrate her command of the complexities of choreography, but she has been able to imbue her dancers with her own drive and love of dance which clearly comes out in each piece. The combination made for a truly magical evening—one which culminated in a well-deserved standing ovation.

The dance world looks forward to future work from this truly talented choreographer.

## TRIBUTE TO ST. JAMES LUTHERAN CHURCH

### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Ms. KAPTUR. Mr. Speaker, today I rise to honor 150 years of development and growth. Over a century and a half ago the St. James Lutheran Church, the oldest Lutheran congregation in Fulton County, OH, was founded. Strong in heritage and faith, the church has served as a pillar in that community and continues to foster ideals and philosophy consistent with moral prosperity.

Their story began in 1837 when a group of family members known as the Leininger family, including at least four brothers and two sisters, came to the United States from France. Their journey across the Atlantic Ocean via sailboat led them to New Orleans, up the Mississippi, and eventually to German Township, what we know today as Fulton County, OH, settled on the western side of Ohio's Ninth District.

Nine years after settlement, the Leiningers were approached by Pastor John Adam Detzer who headed the effort in the northwest Ohio territory to settle German Lutherans. They received Pastor Detzer with great excitement and asked him to be their pastor. Despite an already full congregation throughout the territory, he agreed and began to preach, listen, and spread the good word.

It was from that humble beginning that St. James evolved. The St. James congregation has survived and grown into a cornerstone of the Fulton County community.

I know my colleagues join me today in recognizing the congregation of St. James Lutheran Church on the occasion of 150 years of dedication, devotion, and commitment to the spiritual and communal needs of the people of northwest Ohio.

## A TRIBUTE TO RHONDA McCABE

### HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. TALENT. Mr. Speaker, I rise today to share with my colleagues a story sent to me by one of my constituents which describes an act of selflessness that should serve as an example to us all.

We are all familiar with the parable of the Good Samaritan, but how many of us, in this day and time, are blessed with meeting one?

On October 18, 1994, Rhonda and Ed McCabe had met at the Three Flags Center in St. Charles, to take care of some personal business then went out to dinner. Upon returning to the parking lot to get their second car, out of the corner of her eye Rhonda noticed something moving. It was dark and rainy, making it difficult to tell if it was a couple of kids fighting, or perhaps a vicious crime happening. She had Ed pull the van around to see what was happening and if help was needed. A rain soaked man was collapsed on the ground over his briefcase and notebook computer, lying face down in a puddle. His legs were thrashing about as he appeared to be having convulsions.

Rhonda and Ed got out of their vehicle to give this man assistance. As they turned him over, Rhonda, being a very capable and well experienced nurse, recognized the severity of the situation and knew exactly what had to be done immediately to save this life. She sent Ed to get help and to call 911 from the only business that still had lights on, the Norwest Financial Company. John Lopes left his office and offered to help in anyway needed. Under Rhonda's calm and concise direction Ed and John assisted her in administering CPR. Accustomed to depending on God's guidance, she also talked to the Lord, as she directed the necessary steps of CPR until after the paramedics arrived. In a medical opinion, had no one helped this man when she did he may have died or suffered severe impairment. Rhonda's unselfish deed of giving help to a stranger in need, was more than using her training and nursing experience, it was an expression of service to God. She felt she was directed to be there to help save a life.

Mr. Speaker, I applaud Mrs. McCabe for her act of courage and bravery. She truly is a fine example of a modern-day good Samaritan.

## TRIBUTE TO PETER RATCHUK

### HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. QUINN. Mr. Speaker, I rise today to offer my congratulations to Mr. Peter Ratchuk.

A former student at Saint Francis High School in Athol Springs, in the 30th Congressional District of New York, Peter Ratchuk has distinguished himself among his peers as an athletic standout.

This past June, in recognition of his outstanding talent as scoring defenseman, Mr. Ratchuk was selected as the 25th pick by the 1995–96 Stanley Cup Champion Colorado Avalanche. In doing so, Peter became only the second western New York hockey player to be selected in the first round of the National Hockey League Draft.

Committed to Education and with an eye to a future in broadcasting, Peter Ratchuk will enter college at Bowling Green State University in Ohio before entering the National Hockey League with the Avalanche.

It is that maturity, commitment to hard work, personal strength, dedication to the sport of hockey, and mature ability to perform which will undoubtedly allow Peter to be successful in college, professional hockey, or whatever the future may hold.

Mr. Speaker, today I join with the Ratchuk family, St. Francis High School, the National Hockey League, and indeed, our entire western New York community to congratulate Peter Ratchuk in recognition of this outstanding accomplishment, and offer Peter my enthusiastic commendation and sincere best wishes.

## DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

SPEECH OF

### HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 27, 1996*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3675) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes:

Mr. COYNE. Mr. Speaker, I rise in support of the work of the House Transportation and Related Agencies Appropriations Subcommittee in crafting a fiscal year 1997 Appropriations Committee Report that includes a directive to the National Highway Traffic Safety Administration [NHTSA] to more vigorously promote bicycle safety and training. The subcommittee's report included a specific mention of the important field of human factors research relating to bicycle safety measures. To this end, I wish to draw attention to the ground-breaking research underway at the Children's Hospital of Pittsburgh in Pittsburgh, PA, in collaboration with the Carnegie Mellon University in Pittsburgh.

As I stated in testimony before the House Transportation and Related Agencies Appropriations Subcommittee in February, there are over 580,000 bicycle injuries each year in the United States. Of this amount there are approximately 800 fatalities and between 20,000 and 50,000 bicycle injuries serious enough to require hospitalization or rehabilitation. Children between the ages of 5 and 14 are the most common victims of bicycle injury head trauma since they spend a lot of time riding bicycles and often lack on-road bicycle experience. Greater efforts are necessary to insure that children are trained to be safe bicyclists and that the bicycles they ride are appropriate for their ages and abilities.

Safe operation of a bicycle arguably requires more skill, knowledge, physical ability, coordination, and judgment than the operation of a motor vehicle. Taking into consideration the multiple factors necessary for bicycling—motor skills, strength, coordination, vision, hearing, personality, intelligence, neurologic development, experience, and training—more extensive human factors research directed toward answering several key questions is needed: At what stage of development is a child able to perform the necessary tasks and make the proper judgments to safely operate a bicycle? What are the characteristics that differentiate safe from unsafe bicyclists? Can we train children to be safer bicyclists? Should bicycle designs vary depending on the skill and maturation of the child bicycle rider?

As the subcommittee noted in its fiscal year 1997 report, a recent national bicycling and walking study resulted in a recommendation to reduce the number of bicyclists and pedestrians killed or injured by 10 percent. I am pleased to say that the cooperative efforts of Children's Hospital of Pittsburgh and the Carnegie Mellon University will involve the use of state-of-the-art technology and will result in: First, effective prevention programs to reduce traumatic injuries and deaths; second, the introduction of virtual reality as a new means of

studying trauma; and, third, the development of new approaches and products for trauma prevention, a national issue, that will provide scientific, intellectual and financial benefits to the Nation.

Mr. Speaker, I strongly support the effort of Children's Hospital of Pittsburgh, in collaboration with Carnegie Mellon University, to pursue in the near future a partnership with the National Highway Traffic Safety Administration to address the critically important issue of preventing bicycle accidents—especially those involving children. I am pleased that the committee favorably responded to the efforts of Children's Hospital of Pittsburgh and Carnegie Mellon University in urging the National Highway Traffic Safety Administration to collaborate with institutes that are conducting human factors research relating to bicycle safety. I believe that the pioneering research to be undertaken by Children's Hospital of Pittsburgh and Carnegie Mellon responds to the committee's recommendation and will provide significant benefits to the administration's ongoing work in bicycle safety.

## ST. JOSEPH'S CHURCH OF FLORIDA, NY, CELEBRATES 101ST ANNIVERSARY

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. GILMAN. Mr. Speaker, it gives me great pleasure to recognize St. Joseph's Roman Catholic Church in Florida, NY, for its 101st anniversary, St. Joseph's was established in 1895, and immediately became a landmark of the small village of Florida, where it has remained a hub of the community throughout the 20th century. St. Joseph's was conceived in the Polish tradition of Catholicism, and has continued in this tradition to the present day. Father William Torowski is currently the administrator of the congregation, and has served as an inspirational leader to his congregation and community throughout his tenure.

St. Joseph's has a long history of dedicated service to its community, including an elementary school, which has consisted of lay as well as nun instructors through the years. The Felician Sisters of Connecticut and the Sisters of Charity of the Bronx, NY, are among the convents who have contributed to the excellence of this educational institution throughout its history.

St. Joseph's has also been active in missionary work since its inception over a century ago. A mission in nearby Pine Island, NY, which has since become a separate entity, and St. Andrew Bobola in nearly Pelletts Island, NY have been a crucial part of St. Joseph's admirable efforts.

Mr. Speaker, I am pleased to take this opportunity to honor St. Joseph's for all that it has done for its community. St. Joseph's has distinguished itself as a provider of education and charity, as well as provider of its holy message. Its presence throughout the 20th century has been an inspiration to the residents of the area and beyond.

Mr. Speaker, we should remember that our houses of worship are vital to the identities of our Nation's communities, and we must not forget our constitutional guarantee of freedom of religion, which allows congregations such as St. Joseph's to exist as the stabilizing force which draws the local communities of Nation together. St. Joseph's of Florida, NY, exemplifies this vital force in an admirable fashion, and I am proud to honor its 101st anniversary.

## CHURCH ARSON PREVENTION ACT OF 1996

SPEECH OF

### HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 18, 1996*

Mr. HYDE. Mr. Speaker, on June 18, 1996, the House of Representatives passed H.R. 3525 by a rollcall vote of 422 to 0. Shortly thereafter, on June 26, 1996, the Senate approved an amended version of H.R. 3525, the provisions of which were arrived at through bipartisan negotiations between the House and Senate sponsors. The House later approved H.R. 3525, as amended by the Senate, and the President signed the bill into law on July 3, 1996.

Due to the celerity with which this legislation was adopted, and the fact that no House-Senate conference was required, there is no legislative history explaining the provisions of H.R. 3525 which were added after consideration of the measure by the House Judiciary Committee. The provisions of the bill as reported by the committee are explained in House Report 104–621. For this reason, I am inserting in the RECORD the following ''Statement of Floor Managers Regarding H.R. 3525,'' which shall serve as additional legislative history for the bill. Senators FAIRCLOTH and KENNEDY will be inserting identical language in the Senate portion of the RECORD.

JOINT STATEMENT OF FLOOR MANAGERS REGARDING H.R. 3525, THE CHURCH ARSON PREVENTION ACT OF 1996

(By Congressmen Hyde and Conyers, and Senators Faircloth and Kennedy)

I. INTRODUCTION

Recently, the entire nation has watched in horror and disbelief as an epidemic of church arsons has gripped the nation. The wave of arsons, many in the South, and a large number directed at African American churches, is simply intolerable, and has provoked a strong outcry from Americans of all races and religious backgrounds.

Congress has responded swiftly and in a bipartisan fashion to this troubling spate of arsons. On May 21, 1996, the House Judiciary Committee held an oversight hearing focusing on the problem of church fires in the Southeast. Two days later, on May 23, Chairman Hyde and Ranking Member Conyers introduced H.R. 3525, the Church Arson Prevention Act of 1996. H.R. 3525 was passed by the House of Representatives on June 18, 1996, by a vote of 422–0. On June 19, 1996, the Senate introduced a companion bill, S. 1890.

In the interests of responding swiftly to this pressing national problem, the Congressman Henry Hyde and Congressman John Conyers, the original authors of the bill in the House of Representatives, and Senator Lauch Faircloth and Senator Edward Kennedy, the original authors of the bill in the Senate, with the cooperation and assistance of the Chairman and Ranking Member of the Senate Judiciary Committee, have crafted a bipartisan bill that combines portions of H.R. 3525, as passed on June 18, 1996 by the House of Representatives, and S. 1890, as introduced in the Senate on June 19, 1996. On June 26, 1996, an amendment in the form of substitute to H.R. 3525 was introduced in the Senate, and passed by a 98–0 vote. This substitute embodies the agreement that was reached between House and the Senate, on a bipartisan basis. The House of Representatives, by unanimous consent, took up and passed H.R. 3525 as amended on June 27, 1996.

This Joint Statement of Floor Managers is in lieu of a Conference report and outlines the legislative history of H.R. 3525.

II. SUMMARY OF THE LEGISLATION

The purpose of the legislation is to address the growing national problem of destruction and desecration of places of religious worship. The legislation contains five different components.

*1. Amendment of Criminal Statute Relating to Church Arson*

Section three of the bill amends section 247 of Title 18, United States Code, to eliminate unnecessary and onerous jurisdictional obstacles, and conform the penalties and statute of limitation with those under the general federal arson statute, Title 18, United States Code, Section 844(i). Section two contains the Congressional findings that establish Congress' authority to amend section 247.

*2. Authorization for Loan Guarantees*

Section four gives authority to the Department of Housing and Urban Development to use up to $5,000,000 from an existing fund to extend loan guarantees to financial institutions who make loans to organizations defined in Title 26, Section 501(c)(3), United States Code, that have been damaged as a result of acts of arson or terrorism, as certified by procedures to be established by the Secretary of Housing and Urban Development.

*3. Assistance for Victims Who Sustain Injury*

Section five amends Section 1403(d)(3) of the Victim of Crime Act to provide that individuals who suffer death or personal injury in connection with a violation described in Title 18, United States Code, Section 247, are eligible to apply for financial assistance under the Victims of Crime Act.

*4. Authorization of Funds for the Department of the Treasury and the Department of Justice*

Section six authorizes funds to the Department of Justice, including the Community Relations Service, and the Department of the Treasury to hire additional personnel to investigate, prevent and respond to possible violations of title 18, United States Code, Sections 247 and 844(i). This provision is not intended to alter, expand or restrict the respective jurisdictions or authority of the Department of the Treasury and the Federal Bureau of Investigation relating to the investigation of suspicious fires at places of religious worship.

*5. Reauthorization of the Hate Crimes Statistics Act*

Section seven reauthorizes the Hate Crimes Statistics Act through 2002.

*6. Sense of the Congress*

Section eight embodies the sense of the Congress commending those individuals and entities that have responded to the church arson crisis with enormous generosity. The Congress encourages the private sector to continue these efforts, so that the rebuilding process will occur with maximum possible participation from the private sector.

III. AMENDMENT TO TITLE 18, UNITED STATES CODE, SECTION 247

Section 3 of H.R. 3525, as passed by the Senate and the House, amends section 247 in a number of ways.

*I. Expansion of Federal Jurisdiction to Prosecute Acts of Destruction or Desecration of Places of Religious Worship*

The bill replaces subsection (b) with a new interstate commerce requirement, which broadens the scope of the statute by applying criminal penalties if the ''offense is in or affects interstate or foreign commerce.'' H.R. 3525 also adds a new subsection (c), which provides that: ''whoever intentionally defaces, damages or destroys any religious real property because of the race, color, or ethnic characteristics of any individual associated with that religious property, or attempts to do so,'' is guilty of a crime. Section two of H.R. 3525 contains the Congressional findings which establish Congress' authority to amend section 247.

The new interstate commerce language in subsection (b) is similar to that in the general federal arson statute, Title 18, United States Code, Section 844(i), which affords the Attorney General broad jurisdiction to prosecute conduct which falls within the interstate commerce clause of the Constitution.

Under this new formulation of the interstate commerce requirement, the Committee intends that the interstate commerce requirement is satisfied, for example, where in committing, planning, or preparing to commit the offense, the defendant either travels in interstate or foreign commerce, or uses the mail or any facility or instrumentality of interstate commerce. The interstate commerce requirement would also be satisfied if the real property that is damaged or destroyed is used in activity that is in or affects interstate commerce. Many of the places of worship that have been destroyed serve multiple purposes in addition to their sectarian purpose. For example, a number of places of worship provide day care services, or a variety of other social services.

These are but a few of the many factual circumstances that would come within the scope of H.R. 3525's interstate commerce requirement, and it is the intent of the Congress to exercise the fullest reach of the federal commerce power.

The floor managers are aware of the Supreme Court's ruling in *United States* v. *Lopez*, 115 S.Ct. 1624 (1995), in which the Court struck down as unconstitutional legislation which would have regulated the possession of firearms in a school zone. In Lopez, the Court found that the conduct to be regulated did not have a substantial effect upon interstate commerce, and therefore was not within the federal government's reach under the interstate commerce clause of the Constitution.

Subsection (b), unlike the provision at issue in Lopez, requires the prosecution to prove an interstate commerce nexus in order to establish a criminal violation. Moreover, H.R. 3525 as a whole, unlike the Act at issue in Lopez, does not involve Congressional intrusion upon ''an area of traditional state concern.'' 115 S.Ct. at 1640 (Kennedy, J. concurring). The federal government has a longstanding interest in ensuring that all Americans can worship freely without fear of violent reprisal. This federal interest is particularly compelling in light of the fact that a large percentage of the arsons have been directed at African-American places of worship.

Congress also has the authority to add new subsection (c) to section 247 under the Thirteenth Amendment to the Constitution, an authority that did not exist in the context of the Gun Free School Zones Act. Section 1 of the Thirteenth Amendment prohibits slavery or involuntary servitude. Section 2 of the Amendment states that ''Congress shall have the power to enforce this article by appropriate legislation.'' In interpreting the Amendment, the Supreme Court has held that Congress may reach private conduct, because it has the ''power to pass all laws necessary and proper for abolishing all badges and incidents of slavery in the United States.'' *Jones* v. *Alfred H. Mayer Co.*, 392 U.S. 409, 439 (1968). See also *Griffin* v. *Breckinridge*, 403 U.S. 88 (1971). The racially motivated destruction of a house of worship is a ''badge or incident of slavery'' that Congress has the authority to punish in this amendment to section 247.

Section two of H.R. 3525 sets out the Congressional findings that establish Congressional authority under the commerce clause and the Thirteenth Amendment to amend section 247.

In replacing subsection (b) of section 247, H.R. 3525 also eliminates the current requirement of subsection (b)(2) that, in the case of an offense under subsection (a)(1), the loss resulting from the defacement, damage, or destruction be more than $10,000. This will allow for the prosecution of cases involving less affluent congregations where the church building itself is not of great monetary value. It will also enhance federal prosecution of cases of desecration, defacement or partial destruction of a place of religious worship. Incidents such as spray painting swastikas on synagogues, or firing gunshots through church windows, are serious hate crimes that are intended to intimidate a community and interfere with the freedom of religious expression. For this reason, the fact that the monetary damage caused by these heinous acts may be de minimis should not prevent their prosecution as assaults on religious freedom under this section.

H.R. 3525 also amends section 247 by adding a new subsection (c), which criminalizes the intentional destruction or desecration of religious real property ''because of the race, color or ethnic characteristics of any individual associated with that property.'' This provision will extend coverage of the statute to conduct which is motivated by racial or ethnic animus. Thus, for example, in the event that the religious real property of a church is damaged or destroyed by someone because of his or her hatred of its African American congregation, section 247 as amended by H.R. 3525 would permit prosecution of the perpetrator.

H.R. 3525 also amends the definition of ''religious real property'' to include ''fixtures or religious objects contained within a place of religious worship.'' There have been cases involving desecration of torahs inside a synagogue, or desecration of portions of a tabernacle within a place of religious worship. These despicable acts strike at the heart of congregation, and this amendment will ensure that such acts can be prosecuted under section 247.

*2. Amendment of Penalty Provisions*

H.R. 3525 amends the penalty provisions of section 247 in cases involving the destruction or attempted destruction of a place of worship through the use of fire or an explosive. The purpose of this amendment is to conform the penalty provisions of section 247 with the penalty provisions of the general federal arson statute, Title 18, United States Code, Section 844(i). Under current law, if a person burns down a place of religious worship (with no injury resulting), and is prosecuted under section 247, the maximum possible penalty is ten years. However, if a person burns down an apartment building, and is prosecuted under the federal arson statute, the maximum possible penalty is 20 years. H.R. 3525 amends section 247 to conform the penalty provisions with the penalty provisions of section 844(i). H.R. 3525 also contains a provision expanding the statute of limitations for prosecutions under section 247 from five to seven years. Under current law, the statute of limitations under section 844(i) is seven years, while the statute of limitations under section 247 is five years. This amendment corrects this anomaly.

IV. SEVERABILITY

It is not necessary for Congress to include a specific severability clause in order to express Congressional intent that if any provision of the Act is held invalid, the remaining provisions are unaffected. S. 1890, as introduced on June 16, 1996 contained a severability clause, while the original version of H.R. 3525 which was introduced in the House did not. While the final version of H.R. 3525, as passed by the Senate and the House of Representatives, does not contain a severability clause, it is the intent of Congress that if any provision of the Act is held invalid, the remaining provisions are unaffected.

## INTRODUCTION OF LEGISLATION IN SUPPORT OF STATES' RIGHTS

### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. CRANE. Mr. Speaker, over the past several years, my home State of Illinois has been embroiled in litigation, Pennington versus Doherty, regarding the base period used to determine eligibility for unemployment compensation. The plaintiffs in Pennington have argued that the Federal Government, and not the individual States, should have the right to set those base periods. Their position is diametrically opposed to the common practice recognized as lawful and legitimate for decades. I believe that States should retain this right and that Federal action in this area should not preempt State law. Unfortunately, an appellate court did not agree.

While the outcome of this suit will unquestionably have a significant impact on Illinois, it may also lead to changes across the country, since more than 40 States utilize similar methods for determining eligibility for unemployment compensation. The final ruling could lead to greatly increased costs, both for individual States and the Federal Government. In fact, some have estimated that an unfavorable outcome in this case could increase costs by as much as $750 million over the next 8 years in Illinois alone, and the Congressional Budget Office has estimated that costs to the Federal Government could reach the $3 billion range over that same period. There can be little doubt that if the Pennington suit is successful, other plaintiffs in other States will be lining up to file their suits.

But perhaps even more troubling than the financial impact of this decision is the circumvention and misinterpretation of congressional intent through judicial action. Earlier today, the Ways and Means Subcommittee on Human Resources held a hearing regarding the Pennington case. While a variety of witnesses, including representatives of the administration, expressed various opinions regarding this case, there was unanimity on the fact that Congress intended States to control their own base periods. Despite widespread agreement on that issue, the courts may now redefine the law through judicial fiat.

In order to protect congressional intent and avoid these unnecessary expenditures, I am

today introducing legislation which would simply clarify current law by stating in no uncertain terms that States have the right to set their own base periods and no Federal actions should preempt that right. I hope that my colleagues will join with me in supporting States' rights and in supporting this legislation.

## PERSONAL EXPLANATION

### HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. GUTIERREZ. Mr. Speaker, in the afternoon of Wednesday, July 10, 1996, I was unavoidably absent from this Chamber and therefore missed rollcall, vote No. 295, rollcall vote No. 296; rollcall vote No. 297 and rollcall No. 298—on final passage of the legislative branch appropriations for fiscal year 1997. I want the record to show that if I had been able to be present in this Chamber when these votes were cast, I would have voted ''no'' on both rollcall vote No. 295 and rollcall vote No. 296 and ''yea'' on rollcall votes 297 and 298.

## CONGRATULATIONS TO VFW POST 7980

### HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. COSTELLO. Mr. Speaker, I rise today to pay tribute to the Veterans of Foreign Wars Post 7980, located in Millstadt, IL. The Millstadt post is celebrating its 50th anniversary on July 20, 1996, and I ask my colleagues to join me in congratulating the current and former members for their contributions to the entire community.

I assisted the Millstadt post in securing an M–47 Patton tank in 1989 from the U.S. Department of Defense, and it stands as a reminder of those veterans who have sacrificed a great deal to protect the freedoms we love dearly in the United States of America. It was my privilege to be present at the dedication of the tank in September of that year, and since then it has served as both a tribute and educational tool for the whole region.

The Millstadt post has had a long and distinguished record of service to the community, which we will celebrate on July 20. A variety of post commanders have shepherded the post through several improvements and community projects, including services for local veterans, the purchase of American flag for area events, and a college scholarship program.

I want to congratulate the members of VFW Post 7980 for their continued hard work and dedication to their fellow veterans and their community. Their example stands out as an inspiration to other organizations looking to help their fellow man in our region.

## A SALUTE TO BABCOCK AND WILCOX FOR WINNING OHIO'S EXPORTER OF THE YEAR AWARD

### HON. THOMAS C. SAWYER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. SAWYER. Mr. Speaker, I rise today to honor a company in my district, Babcock and Wilcox [B&W], for recently receiving the State of Ohio's Exporter of the Year Award. This award is given each year to the Ohio company which best exemplifies the State's commitment to international trade. It is especially prestigious since Ohio is a leading export State, based on the number of manufacturers who export goods and services. It is particularly gratifying to see B&W win this award, since it has a proud tradition in Ohio since 1906.

B&W is internationally renowned and respected for its power and steam generation systems and for its environmental control equipment. This company's worldwide reputation as an engineering and advanced technologies leader helped its power generation group to earn a record $558 million in overseas contract awards last year, equaling 63 percent of the group's total sales. A highlight was the sale of 10 of the first sulfur dioxide removal systems ever purchased by South Korea as part of its power expansion program. This was also the largest environmental equipment contract ever awarded by an electric utility. Beyond South Korea, B&W has increased its international presence over the last decade by establishing joint venture operations in China, India, Indonesia, Turkey, Mexico, and Egypt. This international expansion has helped the company stabilize its activities in Ohio and has contributed to its growth in my State.

Mr. Speaker, I recognize B&W's superior work in Ohio, and commend this company for winning the State's Exporter of the Year Award.

## CONCERNS ABOUT WETLAND REGULATIONS

### HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. BEREUTER. Mr. Speaker, this Member commends to his colleagues the following letter to Agriculture Secretary Dan Glickman concerning the increased amount of proposed wetland regulations.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*July 9, 1996.*

Hon. DAN GLICKMAN,
*Secretary, Department of Agriculture, Washington, DC.*

DEAR DAN: While visiting with my constituents, I have been advised of several concerns about wetland regulations, particularly a concern that actions by Federal Agencies with wetland responsibilities and jurisdiction are proposing actions that amount to ''regulatory creep'' by proposing to expand the amount of lands defined as Federally protected wetlands.

I am told that three changes are being considered by the four Federal agencies with wetland responsibilities (USDA, Corps of Engineers, EPA and U.S. Fish and Wildlife Service) that would expand the criteria used in the Federal delineation process by making changes to the 1987 delineation manual and by adopting a functional assessment process known as the hydrogemorphic (HGM) approach.

One of the specific concerns has been that NRCS, without public notice and comment, is expanding its list of field indicators of hydric soils, which in turn would result in an expansion of areas and sites that would meet the hydric soil criteria. Mr. Secretary I want to ask whether it is the view of NRCS that all hydric soils are wetland soils? (I understood that wetland soils are a function of wetland hydrology, and that wetland delineation requires the independent verification of all three wetland criteria—soils, water, and plants.)

Secondly, I am told that the Fish and Wildlife Service is about to enter into an agreement to expand the hydrophytic plant list, also without the benefit of public notice and comment. Is the interagency wetland team recommending that Federal agencies be allowed to delineate wetlands based only upon two criteria (soils and plants) instead of the three essential wetland criteria? Such an action would seem to allow regulators to 'assume' hydrology based on the presence of an expanded list of hydric soil indicators and an expanded list of hydrophytic plants. It is already very difficult for many of my constituents to accept wetlands defined under present rules without wetlands being defined without the apparent presence of water for a significant period of time during the year.

Finally, I am curious about the interagency wetland team's implementation of a new methodology for the functional assessment of wetlands using the hydrogemorphic (HGM) approach. There is a concern that this method would arbitrarily assign functions to various types of wetlands located within a watershed or ecological region by combining the subjective nature of wetlands science with the ambiguity of professional judgment.

Mr. Secretary, I am particularly alarmed by the appearance that no one in the Administration nor the Congress is currently in charge of wetland delineation. With no one designated for a leadership role on this subject I fear that the bureaucracy is once again free to initiate regulatory creep. That would leave the most important regulatory decisions to be accomplished behind the political scene by interagency fiat without public input.

Dan, I would appreciate it very much, and feel more comfortable, if you would take a personal role in overseeing the activities of the interagency wetland group to insure that the general public, including those which would be subject to these regulations, have adequate opportunity for involvement in any changes in wetland regulations.

Thank you very much for your consideration and assistance on this matter.

Best wishes,

DOUG BEREUTER,
*Member of Congress.*

## BIOMEDICAL RESEARCH BENEFITS ALL AMERICANS

### HON. RANDY ''DUKE'' CUNNINGHAM,

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. CUNNINGHAM. Mr. Speaker, I rise today in support of the increased funding levels contained in the fiscal year 1997 Labor, Health and Human Services, and Education Appropriations Act for the National Institutes of

Health [NIH]. This funding is critical for biomedical research and benefits all Americans, as it improves quality of life. In addition to researching treatments and cures for such disease as breast cancer, heart disease, and Alzheimer's disease. NIH funding is also used to advance medical devices that will save and enhance lives.

San Diego County is a leader in the field of biomedical research. This region of southern California is known for its advancements in medicine, and increased funding levels are vital to move forward with research that will find cures for diseases. Jonas Salk, the pioneering health researcher, did much of his greatest work at the University of California, San Diego. His development of the first polio vaccine saved countless lives, and spared countless families the crippling disabilities, and even death associated with this disease.

I commend Chairman PORTER in his commitment to NIH research. I am pleased that he joins me in recognizing the important NIH's support to thousands of scientists and research institutions throughout the country.

## A TRIBUTE TO SHELTER ISLAND POLICE CHIEF L. GEORGE FERRER

### HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. FORBES. Mr. Speaker, I rise today to pay tribute to the late L. George Ferrer, a selfless, dedicated law enforcement officer who for nearly 20 years served the town of Shelter Island, Long Island as its chief of police.

A 26-year veteran of the Shelter Island Police Department, George suffered a fatal heart attack while hard at work at his desk early on the morning of Thursday, June 27. Despite the quick reactions of Police Officer Jack Thilberg, who administered cardiopulmonary resuscitation, and Sergeant Jeffrey Brewer that enabled ambulance crews to transport the chief safely to the hospital, George Ferrer passed away at Winthrop University Hospital at 3:09 a.m. on Tuesday, July 2.

With George Ferrer's passing, not only has the community of Shelter Island lost a faithful protector, but Long Island's entire law enforcement community has lost one of its finest members. With an unyielding devotion to the badge he wore, and all that it represents, Chief George Ferrer set an example of professionalism and commitment for the officers of his department, for law enforcement officers everywhere and for the public he served so well.

The example George Ferrer provided will live on because it will be carried forward by men like Shelter Island Police Sergeant Jeffrey Brewer, who served under the chief for nearly 20 years. Delivering the eulogy at his chief's funeral service, Sergeant Brewer talked about the steadfast devotion to professionalism that George Ferrer brought to the job every day and how it shaped him and the other officers.

Though, as chief of police, George was the administrative head of the department, he was not afraid to do the routine police work, whether it was directing traffic or gathering evidence. ''George led us past our feelings and emotions and into the trenches. For he was spit and polished to most—to us he was never afraid to roll up his sleeves and get dirty, to get the job done,'' Brewer eulogized.

The greatest tribute that could be paid George Ferrer's legacy as chief of the Shelter Island Police Department are the police officers who mentored under his command and took to heart his dedication and who will continue to protect and serve the community. The Shelter Island police officers you see in front of you today are a product of George's legacy. They have all been with me in body and George in spirit since last Thursday morning. They have been away from their families for days on end. When the news came of George's passing, they knew what they had to do. I never told them—I didn't have to. They just knew they had to be spit and polished,'' Brewer told those who gathered to mourn George's passing and to comfort his family.

It was not just the law enforcement community that appreciated George Ferrer's dedication and commitment. Shelter Island Town Supervisor Huson ''Hoot'' Sherman described the chief as ''very professional, very dedicated to Shelter Island and to the police work on Shelter Island. Whenever we had any kind of emergency or an accident, whenever there was somebody in distress in any way, George was always there on the scene, taking charge of the situation.'' Part of George Ferrer's duties was to act as Shelter Island's Emergency Management Coordinator during any sort of hurricane or winter blizzard.

Supervisor Sherman praised his ability as a law enforcement officer, but also an administrator, saying that ''George ran a very tight department. He did a terrific job, his whole life was wrapped up being the Shelter Island Police Chief.'' As Supervisor Sherman also recalled, George was a very industrious man who was always working to supplement his police salary, doing carpentry work or selling real estate around the Island.

All who knew George Ferrer praised his dedication to the Shelter Island Police Department, his tireless devotion to the island's residents and to the police officers under his command. As impressive as his commitment to the police force, none of it surpassed George's love for his family. They were always his first consideration. Chief Ferrer leaves behind his wife Shirley, son Christopher and daughters Lori and Danielle, as well as his granddaughter Rebecca. He is also survived by his mother Cecelia Glas and stepfather, Adolph Glas, his brother Robert and sisters Celia and Elisa.

And as the Shelter Island Reporter, Chief Ferrer's hometown newspaper, put it, ''We'll miss his professional energy and his enthusiasm, his personal honesty and his fairness with us. We'll miss him as a person. We'd be honored if he misses us when Tuesday mornings roll around.''

For his many years of selfless, dedicated service to the community, we all owe Shelter Island Police Chief L. George Ferrer a great debt of gratitude and thanks. May his spirit of public service and professionalism live on in all our hearts. He was a class act and will be sorely missed by all who came to know him personally and professionally across eastern Long Island.

Sergeant Jeff Brewer's entire eulogy speech on Chief Ferrer follows:

To those of you who don't know me, I am sergeant Jeff Brewer of the Shelter Island Police Department. For the past 19 years and 3 months, I have had the privilege to serve under Chief George Ferrer, first when he was sergeant then as a chief. We have been through a lot together. When I was a ''rookie'' we laughed as I fumbled over my own two feet. Then as time moved on, much like a teenager feeling his oats, I challenged some of his ways not knowing why. He always got the last word in by saying, ''This is my sandbox.'' Through the years I learned to understand the meaning of that and from that grew a strong respect. The Chief was more like an older brother to be than a boss. We shared the private pain of losing longtime fellow officers and friends to retirement and injuries. Still we remained, Chief Ferrer, Detective Springer, and me. Over the years, oddly as it seems, George and I arrived at an ironic balance; similar to the odd couple, George with his unyielding serious side and me with my more witty approach. This combination seemed to get us through the daily occurrences from the trivial and mundane to the serious and the grotesque. George led us past our feelings and emotions and into the trenches. For he was spit and polished to most, to us he was never afraid to roll up his sleeves and get dirty to get the job done.

The Shelter Island Police Officers you see in front of you today are a product of George's legacy. They have all been with me in body and George in spirit since last Thursday morning. They have been away from their families for days on end. When the news came of George's passing, they knew what to do. I never told them what to do; I didn't have to. They just knew they had to be spit and polish. They spent hours and hours of their own time putting this together. They spent hours practicing every step for today. It had to be right.

I have heard through the grapevine that this is just a big show! They cannot understand! These fine officers and the rest of you in blue know this is no show! This how our family shows our respect to a fellow officer and his family. And it shows how law enforcement is not just a job but rather a way of life and Chief George Ferrer demonstrated it every day.

As in life as we know it, there are beginnings, endings, and new beginnings so let me finish by going back to the beginning. To Shirley and the Ferrer family, I am personally honored and privileged to have served under such a fine leader like Chief L. George Ferrer. We will do our best to keep his legacy of pride and professionalism alive in this department that he so proudly served. God bless the Chief in his new tour of duty.

## ROBERT C. NELDBERG

### HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. STUPAK. Mr. Speaker and Members of the U.S. House of Representatives, it is an honor for me to bring to the attention of this body and the entire Nation the retirement of Robert C. Neldberg. A native of the Upper Peninsula of Michigan, Mr. Neldberg has been chief executive officer and administrator of the Marquette General Hospital in Marquette, MI, since October 1973.

After studies at Northern Michigan University and in the St. Louis' University Hospital Executive Development Program, Mr. Neldberg began his administrative career in August 1968 when he was hired as the director of personnel and public relations at St.

Luke's Hospital, Marquette, MI. After 3½ years he was promoted to assistant administrator for administrative affairs. After guiding Marquette and the medical community through the successful merger of St. Luke's and St. Mary's Hospitals, Mr. Neldberg was promoted to his current position of chief executive officer/administrator at the newly created Marquette General Hospital. Mr. Neldberg's drive and dedication nurtured Marquette General from a $6 million revenue operation to a regional medical center with a yearly revenue of $205 million with 2,350 employees and 250 physicians on staff.

Mr. Neldberg is leaving a distinguished medical and civil career. He is responsible for sheparding the 14 Upper Peninsula hospitals together to form a medical networking partnership led by Marquette General. In 1983, he received the prestigious Homminga Award, presented by the Michigan Hospital Association, signifying the most outstanding hospital administrator in Michigan. In 1991, Mr. Neldberg was named Northern Michigan University's Citizen of the Year. Included in his community service are his positions as a former board member of the Michigan Hospital Association, and former chairman of the United Funds Drive of Iron Mountain/Kingsford and Marquette.

Despite his retirement, Mr. Neldberg will remain active in Michigan's medical arena. Governor John Engler named him to the Board of Medicine for the term that began on March 1, 1996 and continues through 1999. Robert Neldberg is currently president of the Upper Peninsula Health Care Network and the Upper Peninsula Health Education Corporation.

Mr. Neldberg and his wife, Monica Ann Gunville-Neldberg, have four children and eight grandchildren and belong to St. Peter's Cathedral in Marquette. He is also a member of Marquette's Rotary Club and a past president of the Jaycees Organization. Mr. Neldberg has been politically active as chairman of the Marquette County Republican Party and vice chairman of the District Republican Party.

Although his career with Marquette General Hospital is coming to a close, I know Mr. Neldberg will continue to be a great asset both to his own community and Michigan's medical community. Through his dedication to his profession and through his volunteer efforts, Mr. Neldberg represents the very best of our free society. He has made his life his work, and his community is better for the effort. Mr. Speaker, on behalf of the Upper Peninsula and the entire State of Michigan, I would like to congratulate Mr. Robert Neldberg on his retirement.

## HONORING THOMAS J. BALSHI, DDS

### HON. JON D. FOX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. FOX of Pennsylvania. Mr. Speaker, for almost a quarter of a century, Thomas J. Balshi, A Fellow of The American College of Prosthodontists, has impacted the health of thousands of individuals worldwide by contributions to research, education, and the clinical practice of prosthetic dentistry.

He trained others from Bosnia-Herzegovina to bring healing and restoration to that war-torn population. He has championed the benefits of prosthetic care throughout the country of India, in Uruguay and Colombia, and has spoken before The Royal Society of Medicine in London.

Dr. Balshi is a pioneer in the field of implant prosthetics. His work has renewed the health and self-confidence of his patients. Dr. Balshi commits himself clinically and personally to the careful renewal of every patient's smile, whether the patient be indigent or celebrity. Through his years of professional practice, he has earned the reputation of being a dental court of last resort. By engineering innovative solutions, he has specialized in saving diagnosed hopeless dental cases.

Dr. Balshi is a recent recipient of the prestigious George Washington Medal of Honor from the National Freedoms Foundation at Valley Forge, PA. He was honored for his contributions to dental science through education. The Freedoms Foundation honors Americans whose lives reinforce and exhibit the patriotic values of our country's Founding Fathers.

A former captain in the United States Army (1972–1974), Dr. Balshi was Chief, Department of Fixed Prosthetics, Mills Army Dental Clinic, Fort Dix, NJ. He received the Army Commendation Medal for Extraordinary Service.

He became a Fellow of The American College of Prosthodontists in 1976, following graduation from Temple University School of Dentistry in 1972. He is a 1968 graduate of Villanova University.

He served as editor of the International College of Prosthodontists Newsletter for its inaugural 10 years. In this role, he actively participated in establishing worldwide communication among practitioners of his specialty.

Dr. Thomas J. Balshi is commended for his masterful way of blending heart, art, and science to serve those in need.

## TRIBUTE TO ILLINOIS STATE REPRESENTATIVE ROGER P. McAULIFFE

### HON. MICHAEL PATRICK FLANAGAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. FLANAGAN. Mr. Speaker, it is with great sadness and regret that I note the passing on July 5, 1996, of my constituent, Illinois State Representative Roger P. McAuliffe. Roger represented the 14th state house district on Chicago's northwest side as well as several suburbs including Park Ridge, Rosemont, Norridge and Schiller Park. He was also the 38th ward Republican committeeman.

Roger was the dean of the Illinois State House Republicans, having served in the Illinois General Assembly from 1973 until the day of his tragic death. Roger was also an assistant majority leader of the Illinois House. Roger was particularly know for his constituent services and his efforts on behalf of senior citizens, fighting crime and for tax caps. Known as an innovator, Roger started having senior citizens driving seminars as far back as 1981, which have been attended by as many as 1,000 people at a time. As those who lived in his district knew, Roger always took care of those he represented and he always represented them well.

As a 1965 graduate of the Chicago Police Academy, and a Chicago police officer ever since, Roger had a keen interest in preventing crime and protecting the public safety. In 1981 Roger was a cosponsor of legislation to toughen Illinois' drunk-driving laws. The legislation, which became State law, ended the practice of allowing drunk driving suspects a 90-minute waiting period before deciding whether to take a breathalyzer test.

Roger was a 1956 graduate of my own alma mater, Lane Technical High School. He began his public service career path when he served in the U.S. Army from 1961 to 1963. Affectionately known as the Monsignor, Roger was well respected and well liked by Republicans and Democrats alike. I knew Roger both professionally and personally and I am proud to have had him as a friend. He was always there to help whenever he could be of assistance. Roger was something of an informal advisor and often guided me, and other Members as well, on legislation that had an impact on the Chicago area.

I extend my deepest sympathy to Roger's family. Roger was a truly great public servant and a truly great person. His loss has cast has a long, sad shadow over the city of Chicago and the State of Illinois. Roger McAuliffe, you are deeply missed.

## NEW ZEALAND ECONOMIC REFORMS

### HON. SCOTT L. KLUG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. KLUG. Mr. Speaker, I led a congressional delegation which visited New Zealand to study their economic reforms. We met with many people ranging from the privatization policymakers to sheep farmers and walked away with an insightful approach to rescuing an enormous Federal debt in a relatively short amount of time. Eliminating the deficit is crucial for the United States fiscal survival and the New Zealand model provides us with some options to explore. For the benefit of my colleagues, I would like to have printed in the RECORD the preface and executive summary of the United States-New Zealand Council report on the delegation's trip to New Zealand. For those who desire the complete report, please contact my office.

REPORT ON CONGRESSIONAL STUDY TOUR TO NEW ZEALAND

PREFACE

A bipartisan Congressional study group visited New Zealand from April 8 to 13, 1996 to examine the causes and effects of New Zealand's remarkable economic reform that has brought New Zealand from the bottom to the top of various OECD lists in terms of economic performance. The group was comprised of Congressmen Scott Klug (R-Wisconsin), William Orton, (D-Utah), and Dana Rohrabacher (R-California), plus four senior House staffers: Scott Palmer, Deputy Chief of Staff, Office of the Majority Whip; John Feehery, Communications Director, Office of the Majority Whip; Paul Behrends, Legislative Assistant for Congressman Rohrabacher; and Joyce Yamat, Legislative Assistant for Congressman Klug. The group was accompanied by Ambassador (ret.) Paul Cleveland, President of the United States-New Zealand Council, the organization which funded and arranged the trip.

In the course of a crowded and intense five day schedule, the group met with close to two hundred individuals, business leaders, non government organizations, as well as government officials, and took field trips with Telecom New Zealand, Tranz Rail, and the New Zealand Dairy Board to gain a comprehensive view of the reform process and what it has meant to a diverse group of New Zealanders and their institutions.

The Council deeply appreciates the help and sponsorship of a number of individuals and government and private institutions without whom the trip would not have been possible: the New Zealand Embassy in Washington, the United States Embassy in Wellington and the U.S. Consulate General in Auckland, the Department of State and the New Zealand Ministry of Foreign Affairs and Trade, Bell Atlantic, Ameritech, Wisconsin Central, Mobil Oil Corporation, the New Zealand Dairy Board, Air New Zealand, and all of the individuals and organizations included in the trip schedule.

The report prepared by the Council reviews the highlights and the principal points that emerged. Its accuracy and representation of views and conclusions are the responsibility of the Council and do not necessarily represent the thoughts of the members of the delegation.

EXECUTIVE SUMMARY

New Zealand has undergone one of the most radical economic transformation in recent years in the Western world and increasingly has become a subject for study by others, who want to know why it has been so successful.

Small, with a population of 3.5 million, and highly homogeneous compared to the United States New Zealand had prior to 1984 become the most socialized country extant outside the communist world, and as New Zealand Ambassador to the United States John Wood is wont to say, ''was performing about as well as the communists.'' Deeply in debt in 1984 with its back to the wall, ironically a new *Labour* government, probably the most intellectual New Zealand has ever had, introduced a comprehensive set of reforms that relentlessly tackled monetary, fiscal, labor, privatization, administration and a myriad of other problems. When Labour ran into political and economic problems that eventually divided it, a National party government was elected and finished the job of reform.

The results in only ten years proved electric. Shocked into reality, the revived economic system is currently among the best performers in the OECD. Even better indicators than the figures are the improvements in productivity, competitiveness and attitude. New Zealand is rated by responsible judges highest or close to highest in the world in all three.

Not all have benefited equally. Some Kiwis, particularly those in certain minority ethnic groups, have been left behind and disagreements over what should be done and the ability of government to deliver social and other services is as intense as in the United States and elsewhere in the world. The Congressional group heard from the dissenters as well as from the advocates.

Despite the differences in pre and post-reform positions, as well as the size and complexity of the two economies, New Zealand offers the following lessons worth further study for their possible application in the United States . . . some obvious, some less so: Speed and equal distribution of the pain of reform were politically necessary in New Zealand to reap the universal gain of reform. Effective managers and sustained attention to following through on changes are essential. Tax revenues grew surprisingly higher than expected because of the integrity introduced into the system by value added taxation. New Zealand might have done better, sooner had it introduced labor and social service reform earlier, thereby reducing these major costs early in the game. The free market absorbs naturally a sizable part of the redundancy created by reform and its worrisome cousin, ''downsizing.'' Training is an essential ingredient however, whether provided by the government or the private sector. Not only should businesses be removed from government to the private sector, where they can be managed effectively in the general interest, government itself should be made more businesslike. We can usefully study such New Zealand innovations as contracts under which senior civil servants can be hired and fired as in the private sector, cost accrual accounting and the requirement for government departments to figure in capital costs of such things as buildings and other hard assets. This practice forces government, like business, to shed unnecessary assets and costs.

## HONORING EDWARD H. JENISON

### HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. EWING. Mr. Speaker, I am saddened to take this opportunity to inform my colleagues that former member Edward H. Jenison, who represented part of my congressional district for three terms from 1946 to 1954, passed away at 2 p.m. Monday, June 24, 1996 at Paris, IL. Community Hospital. He was 88 years old. I am proud to have represented Ed Jenison for the past 5 years and would like to offer my most sincere condolences to his family and friends.

Mr. Jenison was editor and publisher of the Paris Bean-News for more than 65 years and a cornerstone of the Paris community. He will be missed tremendously. The following is a news article from the Beacon-News concerning Mr. Jenison's life and his many accomplishments.

Ed Jenison was a lifelong newspaperman. He started as editor of his high school newspaper while growing up in Fond du Lac, Wis., where his father was editor of the Fond du Lac Commonwealth. His final days in the Beacon-News offices came just a short week before his death.

The newspaper was his primary focus but certainly not his only interest—family, community service and public service also shared his lifelong attention.

Ed Jenison's public service career started with election to three terms as Representative in the U.S. Congress, representing a large district covering much of southeast Illinois from 1946 and 1954. It was in this first term that Ed Jenison met the late Richard M. Nixon, as the families lived in the same apartment and they were first term congressmen together. It was the beginning of a friendship which continued over the years and when President Nixon died, Ed Jenison was called upon by area media to recall his friend. His service in the Congress followed his discharge from the U.S. Navy service during World War II with the rank of Lieutenant Commander, assigned to naval intelligence duties both in Washington and aboard aircraft carriers in the Pacific. He participated in several of the island campaigns including the invasion of the Philippines.

After his service in Congress, Ed Jenison served on the Illinois State Board of Vocational Education from 1953 to 1960; was elected to the 74th Illinois General Assembly as a state representative in 1964, appointed to complete a term in the Legislature in 1973, and was elected a delegate to the Illinois Constitutional Convention in 1970.

He also completed a term as Director of the Illinois Department of Finance by appointment from Gov. William Stratton in 1960.

Ed Jenison was equally involved in community service. He actively supported formation of the Edgar County Mental Health Association, now the Human Resources Center; the Paris Community YMCA, and was one of the first members and officers of the board of the Hospital and Medical Foundation of Paris, Inc., which constructed the present hospital.

He was a speaker at the dedication of the ''new'' hospital in 1970, and participated in the dedication and ribbon-cutting for the new medical office building and hospital addition earlier this month.

He was a past president of the Paris Chamber of Commerce and a director of the Illinois State Chamber of Commerce.

His community service was recognized as the Paris Rotary Club presented him the Allen D. Albert ''Man of the Year'' award. In 1993 the Paris Chamber of Commerce honored Ed and his sister, Ernestine Jenison, with the annual Parisian Award.

In 1990, when Gov. Jim Thompson came to Paris to announce the location of a new Department of Corrections Work Camp here, fondly recalled it was on a trip downstate when he was seeking his first term as governor that he met Ed Jenison. He suggested the new work camp be named the Ed Jenison Work Camp in recognition of Jenison's long public service to the area, and Gov. Jim Edgar concurred at the Work Camp's dedication. Although by nature preferring to remain out of the limelight whenever possible, Ed Jenison graciously acknowledged the compliment paid by Governors Thompson and Edgar, remarking during the dedication ceremony ''I guess it's alright since it has the word 'work' in the name.''

In his chosen profession he also was honored and recognized by his peers.

The United Press-International Illinois Editors Association presented its 1982 Service Award to Ed Jenison, and the Southern Illinois Editorial Association awarded him the title of ''Master Editor'' in 1986. He also was an active member and officer of the former Illinois Daily Newspaper Markets Association, and member of the Inland Daily Press Association and Illinois Press Association, as well as Sigma Delta Chi, professional journalism society.

His Paris newspaper career began in 1926 when his father, E. M. Jenison, sold his interest in the Fond du Lac Commonwealth and purchased the Paris Daily Beacon. Ed Jenison left his college journalism studies to help staff and develop the newspaper which became the Beacon-News in 1927 with the acquisition of the Paris Daily News. He was a long-time enthusiast of area high school sports, starting with his duties as sports editor for the Beacon and then the Beacon-News.

Through his efforts the Beacon-News voiced early and active support for the construction of the ''new'' gymnasium at Paris High School just ahead of World War II, now the ''Eveland Gym.'' When in Paris, he rarely missed a varsity basketball game including the girls' games in recent years, and was a regular sidelines supporter at the football field. He twice found himself in the midst of a sidelines play, coming up none the worse. After the first tackle, while his grandsons were members of the Tigers varsity, the team presented him a football helmet with

the words ''if you're going to play you had better be dressed for it.''

He was equally supportive of the interests of his wife, Barbara, and son and grandchildren. While Ed Jenison was serving on carriers in the Pacific, Barbara Jenison decided she would explore the world of aviation, and obtained her pilot's license. She continued her flying interests by participating in a number of international and cross country ''Powder Puff'' derby competitions, and served many years with the Civil Air Patrol concluding with regional responsibility for women cadets and the rank of lieutenant colonel. She served on the Illinois Division of Aeronautics Advisory Committee. As a pilot she also flew her husband on many of his campaign tours throughout the extensive congressional district.

Edward Halsey Jenison was born July 27, 1907, in Fond du Lac, Wis., the son of E. M. and Mary L. Jenison.

Ed Jenison and Barbara Weinburgh met as students at the University of Wisconsin, and were married Sept. 14, 1929, making their home on Shaw Avenue from that time.

He is survived by his wife, a son Edward H. ''Ned'' Jenison of Paris, three grandsons including Edward Kevin Jenison of Paris, also associated with the management and editorial operations of the Beacon-News; Dr. Jim Jenison of Evansville, Ind., and Stephen Jenison of Carmel, Ind.; and seven great-grandchildren. He was preceded in death by his parents, his stepmother Mrs. Mary Jenison, who served as an officer of the publishing company until her death at the age of 100; by two sisters and a brother, and an infant daughter.

He was a member of the Paris American Legion Post 211, the Edgar County Shrine Club, Ansar Temple and Danville Consistory, Paris Elks Lodge 812, and the Washington Press Club.

## CONGRATULATIONS TO DR. T. JOEL BYARS

### HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 11, 1996*

Mr. COLLINS of Georgia. Mr. Speaker, last month the American Optometric Association convened its 99th annual Congress in Portland, OR. I am pleased to report that during the Congress, Dr. T. Joel Byars of McDonough, GA, was sworn in as the association's 75th president. I would like to take a few moments to congratulate Dr. Byars on this achievement and to offer my best wishes to him for a successful term.

Dr. Byars is a native of Griffin, GA, and is a graduate of the Southern College of Optometry in Memphis, TN. During his career, Dr. Byars has built a record of achievement in his profession at the local, State, and national levels, He is past president of the Georgia Optometric Association, the Georgia State Board of Examiners in Optometry, and is former trustee of the Southern Council of Optometrists. He was elected to the board of trustees of the American Optometric Association in 1989 and has served as an officer for the past 4 years.

The American Optometric Association is the professional society for our Nation's 31,000 optometrists. In his role as president, Dr. Byars will guide the association as it deals with the challenges and opportunities of providing eye and vision care to millions of Americans.

In addition to his professional achievements, Dr. Byars has been active in civic affairs. He has been a board member of the Dekalb Council on Aging and the North Central Georgia Health Systems Agency. Dr. Byars has also been involved in the Stone Mountain Rotary Club, and he has chaired the optometric division in the Dekalb Cancer Crusade and Heart Fund.

Dr. Byars also served his Nation in the U.S. Army Medical Service Corps.

Dr. T. Joel Byars has distinguished himself as an outstanding leader in his profession and in his community, and I am confident that he will have a successful term as president of the AOA. I join his many friends and colleagues in offering congratulations and best wishes.