

bill to preserve the authority of the States over waters within their boundaries, to delegate the authority of the Congress to the States to regulate water, and for other purposes.

Since 1866, Congress has recognized and deferred to the States the authority to allocate and administer water within their borders. The Supreme Court has confirmed that this is an appropriate role for the States. Additionally, in 1952, the Congress passed the McCarran amendment which provides for the adjudication of State and Federal water claims in State water courts.

However, despite both judicial and legislative edicts, I am deeply concerned that the administration, Federal agencies, and some in the Congress are setting the stage for ignoring long established statutory provisions concerning State water rights and State water contracts. The Endangered Species Act, the Clean Water Act, the Federal Land Policy Management Act, and proposed wilderness legislation have all been vehicles used to erode State sovereignty over its water.

It is imperative that States maintain sovereignty over management and control of their water and river systems. All rights to water or reservations of rights for any purposes in States should be subject to the substantive and procedural laws of that State, not the Federal Government. To protect State water rights, I am introducing the State Water Sovereignty Protection Act.

RAY CALHOUN DAY CELEBRATED IN CONGRESS

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. SOLOMON. Mr. Speaker, every now and then, you come across an individual who exemplifies the spirit and ethics on which this country was founded. Ray Calhoun from the town of Hoosick, NY, in my congressional district is just such a man in every aspect of his life. I have had the privilege of knowing Ray for better than a quarter of a century now in both public and private life and it is with great pride that I call him friend.

Mr. Speaker, there are so many things I admire about Ray I don't even know where to start so why not with the beginning. Ray was born on Christmas eve 1922 and raised on his father's dairy farm. They were a family farm and supplied local citizens and stores with fresh milk. As was typical at the time, Calhoun's farm became part of the fabric of the local community as the Calhoun's, Ray and his father and brother, became renowned for their service and pride in their work.

Ray remained on that farm for the first 50 years of his life. It was there, rising at the crack of dawn, plowing and tending to the fields, harvesting the crops, and looking after the herd that Ray Calhoun, the man, was shaped.

So it seems to me, Mr. Speaker, that we owe a lot to that farm. For it was there that Ray Calhoun developed his tremendous work ethic, his inner pride, and most importantly to those in Hoosick and the surrounding area, his willingness to do more than the norm.

Mr. Speaker, nothing better exemplifies Ray's pride and resolve than the event that

caused him to reluctantly leave the family farm business he so loved. You see, a tragic farming accident cost Ray his leg. Yet, as he recuperated at his home, I paid him a visit along with the current town supervisor, John Murphy. It was there, in the face of so much adversity that Ray decided to serve the community he so loved and run for town supervisor of Hoosick. Little did we know then that his decision would bear a second career of 23 years in public service. Not only did Ray go on to two successful terms as town supervisor, but he served as the town clerk from 1977 until just this past December 31, 1996, when he retired from public service. But those of us who know him know that Ray will still be seen about town, whether it be at church, or at the many civic organizations he also belongs to and has served.

I've always been one to judge people based on what they return to their community. Ray Calhoun has given all he can and then some. But to me Mr. Speaker, he's even more than that. Ever since my mother and I were left by my natural father shortly after I was born, I have always looked to men I admire as a father figure. For me, Ray has always been just such a father image. Someone I more than admire, someone I have tried to model myself after in life.

Mr. Speaker, we all would do ourselves and our communities a great service to model ourselves after Ray Calhoun. At this time, I would ask that you and all Members of the House rise with me and the town of Hoosick, NY, in recognition of a great American on his day, Ray Calhoun Day, to be celebrated this January 12, 1997.

INTRODUCING CROWN JEWEL LEGISLATION

HON. JENNIFER DUNN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Ms. DUNN. Mr. Speaker, it gives me great pleasure today to introduce the Crown Jewel National Parks Act. This legislation will require the President to submit a specific budget request for our 54 national parks so that for the first time, our national parks would have their own specific and separate line-item to ensure that their funding is a top priority.

We are truly blessed in this Nation with a national park system that is second to none and serves this Nation as one of the top vacation choice of families, individuals and visitors world-wide.

In my State of Washington, we have the good fortune of having three national parks. Mount Rainier National Park, the North Cascades National Park, and the Olympic National Park. Like many of our older national parks, they are suffering from lack of funding creating maintenance and construction backlogs that continue to build up year after year. Also, the popularity of our parks has increased dramatically over the last decade and funding for roads and trails has not kept pace.

While we significantly increased funding for the National Park Service in the 104th Congress, we must not allow money from one park account to be haphazardly moved to another without any constraints. Our national parks are too important to be left to the discretion of bureaucrats.

Mr. Speaker, I look forward to working with my colleagues in the 105th Congress to enact this legislation.

CREATION OF A "RETIREE VISA"

HON. BILL McCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. McCOLLUM. Mr. Speaker, I am introducing legislation to create a retiree visa for various people who would like to spend some of their retirement years in the United States. Let me give you an example of how this will work by using August and Gerda Welz as an example.

August and Gerda Welz have spend more than \$380,000 in the United States since taking up a residence in Palm Coast, FL, 3 years ago. Native Germans, the Welzs saw Florida as an ideal place to spend their retirement years, with its pleasant climate and sound economy. They own a home, pay taxes, and volunteer in the community.

What they did not realize, however, was how many problems they would encounter in meandering through the United States' immigration laws.

To encourage more business and tourist travel to the United States, the Immigration and Naturalization Service established the Visa Waiver Pilot Program [VWPP], which has benefited many citizens from eligible countries. Narrow in scope, however, it only pertains to those who come to the United States for 90 days or less. Couples such as the Welzs represent the growing number of foreign travelers who wish to stay for an extended period of time or even retire in the United States. Unfortunately, they must still jump through an unreasonable number of hoops.

Having to navigate through such a complex set of rules and regulations is an unnecessary disincentive to foreign tourists looking to retire in the United States. My legislation would help remedy this.

The proposed visa would be available to citizens from those countries participating in the VWPP, as well as Canada. This diverse group includes countries such as Japan, Spain, and Germany. Applicants would have to be at least 55 years of age, own a residence in the United States, maintain health coverage, and receive income at least twice the Federal poverty level. The applicant would also be required to maintain a residence in his or her country of citizenship.

Perhaps the most attractive feature is that the visa would be valid for up to 4 years, alleviating the burdensome expense of frequent travel. It would be renewable as long as the application was filed from the retiree's country of citizenship.

Mr. Speaker, it is important to clarify that the proposed visa would only be available to non-immigrants, and would not provide work authorization or eligibility for any Federal meanstested programs. In its simplest terms, the visa would serve as a much needed mechanism in which foreign retirees would have the opportunity to comfortably reside in the United States.

It goes without saying that ensuring proper immigration procedures is critical to our Nation's well-being. Still, there is absolutely no

reason to discourage anyone from coming to Florida—or anywhere else in the United States—to retire.

Foreign travelers supply a healthy boost to our economy, and are an important part of many of our communities. By simplifying the process for this unique group of retirees, this proposal would provide new and exciting opportunities to couples such as the Welzs—a practice that would benefit all parties involved.

TRAFFIC STOPS STATISTICS ACT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. CONYERS. Mr. Speaker, African-Americans across the country are familiar with the offense of DWB, driving while black. There are virtually no African-American males—including Congressmen, actors, athletes, and office workers—who have not been stopped at one time or another for an alleged traffic violation, namely driving while black.

Law enforcement representatives may admit to isolated instances of racially targeted police stops, but they deny that such harassment is routine. The numbers belie this argument. Although African-Americans make up only 14 percent of the population, they account for 72 percent of all routine traffic stops. This figure is too outrageous to be a mere coincidence.

The Ninth Circuit Court of Appeals reached a similar conclusion after considering the 1993 case of a Santa Monica police officer who was found to have violated the rights of two black men he stopped and arrested at gunpoint. The court found that the case was an example of how police routinely violate the constitutional rights of minorities, particularly black men, by stopping them without just cause.

But lawsuits alone cannot solve this problem. Last November, the American Civil Liberties Union sought a fine for contempt of court against the Maryland State police, arguing that police are still conducting a disproportionate number of drug searches of cars driven by African-Americans almost 2 years after agreeing to stop as a result of a 1992 lawsuit.

Despite the agreement, State police statistics show that 73 percent of cars stopped and searched on Interstate I-95 between Baltimore and Delaware since January 1995 were conducted on the cars of African-Americans despite the fact that only 14 percent of those driving along that stretch were black. Moreover, police found nothing in 70 percent of those searches.

The evidence clearly shows that African-Americans are being routinely stopped by police simply because they are black. It is exactly this sort of unfair treatment that leads minorities to distrust the criminal justice system. If we expect everybody to abide by the rules, we must ensure that those rules are applied equally to everybody, regardless of race.

In many ways, this sort of harassment is even more serious than police brutality. Not to minimize the problem of brutality, but these stops, this sort of harassment is more insidious. Almost every African-American man will be subject to this sort of unfair treatment at least once, if not many times. And no one hears about this, no one does anything about it.

With brutality on the other hand, these days, incidents of brutality at least come to light. The culprits may not be punished for their acts, but it is getting harder for the police to brutalize minorities without any fear of reprisals.

The same cannot be said for harassing traffic stops. Police can stop the cars of minorities with total impunity. In fact, the Supreme Court recently expanded police powers by holding that police need not inform individuals stopped that they have a right not to consent to a search of their vehicles.

Thus it appears that the problem of police stops is only going to increase. For this reason, I am introducing the Traffic Stops Statistics Act. This bill will force police departments to keep track of the race and alleged traffic infractions of those they stop. It will also require them to note the rationale for any subsequent search and the contraband recovered in the course of that search. In this way, we will increase police awareness of the problem of targeting minorities for car searches and we can discover the extent of the problem and hopefully reduce the number of discriminatory traffic stops.

INTRODUCTION OF THE HIGHER EDUCATION ACCUMULATION PROGRAM ACT OF 1997

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Ms. ESHOO. Mr. Speaker, I rise today to renew my drive to help parents save for their children's higher education by introducing the Higher Education Accumulation Program [HEAP] Act of 1997. This initiative, which I also introduced in the prior two Congresses, establishes special IRA-like savings accounts so that parents are motivated to save for their children's higher education.

There is no greater investment that families can make in their future than giving their children a chance to pursue higher education. Unfortunately, tuition increases have made college unaffordable for so many families. As a result, families are being forced to go deeper into debt or tap into their life savings in order to give their children a chance to prepare themselves for the 21st century.

Under my initiative, parents can deposit up to \$5,000 per year tax deferred in a HEAP account for their child's college or other higher education. Only one child can be the beneficiary of each HEAP accounts. While multiple HEAP accounts could be established by a family, parents would be limited to a maximum tax deferral of \$15,000 per year. Married parents filing separate returns would be limited to \$2,500 in deferrals per account, up to a maximum of \$7,500.

With a HEAP account, one-tenth of any amount withdrawn for educational expenses—including tuition, fees, books, supplies, meals, and lodging—at eligible institutions would be included in the gross income of the beneficiary for tax purposes each year over a 10-year period. If a person withdrew money from a HEAP account for purposes other than paying for higher education, that money would be subject to a 10-percent penalty on top of the income tax rate that would apply at the time of withdrawal.

According to the Government Accounting Office [GAO], tuition at 4-year public colleges and universities—where two-thirds of U.S. college students attend classes—has increased 234 percent over the past 15 years. In contrast, median household income rose only 82 percent and the cost of consumer goods rose just 74 percent in the same period. GAO also has found that increases in grant aid have not kept up with tuition increases at 4-year public colleges. As a result, families are relying more on loans and personal finances to pay for school. For example, in fiscal year 1980, the average student loan was \$518; in fiscal year 1995, it rose to \$2,417, an increase of 367 percent.

The U.S. Department of Education reports that for the 1994-95 academic year, annual undergraduate charges for tuition, room, and board were estimated to be \$5,962 at public colleges and \$16,222 at private colleges. Between 1980 and 1994, college tuition, room, and board at public institutions increased from 10 to 14 percent of median family income—for families with children 6 to 17 years old. At private institutions, these costs increased from 23 to 41 percent of median family income between 1979 and 1993.

Mr. Speaker, making higher education more affordable for more families must be a top priority for the 105th Congress. I urge my colleagues to join me in this effort to provide a much-needed helping hand to American families.

REPEAL THE ESTATE TAX

HON. JOSEPH R. PITTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. PITTS. Mr. Speaker, today I introduced a bill to repeal the estate tax which has burdened so many farmers and small business owners in the 16th District of Pennsylvania. With the repeal of this tax, more families in Lancaster and Chester Counties can hold onto their hard-earned family legacies.

Mr. Speaker, the estate tax is one of America's most illogical taxes. After a person's death the IRS collects between 37 and 55 percent of all assets transferred which are valued at more than \$600,000. The "death tax" discourages savings, penalizes the sound practices of capital formation and investment, and puts many family owned farms and businesses in jeopardy after the loss of a loved one.

In addition, Mr. Speaker, the estate tax is expensive to collect. The IRS spends approximately 65 percent of the revenue it collects from this tax on enforcement of the estate tax code. Further, the estate tax accounts for less than 1 percent of annual Federal revenue. Finally, it is expected that the repeal of this tax could create an increase in revenue for the Federal Government in the future, as families will be able to invest their savings and generate more taxable income.

Mr. Speaker, the reason many people work so hard is to make life better for their children. New businesses, especially minority-owned firms, face enough obstacles without having the rewards of hard work snatched away at the end of the first generation. I think it's time that we give control of life savings back to the