

# EXTENSIONS OF REMARKS

## INTRODUCING THE BALANCED BUDGET ENFORCEMENT ACT OF 1997

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. VISCLOSKY. Mr. Speaker, today, I am joined by our colleague, Representative CHARLIE STENHOLM, in introducing the Balanced Budget Enforcement Act of 1997. This legislation, which was originally introduced by former chairman of the Budget Committee, Leon Panetta, would put in place tough, new measures to reform the budget process and eliminate the Federal budget deficit by the year 2002.

It would do so by using a unique combination of an annual cap on appropriations, reconciliation, and sequestration, to pressure the President and the Congress to achieve annual deficit reduction goals, resulting in a balanced budget in 2002 and each year thereafter. Unlike similar pieces of legislation designed to produce a balanced budget, the Balanced Budget Enforcement Act contains no loopholes, and is designed to reward committees which meet their deficit-reduction responsibilities. A more detailed summary of the legislation appears after these remarks.

Like many of my colleagues, I am extremely concerned that we have failed to plan for this Nation's future and that we are about to saddle our children and our grandchildren with debts that they cannot possibly hope to pay. While we have made some progress in bringing the deficit under control over the past several years, the fact remains that in fiscal year (FY) 1996, the Federal Government spent \$107 billion more than it took in. What's more, the Congressional Budget Office estimates that under current law, the deficit will begin rising again this year, climbing back to \$278 billion by Fiscal Year 2007. The Balanced Budget Enforcement Act of 1997 would stop this destructive trend, and set us on the path to a budget that is truly balanced by 2002.

In closing, Mr. Speaker, I urge my colleagues to cosponsor this important legislation. The sooner we begin a serious effort to balance the budget, the better off our children and grandchildren will be.

### BALANCED BUDGET ENFORCEMENT ACT OF 1997

#### SUMMARY

(1) Deficit Reduction Targets (in addition to the amounts required by current law) to reach balance in 2002.

	(In billions)					
	1998	1999	2000	2001	2002	Total
Discretionary caps .....	10.6	22.1	34.8	47.9	61.3	176.8
Entitlement/revenue scorecard .....	19.9	40.5	55.6	69.7	85.2	271
Debt service .....	.9	3.6	7.7	13	20	45.4
Grand total ....	31.4	66.2	98.2	130.6	166.6	493.2

Source: Congressional Budget Office

(2) Setting Sound Economic Estimates: The President appoints a "Board of Estimates," consisting of the Chairman of the

Federal Reserve and four private citizens nominated by House and Senate party leaders. The Board must choose either CBO's or OMB's estimates of how much deficit reduction is needed in that Session. The Board's choice would be binding on the President and Congress, so that the deficit reduction requirement for each would be identical. Finally, the Board would meet again after adjournment to pick either CBO's or OMB's estimates of how much deficit reduction was actually accomplished by Congress during the Session.

(3) Requirement of President to Submit Balanced Budget: The President must propose a budget that will reach balance by 2002. Further, the President's budget must use the assumptions chosen by the Board of Estimates, meet all discretionary caps and entitlement/revenue deficit reduction targets, and achieve balance in 2002 and each year thereafter, and be voted on by Congress.

(4) Requirement of Budget Committees to Report Balanced Budget: Likewise, the congressional budget resolution must lay out a plan to reach balance by 2002. In addition, budget resolutions must use the estimating assumptions chosen by the Board of Estimates, meet all discretionary caps and entitlement/revenue deficit reduction targets, and achieve balance by 2002 and each year thereafter.

(5) Enforcement: A. Discretionary savings—Appropriations. The discretionary savings will be achieved by keeping appropriations bills within an annual cap, and enforced by across-the-board sequestrations of discretionary programs.

B. Entitlement/revenue savings—Reconciliation. The entitlement/revenue deficit reduction priorities will be set through the annual budget process. The budget resolution (conference agreement) will include a reconciliation directive targeting by committee the dollar amount of deficit reduction to be achieved from entitlements and/or revenue and will generate a "spin-off bill" (to be sent to the President) putting those targets into law.

C. Sequestration—Overall reconciliation requirements will be enforced by sequestration; the type of sequestration in any year depends on whether a spin-off bill has been enacted.

(1) Targeted sequestration to enforce reconciliation: (applies if a spin-off bill has been enacted, either as a result of a budget resolution or, later, as a title in a reconciliation bill). If a committee misses its entitlement target, entitlement programs within that committee's jurisdiction will be sequestered by a uniform percentage to meet the target. If revenues do not meet the revenue target, a uniform personal and corporate surtax will be imposed to meet the target.

(2) Comprehensive sequestration: (applies if a spin-off bill has not been enacted; this would generally occur if the President first vetoes the spin-off bill, then vetoes a reconciliation bill containing the committee targets). There will be a comprehensive sequestration of entitlement spending and some revenue provisions in the amount needed to hit the overall target for entitlement/revenue deficit reduction. For revenues, a surtax would be imposed upon personal annual incomes greater than \$250,000 and corporate incomes over \$10 million. This formula will produce \$4 in entitlement spending cuts for every \$1 in revenue increases.

(6) Tax cuts/Investment: Tax cuts and/or investment policies can be enacted if they are paid for.

## IN HONOR OF BRIDGET MCGLYNN: FOR SELFLESS DEDICATION TO THE IRISH-AMERICAN COMMUNITY OF BAYONNE

HON. ROBERT MENELENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. MENELENDEZ. Mr. Speaker, I rise today to pay tribute to an outstanding woman, Bridget McGlynn, for her dedication to the Irish-American community in Bayonne. Mrs. McGlynn, grand marshal of the 1997 Bayonne St. Patrick's Day Parade, will be honored at a brunch on March 2 at the Hi-Hat Caterers in Bayonne, NJ.

Mrs. McGlynn's wondrous journey in community involvement began in her native Ireland. Originally from County Leitrim, she completed her education at nursing school in England. Upon emigrating to the United States in 1952, Mrs. McGlynn commenced her career as a registered nurse at St. Francis Hospital in New York City. Countless patients have benefited from Mrs. McGlynn's caring expertise over her long career.

While Mrs. McGlynn has become a valuable member of her community in America, her heart is still connected to Ireland. Mrs. McGlynn has been active in Irish-American affairs since her arrival in Bayonne in 1954. In an effort to foster the Irish culture in America, she has served as a member of the County Donegal Association, Ireland's 32 and the Irish-American League. Mrs. McGlynn, a charter member of the United Irish of Bayonne, has run an annual event to benefit the Project Children group for the past decade. In 1980, she was honored as the Irishwoman of the Year by the Irish American League.

Family plays a major role in our esteemed honoree's life. During her studies at nursing school, Mrs. McGlynn met her future husband, John, to whom she has been married for 43 years. Within a year of entering this new world, Bridget and John were married at St. Henry's Church in Bayonne. This joyful union has produced seven children: Sean, Eileen Finck, Kevin, Mary Rose Van Woudenburg, Michael, Bernadette Mastowski, and Kiernan. Mrs. McGlynn is the tremendously proud grandmother of 12 grandchildren: Megan, Michael and Caitlin Finck, Lauren and Cara Van Woudenberg, Christopher McGlynn, Aileen, Devan and Colin Mastowski, and Alanna, Brenda, and Connor McGlynn.

It is an honor to have such a caring and dynamic woman residing in my District. Bridget McGlynn epitomizes the amiable Irish spirit at its best. I am certain my colleagues will join me in recognizing this extraordinary daughter of Ireland.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

## GIVE COMMUTERS A CHOICE

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 1997*

Mr. LEWIS of Georgia. Mr. Speaker, today I am introducing the Commuter Choice Act, legislation that would help the environment while giving commuters greater choices in how they get to work.

Too often, our tax code subsidizes commuting by cars at the expense of other forms of transportation. Under current law, an employer can provide its employees free parking valued at up to \$170/month. The employee does not include this benefit as income, and the employer may deduct the cost of providing the parking when computing its own taxes. However, if the employer provides its employees subsidized transit passes, the employee must include the benefit as income if it exceeds \$65/month. In other words, if you commute by car, you can receive the equivalent of \$170/month tax free. If you commute by bus or subway, you can only receive the equivalent of \$65/month tax free.

The code discriminates even more against those who walk, car pool or commute by bicycle. Suppose that, in addition to parking and mass transit, an employer wants to give its employees the choice of receiving a commuting stipend. In other words, an employee could choose between a parking space, a transit pass or \$20/month to cover other commuting expenses. Current tax law dictates that the cash stipend by included as income and taxed. In addition, if the employer offers employees the OPTION of a commuting stipend, then all employees must include the value of the cash stipend as income. In other words, the employees would have to pay taxes on the value of the cash stipend, even if they chose a parking space or transit pass. This tax treatment provides a huge disincentive for employers to offer a commuting stipend in lieu of a parking space.

My legislation would level the playing field among commuting choices. First, it would increase the value of transit subsidies that an employee could receive tax free to \$170/month, the same value as the parking space. In addition, it would allow employers to offer employees the choice of a commuting stipend. Finally, it would require employers to offer employees the option of a cash stipend of at least \$15/month. The result is that all commuting benefits are treated more equally.

This bill can help reduce congestion and combat air pollution, and it does so without raising taxes or creating new environmental regulations. It simply gives commuters a choice.

## INTRODUCTION OF THE AMERICAN LAND SOVEREIGNTY PROTECTION ACT

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 1997*

Mr. YOUNG of Alaska. Mr. Speaker, on behalf of myself and 66 other Members of the House, I am introducing the American Land

Sovereignty Protection Act today. This legislation will require the specific approval of Congress before any area within the United States is subject to an international land use nomination, classification, or designation. International land reserves such as world heritage sites, biosphere reserves, and some other international land use designations can affect the use and market value of non-Federal lands adjacent to or intermixed with Federal lands. Legislation is needed to require the specific approval of Congress before any area within the United States is made part of an international land reserve. The rights of non-Federal landowners need to be protected if these international land designations are made.

This legislation: First, asserts the power of Congress under article IV, section 3 of the U.S. Constitution over management and use of lands belonging to the United States; second, protects State sovereignty from diminishment as a result of Federal actions creating international land reserves; third, ensures that no U.S. citizen suffers any diminishment or loss of individual rights as a result of Federal actions creating United Nations land reserves; fourth, protects private interests in real property from diminishment as a result of Federal actions designating land reserves; and fifth, provides a process under which the United States may when desirable designate lands for inclusion in reserves under certain international agreements.

I introduced this legislation in the last Congress as H.R. 3752, which simply required congressional approval of United Nations land designations in the United States. In a rollcall H.R. 3752 failed—by a 246-to-178 vote—to receive the two-thirds majority necessary to suspend the rules and pass the bill. I am amazed that a single Member of Congress would oppose legislation requiring congressional oversight of international land designations within the borders of the United States.

What is unreasonable about Congress insisting that no land be designated for inclusion in international land reserves without the clear and direct approval of Congress? What is unreasonable about having local citizens and public officials participate in decisions on designating land near their homes for inclusion in an international reserve?

Many, many Americans from all sections of our country have called my office to say that they are concerned about the lack of congressional oversight over UNESCO international land designations in the United States and to express their support for this bill. They are surprised by the expanse of our Nation's territory which is subject to various special international restrictions, most of which have evolved over the last 25 years. The most extensive international land use designations are UNESCO biosphere reserve programs and world heritage sites. These international land reserves have largely been created with minimal, if any, congressional input or oversight or public input.

The Committee on Resources held a hearing on the American Land Sovereignty Protection Act in the 104th Congress. Seven witnesses including three local elected officials and a Member of Congress testified in support of this legislation. The former Representative and now Senator from Arkansas, the Honorable TIM HUTCHINSON, a cosponsor of H.R. 3752, outlined the problems associated with a proposed "Ozark Highland Man and Biosphere

Plan" which was advanced without public input and has apparently been subsequently withdrawn after strong public opposition developed following discovery of the proposal; local elected officials from New York and New Mexico confirmed that there is little or no input by the public or elected officials into United Nations land designations. A Cornell University professor of government testified that "if the bill is seen by some as symbolic, it is still a useful symbol. It is not at all inappropriate at this time to reemphasize the congressional duty to keep international commitments from floating free of traditional constitutional restraints."

In becoming a party to these international land use designations through executive branch action, the United States may be indirectly agreeing to terms of international treaties, such as the Convention of Biodiversity, to which the United States is not a party or which the U.S. Senate has refused to ratify. For example, the Seville Strategy for Biosphere Reserves, adopted in late 1995, recommends that participating countries "integrate biosphere reserves in strategies for biodiversity conservation and sustainable use, in plans for protected areas, and in the national biodiversity strategies and action plans provided for in article 6 of the Convention on Biodiversity." Furthermore, the Strategic Plan for the U.S. Biosphere Reserve Program published in 1994 by the U.S. State Department states that a goal of the U.S. Biosphere Reserve Program is to "create a national network of biosphere reserves that represents the biogeographical diversity of the United States and fulfills the internationally established roles and functions of biosphere reserves."

Also disturbing is that designation of biosphere reserves and world heritage sites rarely involve consulting the public and local governments. In fact, UNESCO policy apparently discourages an open nomination process for biosphere reserves. The Operational Guidelines for the Implementation of the World Heritage Convention state:

In all cases, as to maintain the objectivity of the evaluation process and to avoid possible embarrassment to those concerned, State [national] parties should refrain from giving undue publicity to the fact that a property has been nominated for inscription pending the final decision of the [World Heritage] Committee on the nomination in question. Participation of the local people in the nomination process is essential to make them feel a shared responsibility with the State party in the maintenance of the site, but should not prejudice future decision-making by the Committee.

By allowing these international land use designations, the United States promises to protect designated areas and regulate surrounding lands if necessary to protect the designated reserve. Honoring these agreements could force the Federal Government to prohibit or limit some uses of private lands outside the international reserve unless our country wants to break a pledge to other nations. At a minimum, this puts U.S. land policymakers in an awkward position. These Federal regulatory actions could cause a significant adverse impact on the value of private property and on local and regional economies.

At best, world heritage site and biosphere reserve designations give the international community an open invitation to interfere in domestic land use decisions. More seriously,

the underlying international land use agreements potentially have several significant adverse effects on the American system of government. The policymaking authority is further centralized at the Federal/executive branch level, and the role that the ordinary citizen has in the making of this policy through their elected representatives is diminished. The executive branch may also invoke these agreements in an attempt to administratively achieve an action within the jurisdiction of Congress, but without consulting Congress.

The legislation introduced today will compel the Congress to consider the implications of an international land designation and protect the rights vested in non-Federal property before a designation is made.

#### KNOXVILLE RESOLUTION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. DUNCAN. Mr. Speaker, I would like to call to the attention of my colleagues and to the readers of the RECORD a resolution passed by the Knoxville City Council. This resolution, R-384-96, endorses a balanced budget amendment to the U.S. Constitution. R-384-96 was sponsored by City Councilman Gary Underwood and forwarded to my attention by the mayor of Knoxville, Victor Ashe.

This resolution is yet another example of the widespread support for a balanced budget amendment to the Constitution. The reasons and clearly thought out practical examples expressed in R-384-96 are held by hundreds of thousands of Americans across our Nation.

For many years our national Government was dominated by those with a very liberal mindset, and there was little serious interest in attempting to balance our budget. In fact, we have not balanced it since 1969, and huge annual deficits have resulted in a \$5 trillion national debt today. If we do not put a stop to this madness, we will absolutely destroy the standard of living of our children and grandchildren.

While I wish we did not need a balanced budget amendment, I agree with the Knoxville city council that if one is not enacted, we may never balance the budget. Historically, we simply have not done a good job in limiting Federal programs and reducing waste. There are 435 Members in the House who have their own funding priorities, another 100 Senators who have their own, and of course, the President also has his funding preferences. It becomes very difficult to reach an agreement on the budget if we do not set absolute caps which place funding limitations on Federal spending.

This issue is once again being debated in the 105th Congress, and I am proud to be a cosponsor of House Joint Resolution 1, which would provide an amendment to the Constitution requiring a balanced budget.

Our Federal deficit is one of the most serious concerns facing our Nation. If we bring Government spending under control and de-regulate our economy, it could boom for many years to come. Times are good now for some people, but they could and should be good for almost everyone. We could really reduce the gap between the rich and the poor if we could

decrease the power and cost of our government at all levels, but especially at the Federal level.

I request that a copy of the attached resolution passed by the Knoxville city council be placed in the RECORD at this point. I hope that my colleagues will join the Knoxville city council and me in supporting House Joint Resolution 1, the balanced budget amendment.

#### RESOLUTION

A resolution of the Council of the City of Knoxville urging the U.S. Congress to pass a balanced budget amendment to the United States Constitution.

Whereas, the City of Knoxville, Knox County, and the State of Tennessee balance their budgets annually; and

Whereas, Knoxville families must balance their budgets; and

Whereas, a balanced federal budget would reduce interest rates, thereby helping home owners and buyers; and

Whereas, Congress should set an example for the citizens who elect them by being fiscally responsible; and

Whereas, last year the Balanced Budget Constitutional Amendment failed by only one vote in the United States Senate; and

Whereas, Congress appears incapable of balancing our national budget without a constitutional requirement; and

Whereas, this proposed constitutional amendment is supported by Congressman John Duncan, Congressman Zack Wamp, Congressman Van Hilleary, and by Senator Bill Frist and Senator Fred Thompson.

Now therefore be it resolved by the Council of the City of Knoxville:

Section 1: The City Council of the City of Knoxville urges in the strongest possible terms that Congress pass a Balanced Budget Amendment to the Constitution of the United States of America.

Section 2: The City Recorder for the City of Knoxville is hereby directed to forward a copy of this Resolution to the Tennessee members of the U.S. Congress.

Section 3: This Resolution shall take effect from and after its passage, the public welfare requiring it.

#### AIRPORT AND AIRWAY TRUST FUND TAX REINSTATEMENT ACT OF 1997 (H.R. 668)

HON. LINDA SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mrs. SMITH of Washington. Mr. Speaker, I want to express my support of H.R. 668, the Airport and Airway Trust Fund Tax Reinstatement Act. This legislation was approved by the House yesterday with my full support and I want to make clear my reasons for supporting this much-needed legislation.

This legislation was requested by the White House in order to resolve a funding shortfall in the airport and airway trust fund. The legislation extends a 10-percent excise tax on airline tickets. This surcharge on airline tickets and the other excise taxes on airline travel expired at the end of last December and have been critical to the airport trust fund.

Without the extension of these aviation excise taxes, the Federal Aviation Administration [FAA] will have trouble maintaining construction and safety improvements of our Nation's aviation system. In fact, the FAA has warned that if this funding shortfall is not corrected,

within 5 days they would have to begin sending out notices canceling or suspending contracts which involve safety expenditures and airport improvements. Air traffic safety is not something that we can jeopardize.

H.R. 668 maintains the aviation excise taxes that have been a regular feature of airline travel since 1970 and extends them through September 30, 1997. I do not believe that extension of the 10-percent ticket tax imposes new taxes on Americans. It simply maintains the same financing structure we have had for over 20 years to take care of our air traffic facilities.

#### SAN FRANCISCO BAY SHIPPING AND FISHERIES ENHANCEMENT ACT

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. MILLER of California. Mr. Speaker, today I am introducing the San Francisco Bay Shipping and Fisheries Enhancement Act. This legislation will protect both the economy and the environment of the San Francisco Bay area by taking preventive action to reduce the chances of a catastrophic oil spill in this irreplaceable bay.

On October 28, 1996, diesel fuel was accidentally released from a maritime administration ship in dry dock in San Francisco. Only about 8,000 gallons of oil entered the water but, due to weather and other factors, even this small spill got out from under the control of the Federal and State officials charged with containing and cleaning up oil spills. As bay area residents watched, the oil spread outside the Golden Gate and north of the San Rafael Bridge.

According to the San Francisco Chronicle, the cost of cleanup has exceeded \$10 million, rivaling the \$14 million cleanup of the much larger spill at Shell's Martinez refinery in 1988. The October spill was only about one-tenth of 1 percent of the size of the Exxon Valdez spill, yet Valdez-sized tankers laden with millions of gallons of crude oil make dozens of trips into the bay each year. In fact, the Valdez was bound for San Francisco when it ran aground in 1989. If a small spill like the one that occurred in October could cause this much damage, a Valdez-size spill would surely devastate the bay area, both economically and environmentally, for decades.

We got lucky in October. We got a wake up call the caused only modest damage. Next time we may not be so lucky. After a spill, we can send in all the king's horses and all the king's men, but they still can't put Humpty Dumpty back together. When dealing with oil spills, we need to heed the old adage—an ounce of prevention is worth a pound of cure.

The San Francisco Bay Shipping and Fisheries Enhancement Act—Bay SAFE—will provide that ounce of prevention by authorizing the removal of underwater rocks in San Francisco Bay that pose a danger to deep draft vessels, like oil tankers. Near Alcatraz, there are number of rock reefs lying less than 40 feet below the surface. The Coast Guard considers these rocks to be hazards to navigation and recommends their removal. In 1992, the San Francisco Bay Harbor Safety Committee, in its harbor safety plan, recommended that

the rocks be removed to a depth of 55 feet below the low tide line. The main hazard that these rocks present is to tankers, which increasingly have drafts in excess of 45 feet. Bay SAFE directs the Army Corps of Engineers to lower these so that even the deepest draft tankers will not be endangered.

After rock hazards are removed, Bay SAFE directs the Coast Guard to reroute vessel traffic to minimize the risk of an oil spill. At a minimum, the Bay SAFE navigation project will give the Coast Guard a much wider area through which to move deep draft vessels, thereby decreasing vessel traffic congestion and the risk of head on collisions. I am confident that the Coast Guard, working the local community, can come up with a traffic separation scheme that expedites shipping and enhances environmental protection.

I am aware that there are environmental concerns about removing these rocks. That is why Bay SAFE directs the Army Corps to design this project to minimize the impact on the environment and fisheries. The bill also provides for mitigation of any unavoidable damage. But in weighing the merits of this project, we must measure the long-term benefits against the short-term costs.

According to the maritime exchange, which tracks shipping traffic in San Francisco Bay, over 800 tankers entered the bay last year, carrying hundreds of millions—if not billions—of gallons of oil and other hazardous substances. Nearly one-quarter of these tankers are large enough to strike the submerged rocks near Alcatraz. If one small oil spill caused \$10 million in damage, how many billions of dollars in damage to fisheries and wildlife would be caused by a major spill? If this project avoids even one modest oil spill, I believe it will have been worth the minor disruption to the marine environment caused by its construction.

San Francisco Bay is an invaluable natural and economic resource to the bay area and to the entire Nation. In the coming months, I will be taking every opportunity to increase protection of the bay area from oil or hazardous substance spills. As stated in a February 25 editorial in the San Francisco Chronicle, Bay SAFE is "a prudent move forward". It is the least we can do to protect our bay. I hope my colleagues will join me in this effort.

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THE SELF-EMPLOYED HEALTH  
FAIRNESS ACT OF 1997

HON. SUE W. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 1997*

Mrs. KELLY. Mr. Speaker, I rise today to introduce The Self-Employed Health Fairness Act of 1997, legislation which will raise to 100 percent the deductibility of health insurance costs for the self-employed. This common sense legislation will restore equity and fairness in the tax treatment of many of this Nation's small business entrepreneurs. I introduced identical legislation in the 104th Congress, and received the support of over 50 bipartisan cosponsors.

Our current tax code is fundamentally unfair to the smallest of our Nation's business own-

ers: the self-employed. Larger corporations enjoy a permanent, 100 percent deduction of health insurance costs, while in 1997 a self-employed individual is only allowed to deduct 40 percent of these same costs. We must ask ourselves a very basic and fundamental question: Why should the self-employed small business person be treated differently than a large corporation?

The 104th Congress did begin to address this problem, and I do not mean to take lightly the progress that it made. Two pieces of legislation were enacted that provided relief to the self-employed. First, legislation was enacted which restored and made permanent the deductibility that had expired during the 103d Congress, and raised the level of deductibility from 25 to 30 percent. Second, legislation which incrementally raised the deductibility to 80 percent by the year 2006 was also enacted. These were important steps, and I was proud to have supported them. However, as a matter of fairness and equity, we can and should do better.

By raising the deductibility to 100 percent, we are helping to achieve two important goals. We are strengthening the most important sector of our economy by relieving a significant tax burden that self-employed small businessmen and women must now shoulder. We are also helping to ensure that more Americans have access health care, because without full deductibility, these costs are sometimes more than a small business owner can afford.

Let's send a message to America's self-employed that they are just as important as big business. Let's restore fairness and equity to the tax code's treatment of the health care expenses of self-employed individuals. I urge my colleagues to join me in enacting this important legislation.

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IN HONOR OF GRACE CHURCH VAN  
VORST'S 8TH ANNUAL CATHEDRAL  
ARTS FESTIVAL

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 1997*

Mr. MENENDEZ. Mr. Speaker, I rise today to pay special tribute to Grace Church Van Vorst in Jersey City for its exceptional efforts to strengthen the arts community and to promote an appreciation for Hudson County's cultural background. Grace Church Van Vorst will hold its 8th Annual Cathedral Arts Festival Gala and Preview Sale on March 1, 1997.

The annual festival has become an important vehicle for young artists to make their work known to the public. It serves not only as a tremendous opportunity for local artists to showcase their talent, but also to enrich the surrounding community by exposing Hudson County residents to the variety of artistic styles that exist in the area.

This year's celebration will have artwork from various genres, including live performances. The 8th Annual Cathedral Arts Festival will be an evening filled with artistic discussion, fine food, and lively music. Individual artists will be on hand to discuss and sell their work. All donations will go to the physical needs of the historic Grace Church Van Vorst.

Grace Church Van Vorst is also celebrating its 150th anniversary. Since its founding in 1847, Grace Church Van Vorst has diligently worked to improve the downtown area of Jersey City. In addition to providing low-income housing for the impoverished residents of Hudson County, it funds "Let's Celebrate," an organization that assists the homeless residents of Hudson County.

I ask that my colleagues rise and join me in honoring the Grace Church Van Vorst for its outstanding civic contributions. I commend its accomplishments as well as its efforts to assist the local arts community. I hope it will continue to serve the community for another 150 years.

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TRIBUTE TO YOUNG KEON HOOKS

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 1997*

Mr. YOUNG of Florida. Mr. Speaker, it is with heavy heart that I advise my colleagues in the House of the death of a young 7-year-old boy named Keon Hooks of Clearwater, FL. Keon died on Friday, February 21, 1997, of a plastic anemia, a form of leukemia.

Keon was in need of a bone marrow transplant, and as you know, I have championed the National Bone Marrow Registry for years. Whenever I learn of a case like Keon I cannot help but ask myself, as well as my colleagues, what more can we do to encourage people to join the National Bone Marrow Registry in an effort to be a potential match and donor.

Despite repeated drives for Keon, a match for him was not found. As a last resort his mother Stacy donated her bone marrow in October, even though it was only a partial match. Two other transplants were needed for Keon as his body was rejecting his mother's bone marrow and succumbed to several infections.

Still, Keon fought valiantly for his life and always kept a smile on his face. He was known as a practical joker, and I recall how he would attend bone marrow drives in the African-American communities of the Tampa Bay area to thank those who were signing up for the registry and to join in trying to get others to participate.

On Saturday, 1 week short of his 8th birthday, Keon will be buried. His funeral service will be the birthday party he wanted to celebrate. Today, in Keon's memory, let us pledge ourselves to redouble our efforts in our local communities to recruit our constituents to join the National Bone Marrow Registry so that "the gift of life"—a bone marrow transplant—can be passed to those who like Keon are in need of this lifesaving procedure.

Finally, let us set a moment aside to remember Keon. The inspiration he has left in my district and in the entire Tampa Bay area is hard to describe, but I know that this young man, a fighter whose disease still could not take away his admiration of his mother and sisters and his love of life, will be cherished by all who had come to know him.

H.R. 860. THE SURFACE TRANSPORTATION RESEARCH AND DEVELOPMENT ACT OF 1997

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mrs. MORELLA. Mr. Speaker, today I am introducing the Surface Transportation Research and Development Act of 1997 with Congressman GEORGE BROWN, the ranking member of the Science Committee. The legislation authorizes appropriations to the Department of Transportation to carry out surface transportation research and development programs for the next 6 years.

During the 102nd Congress, the Science Committee worked in a bipartisan fashion to lay the ground-work for most current surface transportation research, development, and technology transfer programs by drafting the research section of the Intermodal Surface Transportation Efficiency Act of 1991, commonly referred to as ISTEA. Today, the legislation that I am introducing will serve simply as a starting point as we begin the reauthorization process for these important programs.

To accommodate our future transportation infrastructure needs and minimize congestion, we need to continue the research and development work that was authorized in 1991 by the Science Committee through ISTEA. These programs seek to develop and deploy new technologies and innovative solutions that improve our current infrastructure's performance and capacity. Research and development is our best chance to address our burgeoning transportation needs in a cost effective and environmentally responsible manner.

INTRODUCTION OF FOUR BILLS TO IMPROVE FEDERAL CONTRACTING PRACTICES

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Ms. NORTON. Mr. Speaker, in a season that will be dominated by deficit reduction, all Federal spending must be scrutinized and made accountable. Today I am introducing four bills to bring accountability for the first time to the shadow government. While the Federal agency work force is being cut each year, we are continuing to support a growing and largely unmonitored private contract service sector and work force from which the Federal Government procures services. The huge \$114 billion service contracting portion of the Federal budget has avoided reductions while deficit reduction has spared few others. Members who favor contracting out and privatization and those who prefer that the work be done by Federal agencies can all agree that both must be held accountable, because both are funded by taxpayer dollars.

Service contracting constitutes the fastest growing area of Federal procurement, accounting for over \$114 billion of the \$200 billion spent each year on outside contracts. In only 3 years, between fiscal year 1989 and fiscal year 1992, the number of contractors doing business with the Government rose from 62,819 to 82,472.

Just a few years ago, the OMB itself indicated that contracting is out of control. Yet this large Federal expenditure has remained hidden in the shadows, unlike Federal agencies and employees. There is no way to know whether this sector has contributed a single dollar to deficit reduction. It is remarkable that despite a governmentwide effort to promote efficiency, we have not considered the inefficiency of guaranteeing contractors an invulnerable chunk of tax dollars.

The Clinton administration, to its credit, has worked hard to make service contractors more responsive—for example, by proposing new performance-based standards for existing service contracts. However, the budget that Congress is now considering proposes no cuts in funds allocated specifically to service contracts—thus leaving untouched a huge source of potential savings—while demanding continuing sacrifices from the career work force that makes up the visible government.

The time is long past due for overhauling the contracting practices of the Federal Government. With the four bills I am introducing today, I hope to help begin the process of re-inventing Federal contracting just as the rest of the Federal Government is being re-invented.

FULL FEDERAL PAY RAISE

My first bill would cut \$5.7 billion in Federal agency funds for service contracts and make this money available for pay raises that are due Federal employees in 1998. Federal employees are again being required to give up part of their statutory pay increases while contract employees paid from the same Federal budget again remain untouched. The intent of this bill is to eliminate the discrimination that allows the Government to extract sacrifices from civil servants without considering ways to seek some savings from contractors. The process of competitive bidding does not insure savings and efficiency, but only that the Government may get the best deal among those who are competing. The 5 percent cut would compel contractors to scrutinize themselves for efficiency in the same way as we are now requiring of Federal agencies. Especially when compared with the sizable reductions agencies have experienced, this cut is so small that it should be beyond debate.

BUYOUT REFORM

My second bill would plug a hole in the buyout legislation reauthorized last year. When enacting the initial legislation in 1994, Congress went to extraordinary lengths to ensure that civil servants who were bought out with cash, could not be replaced with new hires and that the resulting 272,900 planned reductions in the Federal work force would be permanent. However, as it stands now, the buyout law would allow untold numbers of contract employees to replace bought-out Federal employees. Congress did not intend for buyouts to result in a simple substitution of contract employees for career employees. Rather, Congress made the judgment that the Government should be smaller and that considerable saving should result. The anticipated savings will not be made if one set of FTE's—Full-time equivalent employees—are substituted for another.

COST COMPARISONS

The reason most often advanced for contracting out work is that it is cheaper. However, a 1994 GAO study contradicts this as-

sumption, and a 1994 OMB study revealed that cost-savings comparisons often are not always done. Federal agencies routinely do not compare the cost of contracting with the cost of doing work in-house. Thus, my third bill would require agencies to make these cost comparisons and would prohibit them from entering into an outside service contract if the services could be performed at a lower cost by agency employees.

Beyond the discrimination against career employees who are denied work regardless of efficiency and costs, current contracting practices are fundamentally bad business. According to the GAO report, issuing service contracts and hiring consultants can very often actually cost Federal agencies more than using Federal employees. In several of the cases analyzed by GAO, agencies could have saved more than 50 percent by keeping the work in-house.

SIZE OF CONTRACTING WORK FORCE

The absence of basic information, beginning with the size of the contracting work force, makes it impossible to make intelligent decisions about contracting out. To its credit, Congress in 1988 passed legislation requiring agencies to significantly cut service contracts. However, a subsequent GAO report found that there was no way to know if the agencies had actually complied with the legislation. Therefore, my fourth bill requires the OMB to develop a governmentwide system for determining and reporting the number of non-Federal employees engaged in service contracts.

All four of these bills would provide more systematic ways for monitoring and constraining the expenses associated with contracting out of services—just as we have insisted for Federal agencies and employees. Efficiency and deficit reduction must not stop at the door of the Federal agency. We need to bring the shadow government into the full light of day so that the sacrifices demanded in the name of re-inventing government may be shared by all employees and by every area of Government.

REGIONAL COOPERATION ACT

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. TRAFICANT. Mr. Speaker, today I am introducing the Regional Cooperation Act [RCA], a significant first step in the effort to discourage fractionalization and encourage cooperation among America's communities. I urge my colleagues to cosponsor this important measure.

The Federal Government has always been a powerful force in funding economic development opportunities. From the voyages of Christopher Columbus to the establishment of the New York and Virginia colonies, nations have invested in the efforts of their people in order to build stronger national economies.

Unfortunately, while Federal support is an important undertaking in general, it has in many circumstances led to infighting and fractionalization. In the quest for limited Federal resources, communities have battled their neighbors and, as a result, undercut their regional economies. Dr. Gil Peterson, an expert in urban studies at Youngstown State University, noted: "All too often, political decisions

are made to reward as many political entities as possible, and the level of investment is spread too thin to be effective."

The National Association of Public Administrators [NAPA] agrees. In its publication "A Path to Smarter Economic Development: Re-assessing the Federal Role", NAPA asserts that government agencies "tend to perpetuate a focus on small political and geographic units rather than regions."

The RCA is an important first step in changing the Federal Government's divisive approach to funding economic development activities. The RCA encourages regional cooperation by amending the criteria used by the U.S. Department of Housing and Urban Development [HUD] to award Economic Development Initiative [EDI] grants. The new criterion will simply read: "When applicable as determined by the Secretary, the extent of regional cooperation demonstrated by the proposed plan." Note that my measure in no way mandates regional cooperation. Rather, if such cooperation is appropriate, applicants will benefit if their proposals reflect a sense of cooperation with their neighboring communities.

EDI's potency as a tool for enhancing and expanding economic activity make it an appropriate starting point for encouraging regional cooperation. Since its inception, over \$400 million in EDI grants have funded the revitalization efforts of over 100 communities. Further, EDI funds are competitively awarded, are limited to a percentage of the section 108 and must work in tandem with the loan guarantee. As such, the amount of an EDI award is controlled, yet no formula has been uprooted to implement my measure.

The Tri-County Mini-Loan Fund, Inc., a revolving loan fund for small business ventures in my congressional district, is a nationally renowned program that boasts strong regional cooperation. Since its inception in 1992, the Mini-Loan Fund has pumped nearly \$2 million into the regional economy with few defaults.

In establishing the Mini-Loan Fund, we observed the impact of fractionalized efforts and took a different path. We worked with banks, local universities, and non-profit organizations from all over Ohio's Mahoning Valley to ensure the entire market would benefit from the fund, not just those within specified political boundaries. In applying for EDI and section 108 funding to enhance the program, three counties and three cities submitted six separate applications and bundled them together to form a singular, powerful application.

As a result, HUD not only awarded our Mini-Loan Fund nearly \$8 million in grants and loan guarantees, but then-Assistant Secretary Andrew Cuomo declared it a "national model of regional economic development." The now-Secretary Cuomo went on to thank the commissioners and mayors of the respective counties and cities for "pooling your resources to grow jobs for the region."

Mr. Speaker, the Federal Government is and will continue to be a key in successful local community development activities. It just needs to play its role a little smarter. Instead of playing communities off one another, it needs to bring them together. As we witnessed in my district, such cooperation can be a powerful tool for revitalizing not only a community, not an entire region.

Again, I urge my colleagues to cosponsor the Regional Cooperation Act.

INTRODUCTION OF THE MARIAN ANDERSON CENTENNIAL COMMEMORATIVE COIN ACT

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. BROWN of California. Mr. Speaker, 100 years ago, on February 27, 1897, Marian Anderson, one of the world's greatest singers, a champion for civil rights, and a leader in the advancement of global peace, was born to a poor family in Philadelphia, PA. She died at the age of 96 on April 8, 1993. To honor the centennial of the birth of this great individual during Black History Month, I am today introducing with my 13 other colleagues, the Marian Anderson Centennial Commemorative Coin Act.

This legislation is a bipartisan effort to honor Ms. Anderson's life of achievements and accomplishments. Marian Anderson, a master of repertoire across operatic, recital, and American traditional genres, played a vital role in the acceptance of African-American musicians in the classical music world. In 1939, the Daughters of the American Revolution [DAR] refused to allow Anderson to sing at Constitution Hall because of her race. As a result of the ensuing public outcry, Eleanor Roosevelt resigned from the DAR and helped arrange a concert at the Lincoln Memorial that drew an audience of 75,000—an audience far larger than Constitution Hall could ever accommodate.

Marian Anderson was awarded 24 honorary degrees by institutions of higher learning. In 1963, she was given a Presidential Medal of Freedom. Congress passed a resolution in 1974 to have a special gold medal minted in her name. Marian Anderson was also an alternate delegate to the United Nations where she received the U.N. Peace Prize in 1977. In addition, she was awarded the National Arts Medal in 1986.

The surcharges from the sale of coins will be distributed to the Smithsonian Institution and the Corporation for Public Broadcasting for the endowment of exhibits and educational programs related to African-American art, history, and culture, as well as on the life of Marian Anderson. In addition, this bill assures that minting and issuing coins will not result in any net cost to the U.S. Government.

As we celebrate the centennial of the birth of this great individual during Black History Month, I urge my colleagues in joining us to support the passage of the Marian Anderson Centennial Commemorative Coin Act.

THE LATE REVEREND RALPH DAVID ABERNATHY, JR.

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. LEWIS of Georgia. Mr. Speaker, I am once again pleased and honored to introduce legislation honoring the Reverend Ralph David Abernathy, Jr., leader of the National Poor People's Campaign of 1968. My legislation would authorize the construction of a memorial on the National Mall in honor of the Reverend

Abernathy and the thousands of individuals who participated in the Poor People's Campaign.

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. During this time, 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, including the Poor People's Campaign, a massive demonstration to protest rising unemployment, held in Washington, DC.

The Reverend Abernathy passed away 7 years ago. Today, I am introducing a resolution authorizing the construction of a memorial to the Reverend 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 had 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 spirit, his good humor, and his guidance. Today, I invite my colleagues to join me in celebrating his legacy and his life.

IN HONOR OF MORTIMER LEVITT ON HIS 90TH BIRTHDAY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mrs. MALONEY of New York. Mr. Speaker, it is with great pleasure and esteemed respect that I acknowledge my constituent, Mortimer Levitt, for his many achievements.

Mr. Levitt, founder of the Custom Shop Shirtmakers, started his venture in 1937. After losing his job and his savings in the height of the Great Depression, Mr. Levitt courageously

launched his business, the Custom Shop Shirtmakers. He now owns 73 Custom Shop Shirtmaker stores.

Mortimer Levitt, however, is not just an archetype in the fashion industry. He is also a philanthropist, Broadway producer, and author of four books. The custom shirtmaker is the founder and biggest contributor to the Levitt Pavilion for the Performing Arts. He contributed funds to the building of the arts center and has since helped raise half of the pavilion's annual budget. He is on the board of directors for the Lincoln Center Film Society, the Manhattan-based Young Concert Artists, and founder of the Manhattan Theater Club where not only was he on the board, but also produced over 20 plays. Levitt has also made significant contributions to Lincoln Center and endowed a scholarship fund at Mercy College in Dobbs Ferry, NY.

Mortimer Levitt, for the past 60 years, has provided jobs for his community, has raised funding for the arts, and has been an inspiration to the world of fashion. It is for these reasons and many more that I would like to recognize Mr. Levitt on his 90th birthday.

#### TAIWANESE PEOPLE AND THEIR STRUGGLE FOR SELF-DETERMINATION

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. DEUTSCH. Mr. Speaker, a few years ago, a Taiwanese-American constituent gave me a book entitled "Formosa Betrayed" written in 1965 by American diplomat George Kerr. The book describes a painful episode in Taiwan's history, which is today known as the 2-28 Massacre.

Tomorrow marks the 50th anniversary of the massacre.

After Japan had lost World War II, Taiwan was put under temporary administrative control of Chiang Kai-shek's Nationalist Kuomintang. At the time, the Kuomintang was still fighting its civil war with Mao Tse-tung's Communists on mainland China. The Nationalists under Governor Chen Yi treated Taiwan as a conquered territory. Initial euphoria about the arrival of the nationalist troops in Taiwan soon changed to conflict when the new authorities turned out to be repressive and corrupt. That anger resulted in the 2-28 Massacre which claimed the lives of an estimated 18,000-28,000 Taiwanese in 1947. The event represents the beginning of 40 years of Martial Law on the island during which Chiang's mainlanders ruled the island with an iron fist.

Mr. Speaker, the date February 28 is etched in the hearts and minds of the Taiwanese people. Beginning this year, Taiwan dedicates February 28 as a national holiday.

On the 50th anniversary of the 2-28 Massacre, we recognize the sacrifice of the Taiwanese people and their struggle for self-determination and reaffirm our commitment to a free and democratic Taiwan and to the strong relationship between our two countries.

#### HAWAII HUMANE SOCIETY'S 100TH ANNIVERSARY

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. ABERCROMBIE. Mr. Speaker, I rise today to salute the Hawaii Humane Society [HHS] and the caring individuals who are employed by, or volunteer at this facility. I am pleased to say that today the HHS celebrates 100 years of success in their service to our community.

The Hawaii Humane Society is a private, nonprofit charitable organization that promotes the humane treatment of animals to perpetuate the bond between humans and animals. Its animal welfare activities are based on a philosophy of encouraging responsible pet ownership through education, legislation, and prevention.

I ask my colleagues to join me in applauding the 28,000 donors and volunteers who give their time for this worthwhile cause. The Hawaii Humane Society's programs are innovative and are models for animal welfare organizations across the country. With their significant contributions in encouraging respect for all living creatures the HHS continues to improve the humane treatment of all animals in our community.

I am proud to pay tribute to the Hawaii Humane Society, and I am honored to add my voice to the praises of the many friends who gather to salute this fine organization.

#### REGARDING PERSECUTION OF CHRISTIANS IN PAKISTAN

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. ACKERMAN. Mr. Speaker, I rise today to speak out against religious intolerance in Pakistan. Earlier this month, tens of thousands of Muslims angered by the alleged desecration of a Koran, and incited by local Muslim leaders, burned thousands of homes of Christian villagers, along with a hospital, a school, a Catholic church, and a dormitory. While this event by itself is despicable, the conduct of the local police in this affair is unforgivable. According to reports, local police actually told residents to leave their homes because they could not protect them from the mobs. Yet it took only a small army unit to halt the rampage, which destroyed shops and homes, and restore order to the village.

This is only the latest incident in what the Christian Voice of Pakistan reports is ongoing persecution of Christians by Muslims in Pakistan. The State Department's "Human Rights Report on Pakistan" points out that "Discriminatory religious legislation has encouraged an atmosphere of religious intolerance." In fact, section 295(c) of the Penal Code stipulates the death penalty for blaspheming the Prophet Mohammed. This provision has been used by Muslims to intimidate religious minorities in Pakistan.

I met yesterday with the Pakistani Chargé d'Affaires to ask the Pakistani Government to launch an immediate investigation of the inci-

dent with particular emphasis on the role of the local police, and to repeal those portions of the Penal Code which give license to Muslims to persecute Christians and other religious minorities.

Mr. Speaker, I ask my colleagues to join me in calling on Pakistani Prime Minister Nawaz Sharif to speak out against religious discrimination and to work to create a climate of tolerance and religious harmony in Pakistan.

#### THE PLUMBING STANDARDS IMPROVEMENT ACT OF 1997

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. KNOLLENBERG. Mr. Speaker, I rise today to introduce The Plumbing Standards Improvement Act of 1997.

My bill would repeal the plumbing fixture flow restrictions that were enacted by the Energy Policy and Conservation Act of 1992. Specifically, they limited the capacity of all newly manufactured toilets to 1.6 gallons per flush, and showerheads to 2.5 gallons per minute.

Through originally enacted to conserve water, these restrictions have had a number of unintended consequences, which I believe make a strong case for their repeal.

First and foremost is their impact on the public safety and health of the American people. The most damning evidence comes from a recently-released study by the University of Cincinnati. It shows that the increased mist levels created by restricted flow showerheads have led to a higher incidence of respiratory illnesses. And as you all know, children and the elderly are usually the most susceptible.

In addition, I have heard from several plumbing contractors in my district. They tell me that these showerheads have resulted in more scalding episodes, by causing a delay between the adjustment of the hot water knob and the resulting temperature increase. Thus, people, especially children, are over-adjusting the hot water and sustaining minor burns.

Regarding the toilets, it is apparent that new 1.6 gallon models are not as effective as their prerestriction counterparts. Plumbers and plumbing supply stores have been overwhelmed with complaints from unsatisfied consumers, and black markets for the old 3.5 gallon models have popped up across the country since the restrictions were put in place.

But beware: if you or I buy a 3.5 gallon toilet off the black market or remove the restrictor plate from our water-saver showerhead, under current law we would be subject to Federal fines as high as \$2,500. Simply put, this provision is making criminals out of normal, law abiding citizens who only want a decent shower and a toilet that needs to be flushed only once.

Finally, even if my bill is passed and the Federal restriction is repealed, there is nothing stopping governments in water-scarce areas from passing these kind of restrictions. Some governments may find it necessary to do so, but it is a decision that seems best done at the State and local level.

I urge my colleagues to take a close look at this. It is my belief that if Congress knew about the safety and health risks alone, it

would not have included these restrictions in the first place. I think the bottom line is that the Federal Government should be out of the bathrooms.

NOTING THE PASSING OF LUELLE  
HYATT CLAY

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 1997*

Mr. STOKES. Mr. Speaker, it is with sadness that we acknowledge the passing of Mrs. Luella Hyatt Clay, the mother of our friend and colleague, Congressman BILL CLAY. Mrs. Clay departed this Earth on February 21, 1997, at the age of 94. I am certain that my colleagues in this Chamber and others throughout the Nation join me in expressing our deep sorrow at the loss of BILL's mother. As we mourn her passing, we pause to reflect upon the life of Luella Hyatt Clay.

Mr. Speaker, Mrs. Clay was born in Black Jack and was the second of eight children. At the age of 5, the family moved to what is now St. Louis' Baden neighborhood because St. Louis County did not provide schools for black children. When she was 17, Mrs. Clay married Irving Charles Clay, Sr., a welder. They had seven children and were married 56 years. Mr. Clay died in 1975.

Throughout her life, Mrs. Clay was devoted to her family and church. She was affectionately known as "Sis" and loved by all who knew her. Mrs. Clay was one of the oldest members of St. Nicholas Catholic Church, which she and her husband joined in the 1940's. She also was a member of the church's Ladies Sodality.

Mr. Speaker, in addition to Congressman BILL CLAY, Mrs. Clay leaves to mourn the passing of a son, St. Louis Alderman Irving C. Clay, Jr. She also leaves to mourn two daughters, Mary Elizabeth Lloyd and Flora Everett. In addition to her children, Mrs. Clay leaves behind 20 grandchildren, including State Senator William Lacy Clay; 30 great-grandchildren; and 14 great-great-grandchildren.

Mr. Wife, Jay, joins me in expressing our condolences to BILL and Carol and other members of the Clay family. It is our hope that the family will find comfort in knowing that others share their sorrow. Mrs. Clay was a very special individual who touched the lives of many. She will always be remembered.

COMMEMORATING THE 50TH ANNI-  
VERSARY FOR THE AMERICANS  
FOR DEMOCRATIC ACTION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 1997*

Mr. RANGEL. Mr. Speaker, I rise today to pay special tribute to the Americans for Democratic Action, which is celebrating its 50th anniversary.

ADA is a prestigious organization whose achievements should be recognized. It is one of the largest and oldest liberal advocacy groups in the country, with a membership in excess of 25,000.

As one of ADA's past presidents, I am indeed honored to have this opportunity to highlight some of the accomplishments of this most important organization. Also, it is only fitting that I point out that New Yorkers have had a long and favorable association with the organization. In fact, many are founders of the ADA.

The list of New York citizens credited for founding ADA includes the following: union leader David Duminsky, historian Arthur Schlesinger, Jr., and former First Lady Eleanor Roosevelt. Also included on that list of notable New Yorkers is a Manhattan Borough President Stanley Isaacs, a Republican.

As a former president, I have first hand knowledge regarding the importance of this organization. During my tenure, 1989-1991, I was delighted to watch ADA grow in membership, stature and program. Our staff and membership doubled during that time and we waged relentless battles against the excesses of the Bush administration.

As an example, the ADA performed a thorough review of the Bush administration's foreign policy record relating to Panama and Granada, and concluded that a failing grade should be issued. Additionally, ADA evaluated the Bush administration's performance on budget issues, and once again issued a grade of F for programs which rewarded the wealthy at the expense of the Nation's neediest. ADA is also credited for telling the truth about the real rate of unemployment. The effort to provide more accurate unemployment information resulted in the release of similar such statistical information by the Bureau of Labor Statistics. ADA's leadership in this arena culminated in our being able to better gauge the number of job training programs required for those unemployed.

The ADA has been a leader on many different fronts, including civil rights and civil liberties issues, nuclear arms control, apartheid in South Africa, workers rights, women's issues, increases in the minimum wage and Federal budget and tax policies. Most recently ADA provided support for the international family planning resolution, which sought the early release of 1997 funds to international organizations.

The ADA is an invaluable organization, whose efforts need to be recognized. Its history is one of influence and effectiveness. May it continue for another 50 years.

HONORING IRISH-AMERICAN  
HERITAGE MONTH

HON. JAMES E. ROGAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 1997*

Mr. ROGAN. Mr. Speaker, I rise today to recognize the significant contributions Irish-Americans have made to our country and draw attention to March as Irish-American Heritage Month. There are now more than 44 million Irish-Americans in the United States, or one in every six persons in our country. In California, there are presently 4 million people of Irish descent.

Irish-Americans have been helping to forge our country from the very beginning. At least eight signers of the Declaration of Independence were of Irish origin, including the Presi-

dent of Congress, John Hancock, who was a descendent of the Ulster family. Also noteworthy, Matthew Thornton, James Smith, and George Taylor were Irish-born.

The Irish love of freedom played an integral role in the fight for American independence. County Derry-born Charles Thompson made the first finished copy of the Declaration of Independence. John Nixon, whose father was born in County Wexford, was the first to read the document publicly. John Dunlop, born in County Tyrone, printed the first copy. Edward Fox, a Dublin native, contributed almost a million dollars—a staggering sum in those days—to help finance the Continental Army. He later died penniless because of his commitment.

Throughout our history, several prominent Americans have been Irish-Americans. Two hundred years ago, James Hoban and other Irish immigrants assisted in the construction of the U.S. Capitol building. One hundred and ninety years ago, Irish-born John Barry was the first naval hero of the American Revolution and is known as the Father of the United States Navy. Eighteen Presidents have proudly proclaimed their Irish-American heritage.

Irish immigrants have always been willing to take on the lowliest, most dangerous and backbreaking of jobs. Their accomplishments include the building of the eastern portion of the transcontinental railroad and working in our Nation's coal mines.

Because of the significant contributions of Irish-Americans, and their continued work toward the betterment of our country, the month of March has historically been recognized as Irish-American Heritage Month. I invite my colleagues to join with me in observance and recognition of the sacrifices and significant contributions of Irish-Americans by recognizing March as Irish-American Heritage Month.

WE MUST PROTECT OUR  
FREEDOMS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 1997*

Mr. CRANE. Mr. Speaker, continuing a tradition begun in the 98th Congress, today I once again introduce legislation which reaffirms the commitment of this body to protect the second amendment to the Constitution.

The Founding Fathers recognized the right of men to defend themselves, and guaranteed Americans that this right would be preserved by the second amendment. At the time of our Nation's founding, guaranteeing this right was an idea foreign to the monarchies that ruled most of the world. James Madison noted this when he wrote that the right to keep and bear arms was an advantage which Americans possess over the people of almost every other nation.

The 104th Congress did not bring the type of assault on the second amendment as we saw in the 103d Congress. However, unfortunately, the 104th Congress was unable to reverse or repeal some of the more egregious errors made in this area by past Congresses. Indeed, only the House succeeded in passing legislation to repeal one such law, the so-called Federal assault weapon ban.

Gun control laws have never worked to reduce crime in America. Washington, DC, has

some of the most restrictive gun control laws in America, yet leads the Nation in per capita murders. My own State of Illinois has some very tough standards before its citizens can legally possess firearms, yet since those laws went into effect, the crime and murder rates have dramatically increased.

I find it necessary, therefore, to remind my colleagues that our Nation's crime problems cannot be solved by infringing upon the rights of peaceful law-abiding Americans to own arms. Instead of an attack on guns, our laws should focus on keeping behind bars the small percentage of criminals who are responsible for committing the vast majority of crimes in the United States. Law abiding gun owners are not a threat to peace in America, rather criminals threaten the peace and security of our families.

We must demonstrate to Americans that we are resolved to protecting this right by supporting this resolution to reaffirm the second amendment and the right of individuals to keep and bear arms, and I urge my colleagues to join as cosponsors of this resolution.

MARIAN ANDERSON—100TH  
BIRTHDAY TRIBUTE

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. FATTAH. Mr. Speaker, on the occasion of the 100th birthday of the great American opera singer, Marian Anderson, Carnegie Hall will resound with a tribute in her honor. On Thursday, February 27, 1997, Robert Shaw will conduct the orchestra of St. Luke's and the Morgan State University choir in the Marian Anderson 100th Birthday Tribute. The program will feature a range of music from operatic arias to spirituals reflecting the broad artistic reach of Ms. Anderson's repertoire. Celebrated guests, friend, and family will gather to remember this amazing woman with song, photographs, letters, and personal reminiscences. From her first performance at Carnegie Hall in 1920 until her last in 1989, Ms. Anderson performed over 50 times on the Carnegie Hall stage—more than any other venue in her career.

Born to Anna and John Anderson on February 27, 1897, in Philadelphia, PA, Marian Anderson became an internationally renowned contralto and an aspiring symbol to all who strive to achieve against tremendous odds. Ms. Anderson began her singing career like so many African-Americans, by singing in the church choir of Union Baptist Church where funds were raised to help pay for her voice lessons.

In 1925, she won first prize at a contest held by the New York Philharmonic at Lewisohn Stadium. In 1930, she toured Europe, winning from Toscanini the tribute, "the voice that comes once in a 100 years." In 1939, Ms. Anderson became the center of national attention when the Daughters of the American Revolution [DAR], barred her from singing at Constitution Hall in Washington, DC and the subsequent refusal of the Washington, DC School Board to grant her use of Central High School's auditorium. Resulting publicity and DAR's public snub of Ms. Anderson, led the

First Lady, Eleanor Roosevelt to resign from DAR and Secretary of the Interior Harold L. Ickes to invite Ms. Anderson to sing at the Lincoln Memorial on Easter Sunday, April 9, 1939, which she did, to a huge crowd of supporters.

In 1955, Ms. Anderson became the first African-American artist to perform at the Metropolitan Opera and was named as a delegate to the General Assembly of the United Nations by President Eisenhower. She earned many distinctions during her lifetime which included more than 24 honorary degrees from various colleges and universities, medals from the Governments of Sweden, Finland, and Japan, America's 1986 National Medal of Arts and the first recipient of the Presidential Medal of Freedom.

It is fitting, Mr. Speaker that we pause to create an official record in the annals of Congress in honor of this great American.

RECOGNITION OF THE REPUBLICAN WOMEN OF ANNE ARUNDEL COUNTY

HON. ROBERT L. EHRlich, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. EHRlich. Mr. Speaker, I rise today to pay tribute to an organization in my district celebrating its 60th anniversary this year. The Republican Women of Anne Arundel County was formed in 1937 as the Federation of Republican Women of Anne Arundel County. Its founder was Edna Payne of Annapolis.

It is the oldest and largest Republican organization in Anne Arundel County and the fourth largest in Maryland. Its current membership stands over 130 members and increases—both men and women—yearly.

This group of civic-minded people is much more than a partisan organization. It is a compassionate group which contributes countless hours and energy toward serving the people of Anne Arundel County. It is a prime supporter for a local domestic abuse shelter, makes contributions to the Salvation Army, the local food bank, and other important charities.

Mr. Speaker, this organization is a living example of the spirit of citizenship envisioned by the founders of this great Nation. Political and charitable participation are the duties of everyone in a true democracy. The Republican Women of Anne Arundel County regularly prove that actions speak louder than words. I want to congratulate them on reaching this 60th anniversary milestone.

RECOGNIZING THE ACCOMPLISHMENTS OF THE 1996 HAMPTON HIGH CRABBERS FOOTBALL TEAM—VIRGINIA STATE CHAMPIONS

HON. ROBERT C. SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. SCOTT. Mr. Speaker, on behalf of Congressman HERB BATEMAN and myself, it is with honor and great pride that I rise today to recognize a group of young men from my district

who have distinguished themselves, their school, their community and the Commonwealth of Virginia.

The Hampton High School Crabbers Football team had an awesome season this past year and I believe that the Crabbers deserve formal recognition for their accomplishments. They are the 1996 group AAA Virginia State Champions with a remarkable 14-0 record.

The Hampton Crabbers have now won a total of 14 State championships and 5 over the last 11 years.

And when the Crabbers win, they don't just win. This year, they set a national record by outscoring their opponents 819 to 83. This year's team won their 14th State championship game by final score of 51-0.

The Hampton Crabbers also broke the record for most touchdown passes in a season—36—breaking the old record of 30; and most touchdowns scored in a season—40—breaking the old record of 36. The team just didn't make headlines in the Tidewater area. This season the team was ranked No. 2 in the Nation by USA Today; and ranked No. 1 by the Sporting News, The Dick Butkus Football Network, The National Prep Football Poll and the National Sporting News Service and the National High School Athletic Coaches Association.

Over the last 26 seasons, the Hampton High Crabbers, led by Coach Mike Smith, have amassed a record of 271 wins, 41 losses and 2 ties. During that period the Crabbers have broken several State and national records. In recognition of this remarkable season, Coach Smith has been named coach of the year by the National Sports News Service and the National High School Athletic Coaches Association.

OHIO STATE TREASURER KEN BLACKWELL MAKES THE CASE FOR A BALANCED BUDGET AMENDMENT

HON. STEVE CHABOT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. CHABOT. Mr. Speaker, I want to insert into the RECORD today an excellent article written by my friend, Ohio State Treasurer Ken Blackwell. Ken has become one of the Nation's leading voices for tax and budgetary reform, community empowerment and economic growth—positions he articulated as a colleague of mine on the Cincinnati City Council, later as Assistant Secretary at the U.S. Department of Housing and Urban Development, and now as Ohio treasurer.

Earlier this week, I had an opportunity to participate in a Cincinnati event with Treasurer Blackwell in which he made a very strong case for immediate adoption of a balanced budget amendment to the Constitution of the United States. He elaborates on that message in his excellent op-ed piece, published recently in the Washington Times. I agree with him wholeheartedly and I commend the column to my colleagues.

[From the Washington Times, Jan. 21, 1997]

BALANCED BUDGET AMENDMENT TIMING

(By Kenneth Blackwell)

Every generation or so, an idea that requires amendment or reinterpretation of the Constitution comes along.

Just over 200 years ago, the idea was the Bill of Rights, adopted to make sure American citizens would never be subject to arbitrary federal intrusions on their liberty.

In the aftermath of the Civil War, the idea was embodied in the 13th, 14th and 15th amendments abolishing slavery, conferring citizenship and extending voting rights to a sizable and productive segment of our society.

In the first two decades of the 20th century, the idea was women's suffrage. In the middle decades, the idea was fulfilling the promise of the 13th through 15th amendments.

The idea now is the Balanced Budget Amendment.

In "My American Journey," Colin Powell says correctly the "great domestic challenge of our time is to reconcile the necessity for fiscal responsibility with the explosive growth in entitlement programs," and that we have to face up to reducing the entitlement system or raise taxes to pay for it—we cannot continue to pass on to "your children and grandchildren the crushing debt that we are currently amassing as their inheritance."

Nobody these days is expressing much disagreement with the general's point. Eliminating the deficit is the motherhood issue of the '90s. Everybody is in favor of it. The question I ask opponents of a Balanced Budget Amendment is: If they are so in favor of motherhood, what do they have against marriage? Why should we not solemnize with a constitutional contract our commitment to do what they agree must be done about our spending?

Two of William F. Buckley's current "Firing Line" series feature the Balanced Budget Amendment. I was part of the team supporting it; the other side was led by Sen. Daniel Patrick Moynihan. I think most observers would agree that nobody opposing the amendment is likely to grasp and articulate the arguments more effectively than he, so it follows for me that if his points can be addressed, the case for the amendment is made.

The senator asserts that we should not try to solve every political problem by tinkering with the Constitution. True, but if it were not for some tinkering in 1913, the senator would now occupy his office only if he were able to campaign as effectively among members of the upper house of the New York legislature as he does among the state's registered voters.

We have been trying to fix the deficit problem with legislative action for more than 20 years, but our legislative and executive branches have lacked the political will to get it done. Some political problems can be solved only by amendment. The 17th Amendment was not tinkering, and neither is the Balanced Budget Amendment.

The senator noted that states have become dependent on federal monies, and he asked what the impact of the amendment would be on Ohio. The answer is it will be a \$2.4 billion hit or about 8 percent of the state's budget. Cutting spending enough to make up for this loss will not be fun, but we are already making plans to do it, and other states can do the same.

Opponents say the federal budget is too complex, that a workable amendment simply cannot be drafted. If they really believed that, we would not be having this debate. The opponents would pass it, watch it fall of its own weight, spend around the wreckage, and blame proponents for a dumb plan. Forty-eight states have a working balanced budget requirement. It is precisely because it can be made to work at the federal level that they are so against it.

Opponents say an ironclad amendment would leave us unable to come up with funds

to fight wars or recessions. One sentence from the 14th Amendment will dispose of this objection: "Congress may, by a vote of two-thirds of each house, remove such a disability." And if two-thirds of each house cannot be persuaded to agree, then maybe the bills for such wars or economic problems are not ones we should leave for our grandchildren.

The historian Henry Brooks Adams wrote in 1907 in "The Education of Henry Adams" that "Practical politics consists in ignoring facts."

With the amendment, our elected representatives at the federal level will have to choose between offending taxpayers by paying for programs as we go or offending important constituencies by facing the fact that we cannot afford their programs. With no amendment, our politicians can meet the Adams test of practicality by continuing to ignore the fact that their programs are affordable only if we stick generations to come with the tab.

The only salient questions about a Balanced Budget Amendment have been asked before in the context of all the other amendments.

If not us, who? If not now, when?

The questions are unanswerable for opponents of the amendment. For proponents, the answers are clear.

The who is us. And the time is now.

#### STEMMING THE RISING TIDE OF ILLEGAL IMMIGRATION: THE NEXT STEPS

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 1997*

Mr. BEREUTER. Mr. Speaker, the Immigration and Naturalization Service [INS] recently announced that the estimated population of illegal aliens living in the United States increased by well over 1 million people to a total of 5 million in the last 4 years. This revelation should act as a call to action for all who serve the best interests of our Nation. The integrity and well-being of the United States continues to be under siege from a rising tide of individuals who, by entering the U.S. illegally and exploiting the rights and privileges accorded to legal residents, demonstrate a fundamental lack of respect for this country's laws and the rights and commitments of American citizens who honor and abide by them.

Mr. Speaker, illegal immigration continues to have a profound negative impact on our job market and workforce, our public assistance programs, our educational institutions, and our health care system. Moreover, massive illegal immigration places a tremendous strain on the social fabric of this Nation and our society's capacity to continue to welcome generous numbers of legal immigrants to America. The negative impact of illegal immigration is being felt by not just one or a few regions of the country in particular; it is being felt throughout the Nation—from the rural communities of Nebraska and Iowa to the metropolitan areas of New York and California.

Last year, the 104th Congress took a major step toward stemming the tide of illegal immigration when it passed the most sweeping immigration reform legislation introduced in recent history, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. However, it is clear that further steps need to

be taken. Mr. Speaker, this Member commends to his colleagues the following editorial written by the Norfolk Daily News in Norfolk, NE. It touches upon some of the areas in which the U.S. Government can take additional positive steps in the effort to stop illegal immigration. If we as a nation are to stop illegal immigration, we must stop illegal aliens from using fraudulent documentation and acquire jobs and other benefits accorded to legal residents, and we must improve upon recent efforts to stop aliens from gaining long-term illegal residence in the United States by overstaying their visas.

In implementing voluntary worksite enforcement and pilot programs in employment eligibility verification, reducing the number of work authorization documents, and making border crossing identification cards tamper-resistant, Congress and the administration has taken some necessary initial steps toward hindering the ability of aliens to illegally enter the U.S. for employment or other purposes. It is imperative that the establishment of tamper-resistant Social Security cards and the implementation of tested, effective, mandatory employment eligibility verification programs be among some of the next steps that this country takes in addressing the problem of illegal immigration. In this Congress, the Gentleman from the 8th Congressional District of Florida, Mr. McCollum, has introduced legislation of which this Member is proud to be an original cosponsor. This legislation would improve the integrity of the Social Security card and system and provide criminal penalties for fraud and related activity involving work authorization documents.

Mr. Speaker, more time is needed to adequately measure the beneficial effects of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. It is clear to this Member that the 105th Congress and the administration must work together and propose additional tough measures that will assist in closing the door to massive numbers of illegal aliens. A country that cannot effectively control its borders against illegal immigration is failing a basic responsibility of a sovereign nation.

[From the Daily News, Feb. 19, 1997]

#### MORE ILLEGALS DESPITE REFORM—NUMBERS MUCH THE SAME AS IN 1986 WHEN NEW LEGISLATION WAS ADOPTED

There are 5 million illegal immigrants in America, according to the Immigration and Naturalization Service. It is an estimate only. That means the problem is the approximate equivalent of that which prompted the Immigration Reform and Control Act of 1986. Under that act, 3 million long-termers were legalized and subsequent steps were taken to limit new illegal arrivals.

Obviously, and despite strengthening border patrols and creating additional physical barriers, the flow continues. Many (41 percent by INS estimates) of the illegals are people who entered the United States legally but have simply remained in the country after their visas expired.

A stab at immigration reform last year, which increased the enforcement manpower levels to create tighter border control, does not appear to have had much effect.

Members of Congress continue to reject the idea of a mandatory identification card for workers. But with such a system, fake documents might not be quite so easy to obtain. Employers could be expected to exercise more control in hiring.

Americans already carry driver's licenses; photo IDs are required for air travel these

days. Social Security cards are needed, though there is no penalty for not having one in your billfold. Americans who want to travel abroad do have to prove citizenship and be issued passports.

So the intrusion on personal freedom of an identification card for workers seems slight under the circumstances. And if it would be a help to employers to make sure they are not hiring illegals, and to all those officials being paid to enforce immigration laws, then it would be worthwhile.

Injustice is done to all legal immigrants and to all American citizens and taxpayers by ineffective controls. Surely the requirement for ID cards is preferable to financing higher barricades or hiring more border patrol officers.

## ONE OF AMERICA'S GREATEST TREASURES

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. THOMPSON. Mr. Speaker, I rise today to recognize one of Mississippi's most outspoken heroes and one of America's greatest treasures. Although the contributions that Americans of African descent have made to this country are inexplicably woven into the very fiber of freedom and democracy upon which this country was founded, they are consistently overlooked and seldom find their place in history books alongside those of their white counterparts. However, because the recognition of these contributions has been relegated to 1 month out of the year—this month—instead of everyday, I would like to take a moment to share with you an article from "The Mississippi Link", a paper in the district I represent. This article commemorates the life of Mr. R. Jess Brown—Civil Rights pioneer and true supporter of democracy.

"R. JESS BROWN: A MEMORIAL TRIBUTE TO KEEP HIS MEMORY ALIVE"

(By Nettie Stowers)

SPECIAL TO THE MISSISSIPPI LINK

R. Jess Brown, a citizen of Mississippi residing in the city of Jackson, in September, 1988 was summoned by the U.S. Congressional Black Caucus and the Congressional Black Caucus Foundation, Inc. to the Nation's Capitol. Brown had been invited to attend and participate in "A Special Tribute To A Great American, The Honorable Thurgood Marshall, U.S. Supreme Court Justice" that was hosted by the Black Caucus and Foundation.

This invitation to attend and participate in the tribute was due Brown, in part, because the Jackson, Miss. attorney had been a member of the NAACP Legal Defense Fund which had also included Justice Marshall. According to the Magnolia Bar Association, in his august career, Brown "played a major role with the NAACP Legal Defense lawyers in (ending) the discrimination against Blacks in the areas of transportation and other public accommodations along with (the) Honorable Thurgood Marshall, then Associate Justice of the United States Supreme Court (now deceased); (the) Honorable Constance Baker Motley and Robert L. Carter, now (both are) residing judges in the United States District Court for the State of New York; and other NAACP Legal Defense lawyers."

At this tribute, billed as "A Special Tribute To Thurgood Marshall . . . The Lifetime

Companion For Justice For All People . . .", Brown was rubbing elbows with people who held esteem for equal justice for all Americans such as Wiley Branton, Sr., Esquire, (now deceased); U.S. Representatives Louis Stokes, Michael Espy, Mervyn Dymally, Walter Fauntroy and Julian Dixon; William Coleman, Jr., former Secretary of the Department of Transportation; Ramsey Clark, former U.S. Attorney General; and AME Bishop H. H. Brookins.

Brown was accustomed to such invitations and honors: a civil rights lawyer, he had served as a member of the team lawyers who had systematically dismantled the discriminatory segregationists and "Jim Crow" laws in America, especially in the South and Mississippi. Brown's contributions to American society are a reading of U.S. History and Mississippi History.

In 1948, Brown joined Gladys Noel Bates in seeking equal salaries for black teachers in Jackson when very few, if any, blacks dared to oppose the historically white supremacy power structure in the Magnolia State. Jether Walker Brown, his widow who still lives in Jackson, said "when Jess stepped in to help Mrs. Bates, almost no one was speaking to her because of intimidation by whites. Jess stepped in and almost immediately made the Black people feel ashamed for their actions." Jether Brown went on to say that "things were not easy for him (Jess) or any of us during this time. Anyone or any group associated with helping Blacks get equal treatment "receiving death threats harassment and vindictive and cruel intimidation; this included men, women and children. This was especially true for Jess, me and our two children. Oh Lord, it wasn't easy!"

Mrs. Brown also said that her husband represented a lot of Black people in cases where Mississippi sought the death penalty; but, these Black folk were never executed because her husband would keep on appealing their cases until some judge or court would overrule Mississippi's decision to execute.

In the 1950's Brown filed the first civil rights suit in Mississippi in Jefferson Davis County seeking the enforcement of the right of Black citizens to become registered voters. He was successful in obtaining Clyde Kennard's release after Kennard was convicted for the theft of chicken feed after attempting to register to vote at Mississippi Southern University. In the 1960's, Brown was among the team of lawyers who represented James Meredith in opening the doors of Ole Miss to Blacks.

The civil rights lawyer represented Mack Charles Parker in the Circuit Court in Pearl River County, Miss., who was lynched and thrown in the Pearl River after Brown raised the jury selection question prior to Parker's trial. And, while serving as counsel for the American Civil Liberties Union (ACLU), Brown was successful in obtaining reversals of convictions of Black defendants because discrimination against blacks in jury selection in Scott and Warren Counties.

Before Brown's untimely death in 1989, Attorney Firnst J. Alexander, Jr., assisted Brown in obtaining an acquittal for a Black defendant accused of being involved in attempted armed robbery of an alleged white victim in Neshoba County, Miss., where the alleged victim was shot.

Mrs. Brown said, "All of R. Jess' cases were important; but I'd say that lawyers in the State of Mississippi were hard to find and Mississippi had a rule that out-of-State civil rights lawyers could not come in and represent the people who were suffering and dying from discrimination—a local lawyer had to take the lead." That's how we got some of the lawyers in Mississippi whose names are a part of civil rights history like Carsie Hall, Jack Young, Sr. and others.

Brown served on the executive board of the National Bar Association, he received numerous honors and awards which includes the C. Francis Stratton Award of the National Bar Association, the NAACP Legal Defense and Educational Fund Award; and, the Illinois State University Award of Achievement. Brown's fraternal affiliations included Phi Beta Sigma Fraternity, the Elks, and L.K. Atwood Lodge. Brown was a member of Pratt United Methodist Church in Jackson, Mississippi.

When asked about her greatest contribution to R. Jess' and his undaunted efforts to gain equality under the law for American with African heritage, Mrs. Brown said "R. Jess was a humanitarian, educator, and fighter for civil rights. I made my contribution as a friend, wife, mother to our children and someone with whom he could confide and consult with on any subject. I have given it to R. Jess, he valued and respected my opinions and my knowledge."

AT FIRST GLANCE FACT ABOUT R. JESS BROWN

September 2, 1912—December 31, 1989.

Formal Education: Public Schools of Muskogee, Oklahoma.

Undergraduate Education: Illinois State University.

Graduate Education: Indiana University.

Legal Education: Texas Southern University School of Law.

Admitted To Practice Law: All Mississippi State Courts; U.S. District Courts for the Southern/Northern Districts of MS.

Profession: High School Teacher, College Professor, Lawyer.

Married to Jether Lee Walker Brown; Jackson, MS.

Children: Jacqueline Brown Staffney; Jackson, MS and Richard Jess Brown; Jackson, MS.

### MAJOR ACCOMPLISHMENTS

Filed the first civil rights suit in Mississippi seeking the enforcement of the right of Americans with African heritage to become registered voters.

Represented James Meredith in opening the doors of the University of Mississippi to American with African heritage with other lawyers from the NAACP Legal Defense Fund.

### MEMORIAL TRIBUTE

The Magnolia Bar Association (R. Jess Brown was a co-founder) presents the R. Jess Brown Award to a deserving attorney.

R. Jess Brown Park; Capitol Street; Jackson, Mississippi.

## INTRODUCING THE LAND RECYCLING ACT OF 1997

HON. JAMES C. GREENWOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. GREENWOOD. Mr. Speaker, today I am introducing the Land Recycling Act of 1997, legislation designed to spur economic growth in virtually every community across the country, particularly in America's urban core.

### THE BROWNFIELDS EPIDEMIC

My bill is an aggressive attack on brownfields, abandoned or underutilized former industrial properties where actual or potential environmental contamination hinders redevelopment or prevents it altogether. The U.S. Environmental Protection Agency [EPA] estimates that there may be as many as 500,000 such sites nationwide. In my own congressional district, the southern portion of

Bucks County is estimated to have 3 square miles of abandoned or underutilized industrial property.

This epidemic poses continuing risks to human health and the environment, erodes State and local tax bases, hinders job growth, and allows existing infrastructure to go to waste. Moreover, the reluctance to redevelop brownfields has led developers to undeveloped greenfields, which do not pose the risk of liability. Development in these areas contributes to suburban sprawl, and eliminates future recreational and agricultural uses. The Land Recycling Act will help stop urban erosion, and provide incentives to the redevelopment of our cities and towns across the country.

#### THE SOURCES OF THE PROBLEM

The brownfields problem has many sources. Foremost among them is Federal law itself. Under the Comprehensive Environmental Response, Compensation and Liability Act [CERCLA], more commonly known as Superfund, parties who currently own or operate a facility can be held 100 percent liable for any cleanup costs regardless of whether they contributed to the environmental contamination and regardless of whether they were in any way at fault. The imposition of this liability has led to tragic consequences, including the potential that a completely innocent purchaser of property can be held liable for catastrophic environmental damage. Because of the potential for this kind of liability, it is no wonder that potential developers recoil from any site with a history of industrial activity. It is simply not worth dealing with the environmental exposure when they have the alternative of developing in rural areas with no potential for liability.

The Resource Conservation and Recovery Act [RCRA] poses nearly identical concerns. Under section 7003 of that law, for instance, EPA has broad authority to order a current owner-operator to address environmental contamination, again, regardless of fault.

RCRA also hinders redevelopment of properties that may be subject to its corrective action program, many of which are in Pennsylvania and throughout the Great Lakes region. Enacted in 1984, RCRA's corrective action provisions comprise two relatively innocuous looking paragraphs requiring environmental cleanup of hazardous waste releases for certain regulated facilities. Unfortunately, Congress failed in these provisions to set out with any real specificity how EPA was to implement these requirements. As a result, well over a decade after enactment of the statute, EPA still has not finalized regulations governing the corrective action program. The glacial pace of EPA's rulemaking, in turn, has left many owners of facilities subject to corrective action in a regulatory void, either unwilling to begin environmental cleanups because of the uncertainty as to what will be required of them, or simply unable to because of the lack of regulatory guidance. Like other brownfields, these sites lie idle. In many instances, it simply makes no business sense to begin performing cleanups in the absence of some certainty as to what standards will be used in addressing them. This is frustrating for the business that own these properties and for the communities in which they are located.

In the past several years Congress has considered a variety of proposals to combat these problems. Unfortunately, we have not yet enacted, been able to enact, amendments to CERCLA or RCRA.

In stark contrast, 32 States have launched so-called voluntary cleanup programs. Under these initiatives property owners comply with State cleanup plans and are then released from further environmental liability at the site. The subcommittee has received testimony in the past from a variety of States and the U.S. Environmental Protection Agency [EPA] demonstrating that these State voluntary cleanup programs have been responsible for the redevelopment of hundreds of brownfields.

In the first year the Commonwealth of Pennsylvania enacted its brownfields program, it succeeded in cleaning 35 sites.

Although many of these State laws have proven successful, States, businesses, and other experts have tested that they could be far more effective if participation in a State voluntary cleanup program also included a release from Federal environmental liability. At field hearings in my district last September and in Columbus, OH, on February 14, 1997, the House Commerce Subcommittee on Finance and Hazardous Materials, chaired by Mr. OXLEY heard testimony that the possibility of continuing Federal liability despite an agreement to limit State liability—the so-called dual master problem—seriously diminishes the effectiveness of State voluntary cleanup programs. Because redevelopers face the potential for cleanup obligations above and beyond what a State has decided is appropriate to protect health and the environment, they may hesitate to enter into agreements with sellers to purchase idle properties. The testimony establishes, in my mind, that if brownfields redevelopers could be confident that the cleanup agreements entered into with States would not be second-guessed by EPA, then they would be far more likely to agree to conduct a cleanup.

#### THE LAND RECYCLING ACT SOLUTIONS

Based on the input of all of the stakeholders in the brownfields debate—the Federal Government, States, local governments, sellers, buyers, developers, lenders, environmentalists, community interests, and others—and in particular based on my own experiences in my district, I have drafted the Land Recycling Act to remove Federal barriers to the cleanup of brownfields across the country. The solutions I propose, I am proud to say, do not cost the American taxpayers one nickel. Instead, they will unleash the enormous capital of the private sector to get brownfields cleaned up and put back to productive use.

First, the act removes what I believe is the most significant obstacle to redevelopment: the fear of EPA intervention at a site being cleaned up pursuant to a State voluntary cleanup program. The Land Recycling Act prohibits any person—other than a State—from using any enforcement provision of CERCLA or RCRA with respect to a release of hazardous substances at any facility that is being addressed pursuant to a State voluntary cleanup program. In order to take advantage of this liability shield, a State must certify to EPA that it has enacted a voluntary cleanup program and that it has the resources necessary to carry out the program, and notify EPA of the facilities being addressed pursuant to the program.

I am very sensitive to the concern that this provision could lead to a "race to the bottom" among the States, which, some argue, may lower their cleanup standards in order to attract new jobs at the expense of health and

the environment. Accordingly, my bill makes numerous exceptions to the EPA enforcement ban. Sites listed on the Superfund National Priorities List [NPL] are not eligible, for instance, nor would any site that EPA proposed for listing on the NPL; nothing in the legislation limits EPA's current authority to investigate sites pursuant to CERCLA section 104 to determine whether they are eligible for listing on the NPL. Thus, Federal enforcement authorities will not be limited at any site that is truly of national significance. Further, the limitations on enforcement will not apply to any site that is already being addressed pursuant to consent decrees or other agreements with the United States. If someone has agreed with EPA to clean up a site, they should clean it up—the Act is not an escape hatch for parties responsible for cleaning up environmental contamination.

This limitation on enforcement will allow parties tremendous certainty in their decisionmaking. Knowing that they only have to deal with a State, redevelopers can be certain that once they have reached agreement with a State on the scope and extent of any necessary cleanup, that agreement will not be second-guessed by the Federal Government.

The act has two provisions aimed directly at ensuring Superfund's sweeping liability scheme does not apply to innocent parties. The first protects prospective purchasers of property from Superfund liability if they conduct a baseline assessment of a facility's contamination, do not contribute to any contamination at a property, and otherwise comply with law. It is EPA's current policy to grant this relief, but it may only be accomplished through the cumbersome, time-consuming process of negotiating and entering into an agreement with the United States. The bona fide prospective purchaser provision is self-executing, and therefore obviates the need to conduct a time-consuming negotiation for a prospective purchaser agreement with EPA.

Another provision deals with innocent landowners. Building on language that has had a bipartisan consensus over the last several years, the Land Recycling Act shields innocent landowners from CERCLA liability if they have made all appropriate inquiry into the condition of a property prior to acquiring it. The bill requires an environmental assessment of the property to have been performed within 180 days of acquisition in order to satisfy the all appropriate inquiry standard.

I believe these three straightforward solutions will provide an aggressive antidote to the epidemic of brownfields in America. Let me say, though, that I am not, nor do I think my original cosponsor Congressman KLING, are wedded to any particular provision contained in the bill. I know that my friends in the environmental community will have concerns with some of the approaches we have taken. Some in industry, on the other hand, have told me that legislation like this does not go nearly far enough, either in the kinds of sites it addresses nor in the certainty that it provides under Federal environmental law. I look forward to a vigorous debate because I am confident that we can resolve these issues.

#### THE NEED FOR COMPREHENSIVE REFORM

While I am confident that the Land Recycling Act will go a very long way toward getting the half million brownfields sites across the country cleaned up, we in Congress have a much larger task at hand. I strongly support

a comprehensive overhaul of the Superfund Program to ensure that we do not perpetuate the brownfields problem across the country. The Congress needs to address liability issues, remedy selection concerns, and other matters that have prevented Superfund from accomplishing more in its 17-year existence. I am both dissatisfied with the current pace of NPL site cleanups convinced that the roots of many of the brownfields problems lie throughout the Superfund statute.

I look to the chairman of the Commerce Committee, Mr. BLILEY, and the chairman of the Finance and Hazardous Materials Subcommittee, Mr. OXLEY, for leadership on comprehensive Superfund reform. These two chairmen ably fought for Superfund reform in the last Congress, but the process unfortunately broke down in the mire of election year politics. I hope that 1997 offers more promise, and that they will consider including the Land Recycling Act as part of their Superfund reform package.

#### MAKING GOVERNMENT AGENCIES MORE ACCESSIBLE

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 1997*

Mr. MORAN of Virginia. Mr. Speaker, today I am introducing legislation that will amend the truth in savings law to make Government agencies more accessible to the public.

In recent years State and local governments, along with the Federal Government, have made a conscientious effort to improve the quality and efficiency of their customer services.

Public expectations now focus on convenience, quickness, and completeness when receiving public services.

Given the option, many people would prefer to register their car, pay their water bill, or their real estate and personal property taxes over the telephone with a credit card.

It is quick, convenient, and spares people the time and expense of visiting the motor vehicle office or tax office and spending their time waiting in long lines.

Payment of taxes with credit cards has the added benefit of enabling taxpayers to avoid the stigma and added expense of late tax payments, since the card holder can avoid the late penalty fee and extend their payments out over several months.

This legislation is necessary because the major credit card companies insist that public agencies be treated the same as department stores and restaurants who are prohibited by the credit card companies from passing the cost of credit card transactions directly onto the customer.

Merchants must swallow this cost or pass this cost on to their cash paying customer through higher prices. Few merchants complain because they can raise their prices and encourage their customers to buy more on credit than they could pay with cash.

Public agencies are different.

The Government should not raise everyone's taxes to pay for credit card user fees.

Moreover, State and local law may prohibit or restrict public agencies from absorbing or spreading this cost.

If the Internal Revenue Service were to allow the public to pay taxes with a credit card, it could not absorb the 3-percent service charge per credit card transaction.

Under Mastercard and Visa's policy, the IRS would have to absorb the \$300 million in service charges the two companies would collect on \$10 billion worth of credit card tax payments. State and local government agencies face a similar obstacle.

The legislation I am introducing will remove this obstacle and provide the public a convenient option for conducting their business with public agencies at a minimum of expense.

I urge my colleagues to support this legislation.

#### THE INTRODUCTION OF THE UNITED STATES-PUERTO RICO POLITICAL STATUS ACT

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 27, 1997*

Mr. YOUNG of Alaska. Mr. Speaker, today, I'm pleased to introduce the United States-Puerto Rico Political Status Act (H.R. 856). This landmark legislation will end 100 years of uncertainty for the people of Puerto Rico and allow them to determine the political status for themselves and future generations.

The text of the legislation is identical to the updated version of the bill introduced as H.R. 4281 in the 104th Congress on September 28, 1996. This bill reflects the efforts of many of my colleagues during the last 2 years to formulate a fair, clear, and complete process that will once and for all, provide for the final resolution of Puerto Rico's political status. This is the starting point in the process which is long overdue and the people of Puerto Rico deserve.

The Legislature of Puerto Rico has once again asked the Congress to take action to resolve Puerto Rico's political status. Two weeks ago, a bipartisan delegation from Puerto Rico personally delivered copies of the resolution, asking the 105th Congress—and I quote:

to respond to the Democratic aspirations of the American citizens of Puerto Rico in order to attain a process which will guarantee the prompt decolonization of Puerto Rico, through a plebiscite sponsored by the Federal Government, which shall be held no later than 1998.

This bill answers the Legislature's request by providing for a vote on Puerto Rico's political status before December 31, 1998.

As the only Representative from Alaska—a State that made the transition from territorial status to full self-government—I know first hand that the process does work. This bill provides the process by which Congress and the residents of Puerto Rico define and approve politically acceptable options through a multi-staged Democratic process. This allows for the political will of the United States and Puerto Rico to be determined freely and democratically.

The U.S. Congress and the President have a moral obligation to act so the people of Puerto Rico can finally resolve their status. We are taking action today by re-introducing the United States-Puerto Rico Political Status Act. Today marks the beginning of a historic

effort by the Congress to actually solve Puerto Rico's political status.

I appreciate the strong bipartisan support for this legislation by such a large number of Members of Congress during the 104th Congress, and now in the 105th Congress. I particularly want to thank Speaker GINGRICH for his involvement and support of this measure since its inception. Puerto Rico's delegate, Resident Commissioner CARLOS ROMERO-BARCELÓ, has been working side-by-side with the sponsors of this bill, and his cooperation and leadership has been critical to this endeavor. My colleague from New York, JOSÉ SERRANO, has also been particularly supportive and helpful in this process. I also want to thank Chairman GALLEGLY, Chairman GILMAN, Chairman BURTON, Chairman POMBO, and Mr. KENNEDY from Rhode Island for their outstanding efforts to address Puerto Rico throughout the 104th Congress; Chairman SOLOMON of the Rules Committee for his excellent work on the fast track procedures, as well as all the other distinguished co-sponsors for both political parties.

Resolving Puerto Rico's political status is a top priority of the Committee on Resources Oversight Plan for the 105th Congress. The leadership of the House also recognizes this as a matter of the highest priority.

To demonstrate the commitments of this Congress to act quickly on this matter, three hearings have been scheduled on this legislation. The first will be held in Washington, DC, on Wednesday, March 19, 1997 to enable the leaders of the Government of Puerto Rico and the political parties to express their views regarding their preferred status. I will also ask the Clinton administration to present their formal position regarding the legislation at this hearing. In addition, two hearings will be conducted in Puerto Rico, the first in San Juan on April 19 and the second in Mayaguez on April 21.

Those hearings will be dedicated to allow Congress to hear directly from the widest possible spectrum of views of the people of Puerto Rico. No proposal or idea will be excluded from the process, but we intend for Congress to work its will on this question in 1997.

That is what the people of this Nation, including our fellow citizens in Puerto Rico, deserve from the 105th Congress, and in my view that is what the national interest requires us to do.

Following is the text of House Concurrent Resolution 2, enacted by the Puerto Rico Legislature of January 23, 1997, which asks the 105th Congress and the President to sponsor a vote in Puerto Rico on political status before the end of 1998:

#### HOUSE CONCURRENT RESOLUTION 2

To request of the One Hundred Fifth Congress and the President of the United States of America to respond to the democratic aspirations of the American citizens of Puerto Rico, in order to achieve a process that guarantees the prompt decolonization of Puerto Rico by means of a plebiscite sponsored by the Federal Government, which must be held no later than 1998.

#### STATEMENT OF MOTIVES

As the present century draws to a close and a new millennium full of hope is about to begin, men of good will must act affirmatively to leave any colonial vestige behind them.

The United States of America has contributed to fundamental changes towards democracy and full participation in political processes in other countries, thus asserting the universal principles of human rights.

Just as the United States has successfully promoted democratic values in the international sphere, it is now appropriate for that nation to attend to the claims for full political participation of the 3.75 million American citizens of Puerto Rico.

On November 14, 1993, the Government of Puerto Rico supported a plebiscite on Puerto Rico's status. Three different political options were submitted to the People: Statehood, represented by the New Progressive Party; Independence, represented by the Puerto Rican Independence Party; and Commonwealth, represented by the Popular Democratic Party. This last option, redefined by its advocates, is based on a bilateral pact that cannot be revoked or amended unilaterally by Congress. It had the following essential elements: first, parity of founding with the states in federal assistance programs; second, tax exemption within the scope of the former Section 936 of the United States Internal Revenue Code, since repealed; and third, the power of the Commonwealth to impose tariffs on agricultural products imported into Puerto Rico. The Commonwealth option obtained 48.2% of the votes cast in the 1993 plebiscite, while Statehood obtained 46% and Independence, 4%. In a prior plebiscite, convoked by the Government of Puerto Rico in 1967, Commonwealth had obtained 60% of the votes, while Statehood obtained 37.8%.

On December 14, 1994, the Legislative Assembly of Puerto Rico approved Concurrent Resolution No. 62. By means of this Resolution, Congress was asked to state its opinion on the redefinition of Commonwealth mentioned above. If the elements of that redefinition were deemed not to be viable, Congress was requested to inform the people of Puerto Rico about which status options it would be willing to consider in order to resolve our colonial problem, and what procedural steps should be taken to this effect.

On February 29, 1996, the leaders of the United States House of Representatives Committee on Resources of the One Hundred Fourth Congress and its Subcommittee on Insular and Native American Affairs, together with the House Committee on International Relations and its Subcommittee on the Western Hemisphere, answered the People and the Legislative Assembly of Puerto Rico by means of a Statement of Principles, indicating the unfeasibility of accepting the redefinition of Commonwealth submitted in the 1993 plebiscite. These same Congressional leaders also expressed their interest in promoting Federal legislation so that the One Hundred Fourth Congress could expedite the steps to be followed in resolving the status problem of Puerto Rico. They fulfilled their pledge by submitting H.R. 3024 and S.R. 2019 with bipartisan support, for the purpose of responding to Concurrent Resolution No. 62, approved in 1994 by the Legislative Assembly of Puerto Rico.

On June 28, 1996 four Congressmen who are members of the Minority Delegation of the House of Representatives of the United States also responded to Concurrent Resolution No. 62, through a letter in which they stated that "it is clear that Puerto Rico remains a non-incorporated territory that is subject to the authority of Congress under the Territorial Clause . . .", thus upholding the conclusions set forth in the February 29, 1996 letter, mentioned above.

Barely a month later, on July 11, 1996, eleven Congressmen belonging to the Minority Delegation of the House of Representatives of the United States sent a letter to the Mi-

nority Leader of the House, stating their total support of H.R. 3024, which had been presented to that body in response to Concurrent Resolution No. 62.

The Subcommittee on Insular and Native American Affairs of the United States House of Representatives, exercised primary jurisdiction over the matters set forth in Concurrent Resolution No. 62. While studying and approving H.R. 3024 on June 12, 1996, the Subcommittee considered proposals—rejected until then—for the adoption of the redefinition of Commonwealth, either as included in the 1993 plebiscite ballot or, as an alternative, the non binding and never-adopted definition presented in a 1990 legislative report to the United States House of Representatives on the status of Puerto Rico. Both proposals on Commonwealth were overwhelmingly defeated in votes of ten to one for the first, and eight to one, for the second.

On June 26, 1996, the House Committee on Rules adopted House Report 104-713, Part 2, which endorsed well-founded provisions for the purpose of facilitating congressional consideration of the measures that responded to the results of the self-determination process, as contemplated in H.R. 3024, which set forth a 3-stage decision-making process, with periodic referral in the event of an inconclusive result in any of the stages.

We recognize that substantial progress was achieved during the One Hundred Fourth Congress in establishing a federal policy to promote the decolonization of Puerto Rico. But today, at the commencement of the work of the One Hundred Fifth Congress, the reality of the situation is that after almost a century during which Puerto Rico has been under the sovereignty of the United States, the Federal Government has never approved or implemented specific measures geared to promoting a process in a conclusive binding manner, by which the American citizens of Puerto Rico may democratically express their wishes regarding their final political status.

We also recognize that even though important votes on the political status in Puerto Rico were carried out in 1967 and 1993 under the auspices of the Government of Puerto Rico, other voting events will be required in order to resolve the status question once and for all; and that Congress has still not defined the interests and responsibilities of the Federal Government regarding that process.

The need to resolve Puerto Rico's political status persists. It must be carried out by means of an effective and enlightened process, whose legitimacy is acceptable to Congress, acting in the exercise of the sovereignty of the United States over Puerto Rico, pursuant to the full powers granted under the Territorial Clause of the Constitution of the United States, Article IV, Section 3, Clause 2 and which enables the People of Puerto Rico to achieve a sovereign political status through realistic and decolonizing alternatives.

Following the plebiscites carried out by local initiative in 1967 and 1993 and the corresponding results, the Congress of the United States has refused to accept and implement as permanent and binding the definition of Commonwealth that was presented to the voters in 1993. As a result, we must establish a process based on options defined in such a way that both Congress and the American citizens of Puerto Rico recognize that a choice based upon perpetuating the lack of political suffrage and the subordination to the plenary powers of Congress under the Territorial Clause does not represent the best interests of the residents of Puerto Rico nor the rest of the United States.

The final, permanent status of Puerto Rico should be consistent with the democratic principles of freedom, human rights and the

goals of political, economic and social development that constitute the legacy of a century in which the political status of Puerto Rico has evolved within the flexibility allowed under the American constitutional framework. Although historical forces have caused the ongoing evolution of Puerto Rico towards self-determination to be delayed at sometimes and accelerated at others, now is the time to take the final step. This historic moment requires the adoption of measures that are carefully pondered yet decisive, in order to solve the political status of Puerto Rico by the beginning of a new century and a new millennium.

In 1998 Puerto Rico must not complete one hundred years of colonialism under the American flag without at least being in an irreversible, inevitable process of decolonization.

*Be it Resolved by the Legislative Assembly of Puerto Rico:*

Section 1.—To request of the One Hundred Fifth Congress and the President of the United States of America to respond to the democratic aspirations of the American citizens of Puerto Rico, in order to achieve a means of guaranteeing the prompt decolonization of Puerto Rico through a plebiscite sponsored by the Federal Government, to be held no later than 1998.

Section 2.—It is hereby ordered that this Concurrent Resolution be delivered to all members of the Congress of the United States of America, to the President, the Hon. William J. Clinton, and to the Secretary General of the United States.

Section 3.—The Speaker of the House of Representatives and the President of the Senate of Puerto Rico are hereby authorized to designate a Special Joint Committee made up of legislators from the three political parties of Puerto Rico, for the sole purpose of personally delivering the text of this Concurrent Resolution to the Speaker of the House of Representatives and the President Pro-Tempore and the Majority Leader of the Senate, and to the leaders of the Minority delegations of the Congress.

Section 4.—This Concurrent Resolution shall take effect immediately after its approval.

TRIBUTE TO ROBERT C. GRAVES,  
A FOUNDER OF THE NATIONAL  
MARROW DONOR PROGRAM

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. YOUNG of Florida. Mr. Speaker, it is with great sadness that I report to my colleagues the death of Robert C. Graves, D.V.M., who was a founder and the first chairman of the board of the National Marrow Donor Program.

Dr. Graves, who died February 13, 1997, at his home in Fort Collins, CO, was one of the most unique people I have ever been associated with during my service in Congress. A veterinarian and rancher, he was a colorful and persuasive individual who decided our Nation needed a national registry of potential bone marrow donors. He worked tirelessly to create such a registry that today saves lives every day.

He will be forever remembered for his work to help establish the National Marrow Donor Program. He was spurred onward in his drive to establish a national registry by his daughter Laura, who received the first unrelated marrow

donor transplant in 1979. At that time, there was no centralized listing of potential marrow donors. Instead, there were a few small, community-based listings of possible donors, many developed around the plight of a patient like Laura, suffering from leukemia.

Although Laura was fortunate enough to find an unrelated matched donor, she lost the battle to leukemia. Her father, however, never gave up the fight and one day in 1986 we met here in the halls of the U.S. Capitol, both on a quest to achieve the same goal—the establishment of a national bone marrow registry.

Together with Adm. Elmo R. Zumwalt, Jr., whose family like that of Bob Graves was touched by the need for a bone marrow donor, we found an interest in this project with the U.S. Navy. By providing a small appropriation in 1986, we gave birth to a national registry, to honor all those such as Laura Graves who inspired us to find a way to save lives. Bob Graves became the first chairman of the board for the National Marrow Donor Program and during its formative months played a major role in its organization and in its activation.

Today, 10 years later, it is with great pride that I report the National Marrow Donor Program is a true success story. With more than 2.5 million volunteers in the national registry, we proved many people wrong, including a former Director of the National Institutes of Health, who told the three of us that we would never be able to find more than 50,000 people willing to sign up for such a national program.

Bob Graves was a plain spoken but focused man who devoted a good part of his life to helping others. He not only worked the Halls of Congress and the Colorado State Legislature, but traveled the world to recruit foreign nations to be partners with the national registry. In large part through his efforts, we now have agreements with 14 other countries, which allows bone marrow to cross international borders on a regular basis.

To honor Bob and Laura Graves, the board of the National Marrow Donor Program, established the Laura Graves Award, given annually to an individual who has contributed greatly to saving lives through advancing unrelated bone marrow transplantation. My wife Beverly and I are honored to have been a recipient of this award, which is displayed prominently in my office. It is a constant reminder of Dr. Robert C. Graves, who we were blessed to know as partner in our quest to save lives, and as a true friend.

Mr. Speaker, my deepest sympathy goes out to his wife Sherry and his children. They can be consoled by knowing that Bob touched the lives of more people throughout the world than he would ever know. Many of those people owe their lives today to this crusading rancher from Fort Collins, CO who had a vision and never would be deterred until he fulfilled that vision and a promise to his daughter.

#### INTRODUCTION OF THE DISTRICT OF COLUMBIA TAX REVENUE NONDISCRIMINATION ACT OF 1997

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Ms. NORTON. Mr. Speaker, today I introduce the District of Columbia Tax Revenue Nondiscrimination Act of 1997, a bill which would remove congressionally established tax

exemptions that prevent the District of Columbia from taxing favored special interests within its borders. The bill targets 36 organizations, without regard to political affiliation or influence, which have been given property or income tax breaks on an ad hoc special interest basis.

Congress granted each of these tax exemptions prior to home rule—many in the 19th century—when Congress governed the District and freely allowed tax breaks for Members' favorite special interests. My bill would remove these prehome rule exemptions.

Removing these congressionally mandated tax exemptions will not solve the District's financial crisis, but will correct profound discrimination and inequity at a time when the District is on its financial knees. Congress should no longer contribute to the District's financial crisis by denying it access to ordinary revenue. I urge my colleagues to pass the District of Columbia Tax Revenue Nondiscrimination Act and let Congress finally become a part of the solution to the District's financial crisis, rather than remaining a major contributor to the District's financial problems.

The following is a list of the 36 organizations covered by this bill: American Chemical Society, American Forestry Association, Brookings Institution, Medical Society of the District of Columbia, National Academy of Science, American Pharmaceutical Association, National Geographic Society, National Lutheran Home, American Association to Promote the Teaching of Speech to the Deaf, Disabled American Veterans, National Society of the Colonial Dames of America, Jewish War Veterans, Louise Home, Oak Hill Cemetery, Corcoran Gallery of Art, Luther Statue Association, Young Women's Christian Association, Young Men's Christian Association, Edes Home, General Education Board, Daughters of the American Revolution, National Society United States Daughters of 1812, National Society of the Sons of the American Revolution, American Legion, National Education Association, Society of the Cincinnati, American Veterans of WWII, Veterans of Foreign Wars, National Women's Party, American Association of University Women, National Guard Association of the United States, Woodrow Wilson House, American Institute of Architects, Federal National Mortgage Association (Fannie Mae), Federal Home Loan Mortgage Corporation (Freddie Mac), and Student Loan Marketing Association (Sallie Mae).

#### HOUSING COUNSELING ENHANCEMENT ACT

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. TRAFICANT. Mr. Speaker, today I am introducing the Housing Counseling Enhancement Act to help veterans stave off foreclosure and to keep their homes. I urge my colleagues to once again cosponsor and support this important legislation.

The bill, supported by such diverse groups as the Mortgage Bankers Association [MBA] and the National Federation of Housing Counselors, corrects a flaw in the Housing and Urban Development Act of 1968.

Under current law, borrowers with conventional loans and borrowers with loans backed by the Federal Housing Administration [FHA] receive notification informing them that housing counseling is available. The notification is

sent out by the lender when the account is 45 days delinquent and includes a 1-800 number that directs the borrower to the nearest housing counseling agency.

Shamefully, the law exempts from notification requirements veterans who receive loans backed by the U.S. Department of Veterans Affairs [VA]. My bill, which was approved by the House during the 103d Congress, will remove this exemption.

It is common knowledge that the housing counseling program administered by the U.S. Department of Housing and Urban Development [HUD] has helped to dramatically stave off foreclosures of FHA-backed loans. By working with individuals and families to avoid foreclosure and eviction, the program has saved the Federal Government \$6 for every dollar invested.

As such, I have worked to expand the reach of housing counselors. In 1989, I successfully extended the program to include those with conventional loans through enactment of the Emergency Homeownership Counseling [EHC] Program.

Although veterans can participate in the housing counseling program, they are still excluded from receiving notification. For the past two Congresses I have attempted to rectify this situation but to no avail. In 1993, my colleagues in the House approved of removing the exclusion, but the measure died in the Senate as part of an otherwise contentious Housing authorization bill.

Under my bill, the VA is still free to offer its own counseling services. In fact, my measure in no way impacts, burdens, or requires any involvement from the VA. Instead, my bill gives borrowers additional means to avoid a nightmare.

It should be pointed out, however, that HUD's notification process is more effective than the VA's because the VA does not notify the delinquent borrower until he or she is 105 days delinquent. As anybody who has faced foreclosure can attest, 90 days is already too late, let alone 105. Consequently, although the delinquency rate of HUD-backed loans is higher than VA-backed loans, the percentage of loans in foreclosure is nearly the same for both types. The notification process has also helped to work wonders for conventional loans, where the number of loans in foreclosure is less than 1 percent.

Housing counselors have urged me to help the roughly 3.5 million borrowers with VA-backed loans avoid foreclosure. I believe the Housing Counseling Enhancement Act is a step in that direction. The MBA has expressed, from a lender perspective, that the bill is economically sound because it helps to prevent costly foreclosures. In a letter of support to my office, the MBA wrote: "Counseling for veteran borrowers experiencing payment difficulties is a valuable tool in preventing foreclosures and we, respectfully, urge congressional approval of your bill."

We would be wise to heed MBA's input. With each foreclosure costing the Government an average of \$28,000, Congress can ill-afford not to adopt the bill.

Mr. Speaker, at times Congress passes spending programs that appear one-way in nature. We spend the money, but never see the benefits. Housing counseling, however, is a preventive program with a proven track record of helping homeowners avoid nightmarish and costly foreclosures.

Again, I urge my colleagues to sign on as a cosponsor to the Housing Counseling Enhancement Act.