

EXTENSIONS OF REMARKS

THE GEKAS GOVERNMENT SHUTDOWN PREVENTION AMENDMENT

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. GEKAS. Mr. Speaker, in approximately 2 weeks the U.S. House of Representatives will be voting on fiscal year 1997 supplemental appropriations bills. At the appropriate time, I intend to appear before the House Rules Committee to request that my Government shutdown prevention amendment be made in order. My amendment will provide fiscal year 1997 spending levels to continue at 98 percent through the end of fiscal year 1998, in the absence of regular appropriations or a continuing resolution.

Since my election to the House of Representatives in 1982, I have witnessed the enactment of 53 different continuing resolutions, including a whopping 14 during the 104th Congress alone. The absence of either a budget agreement or a stopgap spending bill has resulted in eight partial Government shutdowns during my 14 years in Congress.

In February 1989, I introduced legislation to put an end to these senseless interruptions of government operations. As originally drafted, my Automatic Continuing Resolution Act would allow the Government to continue to function at the prior year's funding levels should a lapse in appropriations occur. I often referred to this legislation as my instant replay bill, since it was a repeat of the previous year's appropriations measures.

Mr. Speaker, at the time, I knew I was facing an uphill battle in a long war. After all, the threat of a shutdown is one of the most effective weapons in the congressional arsenal. Every fiscal year, the then Democrat-led Congress routinely placed Presidents Reagan and Bush in the position of accepting its budget priorities, or else. If the White House refused to cooperate, Congress would grind large portions of the Federal Government to a complete halt. The shutdown threat, coupled and the public outcry that inevitably results from a lull in Government services, forced both Presidents to grudgingly submit to congressional spending priorities.

Obviously, a Congress jealous of its prerogatives was not going to give up this exceedingly effective tactic overnight. So I bided my time, and gradually garnered support for my legislation during the 101st, 102d, 103d, and 104th Congresses.

Mr. Speaker, without question, the time for enactment of the Gekas Government shutdown prevention amendment is now. The shutdown debacle of last winter has underscored the need to keep the Government operating without interruption. The 27-day shutdown jolted America's confidence in its elected officials, and caused reverberations that can still be felt today. We need to restore the public's faith in its leaders by showing that we have learned from our mistakes. Enactment of

this amendment will send a clear message to the American people that we will no longer allow them to be pawns in budget disputes between Congress and the White House.

AMENDMENT TO H.R. —, AS REPORTED,
OFFERED BY MR. GEKAS OF PENNSYLVANIA

At the appropriate place, add the following new title:

TITLE ____—PREVENTION OF GOVERNMENT SHUTDOWN SHORT TITLE

SEC. ____ This title may be cited as the "Government Shutdown Prevention Act".

CONTINUING FUNDING

SEC. ____ (a) If any regular appropriation bill for fiscal year 1998 does not become law prior to the beginning of fiscal year 1998 or a joint resolution making continuing appropriations is not in effect, there is appropriated, out of any moneys in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, such sums as may be necessary to continue any program, project, or activity for which funds were provided in fiscal year 1997.

(b) Appropriations and funds made available, and authority granted, for a program, project, or activity for fiscal year 1998 pursuant to this title shall be at 98 percent of the rate of operations that was provided for the program, project, or activity in fiscal year 1997 in the corresponding regular appropriation Act for fiscal year 1997.

(c) Appropriations and funds made available, and authority granted, for fiscal year 1998 pursuant to this title for a program, project, or activity shall be available for the period beginning with the first day of a lapse in appropriations and ending with the earlier of—

- (1) the date on which the applicable regular appropriation bill for fiscal year 1998 becomes law (whether or not that law provides for that program, project, or activity) or a continuing resolution making appropriations becomes law, as the case may be; or
- (2) the last day of fiscal year 1998.

TERMS AND CONDITIONS

SEC. ____ (a) An appropriation of funds made available, or authority granted, for a program, project, or activity for fiscal year 1998 pursuant to this title shall be made available to the extent and in the manner which would be provided by the pertinent appropriations Act for fiscal year 1997, including all of the terms and conditions and the apportionment schedule imposed with respect to the appropriation made or funds made available for fiscal year 1997 or authority granted for the program, project, or activity under current law.

(b) Appropriations made by this title shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

COVERAGE

SEC. ____ Appropriations and funds made available, and authority granted, for any program, project, or activity for fiscal year 1998 pursuant to this title shall cover all obligations or expenditures incurred for that program, project, or activity during the portion of fiscal year 1998 for which this title applies to that program, project, or activity.

EXPENDITURES

SEC. ____ Expenditures made for a program, project, or activity for fiscal year 1998

pursuant to this title shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation bill or a joint resolution making continuing appropriations until the end of fiscal year 1998 providing for that program, project, or activity for that period becomes law.

INITIATING OR RESUMING A PROGRAM, PROJECT,
OR ACTIVITY

SEC. ____ No appropriation or funds made available or authority granted pursuant to this title shall be used to initiate or resume any program, project, or activity for which appropriations, funds, or other authority were not available during fiscal year 1997.

PROTECTION OF OTHER OBLIGATIONS

SEC. ____ Nothing in this title shall be construed to effect Government obligations mandated by other law, including obligations with respect to Social Security, Medicare, Medicaid, and veterans benefits.

DEFINITION

SEC. ____ In this title, the term "regular appropriation bill" means any annual appropriation bill making appropriations, otherwise making funds available, or granting authority, for any of the following categories of programs, projects, and activities:

- (1) Agriculture, rural development, and related agencies programs.
- (2) The Departments of Commerce, Justice, and State, the judiciary, and related agencies.
- (3) The Department of Defense.
- (4) The government of the District of Columbia and other activities chargeable in whole or in part against the revenues of the District.
- (5) The Departments of Labor, Health and Human Services, and Education, and related agencies.
- (6) The Departments of Veterans and Housing and Urban Development, and sundry independent agencies, boards, commissions, corporations, and offices.
- (7) Energy and water development.
- (8) Foreign assistance and related programs.
- (9) The Department of the Interior and related agencies.
- (10) Military construction.
- (11) The Department of Transportation and related agencies.
- (12) The Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies.
- (13) The legislative branch.

DR. ROBERT "BOB" BUCHANAN: AN
EDUCATOR'S EDUCATOR

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mrs. EMERSON. Mr. Speaker, I rise today to pay tribute and say thanks to a 31-year veteran educator in our public school system. The superintendent of Sikeston schools, Dr. Robert "Bob" Buchanan, has decided to move on to life's next challenge.

Bob's retirement closes a remarkable chapter in Sikeston, Missouri's Public R-VI School

• 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.

District. As a teacher, coach, principal, and ultimately superintendent, Bob Buchanan has done it all in his 25 years in Sikeston. Moreover, he's been a positive influence on so many kids and touched many of their families over the past 31 years of dedication to education.

Bob's long and winding road in education started in January 1966 when he first was hired as a social studies instructor in Harrisburg, AR. He then moved across the border to his home State to teach social studies in Bernie, MO—his original hometown—and just down the road in Charleston, MO, before planting new and, as we know today, deep roots in Sikeston in 1972.

Bob Buchanan is a leader by example. His community service record is exemplary. For instance, Bob is a member of Sikeston's chamber of commerce quality of life committee. He's also on the physicians medical organization board, Missouri Delta medical center board, Sikeston area development council board, and in the mid-eighties, he served as chairman of the board of adjustment.

Bob also knows that you must keep learning in life so that you're prepared for the next challenge or hurdle. His personal achievements in his academic pursuits are impressive. After graduating from Bernie High School in 1961, Bob graduated from Arkansas State University with a bachelor of science in education. He earned his master in education administration from Southeast Missouri State University in my hometown of Cape Girardeau in 1971. He graduated with honors 10 years later in 1981 with a specialist in education administration from Southeast Missouri State. Then, in 1987, he earned his doctor of philosophy from the Department of Educational Leadership at Southern Illinois University in Carbondale. Remember, most of these scholastic achievements came about in his spare time because Bob's full-time job was educating our children and helping to provide them a better, brighter future.

Although this will be the last school year for Bob as superintendent of Sikeston schools, I'm sure folks will still find him going to every Bulldog game he and his wife Glenda can attend. Most importantly, I hope that the enthusiastic spirit and drive for excellence that Dr. Buchanan brings to the classrooms under his charge lives on for future generations. Bob Buchanan will be missed, but I truly believe his legacy will live on.

ESTATE AND GIFT TAXES

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. PACKARD. Mr. Speaker, I worry about how our current tax structure will affect America's families and small businesses. I hear from constituents every day who fret that their cherished family home or small business they built from the ground up will end up liquidated because our current estate and gift tax laws make it impossible for families to hold onto their loved one's legacy.

No American should have to stay up late at night worrying about how the tax system will hurt them. The estate and gift tax seems especially cruel when you consider it strips peo-

ple of the very thing a life well lived provides—the opportunity to endow our children with the fruits of our labor. For all of the suffering estate taxes cause loved ones, the tax accounts for only a small fraction of the Federal Government's revenue—about 1 percent or \$15 billion.

Most people mistakenly assume that the estate and gift tax socks it only to the rich. Nothing is further from the truth. In fact, this tax hits small businesses the hardest. More than 70 percent of small businesses never make it into the hands of the next generation, and more than 80 percent never make it to the third generation. The effect on the economy is immeasurable. How many jobs have been lost because a family had to shut down a thriving business just to pay the taxes?

Mr. Speaker, I recently cosponsored the Family Heritage Preservation Act, introduced by Congressman CHRIS COX, Republican from Newport Beach. This legislation would repeal Federal estate and gift taxes. President Clinton's own White House Conference on Small Business has cited estate tax repeal as one of his No. 1 objectives. I will work to repeal the Federal estate and gift taxes in order to ensure for the future of our children and grandchildren.

THE IRS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, April 16, 1997, into the CONGRESSIONAL RECORD:

THE IRS: OVERHAUL OVERDUE

More than 200 million individuals and companies recently sent their tax returns to the Internal Revenue Service. This yearly ritual—and the frustration that surrounds it—makes the IRS the most vilified agency in the federal government. Of course, tax collectors have been criticized since biblical times. No one expects the IRS to be popular, and fair-minded people understand the difficulty of collecting taxes. But American taxpayers have a right to expect fairness and efficiency from their tax collectors.

The IRS is widely recognized to be inefficient. In the previous fiscal year, 74% of all telephone calls to the IRS got a busy signal. The IRS still enters paper returns manually into computers, with a 20% error rate. Because its computers are out of date, the IRS focuses on processing instead of fraud. It is no wonder, then, that millions of suspect returns go unexamined. When it does investigate, the IRS is not always held accountable for investigations that are unfair or overly intrusive. I am most troubled by allegations that some IRS employees "snoop" through tax-payer records without authorization. Any employee who does so should be fired immediately. The IRS is long overdue for a massive management overhaul.

FORMIDABLE TASK

In 1996 the IRS collected \$1.5 trillion from more than 200 million individual and corporate taxpayers. The IRS computer system is the largest in the world, and it is difficult to find highly-skilled computer experts who will work for government salaries. Today the IRS collects about \$150 billion a year less than what the law requires. Strengthening

enforcement, however, can sometimes require more intrusive measures that would be rejected by taxpayers and Congress. It is difficult to strike a proper balance.

These challenges are not new, and Congress has pushed the IRS to modernize for years. A few years ago, Congress created a Taxpayer Advocate and authorized a computer modernization project. Unfortunately, the IRS spent \$4 billion to create 12 computer systems that can't even talk to each other. This failed effort is an outrageous symbol of the mismanagement that has pervaded the agency.

SIGNS OF PROGRESS

The IRS is beginning to make some improvements. About 70% of individuals taxpayers use the one-page "EZ" tax form, and other forms have been simplified. The IRS takes 45 million toll-free calls per year. Taxpayers still complain that they cannot get a real person to speak to them on the telephone, but when they do, they now get the correct answer 91% of the time, up from 63% in 1989. The IRS is also beginning to move to automated returns. The new telephone filing service is used by 17 million people; 15 million use computer filing. Taxpayers who file automatically get their refunds in an average of 16 days, compared with 38 days for paper. Moreover, the error rate on automated returns is just 1/40th of the paper rate. The popular IRS internet site (www.irs.ustreas.gov) provides tax forms and answers to frequently asked questions. I commend these steps, but they still fall short of the efficiency and fairness taxpayers deserve.

MAJOR REFORMS

The last major reform of the IRS took place in 1952, when the agency was riddled with political appointees and was widely corrupt. Today's task is more of a management challenge.

Last year, Congress established the National Commission on Restructuring the IRS to issue a report by July 1. This commission has set six objectives: (1) The taxpayer deserves superior, courteous service; (2) the IRS management structure needs to be revamped; (3) the IRS workforce should be the highest quality; (4) the agency needs state-of-the-art technology; (5) the IRS must balance its books; and (6) the tax code should not be so complex or change so often.

I think there are several specific steps we should take.

Independent Board: The IRS should have an independent board of directors. This board would set goals and hold the IRS accountable for reaching them. A similar board was recently set up for IRS computers, and it boosted private contracting from 40% to 64%. This trend should continue.

Experienced Commissioner: Top leaders of the IRS should have management experience. In the past, Commissioners have been tax lawyers, but we should ensure that top managers know how to manage a large organization.

Reduce Complication: Congress should be forced to consider the complexity of all proposed changes before they are enacted. Many proposed tax measures sound attractive, but they only add to the growing complexity of the tax code. It is easier for Congress to support tax credits for education, investment, and other worthy goals than it is to simplify the tax code.

Crackdown on Fraud: The IRS must reduce fraud. The IRS has made many attempts to strengthen tax compliance and collection, but more needs to be done. A more efficient processing system will free up resources to strengthen enforcement. The IRS should improve its enforcement while protecting taxpayer privacy.

Electronic Filing: The IRS should develop a plan to make it convenient for virtually all taxpayers to file electronically. We should not be spending taxpayer dollars on antiquated processing.

Restructuring: The IRS should be realigned by types of taxpayers: individuals, small businesses, large corporations, and excise taxes. Now, the IRS is separated into collection, processing, service, and auditing—divisions that don't work well together.

Amnesty: Taxpayers should not be liable for IRS mistakes. When the IRS gives taxpayers bad advice, they should not be penalized for following it.

CONCLUSION

The IRS is facing serious management problems and needs a comprehensive overhaul. Taxpayers have a right to demand more from the IRS. Talk of eliminating the IRS is largely political: as long as the federal government requires revenue, we need a way to collect it. But the IRS should be fair and efficient, and Congress must move forward on major IRS reform.

HONORING DR. MINA BISSELL

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. DELLUMS. Mr. Speaker, I rise to honor Dr. Mina Bissell of Berkeley, CA, who will be honored this month by the Department of Energy. On April 18, 1997, Dr. Bissell will receive the Ernest Orlando Lawrence Award for her pioneering contributions to our understanding of the extracellular matrix and microenvironment in differentiation, programmed cell death, and cancer.

Dr. Bissell's outstanding dedication as the director of the Lawrence Berkeley National Laboratory's Life Sciences Division has resulted in tremendous scientific discoveries. Among these was identifying the extracellular matrix, a network of proteins that surrounds and supports breast cancer cells as a crucial regulator of normal and malignant breast cancer cells.

Dr. Bissell was born in Iran, where she was the top high school graduate in the country and received a scholarship to study abroad. She came to the United States and studied chemistry at Bryn Mawr College, before transferring to Radcliffe College.

After earning her Ph.D. in microbiology and molecular genetics at Harvard University, she came to the University of California at Berkeley to conduct post-doctoral research. Since joining the Berkeley Lab in 1972, Dr. Bissell has worked tirelessly to increase our knowledge of cancer in the hope of someday finding a cure.

Dr. Bissell's tremendous success is largely due to the unorthodox approach she used in her research. Rather than searching for new cancerous genes, as most cancer researchers were doing, she focused on studying the changes cells go through as they develop, aiming to precisely define normal cell behavior.

This research led to many important conclusions about malignant cells that were considered heretical at the time but have since been shown to be correct. Today, thanks to Dr. Bissell's persistence and initiative, it is widely accepted that the extracellular matrix plays an

important role in the spread of cancer and other abnormalities.

A driven researcher, Dr. Bissell motivates her collaborators and students with her passion for science. These traits have made her an effective leader as well as an accomplished scientist. Through her decades of dedication, Dr. Bissell has earned the respect and admiration of the cancer-research community.

Mr. Speaker, I ask my colleagues to rise with me today in honoring the invaluable achievements of Dr. Mina Bissell and in wishing her continued success in her research.

IN RECOGNITION OF AUDIO CRAFT CO., INC.

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. KUCINICH. Mr. Speaker, I rise to honor the achievement of Audio Craft Co., Inc., a specialty retailer of home entertainment and mobile electronics which recently was a finalist for the National Torch Award for Marketplace Ethics from the Better Business Bureau.

Audio Craft Co., Inc. employs 75 people in Cleveland, OH. The company was established in 1954 and has set a standard for customer service ever since. Audio Craft regularly exceeds its customer's expectations through rigorously training its staff and by standing behind its guarantees. Audio Craft offers a 30-day, no questions asked return policy. It empowers its employees to make decisions regarding repair and replacement. Audio Craft has an excellent repair shop. Audio Craft's advertising is factual and well designed.

For the past 12 years, Audio Craft has been the recipient of the coveted Audio/Video Best Retailer Award and the Better Business Bureau of Cleveland, OH honored the company with a top place award for customer commitment in 1995.

Audio Craft is actively involved in the support of the Northeast Ohio Alzheimer's Association through the Albums for Alzheimer's Program, which was created by Audio Craft and has grown to become a national and international program.

To become a finalist for the Torch Award, a company must have demonstrated a commitment to ethical practices in the marketplace; high standards of behavior toward customers, employees, suppliers, shareholders, and their communities; truthfulness and accuracy of advertising and sales practices; and training and communications programs designed to assist employees in carrying out established ethics policies.

AMERICAN FAMILIES DESERVE TAX RELIEF

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. RADANOVICH. Mr. Speaker, Americans should keep more of their own money. They should keep more so that they can invest in their children's future, or purchase a home, or start a small business.

Yesterday, the Tax Foundation—as it has done for the past 25 years—announced that the average American will have to work 128 days for the Federal Government before he or she can begin to work for themselves and their families; 128 days, Mr. Speaker. That means that they still have 3½ weeks to go before May 9—the day they stop working for the Government.

A lot of folks talk about the different ways to achieve tax reform or tax simplification—many of which I support. But it seems to me that the best thing for the American people is to just give it back. Instead of new programs and new bureaucracies, give back to the American people some of their hard earned dollars.

This is not a new idea at all. John Kennedy did it in 1962, and so did Ronald Reagan in 1981. It is not a difficult concept. When you give back to the American people what already belongs to them, they reward the economy by investing and spending more.

This is easy, Mr. Speaker. American families deserve tax relief. Support House Resolution 109.

TRIBUTE TO DAVID E. ORTMAN FOR 21 YEARS OF SERVICE ON BEHALF OF THE ENVIRONMENT

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. McDERMOTT. Mr. Speaker, I rise today to congratulate and pay tribute to one of my constituents, David E. Ortman, who stepped down in February as director of the Northwest Office of Friends of the Earth to become director of the Seattle-based Wise Use Movement. On this first day of Earth Week, it is most appropriate to recognize his career dedicated to the protection, restoration, and rational use of our planet's natural ecosystems and precious resources.

Mr. Ortman began working for Friends of the Earth in 1975 through the Mennonite Voluntary Service program. His endeavors for Friends of the Earth encompassed a broad array of environmental and humanitarian issues. During the late 1970's, he worked with the Alaska Coalition in urging Congress to designate Federal land in Alaska as national parks and wildlife refuges. He participated in the United Nations Habitat Conference in Vancouver B.C., as well as the United Nations Special Session on Disarmament in New York.

In the 1980's David's work on wetlands and coastal issues culminated in the establishment of the Grays Harbor National Wildlife Refuge in southwestern Washington.

In the 1990's, David organized the Seattle Citizen Host Committee for the 1993 Asia Pacific Economic Cooperation conference, working with labor unions, environmental organizations, and human rights groups to develop and publicize new approaches to international trade policy.

Mr. Ortman has testified before congressional committees many times during the past 21 years addressing such diverse matters as trade, forest habitat, wetland and coastal ecosystems protection, oil spill prevention, and the Panama Sea Level Canal. He authored a number of position papers for Coastal Zone Management conferences, served on the Department of the Interior's Outer Continental

Shelf Policy Advisory Committee, and on the Aquaculture Assessment panel for the Office of Technology Assessment. In addition, Mr. Ortman is a founding board member of the Puget Sound Alliance and of Earth Share of Washington.

David's work has earned him awards from the Seattle and Black Hills Audubon Societies. The Young Alumnus Award from Bethel College, Kansas, and the national Chervon Conservation Award are among other acknowledgments of his commitment to the environment.

Mr. Ortman plans to continue this work as director of Wise Use Movement. He will lead this organization's campaign to preserve and protect wise use of public lands and resources, to educate the public, and to promote environmentally sound regulation of private lands and activities.

Mr. Speaker, our natural habitat is healthier and the diversity of our ecosystems more sustainable thanks to the work of David E. Ortman, a true world citizen. I thank him for his many years of hard work, and wish him well in his future endeavors.

TRIBUTE TO JAMES AND MARGO
BITTNER

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. LaFALCE. Mr. Speaker, I rise today to pay tribute to James and Margo Bittner, of Barker, NY, for being chosen as Outstanding Young Farmers for the years 1997-98 by the New York State Junior Chamber of Commerce.

James Bittner is president of Niagara County Farm Bureau and managing partner of Singer Farms. Jim and his wife, Margo, operate a 450 acre farm that produces apples, sweet and tart cherries, peaches and pears. The Bittners are long-time residents of western New York and have made significant contributions on behalf of farmers in Niagara County and the entire community.

I would like to share with my colleagues a resolution passed by the Niagara County Legislature commending the Bittners for their hard work and congratulating them for their achievement:

Whereas, agriculture and farming are the County of Niagara's leading industry, and Whereas, the Niagara County Legislature knows the importance that agriculture plays in the economy of Niagara County, and

Whereas, each year the New York State Junior Chamber of Commerce awards excellence to individuals who display outstanding achievement in farming, and

Whereas, James and Margo Bittner of Barker, New York, operate a farm which totals over 450 acres of land, with 250 acres of apples, 50 acres of sweet cherries, 30 acres of tart cherries and 20 acres of peaches and pears, and

Whereas, the New York State Junior Chamber of Commerce named the Bittner's Outstanding Young Farmers 1997-1998 for New York State on November 16, 1996, now, therefore be it

Resolved, that the Niagara County Legislature does hereby commend James and Margo Bittner on a "job well done" and offer sincere congratulations on being awarded such a prestigious title.

I am pleased to join the Niagara County Legislature in commending and congratulating

James and Margo Bittner for this well-deserved recognition.

A TRIBUTE TO JOYCE GAMBRELL
DRAYTON

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. FOGLIETTA. Mr. Speaker, I rise today to pay tribute to Joyce Gambrell Drayton in honor of her lifelong dedication to the art of sacred choral music. Ms. Drayton has lived in Philadelphia all her life, and has enriched our community with her musical talents since her early days playing organ for the Nazarene Baptist Church School Choir.

Ms. Drayton has served over 37 years in the Nazarene Baptist Church, where she is the organist for the senior choir, the Davis Gospel Chorus, and the women's chorus. In addition, Ms. Drayton is the organist and director of the Hardeman Gospel Chorus of the Hickman Temple AME Church. In 1987, Ms. Drayton added to her accomplishments when she was appointed director of the City Wide Revival Choir.

Ms. Drayton's latest project is the publishing of "Distinguished Church Musicians in the United States," a book she hopes will bring recognition to her craft and attract more young people into the field of church music.

Ms. Drayton was recently honored at a dinner reception at the Nazarene Baptist Church in Nicetown, Philadelphia. I would like to take this opportunity, and I hope my colleagues will join me, Mr. Speaker, in recognizing Ms. Drayton for her contributions to Philadelphia's musical tradition and commend her for her dedication to her craft.

HON. TED WEDEMEYER, JR.,
NAMED AS 1997 PAL JOEY RECIPIENT

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. KLECZKA. Mr. Speaker, I rise today to congratulate the Honorable Ted Wedemeyer on being named the 1997 Pal Joey Award recipient by the St. Joseph's Foundation, Inc., of Milwaukee, WI.

In honoring Ted, the St. Joseph's Foundation is recognizing a man who has done so much for the community he loves. His commitment to justice is evident in his distinguished career on the circuit court and currently as presiding judge of the First District Court of Appeals, and in his volunteerism with several community organizations, including the St. Joseph's Foundation.

Ted Wedemeyer has shown his dedication to the Milwaukee area throughout his entire life. Over the years he has been committed to improving the lives of many of Milwaukee's citizens through his involvement with organizations including the Wisconsin Children's Service Society, Wisconsin Easter Seals, and the American Legion, just to name a few. His many years of loyal service to the St. Joseph's Foundation demonstrate his desire to make

Milwaukee an even better place for all of its citizens. For this reason, the St. Joseph's Foundation wishes to honor Ted by awarding him with the 1997 Pal Joey Award.

Ted Wedemeyer has clearly set an example for all of us to follow. Congratulations, Ted, this is an honor that is well deserved.

INTRODUCTION OF THE BIPARTISAN
LINE-ITEM VETO CONSTITUTIONAL
AMENDMENT

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mrs. EMERSON. Mr. Speaker, I am joined today by my colleague from California, Representative GARY CONDIT, in proudly introducing a bipartisan resolution to amend the Constitution to provide the President of the United States with line-item veto authority.

On April 10, the U.S. District Court ruled unconstitutional the Line Item Veto Act of 1996 which was a statutory version of this much needed authority to rein-in Federal spending. On the eve of the deadline for hard-working folks to file their Federal income taxes, this court's ruling denied American taxpayers an important protection against wasteful spending. It is time to put to rest the constitutional questions surrounding the line-item veto by passing the constitutional amendment we are introducing today to give the President the explicit authority to zero-out special interest goodies tucked away in the fine print of large spending bills.

Forty-three of our Nation's governors have a line-item veto at their disposal, and it works. Wisconsin Governor Tommy Thompson used the line-item veto hundreds of times to save the taxpayers of Wisconsin close to \$3 billion. In Massachusetts, Governor William Weld used the line-item veto to help eliminate an \$850 million deficit in his first month in office and resolve a \$1.8 billion structural deficit within the first 6 months of his term. While Governor of Arkansas, Bill Clinton repeatedly balanced his State's budget, and an important tool that helped him do so was the line-item veto. The evidence is clear and convincing that the line-item veto saves taxpayers money, and the Congress should answer the 14-year-old call issued by President Reagan to pass the line-item veto amendment.

Mr. Speaker, we tried the legal approach and a Federal court said it will not work. We have yet to hear from the Supreme Court, but the prospects look bleak. So, here we are at the end of tax season and the American public is denied line-item veto protection by a Federal court. We must put an end to the constitutional debate by providing the President the explicit authority of the line-item veto. What would have been good for Presidents Reagan and Bush would be good for President Clinton and every future American President. The line-item veto amendment we are introducing today will guarantee the validity of Harry Truman's adage that "the Buck Stops Here"—right at the President's desk. I urge my colleagues to adopt this most important fiscal tool to ensure that taxpayers never again witness the day when wasteful special interest spending can sneak its way into law.

NATIONAL ASSOCIATION OF LETTER CARRIERS BRANCH 70 AND BRANCH 2525: SAN DIEGO-IMPERIAL COUNTIES LABOR COUNCIL, AFL-CIO COMMUNITY SERVICE AWARD

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. FILNER. Mr. Speaker and colleagues, I rise today to recognize the National Association of Letter Carriers Branch 70 and Branch 2525, as they are honored by the San Diego-Imperial Counties Labor Council, AFL-CIO, for their contributions to the labor movement and to the community as a whole.

The Labor Council's Community Service Award goes to the National Association of Letter Carriers Branch 70 and Branch 2525, primarily for their successful food drives. For the sixth consecutive year, with the cooperation of the Postal Service, they have organized the most successful food drives in San Diego County, collecting between 60 tons and 170 tons of food per year for needy working families.

With 2,500 members, including both active and retired letter carriers representing the majority of San Diego County, Branch 70 and Branch 2525 also contribute each year to the muscular dystrophy telethon. Last year, almost \$10,000 was collected locally—joining thousands of other members nationwide to contribute \$1.5 million to this worthy cause.

Branch 70 and Branch 2525 of the National Association of Letter Carriers are truly deserving of the award which they are receiving. I join in adding my sincere thanks to their members, and I take pleasure in highlighting their service for my colleagues in the House of Representatives.

TRIBUTE TO THE MEMORY OF
LYMAN SPITZER

HON. MICHAEL PAPPAS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. PAPPAS. Mr. Speaker, I rise today to pay tribute to Lyman Spitzer who passed away on March 31.

Lyman was one of the greatest astrophysicists that our world has ever seen and was the visionary for the Hubble space telescope. His passing came just days before the April 3 closing of the Tokamak Fusion Test Reactor [TFTR] at the Princeton Plasma Physics Laboratory which he founded and headed for many years.

The Tokamak experiment was based on one of Dr. Spitzer's most exciting ideas—that it should be possible to recreate the energy producing process of the stars and harness it as an abundant source of energy on Earth. Despite the TFTR's major world record accomplishments of controlled fusion power during its history it was shut down 2 weeks ago.

The long-term interests and needs of our Nation, like the need to find environmentally safe and abundant sources of energy will not end with Lyman Spitzer, but the progress he made in this area will serve as a starting point for years to come.

As America faces a new century, looking for new answers to our Nation's problems, it is the vision and effort of people like Lyman Spitzer that will guide us to the solutions.

TRIBUTE TO JACKIE ROBINSON

HON. MICHAEL R. McNULTY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. McNULTY. Mr. Speaker, I am pleased to join with Representative CARRIE MEEK and others in commemorating the 50th anniversary of the day Jackie Robinson broke Major League Baseball's color barrier.

As a ballplayer, Jackie Robinson set standards through both his superior athleticism and dignified grace. His unflinching commitment and determination to achieve set him apart from countless numbers of his peers.

However, a look beyond pure statistics—6 National Pennants and 6 seasons batting over .300, to name a couple—allows us to truly understand why Jackie Robinson is a hero to us all.

Jackie Robinson was an American pioneer. His perseverance when all the odds were against him is certainly an inspiration. This strength of will is reflective of the true spirit of America. His personal sacrifice reflects his commitment to our society. Robert Kennedy once said: "Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope." America was formed and is continually transformed by these "ripples of hope." Jackie Robinson was a "ripple of hope" for many Americans.

Yet, we must never forget the times in which Jackie Robinson lived. Discrimination and dehumanization were societal norms of the 1940's and 1950's. We must continually reflect on these ills, and admit past mistakes. This American conscience has always shaped our society for the better.

People have said that Jackie Robinson never took a step backwards. A lot has changed in the 50 years since he first put on that Brooklyn Dodger cap, yet too much has remained the same. We must continually move forward, ensuring all Americans their rights. The first step is to recognize those individuals who have strived to make an impact. Jackie Robinson's impact is still being felt today.

Therefore, I urge all the Members of this House, and all of my fellow Americans to remember Jackie Robinson as a great ballplayer, an inspirational American hero, and most important of all, an individual whose courage has touched the lives of millions.

GRAPHIC POSTCARD ACT OF 1997

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mrs. JOHNSON of Connecticut. Mr. Speaker, today I rise to urge support for legislation that I have introduced, the Graphic Postcard Act of 1997. My bill, formulated after postcards showing a dismembered fetus were sent unso-

lited to a number of towns in Connecticut, requires that material depicting violent or sexually explicit acts sent through the U.S. Postal Service be enclosed in an envelope emblazoned with a large print warning.

It is not unusual for parents to allow small children to open the mailbox and examine the contents. Bills, letters, and most advertisements pose no threats to young children. Sexually explicit material is already required to be covered when sent through the mail.

The right to free speech is one we all cherish. This legislation will not interfere with free speech; it does not prohibit graphic materials to be mailed, but instead places a simple requirement on their mailing in order to protect children. Like it or not, those responsible for these postcards have every legal right to use the U.S. mail to express their viewpoints. However, I believe that parents have an equal right to protect their children from graphic presentations of frightening or violent actions. Requiring an envelope and warning does not infringe on the sender's freedom of speech; it simply guarantees protection for our Nation's children.

This is rational action to stop potentially dangerous behavior. Hundreds of my constituents have called or written to let me know they were outraged by these postcards. The level of violence in our society has reached an unprecedented level and is eroding the values that have made us a strong society. We have a special obligation to protect young hands and eyes from unsuitable material, and this is step one.

I therefore urge my colleagues to join me in support of the Graphic Postcard Act of 1997.

H.R. —

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Graphic Postcard Act of 1997".

SEC. 2. NONMAILABILITY OF CERTAIN MAIL MATTER.

Section 1463 of title 18, United States Code, is amended—

(1) in the first paragraph by inserting "(a)(1)" before "All matter";

(2) in the second paragraph by inserting "(2)" before "Whoever" and by striking "section" and inserting "subsection"; and

(3) by adding at the end the following:

"(b)(1) All matter otherwise mailable by law, upon the envelope or outside cover or wrapper of which, and all postal cards upon which, any delineations, epithets, terms, photographs, drawings, visual depictions, or language of a violent or clinically graphic character, or unsuitable for persons under 18 years of age, are written or printed or otherwise impressed or apparent, are non-mailable matter, and shall not be conveyed in the mails nor delivered from any post office nor by any letter carrier, and shall be withdrawn from the mails under such regulations as the Postal Service shall prescribe, except as provided in paragraph (2).

"(2) Paragraph (1) shall not apply with respect to any mail matter which is enclosed in an envelope or other outside cover or wrapper which—

"(A) bears on its face, in conspicuous and legible type in contrast by typography, layout, or color, in accordance with regulations which the Postal Service shall prescribe, such notice as the Postal Service shall by regulation require as to the nature of the contents of the mailing; and

“(B) satisfies such other requirements as the Postal Service may by regulation prescribe in order to carry out the purposes of this subsection.

“(3) Whoever knowingly deposits for mailing or delivery, anything declared by this subsection to be nonmailable matter, or knowingly takes the same from the mails for the purpose of circulating or disposing of or aiding in the circulation or disposition of the same, shall be fined under this title or imprisoned not more than 5 years, or both, for the first such offense, and shall be fined under this title or imprisoned not more than 10 years, or both, for each such offense thereafter.”.

REV. WALTER “PAPA” HUFF: 100 YEARS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. FILNER. Mr. Speaker, I rise today on behalf of all of my constituents to wish the Reverend Walter R. Huff, known affectionately by family and friends as “Papa,” a most glorious 100th birthday.

In his 100 years, Papa Huff has witnessed the growth of our Nation, from its horse and buggy days, to the Model-T, to today’s space age. He saw, first hand, the rise of organizations like the NAACP and the Urban League and the elimination of legalized segregation in our society.

Born in 1897, Papa Huff lived in Little Rock, AR, for most of his life. It was here, at the Arkansas Baptist College, that Papa Huff received his education.

In 1916, Papa Huff began his career with the Missouri Pacific Railroad. He started his 45-year tenure with the railroad by laying track. During his time with the Missouri Pacific, he progressed in the company from laying track to working the boilers, locomotive operation, and finally, as an inspector.

In 1925, Papa Huff married Lucy Sterling of Little Rock, AR. They were united happily for 45 years.

Papa Huff began his preaching career in 1925 as assistant pastor of the Mount Pleasant Baptist Church in Little Rock, AR. It was also during this time that Reverend Huff joined the NAACP, led at that time by Mrs. Daisy Bates.

In 1961, Papa Huff retired from the Missouri Pacific Railroad. He began his third career as an entrepreneur. He was the proud owner and operator of a painting business.

Papa Huff came to my district in 1992, where he joined the Mount Erie Baptist Church, led by the Reverend Walter G. Wells. He remains an active member of this congregation.

I, along with the residents of my congressional district, salute the Reverend Walter “Papa” Huff as a living celebration of history, steadfastness, and love. We wish him well on the joyous occasion of his 100th birthday.

SALUTE TO THE NATIONAL FELLOWSHIP COUNCIL OF CHURCHES WORLDWIDE, INC.

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. SCHUMER. Mr. Speaker, I rise in honor of the National Fellowship Council of Churches Worldwide, Inc. They are preparing this week for the consecration and appointment of three new bishops, Rev. Ervin Dease, Sr., Rev. Roy Roberson, and Rev. John Lee Paulson.

The National Fellowship Council of Churches Worldwide, Inc., consists of a vast number of ministries all of which are geared to helping the underprivileged and downtrodden. They find shelter for the homeless and feed the hungry, spiritually as well as physically.

Bishop Anthony R. Monk, Sr., the founder of the fellowship has been instrumental in stamping out crack houses and getting drug dealers off the street corners. He has trained the ministers to assist law enforcement officers in eliminating substance abuse and making neighborhoods safe places to live for our elderly and youth.

The women ministers help, with counseling sessions and workshops, mothers who are raising their children alone to cope with the problems of being a single parent. They also help battered women realize that they do not have to stay in that situation and help them relocate if necessary. The women ministers also try to show other women in the community the need for a spiritual awakening.

I salute them today as they celebrate this most sacred ceremony of consecration and ask my colleagues to join me. A special recognition for Bishops Monk and Billings for starting and maintaining this program. Let us be reminded by the actions and mission of this group that we can come together as people, whatever our personal doctrines, and work in the service of a higher power.

EARTH DAY

HON. MARTIN OLAV SABO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. SABO. Mr. Speaker, I rise today in recognition of the 27th annual Earth Day, which occurs next Tuesday, April 22.

Mr. Speaker, it is easy for us to be complacent today about the state of our environment. After a century of severe pollution, we have rallied over nearly three decades to accomplish major successes in environmental protection and restoration. Among them are the Clean Water Act, the Endangered Species Act, and the Clean Air Act. These laws have left our air and water cleaner than it has been in generations, and they have restored healthy populations of many plant and animal species that were on the brink of extinction.

Perhaps more important than laws, however, is the unprecedented shift in public attitudes and practices that has occurred over the past 25 years. It is becoming commonplace, for instance, to see recycling bins alongside every trash bin; schoolchildren are taught

about preservation of resources; and volunteer groups can regularly be seen cleaning up our riverbanks, parks, and open spaces.

After so many years of successfully struggling to improve our environment, it can be easy to lose perspective on why this struggle is important, and why we must remain ever vigilant. Earth Day exists so that we can pause and remember why we began working to protect the environment in the first place.

In debates over whether to preserve a particular species or ban a certain pollutant, we tend to forget why these things are important to us. Simply put, our planet is our home. By polluting it, abusing its natural resources, and reducing the diversity of its species, we make it a more difficult and less healthy place in which to live. Very often we hear people invoke “our children and grandchildren” when talking about the environment. This is not idle sentimentality. A child born today is breathing cleaner air, and can swim in cleaner lakes and rivers than a child born 10 years ago. Environmental protection is about quality of life and survival. It is precisely for this reason that we cannot rest on our laurels.

Americans are clearly living in a healthier environment than we were a generation ago. But there are still many old problems that have not been resolved, and many new challenges that we must face. This is not the time to be satisfied with our accomplishments and begin to roll back our environmental protections. Rather, it is time to examine what we have done and look for ways to do better.

The debate over clean air presents a good example. There are many opinions about the best way to reduce pollution in our atmosphere. While this debate continues, we must not overlook an important way that individuals and government can ease air pollution—mass transit and environmentally friendly transportation. As a member of the Appropriations Subcommittee on Transportation and now as its ranking member, I have been proud to advocate more investment in mass transit for our cities, and for further development of alternative modes of transportation like bicycling. By making it easier for people to ride their bikes, the bus, or the train to work every day, we can take an important step toward reducing both pollution and our heavy use of gasoline and other limited fossil fuels.

This is just one example of the many ways that environmental protection is important in our daily lives. It shows us that protecting our environment is not an abstract goal that we pursue simply for its own sake. The laws that we enact and the habits we form affect the way we live our lives, and help determine whether future generations will be able to live happy, healthy, and productive lives. This is what I urge all of my colleagues, and all Americans, to think about this Earth Day.

PRESERVING THE DUAL BANKING SYSTEM

HON. JOSEPH P. KENNEDY II

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. KENNEDY of Massachusetts. Mr. Speaker, I rise today to comment on the importance of preserving our dual banking system. As we march into the brave new world of

interstate banking and branching, we must not forget the critical role that States play in creating an effective banking system which meets the diverse needs of community participation, economic development, and the service of all people in our society.

Specifically, my concern is that Federal regulators do not preempt State law when it comes to determining how State banks best operate within their own boundaries and serve their communities. This concern is sparked by a situation in my own State of Massachusetts. Recently, the Bank of New York, a State bank, filed an application to increase their investment in State Street Boston Corp. a Massachusetts-based holding company which is the parent company of a Massachusetts State chartered bank, State Street Bank.

On March 14, 1997, the Massachusetts Board of Bank Inc. ruled against approving Bank of New York's application to increase its share in State Street Boston Corp. Acting pursuant to Massachusetts State law, the Board of Bank Inc. cited "serious concerns regarding the potentially negative competitive effects of this petition." The board further went on to find that the Bank of New York application "failed to meet its burden to demonstrate that the public convenience and advantage will be promoted" as a result of its proposed investment increase in State Street Boston Corp.

Mr. Speaker, this was precisely the type of State prerogative that we tried to preserve when we approved the Riegle-Neal Interstate Banking and Branching Efficiency Act back in 1994. In my opinion, if Federal regulators approve this application and preempt Massachusetts State law in this matter, we will have undermined both the intent of Riegle-Neal and the preservation of the dual banking system.

So, I ask my colleagues to join me in urging the Federal Reserve to defer to the will of the people of Massachusetts, by acknowledging the Board of Bank Inc.'s ruling against the Bank of New York's application to increase its stake in State Street Bank.

UNITED NURSES ASSOCIATION ORGANIZING COMMITTEE: SAN DIEGO-IMPERIAL COUNTIES LABOR COUNCIL, AFL-CIO ORGANIZING AWARD

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. FILNER. Mr. Speaker and colleagues, I rise today to recognize the United Nurses Association of California [UNAC] Organizing Committee, as they are honored by the San Diego-Imperial Counties Labor Council, AFL-CIO, for their contributions to the labor movement and to the community as a whole.

The UNAC Organizing Committee is being recognized by the labor council with its Organizing Award for the committee's commitment to organizing in the health care industry. This organizing committee conducted an historic drive for union representation at Sharp Hospital during 1996 and won the election by an overwhelming margin. UNAC and Sharp are now at the negotiating table to secure a contract for 2,700 nurses and other health care professionals.

This is a milestone achievement, for UNAC is also celebrating its 25th anniversary this

year. Representing 8,000 members in southern California and 3,300 in San Diego, UNAC's members include nurses at Kaiser Permanente and the civilian nurses at Balboa Naval Hospital, as well as the newest members at Sharp. UNAC is also a member of the Coalition for Quality Health Care, which worked to educate the public about a proposed merger of Columbia and Sharp—one which has recently been rejected. They are active legislatively at the local, State, and national levels.

UNAC is a true pioneer in protecting the future of health care in the San Diego community. I want to sincerely congratulate this organization and its members on receiving this significant award.

TRIBUTE TO JOHN J. MANCE

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to John J. Mance, who officially retired from the NAACP on February 15 of this year. The tenure of Mr. Mance with the NAACP parallels the rise of the civil rights movement. He joined the organization in 1944, and became president of the San Fernando Valley Branch in 1959. That same year he met Dr. Martin Luther King at the NAACP Convention in New York City.

John Mance was an active participant in the events that finally brought legal segregation to an end in the American south. Much of his work was done in the San Fernando Valley, educating local residents to the need for change. For example, he organized demonstrations in support of the Southern College student sit-ins, stopping street traffic and halting business at Woolworth, Kress, and Grant's stores for several weekends.

It is because of people like John Mance that the civil rights movement was such a success. And it is because of people such as John Mance that we all recognize the work that remains to be done. He has set a wonderful example for the next generation of community leaders to follow.

I ask my colleagues to join me in honoring John J. Mance, along with his wife, Eleanore, and sons Rick and David. John's tireless dedication and profound sense of justice serve as examples to us all.

TEXT OF ADDRESS BY SPEAKER NEWT GINGRICH TO THE AMERICAN CHAMBER OF COMMERCE, HONG KONG

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. GINGRICH. Mr. Speaker, with the bipartisan excursion to Korea, China, and Japan that 13 Members took part in last month, and the review of the trip several of us participated in through last week's special order, public interest in Asia is at an all-time high. With its low tax rates, balanced budget, and surging economy, the experience of Hong Kong has

much to teach Americans. Thus, I enter into the CONGRESSIONAL RECORD a copy of comments made there to the American Chamber of Commerce.

TEXT OF ADDRESS BY SPEAKER NEWT GINGRICH TO THE AMERICAN CHAMBER OF COMMERCE, HONG KONG, MARCH 27, 1997

(Following introduction by Mr. Douglas Henck, Chairman of the American Chamber of Commerce)

Thank you very much, Doug. Let me say first of all that, as a Georgian, I am delighted to be here, as you can imagine. If you're from Atlanta, you sort of wake up every morning with a certain worldwide sense of curiosity, partly based on CNN, partly based on Coca Cola, partly based on Delta Airlines—I have now done my constituent duty [laughter] and, of course, the Olympics last year brought it all home in a dramatic way. So in that sense, I'm delighted to be here.

It occurred to me, we had a very good meeting with your board of directors a few minutes ago and I want to share a little bit of the way we're approaching this. I think we are a little different than a lot of congressional delegations. This is the beginning of what we believe, will be a long-term commitment to look at a number of issues in a positive way and to frame things in a way that we think will be effective. And I'll talk about that more when we're done. But we also approach this, I think, with a very different approach at a human level. We recognize that America is a remarkable country but that we have much to learn. I mentioned the other night in a meeting we had in talking about imperfections. We were in South Korea at the time, the Republic of Korea. And I mentioned that two of my colleagues on this trip, Congressman Hastings of Florida and Congressman Jefferson of Louisiana, in their lifetime, would have found it difficult, if not impossible, to go across America comfortably because they could not, when they were young, have found hotels in many towns to accommodate them. Jay Kim, our Congressman from California, who has very close family relations and friends in Korea, commented in a way that I think moved all of us that night. That he and his family, he was very young, when Seoul was overrun by North Korea in 1950. Then Seoul was liberated by the United Nations Command, and then Seoul was overrun a second time and his family fled that time. And he came to America. And his first job was working as a janitor in a hospital, cleaning the hospital. And he recently went back to that hospital, where his son, I believe it is, is now a doctor. And one of the older doctors looked at Jay for a moment and said: Didn't you use to scrub the floors here? And he said "yes." He of course is now quite successful and has decided that, while he is successful, he is willing to go through the complexities of public life and so he is also a congressman. And it occurs to us, I think, that we've come on this trip to engage in a dialogue between an imperfect America which has been open to all people of all backgrounds and which seeks to illustrate the best in the human spirit and a variety of countries with whom we desire nothing but friendship and goodwill. For part of the genius of America has been to seek everywhere to extend and exalt the human spirit, so that everyone can have the opportunities that Jay Kim found and to recognize that we need to keep looking at our own imperfections and to reach out to correct those that in our lifetime still exist.

In that sense, I am particularly pleased to have an opportunity to be with you here today to share some observations at this historic moment of transition for Hong Kong. We are particularly delighted to visit Hong

Kong, because the people of Hong Kong have created a prosperity that is a tribute to endeavor. Your energy, your courage, your vision, and your creativity have built a standard of living admired throughout the world.

Expanding economic growth is a goal of our agenda in the U.S. Congress. We are about to begin a historic debate between a flat income tax and the replacement of the income tax with a sales tax, two choices that will dramatically improve the current Internal Revenue Service 110,000-agent very complex system. As we discuss Hong Kong's future, we also want your advice about America's future. We have been asking questions beyond just the reversion question. We have been asking about economic growth, about tax codes. Hong Kong has a binding commitment to a balanced budget. It has no outstanding government debt. It has a remarkably low tax rate.

Not surprisingly, Hong Kong has remarkable economic growth. Ten years of Hong Kong's growth rates would transform the American economy and prove to the world that freedom and free enterprise are the model for 21st century success. So, we Americans have much to admire and to learn from you who have helped make Hong Kong a jewel for the entire planet.

I am also here to use this moment to reflect on some enduring American values, values that I believe can serve as a guide for the transition that faces Hong Kong this summer. I am told the overall view from Hong Kong, as the July 1 deadline approaches, continues to be upbeat but cautious. Confidence and uncertainty often exist together, especially for a society faced with momentous change.

As an American, I believe that the confidence to face that future begins with a commitment to freedom. No American leaders would be true to our tradition if they came here and congratulated you on your economic achievements without also saying we believe that economic vitality ultimately depends upon political and personal freedom.

For that reason, America cannot remain silent about the lack of basic freedom—speech, religion, assembly, the press—in China. Were we to do so, we would not only betray our own tradition, we would also fail to fulfill our obligation as a friend of both China and of Hong Kong. For no one can be considered a true friend if that person avoids the truth.

As Americans, we take seriously a country's commitment to human rights. And I say this in the context of having already said: There are failures in America, there are weaknesses, and there are places where we can legitimately be criticized. And our answer should be to listen to those critics and to look at those criticisms, and to try to improve our performance. But we cannot look the other way when the People's Republic of China ignores Article 35 of its own Constitution by depriving a citizen of his free speech; we cannot disregard its failure to uphold Article 36 of its own Constitution every time it denies the free exercise of religion.

The truth is that any effort to provide a partial freedom to any people, to tell them that they can be free in one sphere but not in another, will ultimately fail. China needs to understand that political freedom must accompany economic freedom. If it attempts to restrict the freedom Hong Kong already enjoys, it will have political—and economic—consequences.

We support the Sino-British Joint Declaration which governs the peaceful reversion of Hong Kong to the People's Republic of China, and we fully expect China to honor its pledge of "one country, two systems." We are concerned that China has taken steps to weaken Hong Kong's Bill of Rights. In addition,

it has decided to dissolve the elected legislative council on June 30.

As July 1 approaches, the leaders of Congress would look with deep concern on any action that would undermine the Sino-British Joint Declaration. We believe that preserving key elements of Hong Kong society—the rule of law, an independent civil service and judiciary, respect for civil liberties, freedom of religion, a free press—is essential to Hong Kong's future.

If Hong Kong loses the things in which its society is grounded, both American values and American interests will suffer, and the people of Hong Kong will lose opportunity.

It is our strong view that China must maintain Hong Kong's current laws regarding civil rights. These laws are necessary to ensure its future prosperity. Even minor changes or seemingly minor changes in these laws could undermine confidence in the rule of law in Hong Kong, which would significantly affect Hong Kong's attractiveness as a regional center for commerce. Any unilateral changes would indicate that China values power over keeping its word.

A smooth transition in Hong Kong, consistent with the Joint Agreement and Basic Law, will be a key test for Beijing. Reversion will test Chinese standards of governance and international conduct. How that transition is managed will be critical to the future of Taiwan, to China's international standing, and to China's relations with the United States.

Ultimately, we believe the transition for Hong Kong will succeed if it leads to broader economic and political freedom for both "systems." And as Americans, we believe that freedom strengthens both the individual and society.

Our country reacts faster to crises, rectifies its mistakes more rapidly, and maintains a more dynamic national consensus precisely because it has a freely elected government based upon "We the People." Those three words are the first three words of our Constitution, and they frame our view of government.

People who are free to work anywhere come to America because they know that America offers greater opportunity. People who are free to study anywhere come to America because they know that there is more creative research going on in our universities and corporations than in any other country in the world. This freedom and creativity derives from the deepest convictions of our people, and it is built into the political and economic system that has made us a great nation. The legislature invented by American's Founding Fathers is a wonderful protection from any government that would attempt to ignore or thwart the will of the people. That's why the Constitution begins in Article I by establishing the branch of government closest to the people, the United States Congress.

That branch is closest to the people because it is most sensitive to any change that might infringe upon our liberty. Because the founding fathers feared dictatorship, they wanted a government designed to preserve freedom.

They deliberately created a system that dispersed the power of the federal government widely: two legislative bodies, the executive branch, the judiciary. And they reserved all other powers to the state and to the people. They recognized that while God gives us freedom, governments all too often are ready to take that freedom away.

Now America's history has been one of permanent tension between order and freedom between government and the individual, between selfishness and selflessness, between idealism and cynicism. For over 200 years, Americans have worked, fought, sweated and

bled, to preserve and extend freedom to all people of all backgrounds from all races and every country of the world.

Look around the world today. We are in the third decade of a global democratic revolution. From Portugal and Spain in the mid-seventies, to Latin America, Central and Eastern Europe, and the Soviet Union and its allies, the old oppressive regimes have been replaced with new democracies.

In some cases—like the former Soviet Union—the political change preceded the creation of free markets, while in others—like South Korea and Taiwan—there was a substantial transformation of the economic system before political freedom was achieved.

But at the end of the day all found that freedom was indivisible. It was not possible to grant one form of freedom—whether political or economic—without finally granting it all.

And I want to suggest to you that beginning on July 1, Hong Kong has a duty that is historic, because its great economic endeavor can have a moral purpose—the expansion of freedom.

As Americans, we believe our freedom is not the gift of any government. It is a right bestowed by our Creator. With the liberty we receive from God, we can work together and live together to achieve remarkable things.

If you visit the Lincoln Memorial in Washington, you will find etched in stone the Second Inaugural Address Lincoln delivered near the end of our civil war. It is short enough to be one wall, yet it refers to God twelve times. If you walk across to the Jefferson Memorial, you will read on the wall, "The God who gave us life, gave us liberty at the same time; the hand of force may destroy but cannot disjoin them."

If you read our founding document, the Declaration of Independence, you will find the fundamental belief that our Creator has given us the inalienable rights of life, liberty, and the pursuit of happiness.

And at the conclusion of that great declaration of freedom, you will read that the Founding Fathers pledged their lives, their fortunes, and their sacred honor. They viewed their "sacred" honor as their most valuable collateral, and they put it at risk in order to secure the blessings of liberty that we hold as our inalienable right. As Americans, we still recognize today that we cannot be successful if we do not recognize that our rights come from our Creator.

This American system of Creator-endowed rights based on self-evident truths is as current as Microsoft, biotechnology, and the space shuttle. However, its roots go back through our Founding Fathers, to the signing of the Magna Carta in 1215, the creation of Roman law 300 years before Christ, the rise of Greek democracy 500 years before Christ, the founding of Jerusalem by King David 3,000 years ago, and ultimately, to the statement of God's law given to Moses in the earliest period of recorded history.

It all relates to East Asia. The Chinese word for crisis combines the characters for "danger" and "opportunity." In that sense, Hong Kong faces a "crisis" today. It has danger and opportunity. There could be problems or there could be a greater Hong Kong of even greater prosperity, of even greater importance, to the world. On the one hand, Hong Kong confronts challenges and even dangers as it approaches reversion to China. On the other hand, it has enormous opportunities in technology, in entrepreneurship, in the sheer level of human talent dedicated to dynamic economic growth.

For its part, China also faces a "crisis," meaning "danger" and "opportunity." Mishandling reversion would endanger China's relationship with Taiwan, the region, and

the broader international community. Honoring the commitments of the Joint Declaration and the Basic Law, on the other hand, would not only enhance economic growth in China; it would also strengthen China's standing in the international community.

If you, as leaders in the Hong Kong business community, can continue to harness the energy aroused by danger and opportunity, and, virtually every entrepreneur every morning senses both of those, we will all stand in admiration at the excitement you continue to produce and the further progress you achieve as you enter the 21st century.

Free societies rely on the courage, creativity, and commitment of each individual citizen. Dictatorship may marshal the obedience of their unthinking subjects, but democracies rely on the unique spark of each person's God-given talent. It may be a far less orderly society, but it is a vastly superior one.

Since each of us is uniquely endowed by the Creator with inalienable rights, there is not and cannot be a single dream. A free society has as many dreams as there are people. The power of those dreams has made America a great country filled with good people. The power of those dreams has made Hong Kong a uniquely successful community admired and studied all around the world.

We want to see the continued fulfillment of the dream of each citizen of Hong Kong. We want to be helpful and making sure that the opportunity outweighs the danger. We recognize that this is a long-term process, that true friendship and good neighbors require much talking over a long period of time and, whenever possible, require avoiding arguments in favor of having discussions. One of the steps we are going to take, after talking with a wide range of leaders here, including Mr. Tung, the current governor, the members of the legislative council, members of the business community, is that Congressmen Bereuter, who was the chairman of our Asia subcommittee, will be regularly coming back at the advice and suggestion of a very broad range of folks to visit here and to visit Beijing in a positive way, to seek positive understanding, to have a positive dialogue. We leave tonight to go to Beijing. We hope to meet with members of the National People's Congress to talk about the idea of a long-term relationship between our two legislative bodies, to develop the understanding and the dialogue.

Now, creating freedom didn't happen overnight anywhere. Having a healthy, open, free society is hard and going through transitions is difficult. We have more than enough examples of pain and failure in American history to not look on anyone with a judgmental sense of superiority. But we also know that, in the end, adhering to the great virtues of individual freedom and seeking to protect the right of the maximum number of people pursuing the maximum amount of happiness, because they get to define their lives is, in fact, the ultimate destiny of the human race. And in that calm optimism we can afford to reach out a helping hand to everyone, to have a dialogue with anyone, and it is in that spirit of learning from your successes, coming to understand your situation, and hopefully having a genuine exchange in the next few days in Beijing and beyond that, in Tokyo and in Taiwan, that we've started this trip. I think just to tell you that we have all found Hong Kong to be fully as remarkable as everyone always told us it was. Those of us who are here for the first time, just as you would expect, are overwhelmed by the achievement of the people of Hong Kong. And we look forward to helping you build on that to a even better 21st century.

Thank you very, very much.

TRIBUTE TO ALLEN BIAS

HON. TED STRICKLAND

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. STRICKLAND. Mr. Speaker, I rise to honor Allen Bias, a great Ohioan. Mr. Bias has inspired a community, a country, and a family. It is a great honor to pay tribute today to such an esteemed individual.

Mr. Bias grew up during the Depression with six brothers and sisters on a poor 60-acre hillside farm. Raised by their mother, they were taught the values of honesty and integrity. Despite their modest beginnings, Mr. Bias and his siblings have had successful careers and led productive lives.

At age 17, Mr. Bias joined the Navy to fight for his country in World War II. He volunteered for a special unit in the South Pacific Islands. A member of Marine Aircraft Group Twelve, Mr. Bias displayed tremendous heroism while engaging enemy forces in the South Pacific. He and other members of the Marine Aircraft Group Twelve received the Presidential Unit Citation presented by the President of the United States. Mr. Bias served this country with courage, dedication, and honor.

Mr. Bias has always had a strong work ethic which enabled him to have a long and highly respected career in the baking industry. He held several key management positions with one of the largest companies in the baking industry. He knew how to succeed in business, but more importantly, he knew how to treat employees and coworkers with respect and dignity.

When it was time to retire, Mr. Bias took the opportunity to continue his service to others by working at a center for the mentally disabled. Once again he gained the respect and admiration from those around him.

Mr. Bias has served his country, his community, and his family. He has taught his children honesty and integrity. For these reasons, Mr. Speaker, I'm proud to share his accomplishments with this Congress and the country.

HOUSTON QUICK, REBECCA UNDERHILL, KEN WILSON: SAN DIEGO-IMPERIAL COUNTIES LABOR COUNCIL, AFL-CIO FRIENDS OF LABOR AWARDS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. FILNER. Mr. Speaker and colleagues, I rise today to recognize Houston Quick, Rebecca Underhill, and Ken Wilson, as they are honored by the San Diego-Imperial Counties Labor Council, AFL-CIO, for their dedication to helping working families and organized labor.

Houston Quick was raised in a union family. I worked with his father, H.B. "Hughie" Quick, who was an organizer for the International Association of Machinists and Aerospace Workers. Since early childhood, Houston has been assisting and supporting labor causes. Motivated by his deep commitment, he has created the Houston Quick Organizing Scholarship Fund to train a new generation of labor organizers.

Rebecca Underhill has redefined the word "voluntarism" with her actions behind the scenes in support of every part of organized labor's services and programs. She has volunteered literally thousands of hours with the Labor Council, United Way's Labor Participation Program, annual food drives, and Labor to Neighbor. She is being honored by the Labor Council for this long-time commitment to the working families of San Diego.

Ken Wilson has been a friend to labor with his contributions and participation in labor causes and event. Formerly a member of the Hotel Employees and Restaurant Employees Union Local 30, Ken is in his seventh season as General Manager of San Diego Jack Murphy Stadium. He is the type of professional employer who exemplifies positive labor-management relationships.

These three individuals are being honored by the Labor Council as friends of labor: members of the community whose work has strengthened labor's efforts and who have touched the lives of thousands of San Diegans. It is truly fitting that the House of Representatives join in this recognition of Houston Quick, Rebecca Underhill, and Ken Wilson.

HONORING BAY RIDGE/MORGAN'S POINT NATIONAL HISTORIC DISTRICT DESIGNATION

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. BENTSEN. Mr. Speaker, I rise to honor the Bay Ridge Park Association and the Morgan's Point historic district for their hard work and dedication to preserving the history and tradition of Morgan's Point in my district.

The Bay Ridge Park Association and Morgan's Point historical district have worked since the Texas sesquicentennial in 1986 to preserve Morgan's Point as a national historic district. Their commitment to this peninsula on Galveston Bay will be rewarded in a ceremony on Saturday, April 19, 1997 with the unveiling of an official Texas historical marker at Morgan's Point.

The small community of Morgan's Point has a long and rich history. Morgan's Point in many ways was born of history—named after Col. James Morgan, an early settler whose property was burned by Santa Anna's troops on the eve of the battle of San Jacinto, the decisive battle in Texas' drive for independence. The Morgan's Point area, with its spectacular views and cool gulf breezes, quickly became a favorite summer retreat for Houston residents seeking refuge from the harsh heat and humidity of the city. The homes along the beach front were modest yet memorable, and featured a broad sense of style. Among the grand houses is a replica of the White House built for Governor Ross Sterling. It is this history that has made Morgan's Point one of Texas' most significant seaside communities.

But in the late 1950's much of Morgan's Point was lost due to construction of the Barbour's cut terminal of the Houston ship channel. To preserve the remaining homes and history of Morgan's Point, the Bay Ridge Park Association fought for a national historic designation to ensure that the history of the

town lived on. Thanks to their efforts, the unique and colorful tradition of Morgan's Point will live on for future generations of Texans to enjoy.

ITALIAN-AMERICAN LEADERS IN
MICHIGAN

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. KNOLLENBERG. Mr. Speaker, I rise today to honor two great Italian-American community leaders in southeastern Michigan, Judge Michael Martone and Dr. Augustine Perrotta. Each has been named Metropolitan Detroit's 1997 Italian-American of the Year by the Italian Study Club.

Judge Martone, the son of a first generation Italian-American, was elected to the district court bench in 1992. He created the Court in the Schools-Critical Life Choices, a program that relocates his courtroom to local schools. Students witness defendants being fined, punished, or jailed for drunk driving, drug possession, and other crimes.

The second part of the judge's program includes an interactive dialog about what the students witnessed and the lessons they can learn.

Judge Martone, whose program has been copied by other States and featured on NBC's "Today Show," remains very active in the local community with his wife Martha and their two sons, Jonathan and James.

Dr. Augustine Perrotta, a first generation Italian-American born after Mount Vesuvius' eruption drove his family from their ancestral home in Arienzo, worked his way through college and medical school, graduating as valedictorian of his medical school class.

Named the "Top Doc" by Detroit Monthly Magazine in 1995, Dr. Perrotta is a leader in the medical community serving on the boards of numerous hospitals in southeastern Michigan.

His philosophy of practice has been to use humor as medicine and he is well known for maintaining Italian traditions in his home. His hospitality, warmth, and kindness are not only enjoyed by his wife Grace and their three children, but each and every one of his patients.

Judge Martone and Dr. Perrotta are outstanding community leaders. As we enjoy the 23d annual Festa Italiana, I want to recommend them and thank them for their long-time service and loyal commitment to our community.

DOGS HAVE MORE FREEDOM

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. SMITH of New Jersey. Mr. Speaker, "Dogs have more freedom than us; at least they are not afraid to go outside." Mr. Speaker, this is the conclusion of a young Romani father in Slovakia who recounted his experience with growing skinhead violence in his country. His story is, regrettably, just one of the many documented in a January 1997 re-

port prepared by the European Roma Rights Center [ERRC] entitled "Time of the Skinheads: Denial and Exclusion of Roma in Slovakia." This study describes a grim pattern of violent assaults against Roma perpetrated by skinhead extremists; it also suggests that local police forces have been, at best, unwilling to fulfill their obligation to protect their citizens and, at worst, have themselves actually engaged in violence against Roma. Descriptions of a 1995 organized attack on the entire Romani community in the town of Jarovnice—something that reads like a pogrom from a bygone era—were especially chilling.

Since Slovakia became an independent state in 1993, a great deal of international attention has, rightly, focused on the status of the Hungarian minority in that country, a community that makes up approximately 10 percent of the population. Slovakia also has another large minority population which is less well known abroad. While the exact number of Roma in Slovakia is contested, it is estimated to be in the hundreds of thousands. These people—the survivors of Nazi efforts to eradicate the Roma altogether—now face increasing violent attacks against their homes, their villages, and their lives.

The problems of Roma in post-Communist European countries are many, and often defy easy answers. But at least three of the problems described in "Time of the Skinheads" do have obvious solutions. First, the Slovak Government has failed to demonstrate any serious effort to acknowledge and address the widespread problem of violent skinhead attacks on Roma. On the contrary, some public officials—members of the ruling coalition—have repeatedly made crude racist remarks about the Roma. As long as such remarks stand uncontested or unchallenged by Prime Minister Meciar, skinheads will believe that they can attack Roma with impunity. Clearly, local police officials take their cues from the top. Accordingly, any improvement in the situation of Roma in Slovakia must begin with the leadership of that country stating that racism and bigotry will not be tolerated.

Second, the ERRC report described a pattern of excessive use of force by the police against Roma. When the victims seek to bring a complaint against the police, the charges are, in effect, reversed and the Rom is charged with assaulting the police. Significantly, the Council of Europe's Committee for the Prevention of Torture released a report on April 3, which also documented a problem of police brutality in Slovakia.

That report, like the report of the ERRC, noted that the failure to ensure that those charged with a criminal offense have adequate legal representation has significantly contributed to this miscarriage of justice. One of the purposes of providing such representation is to guarantee a fair trial, consistent with the due process of law, and to ensure that those accused of crimes do not have confessions extracted from them by force.

The failure to provide the accused with defense counsel violates one of the most important provisions of the international human rights system—the right to an attorney, a right articulated in article 14 of the International Covenant on Civil and Political Rights as well as para. 5.16 of the OSCE Copenhagen Document. I hope the Slovak Government will take immediate measures to redress this problem.

Finally, the ERRC report on Slovakia indicates that Slovak localities continue to use a system of tightly controlled residency permits to restrict the freedom of movement of Roma. Not only does this practice offend the non-discrimination provisions of the Helsinki process, this system also harkens back to the rigid controls of the Communist days. If people are not permitted to move where the jobs are, how can a free market system flourish?

Unfortunately, Mr. Speaker, this pattern of violence against Roma is not unique to Slovakia. The ERRC, which was founded to defend the human rights of Roma, has also issued major reports on Austria and Romania. In addition, its most recent newsletter reported on problems Roma face in several other European countries. Clearly, there is much more that many governments in Central Europe can and should do to address these problems.

I realize that Slovakia is in the midst of grappling with a very broad range of fundamental questions regarding its development and future. The basic human rights of Roma should be a part of that agenda. I see no better time. Will Slovakia enter the 21st century as a country which seeks to unite its citizens in achieving common goals, or will it lag behind with those countries which have permitted nationalism and racism to divide their people and weaken the very state they worked so hard to create?

SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 2028 AND IRONWORKERS LOCAL 229: SAN DIEGO-IMPERIAL COUNTIES LABOR COUNCIL, AFL-CIO LABOR TO NEIGHBOR AWARD

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. FILNER. Mr. Speaker and colleagues, I rise today to recognize the Service Employees International Union Local 2028 [SEIU] and the Ironworkers Local 229 as they are honored by the San Diego-Imperial Counties Labor Council, AFL-CIO, for their strong support of the Labor to Neighbor program in San Diego and the Imperial Valley.

The Labor to Neighbor program educates and involves union members and their families in the campaign to protect jobs and the future of working people in San Diego and Imperial Counties.

The slogan of SEIU Local 2028 is "Politics is Union Business." This slogan embodies the essence of the Labor to Neighbor program. Local 2028 mobilized over 100 volunteers in the 1996 election and has also provided crucial support to the Labor to Neighbor Union Summer Program.

The Ironworkers Local 229 is being recognized for its leadership role in bringing Labor to Neighbor into the Imperial Valley. Local 229 also gave significant support to the Labor to Neighbor Union Summer Program and sponsored a golf tournament to help fund Labor to Neighbor's fall program.

For these activities, the San Diego-Imperial Counties Labor Council, AFL-CIO, recognizes SEIU Local 2028 and the Ironworkers Local 229 with their Labor to Neighbor Award. I am pleased to join in honoring their contributions

to the working families of San Diego and Imperial Counties.

CENTENNIAL ANNIVERSARY OF
THE INDIANA OPTOMETRIC AS-
SOCIATION

HON. DAVID M. McINTOSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. McINTOSH. Mr. Speaker, I want to join my Indiana Senate colleagues and echo their resolution congratulating the Indiana Optometric Association [IOA] on their 100 years of service to Indiana. The IOA has provided invaluable service to Hoosiers across the State. Therefore, may I add my blessing to Senate resolution included below and add my voice to the chorus of those thanking the IOA for the wonderful work they have provided for eye care in Indiana over the last century:

SENATE CONCURRENT RESOLUTION

A Concurrent Resolution celebrating the Centennial Anniversary of the Indiana Optometric Association

Whereas, the Indiana Optometric Association (IOA) was founded in 1897 and will be celebrating its Centennial Anniversary during the year 1997, and

Whereas, the IOA is marking 100 years of successful advocacy for the profession of optometry in Indiana, and

Whereas, the IOA has provided 100 years of service in the public interest on behalf of the eye care and eye health of Indiana's citizens, and

Whereas, the IOA was instrumental in the decision of the Indiana General Assembly that established the Indiana University School of Optometry in the early 1950s, and has forged an ongoing professional relationship with the School of Optometry that is a national model, and

Whereas, the IOA commends the Indiana General Assembly for its continuing support of the profession of optometry and the patients it serves, and

Whereas, the IOA has historically distinguished itself as an exemplary professional optometric association in the United States, and

Whereas, the IOA rededicates itself and the profession of optometry to serving the eye health and vision care needs of the citizens of the state of Indiana for the next 100 years,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That, on behalf of the people of the State of Indiana, we extend our sincere appreciation to IOA for its dedicated service to the people of the State of Indiana and the profession of optometry.

SECTION 2. That the Secretary of the Senate is directed to transmit a copy of this resolution to the Indiana Optometric Association.

ONE CITIZEN CAN MAKE A
DIFFERENCE

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. HUNTER. Mr. Speaker, today I rise to ask the House this question. Can an ordinary American citizen cause meaningful national legislation to be written and passed? Mr. Speaker, the answer is yes. Mr. Tony Snesko, a resident of San Diego County, has recently proved that this is possible, provided you possess the dedication and endurance necessary. Tony demonstrated a persistent effort which resulted in the passage of an amendment to section 505 of the Telecommunications Act regarding the scrambling of sexually explicit adult video programming.

While the cable television industry has done some moderate scrambling of sexually explicit video transmissions in the past, these acts could still be seen. Additionally, the audio was clear and described the sexually explicit nature of the video. Unfortunately, this programming of slightly scrambled pornographic material was on a channel that was only one click removed from the programming that children normally watch. It was not uncommon that in their attempt to reach their favorite cartoons, children would often accidentally see the pornographic material that was broadcast 24 hours a day on the adjacent channel.

Upon learning of this, Tony, the father of two children and a deacon in his local church, protested to the city council of his home town and the city attorney. He was told that there was nothing that could be done to eliminate this blight. The San Diego district attorney, the U.S. attorney, and the Federal Communications Commission had the same response to his concerns.

Taking action himself, Tony taped the explicit material, requested that the American Family Association pay for 535 copies, which they did, and brought these tapes to Washington, DC. Already having in mind the type of legislation needed to end the airing of this pornography on television, my office aided Tony in having this language written and introduced.

Over the next month, Tony visited the offices of all 435 U.S. Representatives, providing each Member's legislative staff with a copy of the video and the proposed bill. Tony even spoke with then chairman of the House Energy and Commerce Committee JOHN DINGELL. After witnessing Tony's dedication and persistence, Chairman DINGELL agreed to include the bill language as an amendment to a piece of telecommunications legislation that the committee was currently considering.

In 1994, legislation that required complete scrambling of pornographic material on television, both audio and visual, passed the U.S. House of Representatives. Tony then visited all 100 offices of the U.S. Senate, distributing his material and lobbying in favor of the legislation that had recently passed the House. As a result of this continued effort, Senator DIANE FEINSTEIN of California introduced a similar bill in the Senate where it successfully passed and was signed into public law by President Clinton in February 1996.

Following this action, Playboy magazine immediately sought legal action against the U.S.

Government in an effort to challenge this legislation. The Delaware district court dismissed this lawsuit and Playboy has until April 23, 1997, to file an appeal with the U.S. Supreme Court. Mr. Speaker, as demonstrated by Tony Snesko, one citizen can make a difference.

HONORING BOB REED

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. COBLE. Mr. Speaker, on Saturday, April 19, a gentleman renowned for his warm and pleasant greeting and service for many years to thousands of Senators and Representatives, staff members, journalists, and others involved in and around Capitol Hill will observe a milestone in his life.

Bob Reed, the stately and congenial mixologist at The Monocle Restaurant, will celebrate his 70th birthday on Saturday.

In the more than a quarter century that Mr. Reed has served his customers, he has become a friend to many, regardless of party affiliation or ideology. I am sure that my colleagues join me in extending our most sincere congratulations to Bob on this special day in his life and wish him many, many more birthday anniversaries in the years ahead.

JEF EATCHEL: SAN DIEGO-IMPERIAL COUNTIES LABOR COUNCIL, AFL-CIO LEADERSHIP AWARD

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. FILNER. Mr. Speaker, I rise today to recognize Jef Eatchel, secretary-treasurer of the Hotel Employees and Restaurant Employees Union [HERE] Local 30, as he is honored by the San Diego-Imperial Counties Labor Council, AFL-CIO, for his leadership and contributions to the labor movement and to the San Diego community as a whole.

Under his leadership, Local 30 has grown to become a powerful union and has been a catalyst in San Diego for organized labor's renewed commitment to organizing. HERE has been at the forefront of focusing both employers and elected officials on the improvement of the lives of working people in San Diego County.

Jef has been active in the labor movement for almost two decades. He has dedicated himself to improving the wages, benefits, working conditions, and quality of life for union and nonunion workers in the hotel and restaurant industry.

Jef serves as a trustee of the HERE international union pension and trust fund, is first vice president of the Culinary Alliance, and has served as a trustee for the International Foundation of Employee Benefits for the last 5 years.

I have known Jef for many years, and I can attest to his dedication and commitment to the causes for which he labors. He is highly deserving of the San Diego-Imperial Counties Labor Council, AFL-CIO Leadership Award.

HELP TRAVELERS BREATHE
EASIER

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. LEWIS of Georgia. Mr. Speaker, today I am introducing the Smoke-Free Transportation Facilities Act, legislation that would ban smoking in all transportation facilities that receive Federal funds.

The Smoke-Free Transportation Facilities Act would provide a breath of clean air for travelers. It will provide some relief to the traveler who cannot simply get up and leave when others expose them to tobacco smoke and the risk of premature death.

Smoking and second-hand smoke are class A carcinogens. Cigarettes kill more than 434,000 Americans each year. Tobacco addiction costs the American public more than \$65 billion each year in health care costs and lost productivity. Tobacco is a known killer, yet there are no Federal laws or regulations governing smoking in public areas. For this reason, millions of people are exposed to the dangers of second-hand smoke each day. The exposure to second-hand smoke is particularly prevalent in transportation stations, as travelers have little choice other than to remain in the airport, train station, or bus terminal as they await their departure.

The Federal Government has a responsibility to protect travelers from the dangers of second-hand smoke. I believe we all have the right to breath clean air. The Smoke-Free Transportation Facilities Act will help ensure that people who have to travel, or even choose to travel, can breathe a little easier.

CHRISTINE LOPEZ 1997 NATIONAL
CRIME VICTIM SERVICE AWARD
RECIPIENT

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Ms. SANCHEZ. Mr. Speaker, I would like to take the time to honor Ms. Christine Lopez as recipient of the Crime Victim Service Award by the Attorney General Janet Reno on Friday, April 18, 1997. Ms. Lopez is being recognized for her outstanding dedication to the Gang Victim Assistance program offered by the Community Service Programs, Inc. of Orange County, CA. The Gang Victim Assistance program was started in 1990 as a private non-profit human service organization that helped extend other services provided by the Community Service Programs, Inc. Ms. Lopez contributes her expertise in gang-related victim and witness issues as the program's supervisor. Furthermore, Christine Lopez's involvement with the Latino community provides another benefit to a team specially created to handle victim and witness issues. This team comprises eight bicultural and bilingual victim specialists and is therefore able to respond to problems that Latino crime victims face when confronted by gang violence.

These specialists are on call 24 hours a day, 7 days a week, and respond to an array of crimes that require victim support and coun-

seling. Ms. Lopez's team services include accompanying investigating officers to the crime scene, delivering death notifications, assessing crime victim's safety and emergency needs, providing counseling services, and referrals to support groups. The team not only provides these services at the time of the crime, but continues to serve victims with support and counseling throughout the course of each case. This remarkable program has been so successful and filled with praise that the Office for Victims of Crime in the Justice Department is in the process of creating a protocol for other communities that are in need of similar programs.

Ms. Lopez's dedication has earned her State and national recognition for her efforts. This recognition includes Ms. Lopez being selected to serve on the advisory board for training and technical assistance for service providers helping Hispanic victims of crime. She was the first recipient of the annual Doris Tate Award that recognizes outstanding commitment and service to victims of crime presented by Governor Pete Wilson in 1993. I would like my colleagues in Congress to join me in recognizing Christine Lopez's contributions to the victims of crime and to commend her selection as a recipient of the Crime Victims Service Award by the Department of Justice and Attorney General Janet Reno.

CONGRATULATIONS POLSON HIGH
SCHOOL

HON. RICK HILL

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. HILL. Mr. Speaker, on April 26-28, 1997, more than 1,200 students from 50 States and the District of Columbia will be in Washington, DC, to compete in the national finals of the We the People * * * The Citizen and the Constitution program. I am proud to announce that the class from Polson High School will represent my State of Montana. These young scholars have worked diligently to reach the national finals by winning local competitions in their home State.

The distinguished members of the team representing Montana are: Erin Alcorn, Tracee Basler, Shawna Briney, Claire Brownell, John Brueggeman, Sierra Carlson, Toberta Dickson, Rick Donaldson, Ruth Fouty, Megan Gran, Kristi Greenwood, Chandra Hermanson, Eric Hogenson, Haydee Huntley, Katie Leonard, Liz Liebschutz, Lori Longin, B.J. Mazurek, Jamie McOmber, Shannon Meeks, Celeste Olsen, Curtis Owen, Dave Robinson, Trena Shima, Heidi Trytten.

I also would like to recognize their teacher, Bob Hilsop who deserves much of the credit for the success of the team. The State coordinator, Sue Suiter, also contributed a significant amount of time and effort to help the team reach the national finals.

The We the People * * * The Citizen and the Constitution program is the most extensive educational program in the country developed specifically to educate young people about the Constitution and the Bill of Rights. The 3-day national competition simulates a congressional hearing in which students' oral presentations are judged on the basis of their knowledge of constitutional principles and their ability to

apply them to historical and contemporary issues.

The We the People * * * program provides an excellent opportunity for students to gain an informed perspective on the significance of the U.S. Constitution and its place in our history and our lives. I wish these students the best of luck in the national finals and look forward to their continued success in the years ahead. Keep up the good work Polson High School.

TRIBUTE TO DANIEL GARVEY, AN
OUTSTANDING TEACHER AND
COACH

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. LIPINSKI. Mr. Speaker, today I come to the floor of the House of Representatives to honor Daniel Joseph Garvey for his long and distinguished career as a high school teacher and basketball coach to many young men from Chicago's Southwest Side.

On April 18, 1997, Dan Garvey will be honored by his family, friends, former students, and colleagues at Gaelic Park, Midlothian, IL, for over 40 years of his service and dedication to Marist High School and De La Salle Institute.

Dan Garvey was born and raised on Chicago's Southwest Side by John and Mary Garvey, who were both from County Kerry, Ireland. Dan's family also included his brother Jack and two sisters, Marie and Therese. Dan graduated from St. Kilian Grammar School and De La Salle, and he earned a bachelor's degree from St. Ambrose College and a master's degree from Northeast Missouri State University.

Dan Garvey was an honor roll student and lettered in basketball in all 4 years at De La Salle. Dan earned a scholarship to St. Ambrose College where he was known as Dan "Ceps" Garvey and described as a born hustler on the basketball court. His college basketball career was highlighted with the Intercollegiate and Midlands Conference Championship. Dan's college studies were interrupted for 2 years while he served his country during the Korean War. Before returning to St. Ambrose, Dan married his high school sweetheart and love of his life, Donna Mae Corriston.

Dan Garvey has been associated with Marist High School for over 30 years. Dan was the school's first varsity basketball coach, the head of the physical education department, as well as the first alumni director. Prior to his tenure at Marist, Dan taught and coached at De La Salle with another alum, the highly respected Jerry Tokars.

Though a man of few words, Dan Garvey earned the respect of many young men who went through the doors of Marist and De La Salle for his kindness and compassion, his guidance and positive influence, his work ethic and enthusiasm, and, not the least of, his legendary Irish personality.

In 1987, Dan received the Marist Alumni's Man of the Year Award for his longtime devotion and service to the Marist community. In 1990, Dan's basketball career was recognized by his induction into the De La Salle Sports Hall of Fame.

An inspiration to all of us, Dan Garvey always displayed his total dedication and love to his late wife, Donna, whose memory is also honored. Together they raised four wonderful children, Maureen, Lynn, Dan, Jr., and Kevin.

Mr. Speaker, I ask my colleagues to join with me today in saluting Daniel J. Garvey on his successful career at Marist High School, and wish him the best in his future endeavors.

REMARKS FROM THE MEMORIAL SERVICE FOR RUTH P. RITTER MADE BY HER SON, DON RITTER ON SATURDAY, FEBRUARY 1, 1997

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. BILIRAKIS. Mr. Speaker, I rise today on behalf of a former colleague and friend, Congressman Don Ritter. He recently lost his mother and asked that I share the eulogy he delivered in her honor.

Please bear with my reading these remarks. I'm not accustomed to reading speeches but * * * it's easier for me to get to the finish. I guess Mom was emotional, too. Listen to this if you can hear us Mom, Holden came all the way from Germany, Christopher from Los Angeles, Kristina from San Francisco, Edie and Jordan from Pennsylvania, Melody came from right here in Seffner but she would have come from around the world. It is a truly wonderful thing that we gather here today to say good-bye to our beloved mother, grandmother, guardian, role model and friend. But it is not a final adieu that we bid, for she will be with us in spirit; she will be in our hearts for as long as we live, perhaps forever.

I believe I speak for everyone here and for all who knew her who could not be here today. When we think about what defined Ruth P. Ritter during her marvelous, exciting, rich and full lifetime, here's what rings out like a bell.

She was Nurturing: Ruth P. Ritter was the most nurturing person I have ever known. She nurtured us, constantly, over the decades—our education/families/our security after she was gone.

She had Dignity: She had great dignity. She was a grand lady—her principles did not shift and change with time. She was consistent, judging people by their deeds, not their words.

She was an Optimist: She always looked to the brighter side. Never did she give up hope. She had suffered greatly but never lost her cheery spirit. When her health deteriorated, she still focused on her children and her grandchildren. And she worked at making her hopes come true.

She was Modest: She was so modest about her own achievements, the way she lived was so modest. She clipped coupons until the very end—while the stocks and bonds of the trusts she established for family grew large.

And she was Talented: First, she was a great mathematician and a great teacher. She was an award winning teacher of children. She taught us. And she did all this in spite of a handicap. She had difficulty hearing and that went way back. I remember her fear, after working so hard to become an Assistant Principal, at taking the Principal's exam based on her hearing. And that was long ago. It was a constant difficulty as she was so keen on engaging in discussions with people. Yet, she would always be a natural teacher, almost up to the end. She used to

work late at night preparing her lessons. I remember helping her with the art work, posters, presentations, teaching materials. We worked together. We enjoyed each other.

Second, she was a great investor of her capital. She took Dad's limited investments and a never ending influx of a part of her pension and invested wisely, continuously, relentlessly. She put it together for us. She barely touched it. She told me this would be her gift to her children and grandchildren. It meant more to her than spending it on herself. And that's the way she lived.

She Sacrificed: She was born sacrificer for her family. That was her greatest gift throughout our lives. Gifts of love, friendship, concern and wealth live on. She got enormous pleasure from giving to us and thereby helping us to build our own lives. Generosity was Ruth Ritter's middle name. She helped me at every important stage of my life.

She Persevered: Perseverance was her stock in trade. When she made up her mind, something had to be, she would make it happen. She, paraphrasing Sir Winston Churchill, would "never give up." Sometimes it could be called stubbornness . . . but whatever you call it, her perseverance made her strong in life and kept her going through grievous times . . . I can remember the times, the sound and the fury over things we both believed were true . . . oppositely!

Edie and I and Jason and Kristina will never forget the Thanksgiving and Christmas holiday visits—the magnificent presents, the turkey dinners, the love—first with Dan and Mom and then with Mom alone. And although we've lost both and Steve in less than a year, Mom, we will not despair. We will take a page from your book and go on in the very best way we can.

When her firstborn son and my brother, Stephen, with whom there was a truly wonderful reconciliation in the latter years, died prematurely last year, it was an enormous blow to Mom. Stephen and Melody were her great friends and near neighbors in the Tampa area and were the reason Mom came back east for what she knew were her final years. Steve's death brought unimaginable sadness to Mom, but she never lost her optimism about life and her family.

And last, dear mother of mine and of all of us, how you would have gotten pleasure to see us gathered together—your loved ones, your family hopefully getting to know one another after so many years.

The really good part of today, the sunrise part, is that we are, at last, our blood line, our family and those who joined it, ready to go forward, smartly and confidently, into the future. We will build on the love, the nurturing spirit, the dignity, the hope, the modesty, the optimism, the perseverance, and the skills of life that we received and we learned from you.

Until we meet again, Mom, we shall love, cherish and remember you.

ASSISTED SUICIDE FUNDING RESTRICTION ACT OF 1997

SPEECH OF

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 1997

Mr. STOKES. Mr. Speaker, I rise to express my support for H.R. 1003, the Assisted Suicide Funding Restriction Act of 1997. This important piece of legislation prohibits the use of Federal funds to support, advocate, and/or facilitate assisted suicide, even if assisted suicide becomes legal in one or more States.

Programs covered by the bill include Public Health Service block grants, Medicaid, Medicare, Indian health care, the Military Health Care Program, the Veterans Medical Care Program, and the Federal Employee Health Benefits Program. While Federal funds have not been used to pay for assisted suicide, euthanasia, or mercy killing, H.R. 1003 legislatively prohibits such from taking place.

Adoption of this measure is an important move in the assisted-suicide debate. As we consider this legislation, courts in Florida and Oregon are deliberating on the legality of assisted suicide. And, the Supreme Court is reviewing decisions, by the Second and Ninth Circuit Courts of Appeals, which have declared assisted suicide a new constitutional right. The Supreme Court's pending decision on these cases has major implications for most States across this Nation and many are looking to Congress for clear and effective policy directions.

Until now, Mr. Speaker, Federal programs have generally lacked a written policy on this issue. By passing H.R. 1003, we preclude potential problems that may arise from the decisions pending, in the Supreme Court and other courts across this country, on assisted suicide. However, H.R. 1003 does not prevent States from legalizing assisted suicide or from supporting it with State funds.

This measure states clearly that it will have no effect on issues of abortion, withdrawal of medical treatment, or the use of drugs needed to alleviate pain, even when an unintentional side effect could be a shortened life.

Mr. Speaker, I urge my colleagues to vote in favor of prohibiting the use of Federal funds for assisted suicide. Vote "yes" for H.R. 1003.

HOMEOWNERS ASSOCIATION CLARIFICATION ACT

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 1997

Mr. SHAW. Mr. Speaker, today, I am introducing legislation that addresses a problem developing in the resort and vacation industry, an industry of great importance to my home State of Florida and many other States in this country. Without corrective legislation, I fear the 1.7 million timeshare owners in the United States will ultimately bear an unfair Federal tax burden on their timeshare homeowners associations, simply because these associations complied with State law and sound business practices.

The issue involves the Federal income tax treatment of timeshare homeowners associations. Since the 1970's, timeshare homeowners associations have applied the same tax principles used by condominium associations that do not elect or do not qualify for tax-exempt status under section 528 of the Internal Revenue Code. An IRS Technical Advice Memorandum (TAM 9539001), however, has concluded that a timeshare homeowners association cannot use the same tax treatment relied on by condominium associations in determining taxable income.

As a result, it appears the IRS is poised to adopt burdensome standards for timeshare associations that could result in the inclusion of all regular member assessments in income,

even assessments intended for capital reserve expenditures that are held in trust for future use. Many States, including my State of Florida, require timeshare homeowners associations to maintain capital reserves. I believe it is entirely appropriate for States to require timeshare associations to maintain capital reserves in preparation for future expenditures, such as repairing or replacing a roof or repaving a parking lot. In addition to complying with State law, the timeshare homeowners association practice of maintaining capital reserves represents a sound business practice, one we should encourage, not discourage through punitive Federal tax treatment.

The legislation I am introducing today will permit timeshare homeowners associations to elect section 528 of the Internal Revenue Code. Currently, timeshare associations are effectively prohibited from electing section 528 as a result of a residency requirement of that section of the Code. Specifically, Treasury regulations under section 528 require that at least one-half of the units of a housing development must be occupied by the same owner for at least 30 days of the year. Timeshare associations by their very nature, where occupants tend to hold unit ownership for 1 or 2 weeks per year, are unable to meet this residency standard. As a result, timeshare homeowners associations, which are comprised of timeshare owners, are not permitted to elect section 528.

Under my proposal, most timeshare homeowners association that elect section 528 would pay higher taxes on their nonexempt income (i.e., investment income) but appropriately would not be taxed on their exempt income (i.e., membership assessments that are expended to maintain and operate property commonly owned and used by members). I believe this is an exceedingly reasonable solution to the current problem and would hope that many of my colleagues would join in cosponsoring this legislation.

Mr. Speaker, the timeshare industry has done an outstanding job polishing the professionalism of the industry over the past 10 years and providing a high quality vacation product for Americans across the country. In fact, the industry has developed to a level of popularity and sophistication where 1.7 million

Americans now own timeshares in the United States, and nearly 120,000 new buyers purchase a timeshare each year. Further, an impressive \$6 billion is spent annually by timeshare owners while vacationing at timeshare resorts in the United States. This level of spending and the continued growth of the industry is creating a broad variety of jobs in affected communities and adding significantly to local tax bases.

Mr. Speaker, let my colleagues understand that the strong and sustained growth of the timeshare industry is not a phenomenon indigent to my State of Florida. The growth of the timeshare industry, measured at 16 percent annually over the past 8 years, is also being enjoyed in many regions across the country, particularly in the States of California, Colorado, North Carolina, Texas, and Arizona.

In addition, with 1.7 million timeshare owners, we can rest assured that we all have constituents who will be adversely and unfairly affected by this IRS policy development. To provide Members a sense of the growth of the industry throughout our country, I have included a chart from the publication "Timeshare Purchasers: Who They Are, Why They Buy, 1995". This chart links the number of households who own timeshares by State, as well as the penetration rate within each State.

It is clear, however, that without corrective legislation, many timeshare homeowners associations will incur Federal tax liabilities simply for complying with State law and following sound business practice. Common sense tells us that timeshare homeowners associations will have little choice but to pass this unfair tax increase on to their timeshare owners in the form of higher assessments.

With these thoughts and concerns in mind, I am introducing the Homeowners Association Clarification Act, that will correct this problem and permit timeshare associations to continue to comply with State law on capital reserves and follow sound business practice without incurring Federal tax liabilities on these funds. I urge my colleagues to join me in cosponsoring this legislation.

HOMEOWNERS ASSOCIATION CLARIFICATION ACT OF 1997

In March 1997, U.S. Representative E. Clay Shaw introduced the "Homeowners Associa-

tion Clarification Act of 1997". The legislation is intended to resolve an ongoing controversy between the I.R.S. and timeshare homeowners associations, comprising the nation's 1.7 million timeshare owners.

Since the early 1970's, timeshare homeowners associations (HOAs) have applied the same tax principles used by condominium associations. Under these long established principles, timeshare HOAs applied annual assessments paid by timeshare owners in excess of annual expenses to offset assessments for future years (so-called "excess assessments"). Second, assessments allocated to various repair and replacement reserve accounts were considered tax exempt. Reserve funds are dedicated to future capital improvements such as roof repair or replacement and parking lot repavement. The interest earned from reserve accounts have always been considered taxable income.

In 1995, the I.R.S. issued a Technical Advise memorandum (TAM) with respect to one timeshare HOA. The TAM took the position that the Revenue ruling relied upon with respect to excess assessments is not applicable to timeshare HOAs. The TAM concluded that timeshare HOAs provide different level of services to their owners (than condominium HOAs) and that owners were not given the option to have the excess assessment returned. In addition, current I.R.S. positions place in great doubt the tax status of additions to capital reserve accounts.

While the TAM is directed only to the HOA under audit, the I.R.S. has both maintained and intensified the positions taken in the TAM toward the industry as a whole. Subsequent formal guidance provided by the I.R.S. constructs a costly and burdensome administrative scheme for timeshare HOAs to comply.

The Shaw Bill would permit qualifying timeshare HOAs to elect to be treated as tax exempt entities under Section 528 of the Internal Revenue Code.

In order to elect Section 528, a timeshare HOA would be required to derive 60% of its income from members and 90% of the revenue of the HOA would be required to be spent to maintain association property. Under Section 528, prepaid and excess assessments and capital reserve accounts would be tax exempt. However, Investment income would not only continue to be taxed, but at higher rates for the overwhelming majority of timeshare HOAs.

HOUSEHOLDS OWNING RESORT TIMESHARE, BY STATE AND INCOME CATEGORY

State	Total households owning resort timeshare	Income of households owning timeshare		Penetration rate for:		
		Over \$35,000	Over \$50,000	All households (percent)	Households with incomes:	
					Over \$45,000 (percent)	Over \$50,000 (percent)
Alabama	12,000	10,700	8,400	0.76	1.68	2.32
Alaska	3,900	3,500	2,700	1.88	2.58	2.70
Arizona	37,900	33,700	26,400	2.52	5.36	7.68
Arkansas	3,100	2,800	2,200	0.34	0.80	1.18
California	243,900	216,800	169,700	2.24	3.57	4.25
Colorado	29,700	26,400	20,600	2.09	3.74	4.83
Connecticut	30,500	27,100	21,200	2.49	3.40	3.70
Delaware	5,600	5,000	3,900	2.10	3.40	4.33
Florida	116,900	103,900	81,400	2.13	4.30	5.87
Georgia	49,400	43,900	34,400	1.93	3.71	4.95
Hawaii	3,700	3,300	2,600	0.97	1.33	1.47
Idaho	5,800	5,200	4,100	1.45	2.98	4.40
Illinois	60,100	53,400	41,800	1.40	2.21	2.60
Indiana	26,100	23,200	18,100	1.22	2.25	3.08
Iowa	9,400	8,300	6,500	0.86	1.67	2.40
Kansas	9,200	8,200	6,400	0.94	1.80	2.40
Kentucky	14,900	13,200	10,300	1.04	2.28	3.10
Louisiana	11,900	10,600	8,300	0.77	1.66	2.18
Maine	10,600	9,400	7,400	2.24	4.30	6.32
Maryland	49,800	44,300	34,700	2.72	4.02	4.78
Massachusetts	72,900	64,800	50,700	3.23	4.85	5.55
Michigan	42,700	38,000	29,700	1.22	2.10	2.69
Minnesota	25,900	23,100	18,000	1.51	2.62	3.49
Mississippi	4,700	4,200	3,300	0.50	1.27	1.90
Missouri	25,700	22,900	17,900	1.27	2.49	3.38
Montana	5,000	4,500	3,500	1.50	3.23	4.55
Nebraska	3,300	2,900	2,300	0.53	1.01	1.41
Nevada	9,400	8,300	6,500	1.71	3.02	4.05
New Hampshire	13,200	11,800	9,200	3.16	4.62	5.49

HOUSEHOLDS OWNING RESORT TIMESHARE, BY STATE AND INCOME CATEGORY—Continued

State	Total house- holds owning resort timeshare	Income of households owning timeshare		Penetration rate for:		
		Over \$35,000	Over \$50,000	All house- holds (per- cent)	Households with incomes:	
					Over \$45,000 (percent)	Over \$50,000 (percent)
New Jersey	75,800	67,400	52,800	2.66	3.52	3.68
New Mexico	7,200	6,400	5,000	1.23	2.71	3.80
New York	126,000	112,000	87,700	1.88	3.05	3.54
North Carolina	51,400	45,700	35,800	1.92	3.91	5.59
North Dakota	1,800	1,600	1,200	0.72	1.51	2.10
Ohio	49,400	43,900	34,400	1.17	2.18	2.95
Oklahoma	7,900	7,100	5,500	0.64	1.58	2.42
Oregon	18,400	16,400	12,800	1.55	3.09	4.44
Pennsylvania	68,200	60,700	47,500	1.49	2.65	3.44
Rhode Island	12,200	10,800	8,500	3.20	5.82	7.99
South Carolina	27,800	24,700	19,300	2.09	4.49	6.40
South Dakota	1,600	1,400	1,100	0.59	1.11	1.48
Tennessee	25,700	22,800	17,900	1.31	2.72	3.71
Texas	67,600	60,100	47,000	1.04	1.95	2.44
Utah	9,500	8,500	6,600	1.64	2.88	4.03
Vermont	3,700	3,300	2,500	1.68	3.16	4.40
Virginia	69,900	62,100	48,600	2.89	4.76	5.87
Washington	45,000	40,000	31,300	2.21	3.71	4.71
West Virginia	5,800	5,200	4,000	0.83	2.11	3.21
Wisconsin	30,500	27,100	21,200	1.61	2.78	3.72
Wyoming	1,800	1,600	1,200	1.00	1.77	2.31
District of Columbia	3,800	3,300	2,600	1.59	2.74	3.19
Total/Average	1,648,200	1,465,500	1,146,700	1.72	3.05	3.80

Source: Unpublished information obtained from Interval International and Resort Condominiums International; The Resort Timeshare Industry in the United States: 1995; and Sales and Marketing Management: "1994 Survey of Buying Power."

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 17, 1997, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 18

9:30 a.m.
Labor and Human Resources
To hold hearings to examine proposals to improve the health status of children.
SD-430

10:00 a.m.
Foreign Relations
To hold hearings on the nomination of Thomas R. Pickering, of New Jersey, to be Under Secretary of State for Political Affairs.
SD-419

APRIL 22

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the National Science Foundation and the Office of Science and Technology Policy.
SD-192

Appropriations
Energy and Water Development Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Environmental Management Program of the Department of Energy.
SD-124

Indian Affairs
To hold hearings on S. 459, to authorize funds for and extend the Native American Programs Act of 1974.
SR-485

10:00 a.m.
Appropriations
Agriculture, Rural Development, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Agricultural Research Service, the Cooperative State Research, Education, and Extension Service, the Economic Research Service, and the National Agricultural Statistics Service, all of the Department of Agriculture.
SD-138

2:00 p.m.
Judiciary
Antitrust, Business Rights, and Competition Subcommittee
To hold hearings to examine the antitrust implications of the British Airways and American Airlines Alliance.
SD-226

APRIL 23

9:30 a.m.
Labor and Human Resources
To resume hearings on proposed legislation authorizing funds for programs of the Higher Education Act.
SD-430

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Defense, focusing on medical programs.
SD-192

Appropriations
District of Columbia Subcommittee
To hold hearings on an additional funding request for fiscal year 1997 by the District of Columbia Financial Responsibility and Management Assistance Authority for capital improvements to D.C. public schools and for public safety agencies.
SD-138

Armed Services
To hold hearings on the Administration's proposal on NATO enlargement.
SH-216

Commerce, Science, and Transportation
Manufacturing and Competitiveness Subcommittee
To hold hearings to examine the current state of manufacturing in the United States.
SR-253

APRIL 24

9:00 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on U.S. agricultural export issues.
SR-332

9:30 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the National Endowment for the Arts/National Endowment for the Humanities.
SD-192

Appropriations
Energy and Water Development Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Corp of Engineers and the Bureau of Reclamation, Department of the Interior.
SD-124

Rules and Administration
To hold hearings to discuss revisions to Title 44, relating to the operations of the Government Printing Office.
SR-301

Small Business
To hold hearings to review the Small Business Administration's non-credit programs.
SR-428A

10:00 a.m.
Labor and Human Resources
To hold hearings to examine issues relating to vocational education.
SD-430

APRIL 29

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Veterans Affairs.
SD-138

Energy and Natural Resources
To hold oversight hearings to review a GAO evaluation of the development of the Draft Tongass Land Management Plan.
SD-366

Indian Affairs
Business meeting, to mark up S. 459, to authorize funds for and extend the Native American Programs Act of 1974; to be followed by an oversight hearing on the implementation of the San Carlos Water Rights Settlement Act of 1991 (P.L. 102-575).
SR-485

Special on Aging
To hold hearings to examine the chronic health care delivery system.
SH-216

10:00 a.m.
Appropriations
Agriculture, Rural Development, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Commodity Futures Trading Commission, and the Food and Drug Administration, Department of Health and Human Resources.
SD-124

Labor and Human Resources
To hold hearings on proposed legislation authorizing funds for programs of the National Endowment for the Arts and the Humanities.
SD-430

APRIL 30

9:30 a.m.
Rules and Administration
To resume hearings to discuss revisions to Title 44, relating to the operations of the Government Printing Office.
SR-301

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Defense, focusing on the structure and modernization of the National Guard.
SD-192

MAY 1

9:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of the Interior.
SD-192

9:30 a.m.
Energy and Natural Resources
National Parks, Historic Preservation, and Recreation Subcommittee
To hold hearings on S. 357, to authorize the Bureau of Land Management to manage the Grand Staircase-Escalante National Monument.
SD-366

Labor and Human Resources
Public Health and Safety Subcommittee
To hold hearings to examine biomedical research priorities.
SD-430

Small Business To hold hearings on the Small Business Administration's finance programs. SR-428A	on transportation infrastructure financing issues. SD-124	JUNE 4 10:00 a.m. Appropriations Defense Subcommittee To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Defense. SD-192
MAY 5 2:30 p.m. Energy and Natural Resources To hold hearings on S. 430, to amend the Act of June 20, 1910, to protect the permanent trust funds of the State of New Mexico from erosion due to inflation and modify the basis on which distributions are made from those funds. SD-366	MAY 8 9:30 a.m. Energy and Natural Resources To hold a workshop to examine competitive change in the electric power industry, focusing on the effects of competition on fuel use and types of generation. SH-216	JUNE 11 10:00 a.m. Appropriations Defense Subcommittee To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Defense. SD-192
MAY 6 9:30 a.m. Appropriations VA, HUD, and Independent Agencies Subcommittee To hold hearings on proposed budget estimates for fiscal year 1998 for the National Aeronautics and Space Administration. SD-138	MAY 14 10:00 a.m. Appropriations Defense Subcommittee To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Defense, focusing on environmental programs. SD-192	JUNE 12 9:30 a.m. Energy and Natural Resources To resume a workshop to examine competitive change in the electric power industry, focusing on the benefits and risks of restructuring to consumers and communities. SH-216
MAY 7 10:00 a.m. Appropriations Defense Subcommittee To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Defense. SD-192	MAY 21 10:00 a.m. Appropriations Defense Subcommittee To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Defense, focusing on Air Force programs. SD-192	CANCELLATIONS APRIL 17
Appropriations Transportation Subcommittee To hold hearings on proposed budget estimates for fiscal year 1998 for the Department of Transportation, focusing	MAY 22 9:30 a.m. Energy and Natural Resources To resume a workshop to examine competitive change in the electric power industry, focusing on the financial implications of restructuring. SH-216	10:00 a.m. Commerce, Science, and Transportation Oceans and Fisheries Subcommittee To hold hearings on S. 39, to revise the Marine Mammal Protection Act of 1972 to support the International Dolphin Conservation Program in the eastern tropical Pacific Ocean. SR-253