

EXTENSIONS OF REMARKS

IN HONOR OF THE PERUVIAN COMMUNITY CELEBRATING 176 YEARS OF INDEPENDENCE

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1997

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to the Peruvian community as they celebrate their 13th Annual State Parade. This event, which recognizes Peruvian independence from Spain, was celebrated on Sunday, July 27, 1997, in the cities of Passaic, Clifton, and Paterson, NJ.

Peru's independence began 176 years ago on July 28, 1821. The State Parade is the biggest celebration of Peruvian immigrants in my home State of New Jersey. They have made many contributions to this country. They have distinguished themselves at every level of American society. Their dedication to family and community demonstrates what can be accomplished when people work together.

The Peruvian community is honored to have Carlos Noriega Jimenez and Roberto Chale as the grand marshals of the parade. Carlos Noriega Jimenez is the first Peruvian-American in space. He is a major for the USMC who was on the May 15, 1997, NASA mission STS-84 aboard the space shuttle Atlantis. Mr. Noriega Jimenez is loved by the Peruvian community and serves as an inspiration for the entire Hispanic population.

Roberto Chale is the former star soccer player of the Peruvian national team. Mr. Chale, along with other Peruvian soccer players, remain as role models for the younger generation.

I commend the 1997 Peruvian Parade Committee led by parade president Jose Falen who is currently in his third year as the parade president, and vice-president Lusi Ona for their work in making this event possible. On this momentous occasion, a number of people will be recognized for their outstanding work: Ambassador Carlos Gamarra Mujica, Florencio Guerrero, Lucila Campos, Daisy Cuellar, Dr. Carlos Neyra Estens, Roberto Bustamante, and Jose Cabada. Each of these exceptional individuals has made a unique contribution to enhancing the image of Hispanics in our community.

It is gratifying to know that the Peruvian Day Parade brings our community together, reflecting on the cities of Passaic, Clifton, Paterson, and the State of New Jersey. I am certain my colleagues will rise with me and recognize this wonderful celebration of culture and diversity.

A NEW NATIONAL AIRPORT IS LAUNCHED

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1997

Mr. WOLF. Mr. Speaker, Sunday morning, July 27, 1997, was a historic occasion in the

Nation's Capital. The New National Airport was unveiled. The new terminal and facility boasts stunning architecture and artwork, sweeping panoramic views of Washington, DC, restaurants, and retail outlets for the 19 major airlines and shuttles which annually serve over 15 million passengers.

The new airport can also be called more user-friendly, with some 5,000 parking spaces and with Metrorail almost to the new terminal's front door. It is truly a magnificent gateway to the Nation's Capital.

National Airport has come a long way since its opening in June 1941, when the Federal Government was in charge of operating the airport. Over the years, National has had its share of growing pains, and as a ward of the Federal Government which had to compete for its share of a dwindling Federal pie, it became what one Transportation Secretary in 1979 called a dump.

Today, though, National is being called a showplace. For that, we salute the yeoman efforts of Transportation Secretary Elizabeth Hanford Dole who 13 years ago set in motion a commission headed by former Virginia Governor Linwood Holton, on which I was honored to serve with other area Members of Congress and Governors, and the D.C. Major, to come up with a plan to get the Federal Government out of the airports business.

After several years of fits and starts, the persuasive Mrs. Dole finally achieved her goal. Congress approved legislation to transfer Washington National and Washington Dulles International Airports from Federal ownership to a local authority.

In 1987 the Metropolitan Washington Airports Authority was created, putting the wheels in motion to improve both National and Dulles Airports. Soon after, with the ability to sell bonds to finance improvements, the airports authority began an almost \$2 billion construction program for the two airports. We see today the result of the airports authority's vision at the new National Airport. Dulles is also progressing, with the new Midfield Concourse on schedule and set to open later this fall.

We offer congratulations to the airports authority and the many, many people in northern Virginia and the entire Metropolitan Washington Area who have worked so hard over the past 10 years to launch National Airport into a new century of aviation.

HONORING JOSEPH R. COPPOLA,
PH.D.

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1997

Mr. QUINN. Mr. Speaker, I rise today to pay tribute to Dr. Joseph Coppola. This past May, Dr. Coppola was honored by Canisius College for his exceptional service to both the college and our community. A member of the Canisius graduating class of 1940, Dr. Coppola has es-

tablished himself a true leader in the accounting profession. He has served the college both as an educator and as an active alumna, and is a devoted husband, father of 10, and grandfather of 30. In recognition of that commitment, Canisius College has conferred upon Dr. Joseph R. Coppola the prestigious LaSalle Medal.

Mr. Speaker, I would like to join with Dr. Coppola's family in expressing my enthusiastic commendation for this high honor, and would ask that the following article noting this tremendous achievement be submitted into the CONGRESSIONAL RECORD:

THE CONFERRAL OF THE LASALLE MEDAL

The integrity and success of Canisius-educated accountants have earned the college a national reputation for the quality of its accounting program. No one has had a greater impact in that program than Dr. Joseph R. Coppola '40.

Joe Coppola had earned a B.B.A. in accounting from Canisius and an M.B.A. from the prestigious Wharton School of the University of Pennsylvania (1941) by the time America entered World War II. Thus it was not in the boardroom but on the field of battle that he first answered the call to leadership. He served in both the Army and Air Force, winning six battle stars and the Presidential Unit Citation before returning state-side.

Dr. Coppola returned to Alma Mater to join the faculty in 1946. His affinity for the subject he taught, combined with humor and an unaffected concern for his students, brought accounting principles and practices to life for those who took his classes, including many who went on to distinguished careers in business, industry, and education.

Dr. Coppola earned a Ph.D. from the University of Ottawa in 1967. While teaching, raising a family, and pursuing that degree, he also worked with public accounting firms, private industry, and government agencies to open new employment opportunities for Canisius accounting graduates.

He took on weighty administrative responsibilities during his Canisius years as well, serving as chairman of the Accounting Department, as moderator of the college's Accounting Society, as director of the Senior Accounting Internship Program, and as coordinator of the IRS Work Co-Op Program. In each of these capacities he helped lay the foundation for the exceptional accounting program that continues to thrive at Canisius—one reason he is known as "Papa Joe" in that department.

Dr. Coppola also provided lasting financial support to future generations of accounting students by establishing the Dr. Joseph R. Coppola Scholarship Award in 1988—a fund that provides five annual scholarships. In 1982 he created the Dr. Joseph R. Coppola Award, given to recognize an exceptional Canisius accounting graduate.

Dr. Coppola's devotion to Canisius College has always extended beyond academic matters. Over the years, he and his wife, Angie, their children and grandchildren have been faithful participants in many college events. Thus, in another important way, the Coppolas have illustrated for our students the beauty of a lasting marriage, the joy of a loving family, and the strength of a profound religious faith.

• 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.

Today we add to his many accolades the highest honor the college can accord and alumnus for service. For the impact of his teaching on the lives of hundreds of our students and for his role in developing one of the finest accounting programs in the nation, we are proud to present the LaSalle Medal to Joseph R. Coppola, Ph.D., '40, professor emeritus of accounting.

TRIBUTE TO COL. FRED MILLS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1997

Mr. SKELTON. Mr. Speaker, today I pay tribute to a distinguished Missourian. Col. Fred Mills, a 30-year veteran of the highway patrol, is retiring on September 1, 1997. Colonel Mills has been the superintendent of the Missouri State Highway Patrol since September 1993.

The focus of his administration as superintendent was "Working Together." He worked to forge partnerships between the highway patrol and other law enforcement agencies as well as between the highway patrol and the citizens of Missouri.

Colonel Mills was a driving force behind the partnership formed between highway patrol and the Kansas City and St. Louis Police Departments which put highway patrol officers on the streets with city officers in 1994 and 1995. The joint operation lowered the violent crime rate in both cities.

Colonel Mills also encouraged a process which moved uniformed officers from office jobs back into field positions by training civilian personnel to perform office functions. Nearly 70 officers were put back on the highways during Colonel Mills' tenure.

Colonel Mills' dedication to the highway patrol and the citizens of Missouri exemplify the highest tradition of service. His experience will be sorely missed. I know that the other Members of this body join me in expressing our deepest gratitude to Colonel Mills and our best wishes for his retirement.

"FORTY ACRES AND A MULE"

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1997

Mr. CONYERS. Mr. Speaker, I rise to pay tribute to an "Editorial Notebook" commentary by Brent Staples in the July 21 issue of the New York Times.

In 1989 I first proposed that a commission be created to study the institution of slavery in this country from 1619 to 1865, and subsequent de jure and de facto racial and economic discrimination against African-Americans, as well as the impact of these forces on living African-Americans, and to make recommendations to the Congress on appropriate remedies.

One of the remedies in this Congress is H.R. 40, with the number of the resolution selected for the "Forty Acres and a Mule" rallying cry of 1865 when Civil War Gen. Tecumseh Sherman issued Special Field Order 15, declaring the Georgia Sea Islands and a strip of South Carolina rice country as black settle-

ments. Each family of freed slaves was to be given 40 acres and the loan of an Army mule to work the land.

Mr. Staples' article describes that historical fact from the personal viewpoint of his own family's experience. I commend him for his contribution to the dialog on race in America. The article and the bill with its 21 cosponsors follow.

[From the New York Times, July 21, 1997]

FORTY ACRES AND A MULE

(By Brent Staples)

Bill Clinton has earned a boat-load of scorn since suggesting that he might apologize for slavery, as some in Congress have suggested. Critics from both left and right argue that such an apology would be trivializing, empty, arrogant and racially divisive. The dominant view, typified by the columnist Charles Krauthammer, is that there is essentially nothing to discuss, since the Civil War closed the issue and the slavers and the enslaved are long since dead. But all the noise suggests the issue is very much alive. The terms of Emancipation are nearly as explosive today as during the 1860's, when they dominated public consciousness and nearly tore the Government apart.

The facts of the period have been papered over in myth. These days, every school child thinks that Abraham Lincoln freed the slaves at one fell swoop—and for moral reasons. In fact, the Emancipation Proclamation freed only the slaves in rebellious states. Lincoln himself called it a military tactic, acknowledging that moral issues were in no way involved.

The slavers and the enslaved are certainly gone from the scene. But African-American families that have shown even a casual interest in history can give chapter and verse on relatives who were born in slavery or just afterward and the costs they paid. In the Staples family, for example, mine is the first generation to come of age without a flesh and blood former slave somewhere at the extended family table. That people in their 40's have this experience makes the issue a current one indeed.

My maternal great-grandmother, Luella Holmes Patterson, was born of a former slave and her master—and shipped off the plantation when the wife got wind of her. As a grade schooler, I visited Luella often in Hollins, Va. A few towns away lay the farm of my paternal great-grandfather, John Wesley Staples, who was conceived in slavery as well and born July 4, 1865, at the dawn of Emancipation. He died 10 years before my birth but was remembered to me in stories and pictures. As recently as 10 years ago, he and his wife, Eliza, were the subject of a pamphlet, written for a family reunion.

John Wesley met Emancipation with his whole life still in front of him. But among his neighbors and in-laws were ex-slaves who came to freedom landless and old or simply broken by the experience. My uncle Mack, who will be 80 in December, remembers them well. When I asked him about the apology brewing in Congress, Uncle Mack could barely contain himself: "They can keep the apology. What good is it? They promised us 40 acres and the mule. None of our people ever got that."

"Forty acres and a mule," of course, is a rallying cry from 1865. It originated during Sherman's March to the Sea. Overwhelmed by black families that abandoned the plantations to follow him, Sherman issued Special Field Order 15, declaring the Georgia Sea Islands and a strip of South Carolina rice country as black settlements. Each family was to get 40 acres and the loan of an Army mule to work it. Other generals and Federal

officials followed Sherman's lead, realizing that land was the only hedge against starvation and renewed bondage.

The confiscations were in accordance with Federal law. If sustained and accelerated, the land grants would have created black capital and independence almost immediately and precluded much of the corrosive poverty that still grips the black South. President Andrew Johnson was nearly impeached, in part for obstructing Congress on Reconstruction. Meanwhile, he canceled Special Field Order 15, returning land to white owners and condemning blacks to de facto slavery.

In many places, the eviction process was long and bloody. As the ex-slave Sarah Debro said of the period: "Slavery was a bad thing, and freedom, of the kind we got with nothing to live on, was bad. Two snakes full of poison. One lying with his head pointed north, the other with his head pointing south. . . . Both bit the nigger and they was both bad." My father and uncles grew up steeped in accountings like this one.

For 250 years African-Americans were deprived of freedom, basic education and the right to accumulate wealth, which they could have passed on to their descendants. This history would have left a wound in any case. But the wound is open and running because the country refused to atone materially when it had the chance. In that sense, at least, my Uncle Mack is right about the apology. No amount of talk can alter the past.

H.R. 40

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 "Commission to Study Reparation Proposals for African-Americans Act".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) approximately 4,000,000 Africans and their descendants were enslaved in the United States and the colonies that became the United States from 1619 to 1865;

(2) the institution of slavery was constitutionally and statutorily sanctioned by the Government of the United States from 1769 through 1865;

(3) the slavery that flourished in the United States constituted an immoral and inhumane deprivation of Africans' life, liberty, African citizenship rights, and cultural heritage, and denied them the fruits of their own labor; and

(4) sufficient inquiry has not been made into the effects of the institution of slavery on living African-Americans and society in the United States.

(b) PURPOSE.—The purpose of this Act is to establish a commission to—

(1) examine the institution of slavery which existed from 1619 through 1865 within the United States and the colonies that became the United States, including the extent to which the Federal and State Governments constitutionally and statutorily supported the institution of slavery;

(2) examine de jure and de facto discrimination against freed slaves and their descendants from the end of the Civil War to the present, including economic, political, and social discrimination;

(3) examine the lingering negative effects of the institution of slavery and the discrimination described in paragraph (2) on living African-Americans and on society in the United States;

(4) recommend appropriate ways to educate the American public of the Commission's findings;

(5) recommend appropriate remedies in consideration of the Commission's findings on the matters described in paragraphs (1) and (2); and

(6) submit to the Congress the results of such examination, together with such recommendations.

SEC. 3. ESTABLISHMENT AND DUTIES.

(a) ESTABLISHMENT.—There is established the Commission to Study Reparation Proposals for African Americans (hereinafter in this Act referred to as the "Commission").

(b) DUTIES.—The Commission shall perform the following duties:

(1) Examine the institution of slavery which existed within the United States and the colonies that became the United States from 1619 through 1865. The Commission's examination shall include an examination of—

(A) the capture and procurement of Africans;

(B) the transport of Africans to the United States and the colonies that became the United States for the purpose of enslavement, including their treatment during transport;

(C) the sale and acquisition of Africans as chattel property in interstate and intrastate commerce; and

(D) the treatment of African slaves in the colonies and the United States, including the deprivation of their freedom, exploitation of their labor, and destruction of their culture, language, religion, and families.

(2) Examine the extent to which the Federal and State governments of the United States supported the institution of slavery in constitutional and statutory provisions, including the extent to which such governments prevented, opposed, or restricted efforts of freed African slaves to repatriate to their home land.

(3) Examine Federal and State laws that discriminated against freed African slaves and their descendants during the period between the end of the Civil War and the present.

(4) Examine other forms of discrimination in the public and private sectors against freed African slaves and their descendants during the period between the end of the Civil War and the present.

(5) Examine the lingering negative effects of the institution of slavery and the matters described in paragraphs (1), (2), (3), and (4) on living African-Americans and on society in the United States.

(6) Recommend appropriate ways to educate the American public of the Commission's findings.

(7) Recommended appropriate remedies in consideration of the Commission's findings on the matters described in paragraphs (1), (2), (3), and (4). In making such recommendations, the Commission shall address, among other issues, the following questions:

(A) Whether the Government of the United States should offer a formal apology on behalf of the people of the United States for the perpetration of gross human rights violations on African slaves and their descendants.

(B) Whether African-Americans still suffer from the lingering affects of the matters described in paragraphs (1), (2), (3), and (4).

(C) Whether, in consideration of the Commission's findings, any form of compensation to the descendants of African slaves is warranted.

(D) If the Commission finds that such compensation is warranted, what should be the amount of compensation, what form of compensation should be awarded, and who should be eligible for such compensation.

(c) REPORT TO CONGRESS.—The Commission shall submit a written report of its findings and recommendations to the Congress not

later than the date which is one year after the date of the first meeting of the Commission held pursuant to section 4(c).

SEC. 4. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—(1) The Commission shall be composed of 7 members, who shall be appointed, within 90 days after the date of enactment of this Act, as follows:

(A) Three members shall be appointed by the President.

(B) Three members shall be appointed by the Speaker of the House of Representatives.

(C) One member shall be appointed by the President pro tempore of the Senate.

(2) All members of the Commission shall be persons who are especially qualified to serve on the Commission by virtue of their education, training, or experience, particularly in the field of African-American studies.

(b) TERMS.—The term of office for members shall be for the life of the Commission. A vacancy in the Commission shall not affect the powers of the Commission, and shall be filled in the same manner in which the original appointment was made.

(c) FIRST MEETING.—The President shall call the first meeting of the Commission within 120 days after the date of the enactment of this Act, or within 30 days after the date on which legislation is enacted making appropriations to carry out this Act, whichever date is later.

(d) QUORUM.—Four members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

(e) CHAIR AND VICE CHAIR.—The Commission shall elect a Chair and Vice Chair from among its members. The term of office of each shall be for the life of the Commission.

(f) COMPENSATION.—(1) Except as provided in paragraph (2), each member of the Commission shall receive compensation at the daily equivalent of the annual rate of basic pay payable for GS-18 of the General Schedule under section 5332 of title 5, United States Code, for each day, including travel time, during which he or she is engaged in the actual performance of duties vested in the Commission.

(2) A member of the Commission who is a full-time officer or employee of the United States or a Member of Congress shall receive no additional pay, allowances, or benefits by reason of his or her service on the Commission.

(3) All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties to the extent authorized by chapter 57 of title 5, United States Code.

SEC. 5. POWERS OF THE COMMISSION.

(a) HEARINGS AND SESSIONS.—The Commission may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and at such places in the United States, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission considers appropriate. The Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

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

(c) OBTAINING OFFICIAL DATA.—The Commission may acquire directly from the head of any department, agency, or instrumentality of the executive branch of the Government, available information which the Commission considers useful in the discharge of

its duties. All departments, agencies, and instrumentalities of the executive branch of the Government shall cooperate with the Commission with respect to such information and shall furnish all information requested by the Commission to the extent permitted by law.

SEC. 6. ADMINISTRATIVE PROVISIONS.

(a) STAFF.—The Commission may, without regard to section 5311(b) of title 5, United States Code, appoint and fix the compensation of such personnel as the Commission considers appropriate.

(b) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equal to the annual rate of basic pay payable for GS-18 of the General Schedule under section 5332 of title 5, United States Code.

(c) EXPERTS AND CONSULTANTS.—The Commission may procure the services of experts and consultants in accordance with the provisions of section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the highest rate payable under section 5332 of such title.

(d) ADMINISTRATIVE SUPPORT SERVICES.—The Commission may enter into agreements with the Administrator of General Services for procurement of financial and administrative services necessary for the discharge of the duties of the Commission. Payment for such services shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator.

(c) CONTRACTS.—The Commission may—
(1) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriations Act; and

(2) enter into contracts with departments, agencies, and instrumentalities of the Federal Government, State agencies, and private firms, institutions, and agencies, for the conduct of research or surveys, the preparation of reports, and other activities necessary for the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriations Acts.

SEC. 7. TERMINATION.

The Commission shall terminate 90 days after the date on which the Commission submits its report to the Congress under section 3(c).

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

To carry out the provisions of this Act, there are authorized to be appropriated \$8,000,000.

MORATORIUM ON LARGE FISHING VESSELS IN ATLANTIC

SPEECH OF

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1997

Mr. FORBES. Mr. Speaker, I rise today in support of H.R. 1855, placing a moratorium on large fishing vessels in the Atlantic mackerel and herring fisheries.

Mackerel is a world-wide fishery. European countries have mismanaged and over-fished

their mackerel fishery, and are now turning to the United States mackerel fishery for production. As a result, market prices have increased substantially, and there is new market pressure to fish for mackerel. This has created opportunity and incentive for U.S. companies to develop our fishery.

Congress must prevent the unregulated expansion of fishing capacity with this temporary, emergency measure, until the National Marine Fisheries Service can do a stock assessment on Atlantic herring and mackerel; and the Mid-Atlantic Fishery management councils time to set sound fishery management plans. As the east coast fishery industry responds and develops under these new pressures, we must prevent over-capitalization of this unknown fishery. The alternative is to invite possible long-term economic and environmental harm.

Mr. Speaker, permitting the introduction of large factory trawlers into our fishery could mean repeating the mistakes of the past. Codfish and haddock were over-fished by U.S. vessels after the implementation of the Magnuson Act in 1976. Now large fishing vessels, with capacities exceeding 50 metric tons per year, are ready to enter these fisheries to pursue new high prices. Some of them plan to begin harvesting as early as this fall.

Mr. Speaker, I urge my colleagues to support H.R. 1855, and temporarily prevent large fishing vessels from entering the Atlantic mackerel and herring fisheries, until policies that will prevent them from exhausting our resources can be developed.

PERSONAL PRIVACY

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1997

Mr. KLECZKA. Mr. Speaker, I rise today to address the growing concerns that our constituents have about the invasion of their personal privacy.

The latest to take up the cause is Money magazine. In its August issue, Money recounts a poll it took. It found that nearly 75 percent of those surveyed were somewhat, or very concerned, about threats to their privacy. Those concerns have increased—about 66 percent are more worried now than they were 5 years ago. And more women than men are feeling threatened: 80 percent versus 68 percent.

People's biggest fear is the sale of their Social Security numbers and other personal identifiers, such as unlisted telephone numbers. Why? Because this information can unlock the door to medical records, school records, your name it. Under current Federal law, it is not a crime to sell this information. Some 88 percent want Government to change that.

The Money article, entitled "Protect Your Privacy," talks about legislation that I introduced to protect personal privacy. H.R. 1813, the Personal Information Privacy Act, would prevent the sale of Social Security numbers, unlisted phone numbers, home addresses, dates of birth, and other private information by credit bureaus, departments of motor vehicles and Internet vendors.

Money says, "Washington and private businesses need to work hard to minimize the biggest threats you face." It says that Congress

and the President should enact this piece of legislation into law. I urge my colleagues to heed the concerns of their constituents and become cosponsors of H.R. 1813.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

SPEECH OF

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 23, 1997

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2169) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes:

Ms. MILLENDER-McDONALD. Mr. Chairman, I want to commend Chairman WOLF, Mr. SABO and the members of the Appropriations Committee for the yeoman's job of meeting the numerous funding priorities in this tough fiscal environment.

Many of us do not recognize the arduous task the committee faces each time it is asked to balance economic development with fiscal responsibility. Transportation provides substantial economic benefits to our country. According to the Department of Transportation, 42,000 jobs are created for every \$1 billion we invest in roads, highways, transit, bridges, and airports.

The committee has drafted a solid bill that while not perfect meets most of the Nation's transportation needs. I am pleased with the bill's funding for the Airport Improvement Program and many of the local transit projects in my State, and further commend the appropriators for not presupposing the authorizers as we attempt to reauthorize ISTEA.

This bill further reflects the chairman's commitment to both airline and highway safety—issues of tantamount concern to me and my constituents.

To compete in today's global economy we need world-class highways, airports, and transit systems—this bill goes a long way toward providing adequate funding to meet those needs.

I am pleased to support this bill.

MORATORIUM ON LARGE FISHING VESSELS IN ATLANTIC

SPEECH OF

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1997

Mr. LoBIONDO. Mr. Speaker, I would also like to thank my colleague from New Jersey, Mr. SAXTON, for his efforts on the behalf of fishermen in New Jersey.

Make no mistake, Mr. Chairman, the appearance of factory trawlers in Atlantic waters is one of the most serious issues fishermen on the eastern seaboard have ever faced. These vessels, which are built only to haul large amounts of fish in a short amount of time, are nothing more than seagoing vacuum cleaners.

Factory trawlers represent a threat to the job of American fishermen. Many of these hard-working people have generational ties to the waters in which they fish.

Equally as important is the damage these vessels can do to fisheries. Regional fishery councils are working hard to strike a balance between conservation and the needs of fishermen. The entry of factory trawlers in Atlantic waters will only serve to disrupt that balance, and ultimately deplete fishery stocks.

Mr. Chairman, let me conclude by saying that H.R. 1855 is a commonsense solution to this problem, and I am proud to join the environmentalists, commercial fishermen, and recreational anglers who have thrown their support behind this legislation.

ADM. RICHARD E. BYRD HONORED IN WINCHESTER, VA

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1997

Mr. WOLF. Mr. Speaker, I had the pleasure, on July 14, 1997, to attend a ceremony in Winchester, VA, where a statue of Adm. Richard Evelyn Byrd was dedicated to his memory. Born in Winchester, Admiral Byrd was a legendary naval officer, aviation pioneer, adventurer and explorer of both polar icecaps and winner of the Congressional Medal of Honor. Admiral Byrd was a lion of a man who captured the heart of America and the imagination of the world.

In attendance were members of the Byrd family including the Admiral's daughter, Mrs. Bolling Byrd Clarke, former U.S. Senator Harry F. Byrd, Jr., and Mr. Thomas T. Byrd, representing the region were U.S. Senator CHARLES ROBB, State senator H. Russel Potts, State delegate Beverly Sherwood, former delegate Alson H. Smith, county board of supervisors member Mr. Harrington Smith, county board of supervisors chairman Mr. James Longerbeam, Winchester city councilman Mr. Harry S. Smith and Shenandoah University president Dr. James Davis, along with many men, women, and children from the community.

Principal addresses were given by Secretary of the Navy John H. Dalton and Mrs. Bolling Byrd Clarke. Dr. Jay Morton, who sculpted the statue, was also in attendance and spoke briefly.

The statue of Admiral Byrd was funded entirely by contributions, large and small, from members of the community, friends, neighbors, and admirers. I would like to share with my colleagues the remarks by Navy Secretary Dalton and Mrs. Bolling Byrd Clarke.

WHAT WOULD ADMIRAL BYRD EXPLORE TODAY?

(By the Honorable John H. Dalton)

Distinguished guests, ladies and gentlemen . . . what an honor and a pleasure it is for me to be here today, to unveil this proud monument to one of the most distinguished maritime explorers in our Nation's history.

One of the great pleasures I have as Secretary of the Navy is to help honor the life and work of those who have come before us those brave men and women . . . Sailors, Marines and civilians who have made our Naval Service the best in the world.

Let me say first of all, thank you, to those who had a part in making this memorial a

reality. You honor our Nation by your commitment to the preservation of our past triumphs.

Pioneer, explorer, fearless adventurer, and scientist . . . active pursuits that describe the life and personality of Admiral Richard Evelyn Byrd.

He was a man who loved a challenge. He was a man of firsts. The first to fly over the North Pole. The first to fly over the South Pole. The first to explore and map the vast continent of Antarctica. Amazing feats . . . and especially so, given our reliance today on the wonders of navigation now available to us, like the global positioning system.

Admiral Byrd had no such tools available . . . he called upon his courage almost exclusively, to achieve the firsts that began our search for those marvelous tools we use today. His was a special breed of courage.

He was a man who did not believe that the science establishment of his time held definitive answers to questions about our vast planet. He sought to discover for himself—and for his Nation—the answers that might be hidden at the very ends of the earth, under the forbidding ice and snow of the poles.

As I prepared my remarks for today, I pondered Admiral Byrd's quest for knowledge, and his thirst for discovery. I wondered what facet of the unknown he would champion if he were with us today. Would he seek to continue exploration of the Poles? Would he investigate the ocean's depths? Or would he look further, and seek the stars?

If I had to speculate, I believe that Richard Byrd would have been very excited by the images of Mars, transmitted by NASA's Pathfinder and its remote probing vehicle, Sojourner—that we have all seen this past week. I think he would have been very excited by the computer microchip and its myriad of applications in today's world. And, I think that he would have been saddened by the recent death of the great undersea explorer, Jacques Cousteau.

It is a far more knowledgeable world today, than it was back in 1926, when Richard Byrd rolled down a runway enroute to his historic mission of discovery over the North Pole. But, regardless of the advances and breakthroughs, Admiral Byrd, if he were with us today, would still seek the answers to questions beyond our current boundaries. He would push the envelope and challenge conventional wisdom.

If he were alive today, I know that he would be proud of his Navy and Marine Corps. He would be proud of the technology of today's newest aircraft carriers, like the USS HARRY S. TRUMAN, and the F/A-18 E/F Super Hornet strike fighters that will soon fill her decks. He would be proud of our SEAWOLF submarine, and the Tomahawk launch system aboard our Aegis cruisers and destroyers. But, most of all, he would be proud of our people—the Sailors and Marines who man the deckplates.

Following Admiral Byrd's proud example, today's Sailors, Marines and civilians of the Navy Department continue to challenge the established technology available to them. They still strive to discover and explore.

Just two weeks ago, I was at Rice University in Houston, Texas, to honor one of our finest shipmates, who is setting that example. Professor Richard Smalley, funded by the Office of Naval Research, is a Nobel Prize-winner who is pushing the bounds of Nanoscale science, to eventually produce wonders of carbon that will make our future weapons systems more powerful, lighter, stronger, and safer for the Sailors and Marines who use them.

Admiral Richard Byrd may not be with us today, but his spirit of exploration and discovery is alive and well. It will be that spirit which will serve as his legacy.

It was Albert Einstein who said, "We don't know one-millionth of one percent about anything . . ." Your great city of Winchester has not just erected a monument to the past . . . it has erected a challenge for our future. It has erected a symbol that represents Einstein's challenge, and Admiral Byrd's challenge—to all of us—to embrace our future, through continued courage to discover new frontiers.

Thank you, Admiral Byrd, for your contributions to our proud naval heritage. Thank you for a remarkable life and legacy. Thank you, Mr. Jay Morton, for your artistic flair and sculpting talents. And thank you, Winchester, Virginia, for your undying devotion to a great native son.

God bless you . . . God bless our Navy-Marine Corps team . . . and God bless America.

WHAT A WONDERFUL OCCASION THIS IS!

(By Mrs. Bolling Byrd Clarke)

I wish my father could be here with us—and I think he is in spirit! If he were he would be tremendously appreciative of this great honor and Dr. Morton's wonderful statue. He might say as he sometimes did at receiving a special honor: "You know, I really don't deserve this (and he would have meant it!), but I'm human enough to like it just the same!"

Of all the many statues of him world wide, I think he would feel this one to be special. He would be delighted that it is placed here outside the Judicial Center close to the Winchester Star and in his beloved home town of Winchester where he was born and raised. Although his home after marriage was Boston, he always came back here between trips to spend time with his Virginia family and friends. I must confess to some secret jealousy as a small child: What was he doing in Winchester, or any other place, when he SHOULD have been in Boston with ME, my brother Dick and my two sisters, Katharine and Helen!

The problem was that we saw so little of him growing up. He was busy on Navy assignments when I was born in 1922, his own ventures to the North Pole in 1926 and the Transatlantic flight in 1927. By the time he got home to Boston from each of his first two Antarctic expeditions almost two and a half years had gone by. And when he was home he had very little time to spare. Because those first two Antarctic trips were privately sponsored there were debts to pay, books to write, and nine month country-wide lecture tours, voluminous correspondence and preparations for the next expedition.

But he fitted us in to his hectic schedule as best as he could: For instance, he would call us to join him when he shaved in the morning. I remember sitting on the edge of the bathtub answering questions and discussing important childhood issues while he went through the routine which was quite a procedure in the days before the electric razor! And often he would call us to join him for a walk which was one of his favorite forms of exercise and during which time he did a lot of his thinking, planning, working out problems and, as we got older, sharing his philosophy.

Those walks remind me of another reason this statue would be special to Dad. It includes his beloved dog Igloo, Iggy for short, his dear friend and close companion who went everywhere with him.

Igloo was found in 1926 by a Miss Boggs in Washington, DC as a young, lost and homeless stray. Taking pity on him, she took him home to her apartment. Finding that Igloo was a very bright, inquisitive, explorer/adventurer type of dog, she felt that he should belong to an explorer/adventurer type of human being. Right about that time Miss

Boggs had heard about a crazy man by the name of Byrd who said he was going to fly the North Pole. "Those two are made for each other," she thought and packed Iggy in a crate and mailed him express to Lt. Commander Richard Byrd, N. Pole. The Express Company was a bit dumbfounded, never having delivered anything to the North Pole before. But hearing that the vessel "Chantier" was docked in N.Y. preparing to leave for Spitzbergen they shipped him there. That was the first meeting of dog and man and the start of their many adventures together.

Igloo witnessed that historic flight over the North Pole in 1926, and was present with Dad's brother Tom at the take off of the Transatlantic flight in 1927. I understand that Iggy was so upset at seeing his master board the America and start off without him, that he broke loose and raced down the runway after it going, at first, almost as fast as the plane. He also sailed on the Ship Larson to Antarctica and spent the winter night underground.

How well I remember him when he and Dad were home. One summer being used to only penguins, seals and huskies, he investigated two relatively small and seemingly harmless animals with dire consequences. One was a skunk and later a porcupine. I remember Dad having a difficult time pulling quills out of his nose with the help of a magnifying glass and tweezers. Of course he accompanied us into the dining room for meals where mother had a strict rule, "No feeding dogs at the table." My father's response was, "Of course, Dear. You are absolutely right." Then I would notice him giving a sidelong glance to see if Mom was looking the other way, and sneak a bit to Iggy under the table.

Igloo became very sick and died in '32, when Dad heard how ill he was he interrupted a lecture tour to be by his side.

From the beginning Dad taught us all a love of animals and that to kill unnecessarily was wrong. My brother Dick took this so seriously that, for a while, he refused to kill mosquitoes.

But it wasn't just animals my father loved. It was all life. On the many walks we took and in his book "Alone", he expounded on his philosophy that this planet and all life on it is interrelated and an integral part of the universe, that if we are to survive we must care for our environment, live in harmony with each other and achieve lasting, universal peace.

This was his vision as a pioneer aviator and explorer. It was behind his work improving the plane; the Transatlantic flight to "shrink the world" brining continents and people closer together in understanding; behind his explorations and scientific work in Antarctica and his great desire that Antarctica become, as he called it, the "Great White Continent of Peace".

How vividly I remember him on our walks together in his later years expounding on his dream. "Bolling, can you imagine Antarctica, the one continent in the world where nations will work together side by side in peace and harmony sharing the results of their work for the betterment of mankind? Now wouldn't that be a wondrous thing?"

He worked very hard on the Peace Treaty and would be relieved, overjoyed, to know that it was ratified 2 years ago after his death.

Not so very long before he died, I asked him "now that most of this planet has been explored, where would you like to go next?" Without any hesitation whatsoever he replied, "Space". My cousin, Helen Byrd, told me yesterday that in a conversation with Dad he said "The future is in the Cosmos."

I have a fantasy of him and Igloo kicking up dust investigating Mars or taking off in a space ship traveling between the stars and

planets to the outer limits, searching for answers to the mysteries of the universe.

AN INDEPENDENT JUDICIARY AND
FEDERAL JUDICIAL PAY

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1997

Mr. CONYERS. Mr. Speaker, I am attaching a copy of two important resolutions adopted by the United Conference of Mayors, at their meeting in San Francisco last month. These resolutions reflect strong support across the country for protecting a cornerstone of our democracy—an independent judiciary. The Conference also recognizes that to preserve an independent judiciary Federal judges must be adequately and fairly compensated. I encourage Members to take a moment to review these resolutions. Federal judges have not received a pay increase since 1993, therefore, I also urge Members to support a salary increase for Federal judges which will help ensure an effective and independent judiciary; and reject legislation that seeks to undermine the judiciary's integrity:

RESOLUTION NO. 43: AN INDEPENDENT
JUDICIARY

Submitted by: The Honorable Dennis Archer,
Mayor of Detroit

Whereas, an independent judiciary is a fundamental part of our system of democracy; and

Whereas, in recognition of the need to preserve judicial independence, Article III of the United States Constitution provides for lifetime tenure for federal judges and indicates that they can only be removed from office for "Treason, Bribery, or other high Crimes and Misdemeanors"; and

Whereas, judges are required to decide cases based upon the evidence presented and the applicable law, regardless of the political popularity of those decisions; and

Whereas, this doctrine of judicial independence enshrined in our Constitution and laws has made the courts of this country the protectors of the politically weak and unpopular; and

Whereas, in August 1993 the National Commission on Judicial Discipline and Removal which was created by the United States Congress reported that while from time to time various federal judges have been removed from office for specific acts of official or personal misconduct, Congress has never removed a federal judge from office simply because it disagreed with his or her judicial decisions; and

Whereas, it appears that certain members of Congress who disagree with the judicial decisions rendered by various federal judges are threatening to use the congressional impeachment power to remove those judges from the bench; and

Whereas, such threats chill the independence of the judiciary and violate the separation of powers doctrine contained in the United States Constitution by substituting congressional use of the impeachment power for the constitutional process of appellate review of judicial decisions; and

Whereas, the threat by certain members of Congress to institute impeachment proceedings against federal judges whose decisions they find politically unpopular is an attempt to undermine the separation of powers doctrine contained in the United States Constitution by subordinating objective and ra-

tional legal decision making to popular political whims; and

Whereas, it further appears that certain members of the Senate are attempting to prevent action by that body on the confirmation of various judicial nominations which have been submitted to the Senate; and

Whereas, it appears that this refusal to act on judicial nominations is based on concerns regarding the nominees' political ideology rather than concerns regarding the nominees' legal qualifications or ability to perform the duties of the office to which they were appointed; and

Now, Therefore, Be It Resolved that The United States Conference of Mayors affirms its support for a strong and independent federal judiciary; and

Be it further Resolved that The United States Conference of Mayors calls upon the Senate and in particular the Senate Judiciary Committee to handle judicial confirmation proceedings in an objective and expeditious matter.

Projected Cost: None

RESOLUTION NO. 42: JUDICIAL PAY

Submitted by: The Honorable Dennis Archer,
Mayor of Detroit

Whereas a strong and independent federal judiciary is important to our nation's system of democracy; and

Whereas, as indicated by Senator Orrin G. Hatch: "If we are to attract and retain the most capable lawyers to serve as federal judges, it is vitally important that we ensure that those responsible for the effective functioning of the judicial branch receive fair compensation, including reasonable adjustments, which allow judicial salaries to keep pace with increases in the cost of living;" and

Whereas, adequate compensation for federal judges helps to insure that our judiciary is reflective of the whole of our society. As indicated by Judge Barefoot Sanders: "We enjoy a pluralism in the judiciary that is enriched by diverse backgrounds in race, gender, and religion, as well as prior careers and expertise. If judicial salaries are frozen, our judiciary would face a different future if we desire to continue the pluralism and competence we presently enjoy;" and

Whereas, federal judges have not received a pay increase or adjustment since 1993; and

Whereas, salary increases and adjustments for federal judges are statutorily linked to those for members of the United States Congress and the President of the United States; and

Whereas, unlike those elected officials, members of the federal judiciary are appointed to a lifetime term of office; and

Whereas, in his 1996 Year End Report on the Judiciary, Chief Justice Rehnquist said: "The significance of Congress' failing both to repeal Section 140 and to grant an ECI adjustment to judges' salaries cannot be overstated in terms of its effect on the morale and quality of the federal judiciary. Section 140 jeopardizes the ability to retain and recruit to the Judiciary the most capable lawyers from all socio-economic classes and geographic areas, including high cost-of-living urban areas. We must insure that judges, who make a lifetime commitment to public service, are able to plan their financial futures based on reasonable expectations;" and

Whereas, both the House and Senate have before them bills sponsored by the Chairman of the House and Senate Judiciary Committees and co-sponsored by the Ranking Members that, if adopted, would:

Give federal judges a "catch-up" pay adjustment;

Sever the linkage between judicial, congressional and executive schedule compensa-

tion and substitute a provision linking adjustments to the pay of federal judges to the mechanism for adjusting the general schedule pay rates of other career government employees; and

Repeal Section 140 of Public Law No. 97-92 that makes judicial cost-of-living pay increases subject to Congressional approval.

Now, therefore, be it Resolved that The United States Conference of Mayors supports the legislation that will adjust, and provide a procedure for the future adjustment of, the salaries of federal judges and urges its speedy adoption.

Projected Cost: Unknown

DEATH ON THE HIGH SEAS ACT

SPEECH OF

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1997

Mr. FORBES. Mr. Speaker, I rise in support of H.R. 2005, the Airline Disaster Relief Act, which updates the Death on the High Seas Act. Along with Congressman MCDADE, I introduced this act to prevent the injustices visited upon constituents from both of our districts who suffered great losses aboard TWA 800. The act revises an outdated Federal law, and allows full compensation for families of victims of aviation disasters like TWA 800, which occurred in my home district in eastern Long Island.

Because of the outdated provisions of a law adopted 77 years ago, the families of victims of crashes like TWA flight 800 do not have the same legal recourse that the survivors of other incidents have. Adopted in 1920, the Death on the High Seas Act was designed to allow the surviving family of sailors lost at sea to sue for lost wages. In subsequent court rulings, it has been determined that the act applies to all maritime and aviation disasters that occur more than 1 marine league, or 3 miles from American shoreline.

Because it crashed 9 miles off Long Island's South Shore, the Supreme Court has ruled that TWO flight 800 is not covered by the act. In previous cases, the courts have also ruled that plaintiffs in high seas cases are not entitled to damages for pain and suffering or loss of companionship. These changes amend the Death on the High Seas Act, so that it covers all aviation disasters since January 1, 1995, and grants families the right to file suit for a jury trial in State court, rather than present their claim to a judge under maritime law.

Mr. Speaker, I urge my colleagues to support these changes to the Death on the High Seas Act, so that tragedies like TWA 800 are not compounded by the injustices of outdated laws pertaining to these situations.

MORATORIUM ON LARGE FISHING
VESSELS IN ATLANTIC

SPEECH OF

HON. ROBERT A. WEYGAND

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1997

Mr. WEYGAND. Mr. Speaker, as an original cosponsor of this legislation, I rise in strong

support of H.R. 1855 and would like to thank Mr. SAXTON and the members of the Resources Committee for bringing this bill to the floor. This legislation will help protect the herring and mackerel fishery and the small fishermen in Rhode Island and along the Atlantic coast.

Rhode Island has long been dependent upon the fishing industry as a major source of its economy and we must do all we can to ensure that the fishing industry remains viable. Therefore, we need to formulate a management plan to protect the long-term sustainability of our fisheries.

Already, there is a Federal management plan for several types of fish. In fact, just recently, the House passed a bill authorizing \$400,000 to continue studying the Atlantic striped bass stocks. However, there is no management strategy for herring and mackerel and the current data used for evaluating the fishery is debatable.

With demand increasing for herring and mackerel we must proceed cautiously to avoid having the fishery collapse, as we saw in the 1970's. The herring fishery has recovered and we must ensure its viability for generations to come.

Herring and mackerel are also important for ecological reasons. Herring and mackerel are forage fish, supporting whales, dolphins, tuna, cod, flounder, and haddock. Clearly, the herring and mackerel fishery is important not only to those fishing for herring but also those fishing for other stocks. Obviously, we need to conduct a study and formulate a management plan for herring and mackerel.

Of particular concern is the use of large factory trawlers to fish for herring and mackerel. These large trawlers could have a potentially enormous impact on our herring and mackerel stocks by catching a huge amount of available fish in a very short period of time. This will undoubtedly put a strain on small, local fishermen as well as the fishery.

This bill will prohibit the use of large factory trawlers when fishing for herring and mackerel until the National Marine Fisheries Service can complete a survey on the abundance of herring and mackerel and devise a management plan to preserve the long-term sustainability of the fishery.

This measure is supported by commercial and recreational fishermen from North Carolina to Maine. This bill will protect the fishery and small fishermen and I urge my colleagues to support it.

IMPROVING OPERATIONS OF FISH AND WILDLIFE SERVICE'S NATIONAL REPOSITORIES

HON. DAVID E. SKAGGS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1997

Mr. SKAGGS. Mr. Speaker, today I'm introducing a bill to improve the efficiency of already excellent work being done by the U.S. Fish and Wildlife Service in Colorado and around the country.

The Service is responsible for storage and disposal of fish and wildlife and parts thereof and many other items that have come into Federal ownership under a variety of laws related to activities involving fish, wildlife, or

plants. Hundreds of thousands of these items are collected at two facilities in Commerce City, CO. Most are in the National Wildlife Property Repository, while dead eagles and eagle parts, including feathers, go to the National Eagle Repository.

From the repositories, the Service makes many items available to museums, zoos, schools and colleges, and Federal agencies for scientific, educational, and official uses. In addition, eagles and eagle parts are made available to Native Americans for religious purposes. These distributions meet a real need: last year alone, the eagle repository filled more than 1,300 requests while between July 1995 and February 1997 more than 5,706 items were shipped from the other repository to organizations around the Nation.

While the Service has to retain some of the items that aren't distributed in these ways, still others can be sold—and that's where my new bill comes in.

Under the current law, proceeds from sales of these items can be used for rewards and for some storage costs, but can't be used to defray the costs of the sales themselves. My bill would expand the list so that money the Service takes in from these sales could be used to cover the appraisals, auction expenses, and other costs of carrying out the sales themselves, as well as for processing and shipping of items. The result will be to make this program more self-supporting, cutting redtape and making it easier for the Service to carry out these very valuable activities.

I think it's just good sense as well as good government, and is a bill that should receive prompt consideration and approval.

TRIBUTE TO THE ARGENTINE AMBASSADOR RAÚL E. GRANILLO OCAMPO

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1997

Mr. TORRES. Mr. Speaker, I would like to call to your attention Dr. Raúl Granillo Ocampo, the Ambassador of the Argentine Republic to the United States of America. He has been appointed as Minister of Justice, one of the key positions in the Argentine Cabinet. I am sure that in his new position he will greatly contribute to the advancement of justice in Argentina. We look forward to working with him to enhance international cooperation in legal affairs.

I would like to point out that he has spent with us almost 4 years and during this period he has managed to develop an excellent relationship with the U.S. Congress. The links between Argentina and United States Congressmen have never been better.

Ambassador Granillo Ocampo has had a strong presence in Washington's daily activities. He has been one of the leaders of the Hispanic diplomatic community and a keynote speaker in many events.

His diplomatic skills have helped to build a very deep relationship between our two countries and to manage or avoid conflicts whenever they appeared in the horizon.

He and his wife, Chini, have made a lot of friends, not only among diplomats but also among members of the U.S. political and business community.

Ambassador Granillo Ocampo was born on January 18, 1948, and earned his law degree at the University of La Plata, Argentina, in 1968. Then, he earned a master in comparative international law at the Southern Methodist University, Dallas, TX, United States of America, in 1988, and he got his Ph.D. in legal and social sciences at the University of Buenos Aires, Argentina, in 1989.

During his career as a lawyer, he has served his country many times, mainly as a Supreme Court Justice and as a legal and technical secretary of the Presidency of Argentina. His new appointment, Minister of Justice, constitutes a tremendous undertaking in any country.

Mr. Speaker, I would like for you to join me, and our colleagues, along with Ambassador Granillo Ocampo's family and friends, and the political, business, and diplomatic community in recognizing the outstanding and invaluable lifelong contributions Ambassador Granillo Ocampo has made to his country and to the good relations between Argentina and the United States of America.

NASA LEWIS RESEARCH CENTER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1997

Mr. KUCINICH. Mr. Speaker, I rise today to commend the leadership, scientists, engineers, and other dedicated employees of the NASA Lewis Research Center, which is located in my district on the west side of Cleveland, OH. The Lewis Research Center plays an important role in many NASA-wide programs, including microgravity research and the international space station power systems. In order to keep the citizens of Cleveland informed about the status and future of the Lewis Research Center, I asked the Congressional Research Service [CRS] to prepare a special report. The report, by CRS Analyst in Aerospace Policy David Radzanowski, describes how the Lewis Research Center fits into the overall strategic direction of NASA. I request that this report be published in the CONGRESSIONAL RECORD over the next 4 days, starting with the Summary and an Appendix on the Lewis DC-9.

NASA LEWIS RESEARCH CENTER

SUMMARY

This report examines the National Aeronautics and Space Administration's (NASA's) Lewis Research Center (LeRC). Changes in the center during the 1990s are examined as well as how NASA's future plans compare with Lewis' current roles and missions.

Lewis is one of ten NASA field centers. The center is located 20 miles southwest of Cleveland, Ohio, occupying 350 acres of land adjacent to Cleveland Hopkins International Airport. Lewis comprises more than 140 buildings that include 24 major facilities and over 500 specialized research and test facilities. Additional facilities are located at Plum Brook Station, a 6,400-acre facility about 50 miles west of Cleveland and 3 miles south of Sandusky, Ohio. The center currently has approximately 2,150 civil servant employees, along with approximately 1,600 on-site contractors.

Work at Lewis is directed toward research and development of new propulsion, power,

and communications technologies for application to aeronautics and space. Microgravity research in fluids and combustion also is an area of focus. NASA has designated LeRC as its Lead Center for Aeropropulsion and its Center of Excellence in Turbomachinery.

Due to declining budgets in the 1990s, Lewis, as well as all NASA centers, has experienced significant changes in its roles and missions as well as its workforce. Several of these changes, such as workforce reductions, are ongoing. The majority of these changes were the result of recommendations made in NASA's 1995 Zero Base Review. In FY 1993, Lewis' funding peaked at \$1,002.6 million and its personnel level peaked at 2,823 full-time equivalent (FTEs). For FY 1998, the request for Lewis is \$671.5 million with an FTE level of 2,085.

Many Lewis employees assert that the center has accounted for a greater share of total NASA reductions than over NASA centers. Lewis has had the highest percentage reduction in funding of all field centers; however, Kennedy Space Center (KSC) has experienced a relatively greater FTE percentage reduction than Lewis. In addition, KSC and Marshall Space Flight Center (MSFC) both have a total planned FTE percentage reduction through FY 2000 that is higher than Lewis. Lewis has had a larger share of the reductions than many other NASA centers.

When the potential for closing NASA centers is discussed within the space community, some mention Lewis as a likely candidate. The reductions at Lewis over the past four years may further convey the impression that the center is a candidate for closure. This report finds that although Lewis has been downsized at a greater rate in the 1990s than most of NASA's centers, the center does not appear to be in danger of being closed in the near-term if currently planned budgets are funded. Current plans indicate that Lewis is expected to have a significant role in NASA's future in fulfilling the goals set forth in the agency's strategic plan through 2025 and beyond.

APPENDIX: LEWIS RESEARCH CENTER'S DC-9—
MAY 19, 1997

This Appendix discusses the National Aeronautics and Space Administration (NASA) decision not to renew the lease on a DC-9 that is used for parabolic microgravity research flights at Lewis Research Center (LeRC). You specifically asked whether this decision is an attempt by NASA Headquarters to eventually terminate microgravity research at Lewis. My analysis suggests that this is not the case. There may be a question of whether the decision is cost-effective, however, it does not appear that there is an underlying motive to terminate microgravity research at Lewis.

Microgravity investigators often need to conduct reduced gravity experiments in ground-based facilities during the experiment definition and technology development phases of their research. The NASA ground-based reduced gravity research facilities include two drop towers at LeRC, a DC-9 aircraft based at Lewis, and a KC-135 aircraft based at Johnson Space Center (JSC). The DC-9 is the newest microgravity facility. It is a leased aircraft that began operations in 1995. The decision to add the DC-9 to the microgravity program was due to a perceived need for additional flight hours for research.

In 1995 NASA's Zero Base Review recommended that all program aircraft be consolidated at Dryden Flight Research Center (DFRC) in California. The cost effectiveness of such a move was immediately questioned, particularly moving the DC-9. In the summer of 1996 NASA assessed three options regarding the disposition of the DC-9. These

were: transferring the DC-9 to DFRC; privatizing the operation; and utilizing instead the KC-135 based at JSC. In August 1996, NASA determined that the KC-135 could meet NASA requirements for parabolic microgravity research flights; that the DC-9 lease and options would not be continued past July 1997; and that the possibility existed that the program may need an additional KC-135 based at JSC to meet requirements. Meanwhile, legislative language inserted into the FY 1997 VA-HUD-IA Appropriations Act prohibited NASA from moving aircraft to DFRC that were east of the Mississippi River. In early December 1996, LeRC was notified of the decision to terminate the DC-9 lease.

The decision may or may not be cost-effective, but the question has been raised whether it is an attempt by NASA Headquarters to eventually terminate the microgravity program at Lewis. Such a motive appears unlikely for the following reasons.

Consolidation of aircraft at the fewest number of NASA sites is part of an overall new agency management philosophy to reduce redundancy across NASA. It is not motivated by efforts to terminate programs. NASA Headquarters asserts that the decision will actually save the agency money over the years.

Although Marshall Space Flight Center (MSFC) is the Lead Center for NASA's microgravity program, Lewis maintains program responsibility for fluid and combustion microgravity research. This research is a critical component of the research program plans for the International Space Station. Any severe disruption to the program, such as moving it to another NASA center, would be very detrimental to the space station research program.

Lewis still maintains the 2 drop towers for ground-based microgravity research. Before researchers use aircraft for their experiments they must first prove that the drop towers will not fulfill their requirements. Similar drop towers are not located at any other NASA centers.

Even though the KC-135 would be based at JSC it is likely that the aircraft will fly research campaigns at the sites where the experimenters are based. Experiments developed at Lewis will most likely still be flown from Lewis.

In March of this year, NASA created a National Center for Microgravity Research on Fluids and Combustion. This institution is a partnership of Lewis, Case Western Research, and the Universities Space Research Association and it is based at Case Western. It is unlikely that NASA Headquarters would terminate the microgravity program at Lewis having just created the National Center in Cleveland.

Based on these reasons, it appears that the decision to terminate the DC-9 lease was not motivated by a desire to terminate Lewis' microgravity research program.

100TH ANNIVERSARY OF PEAT
MARWICK LLP

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1997

Mrs. ROUKEMA. Mr. Speaker, I am pleased to have the opportunity to call attention to historic American success story. On August 2, 1997, KPMG Peat Marwick LLP, the accounting and consulting firm, headquartered in Woodcliff Lake, NJ, celebrates 100 years in

business in the United States. Founded by two Scotsmen who became naturalized citizens of this country, KPMG Peat Marwick is a private enterprise that has grown from two employees to 20,000 during a century of tremendous change. The firm's expansion on U.S. soil and around the world is a testament to the pioneering spirit and vision of James Marwick and Roger Mitchell, who identified the need for independent accounting review of companies big and small, and who meet that need by conducting certified, independent audits.

These two accountants saw the extent to which participants in an open and free market rely on accurate financial information to make important business decision—decisions that affect thousands of employees, investors, and consumers. They took seriously their charge as independent auditors, acknowledging the public trust they held when rendering audit opinions for clients that include some of the corporate giants in our Nation's history. When the needs of their clients expanded or varied, so did the services and capabilities of this firm. As the United States and the world embark on the frontier of the information age, this now-worldwide firm stands as a proud reminder of past accomplishment and a beacon of future advancement.

KPMG Peat Marwick has preserved and enhanced another great tradition during its first 100 years—that of community involvement. Indeed, the centerpiece of the firm's 100th anniversary celebration is its World of Spirit Day—a full day of giving back to the communities that have helped it to prosper. On September 22, 1997, KPMG will close the doors of every U.S. office for the day as 20,000 partners and employees band together to volunteer time and talents. From Minneapolis to Miami, from New York to San Francisco, KPMG people will collectively spend 160,000 hours in service to their communities and those in need. At the end of the day, various offices will have done the following: Built at least two residential homes; refurbished and painted public schools in multiple cities; taught and interacted with children in schools and child development centers; fed the hungry and homeless; landscaped youth camps; and cleaned local parks, rivers, and zoos. What a difference this day will make.

KPMG's mammoth commitment to community service was one reason it was the only professional services firm chosen to participate in the Presidents' Summit for America's Future. It is my hope that their fine example proves to be a catalyst for other companies to make similar commitments.

Mr. Speaker, we are proud to have such a corporate good neighbor in our community. Let me congratulate the partners and employees of KPMG Peat Marwick on their firm's achievement of 100 years in business.

Over the course of a century, this company has advanced by verifying basic financial information in thick ledgers to providing complex assurance and consulting services at the dawn of a knowledge revolution. KPMG has proven it can evolve and thrive as time marches on. May its endurance and prosperity serve as positive lessons to future generations of enterprising Americans.

TRIBUTE TO THE TUSKEGEE
AIRMEN

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1997

Mr. BROWN of California. Mr. Speaker, it is with the greatest sense of pride that I rise today, on the floor of the U.S. House of Representatives, to honor the Tuskegee Airmen who earned a glorious place in history through their heroic actions during World War II.

Due to the rigid pattern of racial segregation that prevailed in the United States during World War II, the War Department began an isolated program in 1941 to train black Americans as military pilots. Primary flight training was conducted by the Division of Aeronautics of Tuskegee Institute located near the town of Tuskegee, AL. The Tuskegee Airmen were the first African-American aviators to serve in the U.S. Armed Forces.

The first class of Tuskegee Airmen was trained to be fighter pilots for the famous 99th Fighter Squadron, slated for combat duty in North Africa. Additional pilots were assigned to the 322d Fighter Group which flew combat along with the 99th Squadron from bases in Italy. By the end of the war, 992 men had graduated from pilot training at Tuskegee, 450 of whom were sent overseas for combat assignment. During the same period, approximately 150 lost their lives while in training or on combat flights.

The Tuskegee Airmen were revered because of their reputation for not losing bombers to enemy fighters. During the course of World War II, they flew more than 1,500 combat missions, and downed a remarkable 261 enemy aircraft. In addition, this fearless squadron flew over 140 flying missions without relief. Led by Gen. Benjamin O. Davis, Jr., the first black general in the Air Force, these unsung heroes flew every mission as if it were their personal task to demonstrate the equality of all people, regardless of color or creed.

Mr. Speaker, on July 31, 1997, the Arrowhead Credit Union, Inland Empire African-American Chamber of Commerce, Phenix Information Center, and Westside Action Group will form a partnership to honor the Tuskegee Airmen in San Bernardino, CA. On this special occasion, I ask my colleagues to join me and local civic organizations in my congressional district in saluting these men for their unsurpassed bravery and patriotism in putting their lives on the line overseas while confronting racial injustice at home. We recognize their sacrifice and honor them for their service to our country.

IN SUPPORT OF EDUCATION TAX
BENEFITS

HON. JOSEPH P. KENNEDY II

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1997

Mr. KENNEDY of Massachusetts. Mr. Speaker, I rise today to highlight provisions of the pending tax bill that would affect higher education. Some of the proposals are long overdue, whereas others should never even have been considered.

On July 16, I was joined by my colleagues from the Massachusetts delegation and representatives of higher education from Massachusetts at a press conference on these very issues. I was joined by Grace Carolyn Brown, the president of Roxbury Community College, and Jon Westling, the president of Boston University, both of whom do a great job running schools in my district. BU and RCC are just 2 of the 60 colleges and universities in my district. Their students are among the 190,000 I represent—more students in 1 district than in 26 States.

I also was joined by Sam Liu, an MIT graduate student who organized a petition signed by 500 students opposing the elimination of section 117(d). There was also Roger Sullivan from the Association of Independent Colleges and Universities of Massachusetts and Harvard University staffer and student Annie Burton Byrd.

Here in the Congress, no one has done a better job of making sure the Tax Code works to the benefit of the education needs of our Nation than my colleague from Massachusetts who sits on the Ways and Means Committee, RICHARD NEAL. And in the short time they have been in office, the Members from the 3d and 10th Districts of Massachusetts, JIM MCGOVERN and BILL DELAHUNT, have been strong and forceful advocates for expanding access to higher education. I also want to thank our delegation's resident chemistry professor, JOHN OLVER, who now watches out for education on the Appropriations Committee.

When we talk about education what we're really talking about is the future prosperity and security of our country. Nothing is more fundamental to hopes of getting a good job and pursuing a rewarding career than education. It's the tool that enables people to get the high-wage jobs of the future and grow within their current careers.

There once was a time when higher education was a luxury that few could afford. Increased Federal support for loans, grants, and scholarships has helped open up the Ivory Tower to Americans from all walks of life, but today we've reached a point when the cost of this critical investment in the future is becoming out of reach.

The cost of getting a college, graduate, or professional degree has skyrocketed just at a time when higher education is more important than ever to obtaining fulfilling employment. Some experts predict that early in the next century, 75 percent of all jobs will require some level of higher education.

People of all ages understand the value of education. The fastest growing student population in the United States consists of people over 40 who are returning to school to gain new skills, who understand that what you earn depends on what you learn.

That being the case, why are we looking at a tax package that pretends to boost educational achievement but really only works for the wealthy? The Republican tax measure does little or nothing for the millions of working people who are going to school part-time while holding down a job and raising a family.

The education-friendly tax provisions described in our letter to the conferees is designed with working people in mind. It has been endorsed by over 25 college and university presidents and represents real help for the educational ambitions of our people. We urge the tax conferees to include them in the final conference report.

Here are the six provisions:

While the Republican House and Senate bills allow a tax credit equal to 50 percent of tuition costs for the first 2 years of college, our proposal covers 100 percent of costs. And while the GOP measures offer no credits for tuition costs beyond the first 2 years, we support a credit equal to 20 percent of tuition costs in the outlying years. Our provision is particularly important to students at schools like Roxbury Community College, where 1,500 dollars' worth of additional tax benefits can make the difference between getting a degree and going without one.

The current House bill includes no deduction for student loan interest while ours does.

The Senate bill permanently extends tax exclusion for employer-provided tuition assistance and does include graduate students but the House bill only extends section 127 through the year 1997 and does not include graduate students. The Member from the 2d Congressional District of Massachusetts, Mr. NEAL, has worked very hard to get permanent extension of this crucial benefit passed, because he knows that if employees have to pay taxes on expensive tuition assistance, many will decide to go without the additional education.

My colleague from Massachusetts, Mr. NEAL, has also shown great leadership on trying to retain the tax exclusion of tuition benefits for graduate students, which the House bill repeals. This provision would also hurt other employees of educational institutions who get tuition benefits. From lay teachers at Catholic schools to grounds keepers at Boston University, these people would be forced to pay taxes on the tuition benefits they and their families receive.

Our measure exempts from taxation any interest accrued on prepaid tuition accounts. It makes no sense to levy taxes on education accounts established with the aim of bringing tuition costs within the reach of working families.

Finally, our alternative eliminates the cap on tax-exempt bonds issued by private nonprofit educational institutions and other charitable organizations. This provision is crucial to the needs of colleges and universities to expand their facilities for the 21st century.

Mr. Speaker, I have the cover letter for the petition that Sam Liu organized and his statement from the press conference which I would like printed in the CONGRESSIONAL RECORD along with my statement.

MASSACHUSETTS INSTITUTE
OF TECHNOLOGY,

Cambridge, Massachusetts, June 30, 1997.

Hon. JOSEPH KENNEDY,
U.S. House of Representatives,
Washington DC.

DEAR CONGRESSMAN KENNEDY: We, 500 MIT graduate students, write to express our great shock and disappointment regarding the proposed elimination of Subsection 117(d) of the internal revenue code which excludes tuition from taxable income.

A graduate teaching or research assistant who receives a stipend of \$1300/month and tuition waiver of \$22,000/year (excluding summer tuition) will expect to pay \$650/month in State and Federal taxes under the proposed new legislation. For many students this is a 3.5 times increase in tax!

The tuition waiver granted by MIT for graduate teaching and research assistants makes graduate school a financially viable opportunity for us. If tuition is now redefined as taxable income, many of us will no

doubt be driven out of graduate school and away from careers in research and teaching.

The proposed changes in tax code will force universities to dramatically increase teaching and research assistant salaries to maintain a reasonable standard of living for graduate students. In turn, this could increase tuition for undergraduates and dramatically increase pressures on already burdened federal research programs. The proposed elimination of Subsection 117(d) is a dramatic step in the wrong direction.

The new provisions will make graduate school unaffordable to millions of Americans throughout the next decade. We respectfully ask you to work against the new legislation which eliminates Subsection 117(d) of the IRS code and to support provisions which are more encouraging of graduate education. The future of our nation requires it.

We thank you for your cooperation,

Sincerely,

Graduate Students at the Massachusetts Institute of Technology

STATEMENT BY SAM LIU, GRADUATE STUDENT, THE MASSACHUSETTS INSTITUTE OF TECHNOLOGY, JULY 16, 1997

My name is Sam Liu. I come from Washington Crossing, PA, and I am a doctoral candidate in economics at MIT.

The current House tax proposal would eliminate the tax exempt status of tuition waivers for graduate research and teaching assistants (known as RAs and TAs). There are over 2,700 RAs and TAs at MIT who work with faculty in teaching and research and who rely on these waivers to make graduate school an affordable opportunity. The elimination of Section 117(d) of the tax code would have grave consequences for graduate students and for higher education.

The typical MIT graduate student relies on a research or teaching assistantship to pay for his or her schooling. The assistantship covers the cost of tuition and pays a stipend of about \$1,300 per month to cover our living expenses. Currently, under Section 117(d), only the stipend portion of this award is taxed by federal and state income taxes. After taxes, the typical stipend for an unmarried student amounts to about \$1,100 a month.

If the current House tax proposal were to become law, my taxes and those of my fellow graduate students would increase dramatically. Our tuition waivers would be considered taxable income. This means that our taxable income will increase by the \$22,000 cost of MIT's tuition. Instead of paying taxes on \$12,000 for the academic year, I would have to pay taxes on \$34,000. That would increase my taxes by over 300 percent. My stipend would be reduced to less than \$600 per month. It would be virtually impossible for me to live on this small amount of money. My monthly rent for a shared apartment is more than \$400/month. The tax proposal would leave me with less than \$200 a month to cover food, books and other expenses. Other students have families they must take care of and have even greater expenses. Many of my fellow students have told me that if Section 117(d) is eliminated, they would not be able to continue their graduate studies.

If the tax proposal is passed, and if MIT were to raise our stipends in order to compensate us for the huge decline in our net income, the Institute would see its costs increase by over \$19 million annually to retain its RAs and TAs. These costs would be translated into either sharp cutbacks in teaching and research programs or higher tuition fees for undergraduates.

My fellow graduate students and I urge Congress to keep our tuition waivers tax-free

and keep Section 117(d) intact. We would also like to thank Representatives Kennedy, Neal and McGovern and the other members of the Massachusetts delegation for their leadership and support on behalf of graduate education.

MORATORIUM ON LARGE FISHING VESSELS IN ATLANTIC

SPEECH OF

HON. JACK METCALF

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1997

Mr. METCALF. Mr. Speaker, I rise in opposition to H.R. 1855 and to express my strong concerns with this bill. We have heard much today about the Atlantic herring and mackerel fishery stocks, as if somehow they are in danger. Yet this bill is not really about the fishery resources at all. It is about competition. It is about changing the rules in the middle of the game.

It is about destroying an American company whose principals are fishermen from Washington State and from Maine. This company has invested in a \$40 million project based on every known fishery management policy and law on the books. Policies that encouraged the development of vessels of this size are completely reversed by this Federal legislation. In fact, this company's vessel, the *Atlantic Star*, is the only vessel that will be legislated out of existence—and into bankruptcy—by enactment of H.R. 1855. Such a result is not only bad fishery policy, it is bad Government policy and is manifestly unfair. We here in Congress should be trying to prevent Government takings of private property, not facilitating them, as this legislation most certainly does.

In 20 years of managing our fisheries resources, this is the first bill ever to waive the entire Magnuson-Stevens Fishery Conservation and Management Act. It preempts the Regional Fishery Management Councils and attempts to micromanage the Fishery from Washington, DC. And why? Because it is the only way that competitors can keep a single large vessel, the *Atlantic Star*, out of the fishery. This boat presently meets all necessary requirements. It has all permits needed for these fisheries. It is a U.S.-built, U.S.-flag, U.S.-owned and U.S.-crewed vessel that will generate over 100 new jobs, both on board and on land, as well as \$25 million per year in benefits to the U.S. economy.

This vessel is presently in the shipyard being refitted to fish mackerel and herring stocks that are so strong that Government scientists have for years characterized them as underutilized. The most recent information from National Marine Fisheries Service [NMFS] scientists tells us that "the Northwest Atlantic mackerel stock is currently at a high level of biomass and is underexploited." In fact, the Spawning Stock Biomass [SSB] is an incredible 2.1 million metric tons, yet last year's total reported domestic landings were less than 16,000 mt. The story is the same for Atlantic herring, with NMFS scientists calling the stocks extremely underutilized with a biomass of 2.2 million mt and domestic landings of about 100,000 mt.

Even assuming that these fishery stocks were somehow at risk, what is it exactly that

H.R. 1855 does to protect them? First of all, it waives the entire Magnuson-Stevens Act, as it must because what it attempts to achieve is flatly prohibited by that act. Economic allocation decisions, such as this one, must be "fair and reasonable to all fishermen" under the Magnuson-Stevens Act. Prohibiting a single fully permitted U.S. vessel from fishing while allowing in thousands of other vessels with far greater capacity most certainly fails this standard. Although larger than the bill's size thresholds of 165 feet and 3000 horsepower, the freezer trawler *Atlantic Star* takes only 250 mt of fish per day, because it catches only as much as it can freeze in a day. However a boat that comes under the size thresholds can easily take 500 mt per day or more, twice as much as the *Atlantic Star*. How serious can we be in protecting the stocks when this bill imposes no limit at all on the number of these 500 mt per day vessels that come into these fisheries, yet a single vessel taking half as much per day is legislated out of business?

What is perhaps even more surprising is that while this bill puts an American company out of business and destroys American jobs, it does nothing to prevent Russian-flag processing vessels of similar size from continuing to operate within our waters processing the same species of fish, employing Russian crews and paying no Federal income taxes. What is wrong with this picture? The Magnuson-Stevens Act was supposed to give U.S. vessels priority over foreign vessels, yet this bill would reverse that policy as well.

This bill is an unwarranted Federal intervention in a system that is working and needs no help from Washington, DC. If it is to be enacted, however, it should at least include a savings clause to allow those projects that are in the pipeline and whose principals have invested in reliance on existing law not to be penalized. I am unaware of a single fishery management plan anywhere in the country that has not accommodated projects in the pipeline when new rules are adopted. We regularly adopt savings clauses in Congress to prevent exactly the kind of inequity that this bill, in its present form, will deliver to this single company.

We can do better and we should. This kind of legislation is not needed, it is bad policy, it destroys American businesses and I urge you to oppose it.

LEGISLATION TO IMPOSE A SIZE LIMITATION ON ATLANTIC MACKEREL AND HERRING FISHING VESSELS WOULD NOT PROTECT THE FISHERY RESOURCE WHILE LEGISLATING INTO BANKRUPTCY A \$40 MILLION U.S.-FLAG FISHING VESSEL PROJECT AND COST OVER 100 U.S. JOBS

Throughout the 1990's the consistent fisheries management policy of the Regional Fishery Management Councils and the federal government has been to encourage American development of the abundant Atlantic mackerel and herring pelagic resources, and to do so with large vessels. In reliance on that policy, the owners of the *Atlantic Star* commenced a \$40 million vessel project with the first large U.S. boat ever designed exclusively for these fisheries. Now legislation has been introduced which would reverse that policy, impose a "moratorium" to limit entry of some large vessels (while allowing others in), and destroy this investment before the *Atlantic Star* is even delivered from the yard where refitting work is now underway. While there are legitimate questions as to whether Congress should be

micromanaging these fisheries in this way, at the very least the bill should be amended to allow the *Atlantic Star*—the only vessel in the pipeline—to come in.

1. The Resource: Government scientists agree that both the Atlantic mackerel and herring stocks ("pelagic resources") are abundant, healthy and underexploited.

Atlantic Mackerel: The estimated overall biomass is 2.1 million metric tons (mt); the estimated biomass available for fishing is 383,000 mt (current proposed Allowable Biological Catch, or ABC), and the last reported U.S. domestic landings were only 15,712 mt. National Marine Fisheries Service (NMFS) scientists recently concluded "the Northwest Atlantic mackerel stock is currently at a high level of biomass and is underexploited." SARC-20 at p. 71 (2/96) (emphasis added).

Atlantic Herring: The estimated overall biomass is 3.6 million mt; the estimated biomass available for fishing is 540,000 mt; and the last reported U.S. domestic landings were 87,648 mt. NMFS scientists have concluded the stock is "at a high biomass level and is underexploited" and that "increased fishing . . . is encouraged." SARC-20 at p. 19(2/96) (emphasis added).

2. Fisheries Policy: the consistent message has been to Americanize and develop the fishery by emulating the foreigners with larger vessels to achieve economies of scale.

A principal objective of the Magnuson-Stevens Fishery Conservation and Management Act is the Americanization of our domestic fisheries through a statutory priority for U.S. flag vessels to catch and process our marine resources. It has been so successful that the only fisheries in which foreign processing vessels are still used is in herring in internal waters joint ventures on the East coast. The consistent policy for twenty years has been to displace all foreign vessels with U.S. flag vessels, as they come on line, yet the proposed legislation would eliminate the U.S. flag *Atlantic Star* from the herring fishery while still permitting Russian fish processing vessels to operate in our waters.

The Atlantic Herring Plan prepared by the Atlantic States Marine Fisheries Commission in 1993 cited the reasons for the lack of U.S. development of the herring resource as the high volume necessary for profitable production and the fact that "there were no freezer-trawlers in the US fleet which would have been necessary to operate successfully on Georges Bank and to supply that high quality products [for the world market]."

In 1993 the International Trade Commission (ITC) conducted an exhaustive study of the domestic Atlantic mackerel industry, including public hearings and detailed cost comparisons between large foreign vessels the size of the *Atlantic Star* and the domestic fleet, and concluded that if Americans were to be successful in developing the mackerel fishery, they would need to use larger vessels to increase the economies of scale so as to be competitive on the world market, both in terms of production and transportation costs.

The Mid-Atlantic Council reached similar conclusions in developing Amendment #5 to the Mackerel Fishery Management Plan (FMP). The following text appeared in the draft plan amendment in 1994, again in the final amendment in 1995, and was repeated once more with the publication of the annual mackerel specifications in July 1996: In order to compete in the world bulk market, the US will have to emulate its foreign competitors which harvest, process, and ship mackerel in large quantities so as to take advantage of economies of scale. Currently the US east coast industry does not have the large vessels necessary to participate in this market.

In developing the Mackerel FMP the Mid-Atlantic Council expressly rejected a moratorium for mackerel citing the need for an

"infusion of investment capital into the industry for market and infra-structure development". Instead the Council's policy is to impose a control date, but only when the commercial landings reach 50% of the ABC. The last reported landings were only 4% of the ABC.

Finally, every Council in the country that has adopted a control date where there have been projects in the pipeline has either expressly recognized and included those projects, or has subsequently moved the control date forward to allow those who have made investments on the previous policy to complete those projects and come in before shutting the door. Against this regulatory backdrop, the only surprise is why the *Atlantic Star* project, or something like it, did not happen sooner. To now usurp the Regional Fishery Management Council process with federal legislation retroactively reversing that policy so as to eliminate the *Atlantic Star* would be manifestly unfair.

3. The Vessel: The *Atlantic Star* is U.S.-built, U.S.-owned, and U.S.-crewed and offers 80 new on board jobs for the East coast industry, new market opportunities and other benefits.

Built in the mid-1980's in Tacoma, Washington, the boat is presently undergoing a \$40 million refit for the mackerel and herring fisheries. Originally intended as an incinerator vessel, but never operated as such, the boat is "overbuilt" with a complete double hull, heavy gauge steel and meets the highest Coast Guard standards.

The boat has on-board accommodations for full-time NMFS observers and scientists. With a registered net length of 332.8 feet (and length overall of 369 feet) the boat is designed to achieve the economies of scale (through its freezer capacity and ability to take 250 mt daily) identified by fishery managers as necessary to compete on international markets.

The boat presently has all necessary federal fishing permits for these fisheries.

Eighty new on-board jobs will be created, plus as many more jobs on shore in supporting the boat. Anticipated crewshare, payroll, supplies and other vessel support is expected to pump \$10 million directly into the economy annually, with additional multiplier effect (at 2.5x), the total benefits are estimated at \$25 million. A \$7 million shore based facility will add even more jobs.

The boat is owned by American Pelagic Fisheries Company, LP, a U.S. partnership of two U.S. companies and a Dutch company (with a 49% minority limited partnership interest). The owner meets the most stringent U.S. citizenship standards for fishing vessels under the vessel documentation laws. The minority partners bring necessary access to European markets as well as extensive experience in pelagic fishing.

For the first time, this project brings together the vessel size, access and technology for Americans to compete successfully in the world market for pelagic fish.

4. The Legislation: H.R. 1855 and S. 1035 would pre-empt the Regional Fishery Management Council process with a purported "moratorium" that would not limit catches, overcapitalization, or new entrants, but would exclude the *Atlantic Star*.

Any legislated solution sets a troubling precedent by pre-empting the well-established Regional Fishery Management Council process with a federal micro-management of the resource (the bill begins by waiving the entire Magnuson-Stevens Act). The Council's have within their existing power the ability to impose a moratorium, to limit vessels by size, gear type, or in other ways, all within the framework of the Magnuson-Stevens Act. The fact that the New England

Council has had 20 years to develop a herring plan and has not is no reason for Congressional intervention now. Both the New England the Mid-Atlantic Councils have already acted to put new entrants on notice that large vessels may be subject to the kinds of limitations contained in H.R. 1855. The Council process is working. Federal legislation sets a dangerous precedent and is simply not needed.

H.R. 1855/S. 1035 would waive the Magnuson-Stevens Act and impose a moratorium on "large" fishing vessels in the Atlantic Herring and Mackerel Fisheries until (1) NMFS has completed new population surveys of the stocks (even though there is no evidence why NMFS current assessments are unreliable, or that the stocks are in any way threatened), and (2) the Secretary of Commerce has approved amendments to the relevant fishery management plans regarding large vessels (even though both Councils have had ample opportunity to do so, and the Mid-Atlantic, in particular, has encouraged large vessels as noted above). The bill's definition of "large vessels" bears no relationship to a vessel's fishing power, only an arbitrary length and horsepower cap. By defining a "large vessel" as one that does not exceed 165 feet and 3000 horsepower the bill would allow the following vessels into the mackerel and herring fisheries notwithstanding the "moratorium":

All vessels that are either less than 165 feet, or less than 3000 horsepower. These include the 316' Stellar Sea (3000 hp); the 200' Ocean Peace (ex-Amfish) (2250 hp), and in the 165' range, e.g., the Meghan Hope (1860 hp), Constellation (2250 hp), and Pacific Prince (2000 hp).

Every one of the 120,000 documented fishing vessels could be rebuilt essentially into new factory trawlers of 165' and 300 horsepower.

All new vessels regardless of length, provided only that horsepower is under 3000.

All new vessels regardless of horsepower, provided only that length is less than 165'.

It is also significant that a number of the existing vessels on the East coast, and any of the new vessels built within the moratorium size limitations or those that are rebuilt, could easily have daily catches well in excess of the *Atlantic Star*. These vessels can take as much as 600 mt per day whereas the *Atlantic Star* is necessarily limited to catch only as much as it can freeze, i.e., 250 mt per day. Consequently existing vessels (and new ones permitted under the bill) that are under the size limitations can outpace the *Atlantic Star* on a daily catch basis.

The bill would also preclude the *Atlantic Star* or similar large vessels from operating as dedicated processing vessels in these fisheries, thus depriving existing East coast fishermen of new at-sea markets. Such a prohibition makes no sense, particularly with a strong resource and when so many existing vessels are still permitted to come in to the fishery.

Clearly the proposed "moratorium" would not limit overcapitalization, slow growth, restrict new entrants, control harvest levels or otherwise protect the resource or provide any kind of meaningful moratorium. While H.R. 1855/S. 1035 would discourage the speculative entry of new large vessels from parts of the country other than the East coast, the only known boat presently intending to enter these fisheries that would be legislated out is the *Atlantic Star*.

5. Conclusion: H.R. 1855/S. 1035 is substantively flawed and creates bad precedent. If it moves forward, it should be amended to permit the only vessel in the pipeline into these fisheries.

This legislation turns the Magnuson-Stevens Act Americanization process upside

down. Not only does it pre-empt the Regional Councils, but it would eliminate a U.S. flag vessel while allowing Russian vessels to process the very same resource. It does not reflect sound management policy nor a reasoned approach to what is only a potential problem. It also flies in the face of national Standard #4 which requires allocation decisions among U.S. fishermen to be "fair and equitable to all such fishermen." A result which eliminates the enormous investment made by the owners of the Atlantic Star in complete reliance on every known fishery statute, regulation and policy would be unprecedented and manifestly unfair. If legislation moves forward to address the speculative entry of large mackerel and herring vessels, then due process and simple fairness require that the bill be amended with a savings clause to allow the Atlantic Star to remain in these fisheries.

IN RECOGNITION OF FRANK CARVEN
IN REMEMBRANCE OF
PAULA AND JAY CARVEN

HON. ROBERT L. EHRLICH, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1997

Mr. EHRLICH. Mr. Speaker, I rise today to express my full support and praise for the recent passage of H.R. 2005, legislation to improve the application of the Death on the High Seas Act to permit families full recovery for aviation disasters. As an original cosponsor of H.R. 2005, I am pleased with the rapid progress of this very important legislation.

On July 17, 1996, TWA Flight 800 crashed shortly after takeoff, approximately 9 miles off Long Island Sound. On board this tragic flight were Paula and Jay Carven, the sister and nephew of a very close friend of mine, Mr. Frank Carven. Frank's sister, Paula, and her 9-year-old son, Jay, perished when TWA Flight 800 crashed. While the investigation into the accident has drawn considerable public attention, I rise to recognize the private courage and quiet perseverance of Frank Carven. Regardless of the theories, the reasons, and the causes that experts attribute to the TWA 800 explosion, they cannot bring back Paula, Jay,

or the more than 220 innocent lives lost on that fateful night.

In the aftermath of this disaster, the Carvens and other victims' families learned that a harsh, broken statute—the Death on the High Seas Act—is the sole remedy currently available to provide compensation for this loss. Unfortunately, the measure of compensation only applies to loss of income, with no possibility of recovering for noneconomic damages. The 1920 statute was intended for maritime accidents and does not adequately cover commercial aviation. Accordingly, Frank and I realized that reforming and updating this antiquated law was the right legal, and moral, thing to do.

In response to the unjust restrictions of the Death on the High Seas Act, Congressman JOSEPH MCDADE introduced H.R. 2005, making the necessary changes to improve this act. I want to acknowledge Congressman MCDADE's hard work on this legislation and extend my appreciation for the expeditious and thoughtful work of the House Aviation Subcommittee. The members and staff involved are to be commended for their timely action on this bill.

While H.R. 2005 will not prevent another airline accident at sea from occurring, this bill will apply commonsense legal considerations for those who tragically lose their loved ones. I want to publicly thank Frank Carven and the many other families of airline disaster victims who have brought this issue to the Congress. I am proud to take part in this important process and look forward to achieving equity for the families and friends of passengers on TWA Flight 800.

TRIBUTE TO COACH RICHARD
MARLER

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1997

Mr. LAMPSON. Mr. Speaker, tomorrow, my friend, Coach Richard Marler, will be inducted into the Texas High School Coaches Association Hall of Fame. For 22 years, Coach Marler

was head coach at Stephen F. Austin High School in Port Arthur. He amassed a career record of 138 wins, 86 losses and 9 ties. Nine of his Eagle teams qualified for the State playoffs. Twice, his teams reached the State semifinals.

Coach Marler's fine career is a testament to the need for perseverance. Three of his first four campaigns as head coach were losing seasons. But, in time, success came. Football fans in the Golden Triangle will long remember the Eagles' 1983 season when Coach Marler led his team to a 13–1–1 record and the Class 3A semifinals.

Far above and beyond football, Coach Marler has made a positive impact on the lives of countless young men. He taught them the value of hard work and discipline. He was a role model for many young men who needed one desperately.

Richard Marler continues to be an asset to his community. Before this House of Representatives, I wish to congratulate him on this recognition and to thank him for his friendship.

PERSONAL EXPLANATION

HON. RICK WHITE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1997

Mr. WHITE. Mr. Speaker, due to unforeseen delays caused by technical difficulties and inclement weather, I was unavoidably detained yesterday evening and missed a series of rollcall votes during consideration of H.R. 2209, the Fiscal Year 1998 Legislative Branch Appropriations Act.

Had I been able to cast my ballot, I would have voted against the Fazio amendment (rollcall vote number 332) to eliminate funds to increase the number of staff on the Joint Committee on Taxation. I would have voted for the Klug amendment (rollcall vote number 333) to reduce the number of full-time equivalent staff in the Government Printing Office. I would have voted against the motion to recommit the bill (rollcall vote number 334), and I would have voted for final passage of the bill (rollcall vote number 335)