EXTENSIONS OF REMARKS

''AMERICA STILL NEEDS A RAISE'' SPEECH BY BILL DAUSTER

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mrs. MINK. Mr. Speaker, I submit an excellent speech relevant to our work here regarding the minimum wage. The author, Bill Dauster, is the Democratic deputy staff director and general counsel for the Senate Committee on Labor and Human Resources.

Mr. Dauster has enjoyed a distinguished career working for congressional committees in the Senate. Mr. Dauster first came to the Hill in 1986 working with the Budget Committee. Mr. Dauster served as chief counsel and eventually Democratic chief of staff and chief counsel on the Budget Committee for 11 years before moving to the Senate Labor Committee where he currently works. Among his many accomplishments, Mr. Dauster has submitted various op-ed articles that have appeared in the Los Angeles Times, the Washington Monthly, Roll Call, the Hill, and the Sunday Journal.

On October 20, 1997, Mr. Dauster presented his speech at a forum exploring how golden today's U.S. economy is. I believe that it is deserving of broader exposure. I submit it for the RECORD.

His speech is as follows:

First let me ask your indulgence for a reading from the book of Exodus:

''And it came to pass . . . that . . . mount Sinai was altogether on a smoke, because the Lord descended upon it in fire: . . . and the whole mount quaked greatly. . . .

''And God spake all these words, saying, 'I am the Lord thy God . . . . Thou shalt have no other gods before me.

'''Thou shalt not make unto thee any graven image . . . .

'''Thou shalt not take the name of the Lord thy God in vain . . . .

'''Remember the Sabbath day, to keep it holy. Six days shalt thou labor, and do all thy work; But the seventh day is the Sabbath of the Lord thy God: in it thou shalt not do any work, thou, nor thy son, nor thy daughter, thy manservant, nor thy maidservant, nor thy cattle, nor thy stranger that is within thy gates . . . . '''

But then spake a voice from the midst of the people saying, ''Wait a minute, Lord!'' It was the President of the Nation of Israel Chamber of Commerce, and he didst say, ''Hast Thou not seen what happened to that Communist Pharaoh when he didst introduce central planning into the economy, what with the heavy corn taxation during the 7 plenteous years, and the big government pyramid building project? And Egypt didst collapse, and so willst Israel if Thou dost impose a centrally-planned workseek upon us.''

And the Lord God spake, saying, ''Enough with the name-calling! What ist thine point, exactly?''

And the mouthpiece for the wealthy didst say, ''What Thou talkest about ist an unfunded mandate on business. A weekly day off doth conflict with the free market. Thou shouldest leave vacation policy to free bargaining between Israelites. It wouldst cover those not in need; teenagers needeth not a Sabbath. Making a Sabbath wouldst create unemployment.''

And the Lord said, ''Verily, thou art full of it!'' And the Lord did make the earth open up and swallow the spokesman of the moneyed interests, and resistance to sensible labor laws did vanish forever from the face of the earth.

If only, if only it were that easy. If only the Good Book did tell of the victory of God's law—the oldest labor law—over the interests of wealth, then perhaps the road of labor reformers since would not have been as hard.

Instead, the Western world has been weaned on the economics of Thomas Malthus, that population increase will necessarily force wages to subsistence levels, and of David Ricardo that ''[t]here is no way of keeping profits up but by keeping wages down.'' Instead, the Western world has come to take Capitalism as an article of faith, the same Capitalism that Lord John Maynard Keynes defined as ''the extraordinary belief that the nastiest of men, for the nastiest of reasons, will somehow work for the benefit of us all.''

Yes, it has not been easy as generation after generation battled for something more than subsistence wages to compensate workers for their labor.

It was not easy for the girls who labored at the Lowell, Massachusetts, textile mills, like Harriet Hanson Robinson and Sarah Bagley, who participated in one of America's first strikes over wage rates. In 1834, at age 10, Harriet Hanson Robinson went to work as one of ''[t]roops of young girls [whom] men were employed to collect . . . at so much a head, and deliver . . . at the factories.'' Harriet wrote that ''the caste of the factory girl was the lowest among the employments of women. . . . In the eyes of her overseer she was but a brute, a slave, to be beaten, pinched and pushed about.'' The mills paid the young women $2 a week for jobs that kept them at the mills for nearly 14 hours a day. When the mill announced in 1836 that it planned to cut their wages, the young women went on strike and marched as one to listen to incendiary speeches. But ''[t]he corporation would not come to terms. The girls were soon tired of holding out, and they went back to their work at the reduced rate of wages.''

And it was not easy for Sarah Bagley when she led the petition drive that forced Massachusetts legislators to examine the conditions there, in one of the first governmental investigations of labor conditions. At a time when women seldom spoke in public, Sarah testified fearlessly before the Massachusetts legislature arguing for the 10-hour day. Even though the legislature did not vote with the women that day, Bagley helped to advance the 10-hour day movement, which began to achieve success in the 1840s.

And it was not easy for those who fought for the 8-hour day, like Albert and Lucy Parsons. Lucy, born around 1853 of African-American, Native-American, and Mexican ancestry, married an Anglo man and moved to Chicago in 1873. Her husband Albert, a newspaper printer by trade, became a leader of the Chicago labor movement, while Lucy became an activist with the International Ladies' Garment Workers Union. On May 1, 1886, to kick off the movement for the 8-hour day, 350,000 workers across the Nation walked off their jobs in a general strike, more than 40,000 in Chicago alone. After police shootings marred a strike 2 days later, radicals called a rally in Haymarket Square. Over 2,000 attended, but after numbers dwindled, an army of police marched on the crowd. A radical threw a bomb into the police ranks, and a riot broke out, injuring and killing both workers and police. Although Albert was not even in Haymarket Square that day, he and seven other men were accused and convicted of the bombing in what a later Governor determined was a grossly irregular trial. When Lucy brought her two children to see their father for the last time, she was arrested, along with her kids, taken to jail, forced to strip, and left naked with her children in a cold cell until her husband had been hanged dead. In tears upon her release, she vowed to continue to fight injustice and served as a radical labor leader for nearly 70 years.

It was not easy for Clara Lemlich, a 16-year-old immigrant garment worker, who at a meeting at New York's Cooper Union in November 1909, stood and recited her hardships in the sweatshops, galvanizing the audience with her call for action. The impassioned crowd affirmed its solidarity with the old Jewish oath, ''If I turn traitor to the cause I now pledge, may this hand wither from the arm I now raise.'' A garment workers' strike banner read, ''We are starving white we work; we might as well starve while we strike!''

And it was not easy for a young New York City researcher and social reformer named Frances, who while visiting a friend on March 25, 1911, suddenly heard the clanging of fire engines close by. Rushing out to the street, she saw the top floors of the Triangle Shirtwaist Company erupting in flames and watched with horror as young women workers leaped to their deaths. They had been crowded into lofts where the few existing fire escapes were either inaccessible or stopped several stories above the ground. The tragedy claimed 146 lives. The researcher, Frances Perkins, went on to become President Franklin Roosevelt's Secretary of Labor.

It was not easy for Caroline Gleason, whom Oregon employers called ''an outrageous socialist,'' just because in 1912 she began a survey for the Oregon Consumers' League of the thousands who worked in abominable conditions to earn $8.25 for a 54-hour week. But Gleason had the satisfaction of seeing her data aid passage of the country's first enforceable wage-hour law, which became the model for the Federal Fair Labor Standards Act.

It was not even easy for the Department of Justice when it tried to enforce an 8-hour day and a 6-day week for a 14-year old boy in a cotton mill at Charlotte, North Carolina, when the 1918 Supreme Court held that such a law ''exerts a power as to a purely local matter to which the federal authority does not extend.''

FDR's National Industrial Recovery Act fared no better before the 1935 Supreme Court.

It was not easy for the young Bedford, Massachusetts, women who tried to pass President Franklin Roosevelt an envelope

while he was campaigning for reelection in 1936. A policeman threw her back into the crowd. ''Get the note from the girl,'' Roosevelt told an aide. Her note read: ''I wish you could do something to help us girls. . . . We have been working in a sewing factor, . . . and up to a few months ago we were getting our minimum pay of $11 a week. . . . Today the 200 of us girls have been cut down to $4 and $5 and $6 a week.'' When a reporter asked, the President replied, ''Something has to be done about the elimination of child labor and long hours and starvation wages.''

It was not easy for FDR and his Labor Secretary Frances Perkins to push the Fair Labor Standards Act through Congress in 1937 and 1938, even though all that Act did in the end was apply a 25-cent-an-hour minimum wage and 44-hour week to roughly one-fifth on the workforce.

And it was not even easy for Democrats to raise the minimum wage in the last Congress, even though it had reached its lowest value in 40 years, with the exception of one year during the Bush administration. The Republican majority sought to use the cloture rules to make the minimum wage amendment out of order, but Democrats and moderate Republicans stood together and prevailed.

And despite that victory, America still needs a raise.

Even now that the latest raise in the minimum wage has been fully implemented, and it has reached the level where it requires just over $10,000 year for a full-time job, its real value remains below its level from 1956 through 1983.

During those post-War years, the incomes of all Americans, rich and poor, grew together. In the 1980s and after, Americans have grown apart. America still needs a raise.

In the 15 years from 1980 through 1995, the minimum wage increased 37 percent. But during that same period, inflation increased 86 percent, company profits increased 145 percent, and CEO pay increased 499 percent. CEO pay increases to 5 times what it was before, and the Titans of industry still complained that a little more than one-third increase in the minimum wage would bankrupt the country! America still needs a raise.

Today I have told you stories of women workers, for theirs has often been a hard lot. Pully three-fifths of all minimum wage workers are women. American women still need a raise.

On July 11, Senator Ted Kennedy introduced S. 1009, a bill that would simply provide increases of 50 cents an hour in the minimum wage in each of the next 3 years and, increases of 30 cents an hour in each of the following 2 years. Congressmen Bonior and Gephardt introduced H.R. 2211 to do the same thing.

Under these bills, the minimum wage would still remain below its levels in the late 1960s.

If this Congress could enact a 5-year budget deal to grant sweeping capital gains and estate tax breaks for the wealthiest among us for years into the future, then the least that it can do is to give those earning the minimum wage a raise for the next 5 years as well. America still needs a raise.

The successors of that imaginary Sinai desert businessman will raise all the same imaginary objections to this labor legislation, as well.

They will argue that we endanger America's competitiveness. But we shall stand with Franklin Delano Roosevelt, who said: ''No business which depends for existence on paying less than living wages to its workers has any right to continue in this country. By living wages I mean more than a bare subsistence level—I mean the wages of decent living.''

They will say that we seek a centrally planned economy, like the former Soviet Union. But we shall stand with Abraham Lincoln, who said: ''To secure to each laborer the whole product of his labor or as nearly as possible, is a worthy object of any good government.''

Yet again, the apologists for big business will cry that the minimum wage is just an unfair mandate on business. But we shall stand with Thomas Jefferson, who in his March 4, 1801, Inaugural Address said: ''Take not from the mouth of Labor the bread it has earned.''

And when big business cries that all must be left to the sacred market, we shall stand with section 17 of the Clayton Anti-Trust Act of 1914, which says: ''The labor of a human being is not a commodity or article of commerce.''

We shall stand with FDR, with Lincoln, with Jefferson, and with the Clayton Antitrust Act.

And we shall keep faith with the prayers of those American women who fought so that all working women would receive fair compensation for the sweat of their brow. We owe them nothing less.

We owe it to Harriet Robinson and Sarah Bagley and the girls who sacrificed their youth to the Lowell Mills, to Lucy Parsons, as she rose in tears from the cold jail cell floor to swear an oath to fight on, and to Frances Perkins's memory of her tears falling down like the girls who fell from the Triangle Shirtwaist fire. Let us stand with Clara Lemlich, and pledge to carry on the fight for the cause for which she raised her arm.

And so, with God's help and our own, may the oaths and the prayers of the brave American women who fought before us find an answer in our time.

INTRODUCTION OF LEGISLATION TO PROTECT VOLUNTARY SAFETY AND HEALTH AUDITS

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BALLENGER. Mr. Speaker, one of the fundamental purposes of the Occupational Safety and Health Act was to encourage ''employers and employees in their efforts to reduce the number of occupational safety and health hazards at their places of employment.'' In its focus on enforcement, OSHA has too often overlooked that purpose. One of the promises of OSHA reinvention, however, was that OSHA would encourage employers to voluntarily implement effective safety and health programs in their workplaces.

Contrary to that promise, OSHA has not addressed, in fact has refused to address, a significant obstacle to effective voluntary safety and health programs which it has created through its enforcement policies. OSHA has insisted on full access to voluntary self audits and assessments conducted by employers, in order to use these records during inspections to (1) help OSHA identify potential violations, and (2) to establish a basis for charging that any violations found in the workplace are ''willful.'' In some cases, OSHA has gone so far as to subpoena these records for use in inspections and enforcement.

OSHA's policy discourages companies from conducting complete and honest self evaluations, even though OSHA acknowledges that such evaluation is a critical element to an effective safety and health program. The Environmental Protection Agency, facing this same issue in the environmental context has recognized that ''routine Agency requests for voluntary audit reports could inhibit auditing in the long run, decreasing both the quality and quantity of audits conducted'' [1986 Environmental Auditing Policy Statement, 51 Fed. Reg. 25,007]. For that reason, EPA has limited its access to these records. OSHA should be encouraging companies to conduct such safety and health evaluations. Instead, it is discouraging companies from such efforts by threatening to seize them and use them as a weapon against the employer.

The result of OSHA's policy is less health and safety, not more. As one commentator put it: ''the 'costs' of the Department's position, in terms of the decreased use and effectiveness of a critical component of voluntary safety and health programs, dramatically outweight the 'benefits' of the position in terms of access to a possible source of evidence of a violation or of an employer's willful violation.''

The legislation applies only to self audits and assessments that are not required by any law or regulation. Further, it applies only to inspections and enforcement proceedings under the OSHAct. It does not address broader issues that would more logically be addressed as part of a change in the rules of evidence. I invite my colleagues to join me in passing this important legislation.

TRIBUTE TO TERRY YORK

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. SHERMAN. Mr. Speaker, I rise before you today to pay tribute to Terry York, who has been nominated for the prestigious Fernando Award for outstanding voluntarism.

President Kennedy once said, ''For of those to whom much is given, much is required. And when a some future date the high court sits in judgment of each of us, recording whether in our brief span of service we fulfilled our responsibilities to the state, our success or failure, in whatever office we hold, will be measured by the answers to four questions: First, were we truly men of courage * * * Second, were we truly men of judgment * * * Third, were we truly men of integrity * * * Finally, were we truly men of dedication.'' The Fernando Award was created to honor individuals who have exemplified leadership, voluntarism and dedication and it is recognized as the leading award for civic accomplishment in the San Fernando Valley. Each year, the Chambers of Commerce in the San Fernando Valley and other community organizations and leaders nominate candidates they feel demonstrate these characteristics. Terry York is a worthy candidate for this award.

As a young boy in southern Illinois, Terry learned the importance of a strong work ethic from his father, who worked at a local mine. Several year later, Terry decided he wanted to work in the automobile industry, but there were no jobs available. He agreed to work for free as a file clerk, and as a result of his helpful nature and outstanding dedication, he was rapidly promoted at the dealership. Within 5

years he was part owner and general manager of Jacobs Chevrolet, one of the largest and best known auto dealers in the Midwest.

The lessons Terry learned growing up in Illinois have been reflected in his daily activities. Not only is Terry a hard worker, he understands the importance of community and the need for everyone to work together toward a common goal. As a result, he treats everyone he works with throughout the day with respect and compassion. Terry is regarded as an invaluable resource by his friends and coworkers who depend on him for advice and support.

For the last 21 years, Terry has been actively involved in our community, dedicating a substantial amount of his time and personal resources to civic, charitable, humanitarian, and government causes. He has been active in the City of Hope, the Boys and Girls Club of San Fernando Valley, and the American Cancer Society, as well as many other important organizations.

Terry has been honored with several distinguished awards to recognize his accomplishments, such as the Spirit of Life Award by the City of Hope and the Free Enterprise Award by the San Fernando Valley Business and Professional Association. Most recently, Terry and his wife Carole were honored by the March of Dimes with the Premiere Parent Award.

Mr. Speaker, distinguished colleagues, please join me in paying tribute to Terry York. He is a role model for the citizens of Los Angeles.

THE NATIONAL DIVIDEND PLAN—AN IDEA WHOSE TIME HAS COME

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. CRANE. Mr. Speaker, this body has spent a good deal of time in recent years trying to come up with ways to balance the budget—much of it to no avail. The good news is that the Treasury Department announced that the end of the 1997 fiscal year brought the smallest budget deficit in ages—$22.6 billion. The bad news is that Washington can claim little credit for this deficit reduction. The credit should go to American taxpayers prospering in a strong and dynamic U.S. economy and pumping more revenue into the Treasury than many Washington policy wonks predicted. Nevertheless, a balanced budget is finally in sight for the first time since 1969.

Now that Washington may soon see a budget surplus, a number of bills have been introduced in Congress in an effort to contribute to the debate on how that surplus should be spent. The leading bills propose to use part of the surplus to pay down the enormous Federal debt while using the rest to provide tax relief. I have cosponsored one of these bills and believe very strongly that we must protect the budget surplus from Washington's big spenders.

It is in this context that I would encourage Members to look at a bill I introduced earlier this year, H.R. 2329, the National Dividend Act of 1997. The proposal upon which this bill has been crafted has been around for some time, and the concept has been favorably received by President Ronald Reagan, the National Commission on Economic Growth and Tax Reform—the Kemp Commission—and various congressional committees. The dividend plan has, over the years, enjoyed the support of a bipartisan and ideologically diverse group of Members. At one time, it was introduced by our former colleague Guy Vander Jagt and, most recently, our colleague BILLY TAUZIN introduced the plan. I was a cosponsor of these bills and now Mr. TAUZIN has joined me as a cosponsor of H.R. 2329.

The National Dividend Act of 1997 is the latest incarnation of a plan developed by John H. Perry, Jr., a businessman and philanthropist. Mr. Perry's idea was to give Americans an incentive to be involved in the Federal budget process by giving voters a National Dividend once the Federal budget is in balance. Much like a profitable business shares its economic successes with its shareholders in the form of dividends, the National Dividend will share the economic prosperity of a balanced budget and fiscal restraint with those Americans who participated in the democratic process which led to the balanced budget.

To accomplish this goal, the bill first establishes a cap on Federal spending at the current level for 5 years or until a surplus is finally achieved. Based on the current budget estimates, Congress could bring about a surplus as early as next year.

Next, the bill creates a National Dividend Trust Fund by setting aside tax dollars from the general fund of the Treasury eventually equal to the revenue raised by the corporate income tax as well as selected other excise and tariff revenues. Once the fund reaches 100 percent of the specified revenue, disbursements will be given in equal amounts to all registered voters in years in which the Federal budget is in surplus. If the budget is not balanced, revenues in the fund can be used to eliminate the deficit.

The bill also not only eliminates the tax on corporate dividends, but also the National Dividend. To keep a future Congress from abusing this program, safeguards have been built into the plan. First, the corporate tax rate will be frozen at its current level. Second, a two-thirds majority vote of both Houses will be necessary to increase taxes. Short of a declared war, a future tax and spend Congress will be restrained from raising taxes simply to finance the National Dividend Trust Fund.

I commend the National Dividend Act of 1997 to the attention of my colleagues and urge them to support the bill as we work to put the Nation's fiscal house in order.

BART BREAKS GROUND ON RAPID TRANSIT TO SAN FRANCISCO INTERNATIONAL AIRPORT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. LANTOS. Mr. Speaker, I rise today to celebrate the groundbreaking of the San Francisco Bay Area Rapid Transit [BART] Extension to the San Francisco International Airport [SFO]. The groundbreaking, which took place on Monday of this week, marked one of the most significant transportation milestones in the bay area. It was my great pleasure to join the many residents and elected officials of the peninsula and the bay area who have worked hard to bring fast, efficient mass transportation to the San Francisco Airport. It was a great pleasure to participate in the festivities marking the long-awaited beginning of construction of this world-class transportation link for the entire bay area.

Mr. Speaker, the BART Extension to the airport will connect the 95 mile, four-county BART rapid transit system to the fifth busiest airport in the united States and the seventh busiest airport in the world. The 8.7 mile extension will consist of 7.5 miles of new mainline track, much of which will be underground, and 1.2 miles of track linking the system with the San Francisco International Airport. The BART Extension will expand commuter rail service on the peninsula in and out the city through three new stations in peninsula communities—South San Francisco, San Bruno and Millbrae—and a station at the airport. The BART Extension will provide fast and easy service for travelers directly to the airport for the entire bay area, including the east bay.

Mr. Speaker, the BART Extension to the airport is the cornerstone of BART's rail expansion program—the biggest bay area transit project since BART was built in the early 1970's. The project is also an excellent model for Federal-State cooperation in public transportation investment. Fully seventy percent of BART's expansion program is paid for by State and local funds.

The voters of San Mateo County have indicated their overwhelming support for the BART Extension at the ballot box in a series of referenda data back to 1980's when voters approved measures in 1985 and 1987 which allocated local funding through SamTrans to bring BART to the airport. Subsequent measures in 1992 and 1994 reaffirmed our region's support for a BART Extension to the airport and the willingness of our residents to contribute a fair share of those costs.

Mr. Speaker, the BART Extension will provide fast and convenient access for travelers and will help alleviate traffic congestion on neighboring freeways. Traffic on peninsula freeways near the airport and into San Francisco already exceed existing highway capacities, particularly during peak commute periods. The airport is already the single largest generator of traffic congestion-over 65 percent of air passengers and employees drive to the airport. The airport's own expansion program is expected to increase annual air traffic by some 70 percent by the year 2006. The extension of BART to the airport will provide much-need effective mass transit alternative for travelers throughout the bay area.

Mr. Speaker, the BART Extension to the airport will also provide an important economic catalyst for San Mateo County and the entire bay area. The extension will create or sustain between 30,000 and 40,000 construction jobs and more than 12,000 permanent jobs once the extension is in operation. Construction will create new business opportunities for peninsula suppliers and vendors. When completed, the BART Extension will improve access to local businesses and retailers and will significantly enhance the region's important travel and tourism industry.

Mr. Speaker, the BART Extension will provide an effective transportation alternative for hundreds of thousands of bay area residents

to help provide relief from wasted time and energy spent tied up in traffic congestion. BART's expected ridership on the peninsula will eventually reduce close to 100,000 cars a day on neighboring freeways. Getting people out of their cars and off of freeways will help improve air quality in our region and will conserve fuel.

We have waited a long time on the peninsula for relief from the gridlock which exists on our freeways, Mr. Speaker. I have been a strong and consistent advocate since the 1950's for a mass transit system completely around the San Francisco Bay. I see the beginning of construction on the long-awaited extension of BART to the airport as a further important step in that direction. I look forward to the day when construction is complete and we will put this much-needed rapid transit extension to the airport into service.

CONGRATULATING JAMIE CLEMENTS ON HIS RETIREMENT AS LEGAL COUNSEL OF SCOTT & WHITE

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. EDWARDS. Mr. Speaker, today I rise to congratulate Mr. Jamie Clements on his December retirement as legal counsel for Scott & White Hospital in Temple, TX. I Hope Members will join with me today to thank Mr. Clements for his contributions to Scott & White, his community, and the country.

During his adult life, Mr. Clements dedicated himself to the legal and medical professions. He also found time to devote countless hours to local causes and charities.

Mr. Clements was born in 1930 in Crockett, TX. He attended the University of Texas at Austin where he received both a B.A. in 1953 with the first of his three terms as a Texas House Representative. His Texas House service was interrupted when he went to serve his country in the U.S. Marines Corps. From 1956–58 he was an infantry platoon leader before moving to the 3d Marine Air Wing where he was a legal officer. In 1959, he returned to the Texas House where he served his third and final term.

For the next 35 years, Jamie Clements established himself as a prominent member of the State and national bar associations and a strong leader in the field of medical law. He served as chairman for the committee on Liaison with the Medical Profession for the Texas Bar Association. He is the founder and past president of the National Health Lawyers Association. Jamie Clements is a professor of medical jurisprudence at the Texas A&M University College of Medicine, a member of the Government's Committee on Organ Transplantation and is a former president of the Board of Trustee of the Presbyterian Children's Home and Service Agency of Texas. He capped his legal/medical career with his present position as legal counsel of Scott & White Hospital.

In addition to his contributions to the legal and medical professions, Mr. Clements was an active member of the Temple community. From 1964 through 1965 he was the president of the Temple Rotary Club. In 1969 he was the chairman of the Temple Planning Commission and from 1970 to 1974 served as mayor of Temple. He went on to serve Temple as the chairman of the Law Enforcement Advisory Board, president of the Cultural Activities Center, a member of the Board of Directors of the Temple Industrial Foundation, and the president of the Temple Leadership Council.

On a personal note, I am grateful to call Jamie Clements a close, personal friend. He is a role model for all of us: a man of integrity, decency and compassion.

Let me also say that every accolade to Jamie Clements must also be considered a tribute to his wife of 35 years, Ann Trigg Clements. As a wife and a mother she has been a true partner in all of Jamie Clement's accomplishments.

Jamie and Ann Clements have made their community and our country a better place. They have personally touched the lives of all of us who know them and thousands of others who are the beneficiaries of their unselfish service.

I ask members to join me in wishing Jamie, Ann and their three children every success and happiness in the future.

JOHN MILTON GREGORY ELEMENTARY SCHOOL

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. DAVIS of Illinois. Mr. Speaker, I rise to recognize the students at John Milton Gregory elementary School located in the 7th Congressional district on Chicago's Westside. Recently, we conducted a town hall meeting on education with the student body at that school. I would like to thank Dr. Hazel Steward, education officer for the Chicago Public Schools [CPS], Mr. Artie Borders, principal at Gregory and Mr. Lafayette Ford, local school council liaison for the CPS, for their assistance. The meeting will be broadcast on Cable Access TV (channel 19) on November 19, 1997 at 2 p.m., and again at 7 p.m.

The Gregory students were informed, thoughtful, and articulate. They were genuinely concerned about the differences between inner city and suburban schools. The questions were, and I quote, ''Why are suburban books newer than ours?'' ''Why are suburban desks newer than ours?'' ''Why is our equipment older?''; and ''Why don't we have recess anymore?'' These were big questions from young people that are intelligent enough to understand and recognize these differences. Gregory students were asking the same type of questions as Members of Congress.

In response to their questions, I had to tell the children at Gregory School that the majority in Congress was more committed to funding a $21 billion weapons program to purchase nine B–2 stealth bombers than placing these resources where they are desperately needed; in our educational system. I had to tell the children at Gregory that the U.S. Air Force does not even want or need these bombers. I had to tell the children at Gregory that the average urban school needs $1.7 million for repairs and upgrade, and we claim the title of being the riches country in the world. And I had to tell the children at Gregory that the majority in Congress does not see the need to heavily invest in our Nation's future, our children. Anyone who does not understand why we should be investing in public education ought to tune in on November 19 and be enlightened.

INTRODUCTION OF ''THE OSHA COMPLIANCE ASSISTANCE ACT''

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BALLENGER. Mr. Speaker, today I am introducing legislation to codify the Occupational Safety and Health Administration's [OSHA] consultation program. This is one in a series of bills which are intended to continue the process of changing OSHA.

More than 2 years ago, President Clinton, in response to our demands for changes in OSHA, promised to ''reinvent'' OSHA. One of the principal changes in that promised reinvention was ''to give employers a choice between partnership with OSHA or traditional enforcement.''

Unfortunately, OSHA's principal initiative for giving employers a choice, the so-called cooperative compliance programs has evolved into a program of targeted enforcement, as even OSHA now acknowledges.

In contrast, there are programs, operated by the States, which do give employers the choice of partnership or traditional enforcement. These relatively small programs have received some Federal funding since the 1970's. However, authorization for such consultation programs has never been made a part of the OSHAct, and, not incidentally, consultation has been one of the most underfunded and frequently ignored aspects of OSHA's program. In some states, an employer who requests consultation assistance must wait more than 1 year, sometimes 2 years, to receive it.

The lack of funding and recognition for the consultation and education programs is in contrast to their recognized importance toward meeting the goal of safer workplaces. In fact, in 1996 the $32 million appropriated for consultation programs allowed States to conduct approximately 24,000 consultation visits, while the same number of Federal enforcement inspections—24,000—cost OSHA over $120 million. My own company has participated in the North Carolina consultation program, and we have found that it truly is a way in which employers can work in partnership with OSHA and improve safety and health.

My legislation is based on the program in North Carolina, which operates with a combination of Federal and State funds. As is the case with the existing Federal funding, under the bill States would receive grants to provide both on-site consultation and other education and training activities. Employers who requested an on-site consultation or audit would not be subject to fines unless they failed to correct violations. Employers who request an on-site consultation and do correct violations may be exempt from OSHA general schedule inspections for 1 year.

The legislation specifies that not less than 90 percent of OSHA's compliance assistance funding should be used for the consultation

program. This provision is necessary because in the past 3 years OSHA has significantly increased its Federal compliance assistance budget, but without a corresponding increase in the consultation program. While I support additional funding for compliance assistance, I believe the funding should be directed to State consultation programs. The State grants were created because of the concern that Federal OSHA would not effectively administer a consultation program or maintain separation from enforcement. I believe that those concerns are still very relevant.

Mr. Speaker, codification and implementation of an OSHA consultation program was one of the recommendations of the 1995 White House Conference on Small Business. The Clinton administration has also supported codification of an OSHA consultation program in the past, and I look forward to their support for this legislation, and hope that we will with bipartisan support finally establish consultation as an important function and activity in terms of the Federal Government's support for improved safety and health in the workplace.

TRIBUTE TO KENNETH C. BANKS, JR.

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. SHERMAN. Mr. Speaker, I rise before you today to pay tribute to Kenneth C. Banks, Jr., who has been nominated for the prestigious Fernando Award for outstanding volunteerism.

President Kennedy once said, ''For of those to whom much is given, much is required. And when at some future date the high court sits in judgment of each of us, recording whether in our brief span of service we fulfilled our responsibilities to the state, our success or failure, in whatever office we hold, will be measured by the answers to four questions: First, were we truly men of courage . . . Second, were we truly men of judgment . . . Third, were we truly men of integrity . . . Finally, were we truly men of dedication.'' The Fernando Award was created to honor individuals who have exemplified leadership, volunteerism and dedication, and is recognized as the leading award for civic accomplishment in the San Fernando Valley. Each year, the Chambers of Commerce in the San Fernando Valley and other community organizations and leaders nominate candidates they feel demonstrate these characteristics. Ken Banks is a worthy candidate for this award.

Ken has taken an active role in the community, with his involvement in several different organizations and his leadership role in various projects. As a member of the Rotary Club for several years, Ken was named president in 1988. During his term the organization was named the best club in District 5260. He heads up valuable programs within the community, including the creation and distribution of vocational scholarships, Guiding Eyes support for the Police Activity League, and other fundraising activities. Ken used his skills to raise more than $25,000 for North Hollywood area charities.

In addition, Ken helped spearhead the NoHo Arts District Concept, providing a unifying force and identify for North Hollywood as the center for San Fernando Valley Theater and Arts. This is just one more example of Ken's ability to inspire individuals to work together to improve our community.

Ken's leadership and commitment to our community have been recognized by several organizations. He has been named Person of the Year by the East Valley Family YMCA, received the Small Business of the Year Award from Assemblyman Richard Katz, and was honored as the Business Person of the Year by the Universal North Hollywood Chamber of Commerce. Ken is also a finalist for the 39th Annual Fernando Award, an honor which distinguishes him as one of the most motivated, generous leaders in our community.

Mr. Speaker, distinguished colleagues, please join me in paying tribute to Kenneth Banks. He is truly a role model for the citizens of Los Angeles.

THE SMALL BUSINESS INVESTMENT AND GROWTH ACT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. CRANE. Mr. Speaker, I rise to introduce the Small Business Investment and Growth Act which will provide much-needed tax relief to small business in America.

As a member of the Ways and Means Committee, I strenuously objected to the tax increases of 1990 and 1993, knowing of the severe negative economic impact these taxes would have on American small businesses and their employees. I realize that, in macroeconomic terms, the U.S. economy is quite strong in spite of those tax increases—however, we could do much better. Americans are facing record-high tax burdens. Every year, taxpayers are working more days for Washington and its bureaucrats and fewer days for themselves and their families. For small businesses, the greatest creators of jobs and economic growth in America, high tax rates have hampered their ability to sustain high rates of growth and prosperity.

To understand how small businesses are struggling with taxes, allow me to explain the consequences of the 1990 and 1993 attempts to get the wealthy in America to pay their fair share of the Federal tax burden. With those tax increases, the maximum marginal tax rate for individuals was raised from 28 percent to 39.6 percent. However, what was lost on these ''soak the rich'' policy wonks is that small businesses owners pay their business taxes as individuals. In other words, a typical struggling small business owner will pay himself a salary, pay his employees and all his other business expenses, and then pay taxes on the combination of his salary and the profits of the business. In the case of S corporations, the shareholders of the company, typically family members who work for the business, each pay the taxes for the business at their individual tax rates.

Now keep in mind that the highest marginal individual tax rates are 36 percent, while the corporate tax rate for similar-sized businesses is 34 percent. The maximum corporate tax rate is 35 percent. So, thanks to the ''soak the rich'' tax policies, small businesses pay higher tax rates than better financed corporations. In fact, a Joint Economic Committee report found that President Clinton's 1993 tax hike fell disproportionally on small businesses, not the wealthy. And in surveys of S corporations since their shareholders' tax rates increased, they report that they cannot reinvest as much money into their companies as they did before the tax hike. Reinvesting translates into more jobs. In fact, successful American small businesses have been able to create three to four new jobs for every additional $100,000 they retain in the business.

The Small Business Investment and Growth Act proposes to end this government-created inequity. My bill has simple goals—to promote S corporation reinvestment, to generate economic growth—i.e., jobs—and to provide for tax rate reductions for all S corporation owners, including qualified personal service corporations.

To accomplish these goals, the bill will lower the Federal tax rates paid by S corporation shareholders to no more than 34 percent when the S corporation reinvests its earnings in the business, or when the earnings are distributed to the shareholders for the purposes of making tax payments. This lower tax rate would be applicable only to the first $5 million in taxable income of the S corporation.

This bill is a similar, but expanded, version of a bill I introduced in the last Congress. Although this latest version will provide tax relief to more S corporations, I want to make it clear that I would prefer to provide tax relief to all businesses. In fact, I see these taxes as just another cost of doing business which is passed along to the individual consumer/taxpayer. Thus, it is a secondary tax which should be eliminated.

This legislation takes an important first step toward reducing burdensome taxes on small business and encouraging S corporation owners and managers to reinvest income into their business, thereby creating more jobs and expanding economic growth. I strongly encourage my colleagues to cosponsor it.

PLANNED SMITHSONIAN INSTITUTION EXHIBIT ON SWEATSHOPS IS UNDER ATTACK BY THE APPAREL INDUSTRY

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. LANTOS. Mr. Speaker, I rise today to express my strong support for the Smithsonian Institution's planned exhibit on the history of sweatshops in America—''Between a Rock and a Hard Place: A Dialogue on American Sweatshops, 1820–Present.'' The exhibit is scheduled to open at the Smithsonian here in Washington in April 1998. Unfortunately, however, the U.S. apparel industry is seeking to prevent the display of this exhibit on the grounds that the exhibit will not present a balanced picture of the garment industry. Rather than letting an objective exhibit of historical and contemporary significance go forward, the California Fashion Association, which represents major clothing manufacturers in southern California, has vowed to turn the exhibit into a political football and prevent its display.

Mr. Speaker, it is no surprise that clothing manufacturers are opposed to this exhibit. It is

also no surprise that the leaders of the opposition to this exhibit are from southern California—notorious for the El Monte apparel sweatshop in which some 70 Thai workers lived under slave-like conditions until the horror was discovered and the brutality was terminated. This, Mr. Speaker, was not a century ago—this was just 2 years ago in my home State.

Make no mistake about it, Mr. Speaker, the garment industry's fear is not that the American people will view the history of sweatshops in the 19th century but that they will view conditions in sweatshops operating today—in 1997.

Sweatshops are in violation of our Nation's overtime, minimum-wage, and safety laws. Sweatshop operations are often underground and disguised, and monetary transactions in connection with these activities are usually done in cash. For these reasons, it is difficult to get a precise idea of how prevalent sweatshops really are. Some specialists have estimated that there are as many as 7,000 sweatshops across the United States.

Sweatshops are often outside the law in other ways, not only evading wage and hour laws, but also avoiding the payment of Federal, State, and local taxes. Violation of local building codes is common, including such serious safety problems as blocked fire exits or no fire exits at all. The operators of these sweatshops seek out and exploit undocumented immigrants. Let me make one thing clear, Mr. Speaker, immigrants are not the cause of sweatshops, they are the victims of the operators of such vicious practices.

Mr. Speaker, I ask that at this point, an excellent editorial—"Save the Sweatshops"—which appeared in the San Francisco Chronicle be placed in the RECORD.

[From the San Francisco Chronicle, Sept. 23, 1997]

SAVE THE SWEATSHOPS

To its lasting credit, the Smithsonian Institution is planning a hardedged exhibit on sweatshops, an historical look at rapacity and exploitation that is still in our midst. One poignant feature has raised the ire of the apparel industry: a depiction of the El Monte factory raided in 1995 where some 70 Thai immigrants lived in peonage while cranking out clothing.

The exhibit, prepared in part with the help of California state labor authorities, will borrow equipment seized in the raid in order to re-create the dungeon-like sewing shop. Is the factory typical of clothing factories? Obviously not. But it should provoke thought about immigrants, their hunger for work and the role of a vigilant government.

The exhibit, which is due to open next April, will trace sweatshops from early last century to the present. By its very title, it deals with an unsavory back alley of American working life. Along with El Monte, it will highlight the epochal Triangle Shirtwaist fire in Manhattan that killed 146 women trapped in a sweatshop in 1911. Such episodes aren't pretty, but brushing them away, as industry publicists would like, would be a mistake.

These critics may be counting on the Smithsonian to cave in. Several years ago it wanted to mount an exhibit that showed the Japanese death toll from two American atomic bombs that ended World War II. Veterans groups objected saying the decision to drop the bombs was not fairly explained, and the museum eventually recast the exhibit in tamer form. That debate had its own ingredients, and it would be a mistake to compare it to the El Monte dispute.

The Smithsonian, which serves as a curator of American life, cannot survive such challenges and serve its mission well. Critics who want to sanitize controversy deny everyone a chance to experience history.

Mr. Speaker, I further ask that two Letters to the Editor which appeared in the Los Angeles Times also be placed in the RECORD. The letters appeared in the newspaper after it published news stories about the controversy over the sweatshop exhibit in September of this year. The first letter is from I. Michael Heyman, the Secretary of the Smithsonian Institution, and the second is from Evan Smyth of Los Angeles:

LETTER OF I. MICHAEL HEYMAN, SECRETARY, SMITHSONIAN INSTITUTION

The Smithsonian Institution is an educational institution that strives to make American history accessible, useful and meaningful to the millions who view our exhibitions, read our catalogues and participate in our public programs. It occasionally presents difficult, unpleasant, or controversial historical episodes, not out of any desire to embarrass, to be unpatriotic, or to cause pain, but out of a responsibility to convey a fuller, more inclusive history. By examining historical incidents ripe with complexities and ambiguities, we hope to stimulate greater understanding and appreciation for the historical forces and choices that shaped America. Ultimately, the Smithsonian Institution mounts these kinds of exhibitions because we have confidence in the American public's desire for candor and appreciation for important historical stories.

The exhibition, "Between a Rock and a Hard Place: A Dialogue on American Sweatshops, 1920–Present," scheduled to open April 15, 1998, will be a balanced presentation, both in the historical material it presents and the outside views and participation it will include. We have sought to include the voices of participants on all sides of this issue. Our exhibition will be strong in scholarship, but equally it will be sensitive to participants' concerns. We will continue to reach out to all interested parties, including the manufacturing, apparel and retail sectors, to ensure a fair and balanced presentation.

LETTER OF EVAN SMYTH OF LOS ANGELES

The apparel industry trade groups claim that their position could not be heard in an exhibit like the one proposed for the Smithsonian. Perhaps they are right, but I would be very interested to hear their position on sweatshops in light of the following facts:

The slave conditions at El Monte are a matter of public record.

One of the largest garment manufacturers in Southern California, Guess, Inc., is currently scrambling to defend itself against charges in a class-action lawsuit that minimum wage and overtime violations are rampant in their contractors' sweatshops. Guess, Inc., has been removed from a Department of Labor trendsetters list because of recidivism in its 'fight' against wage-and-hour violations. Sweatshop conditions appear to be the cornerstone of the apparel industry rather than "a few bad apples."

LIBERTY COMMON SCHOOL

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, on September 2, 1997, in Fort Collins, CO, the Liberty Common School, opened its' doors for the first time. The school's headmaster, Dr. Kathryn A. Knox greeted 393 children and their parents in the yard of the newly renovated facility at 1725 Sharp Point Drive. For me it was greatly inspiring to be there that first day. As a Member of Congress, and a parent of three children in public school, I can tell you that it was truly exciting to observe such enthusiasm about the first day, and grand opening of a brandnew public school.

Liberty Common School is a charter school. It is one of 23 charter schools in Colorado, and the first in Larimer County in northern Colorado. Colorado was the third State to enact a statute creating charter schools. The late State representative, John Irwin of Loveland, CO, first proposed the idea, but did not live to see his dream for Colorado children become a reality. Today, there are tens of thousands of Colorado schoolchildren who enjoy brighter futures because of Representative Irwin's vision and bold leadership.

The founding of Liberty Common School was a heroic effort in and of itself. Owing its establishment to the determination of Dr. Randy Everett and Ruth Ann Everett, Liberty Common School began as an idea conceived in the Everetts living room. There a small group of educators, community leaders, and parents convened a discussion of public school reform possibilities in Fort Collins. The Everetts led those early discussions and formulated a bold plan which they championed through to the establishment of Liberty Common School. It is due chiefly to the Everetts vision and passion for equitable, high quality public schooling in Fort Collins that Liberty Common School exists today. Quite clearly, their devotion to the community at large and to the concept of education excellence, has touched the lives of not only the Liberty Common students of today, but for generations to come.

Of course Randy and Ruth Ann Everett were not alone. Led by Phil Christ, chairman of Liberty Common's first governing board of directors, and entire legion of parents and community leaders joined the Everetts in seeing their vision to fruition. The band of volunteers convened countless evening meetings, met with school district officers, moderated public forums, and petitioned the Colorado State Board of Education before winning approval for Liberty Common's charter.

Mr. Speaker, on September 2, 1997, the eager children left the schoolyard, found their new classrooms, and became acquainted with their new teachers. These educators met the full definition of professionals. From across America, Liberty Common drew upon the best talent in the education field to assemble its faculty. Because of the liberties created by Colorado's charter legislation, Liberty Common School is able to treat its teachers like the real professionals they are. Each hired at will, each considered according to merit, the professional educators at Liberty Common began to engage their skills, their craft, and their passion for teaching, in an intellectual exchange with their new students.

Sharon Jones was the first kindergarten teacher. Other teachers include Glynis Tidwell, and Christy Coufal in the first grade; Gretchen Jeffers, Victoria Palmer, second grade; Beth Helmers and Cherie Pederson, third grade; Jeffrey Seiner and Linda Dunn, fourth grade; Constance Behr, fifth grade and history;

Frances Polster, fifth grade science; Paul Stoda, sixth grade and math; Maxwell Fransson, sixth grade and English; Marie-Louise Borok, seventh grade and art; Kyndra Spitler, music; and Gary Schwartz, physical education. Linda Berry, Melissa Copp, Beth Olsen and Tina Shocklety helped deliver the academic program to the children as the school's first teachers' assistants.

With the guidance of business manager Paris Thomas, and administrative assistant Sally Hutchinson, Liberty Common's teachers and staff began the process of teaching in Fort Collins in a most unique way.

Mr. Speaker, there is no other program of this type in Colorado. The school has selected the Core Knowledge Foundation's Curriculum Sequence as the framework of its curriculum. The Core Knowledge sequence is distinguished by planned progression of specific knowledge in history, geography, mathematics, science, language arts, and fine arts.

Parents actually govern the school. They drafted and proposed the charter to the Poudre School District Board of Education. Parents make the hiring decisions. They selected the headmaster. They establish school policies, and they maintain parental involvement and community support in the school's operation.

The expanded science curriculum is based on Project 2061, guidelines developed by the American Association for the Advancement of Science. This project builds on and goes beyond Core Knowledge Sequence in science. The science program is allotted more time than is usual in the local school district, and a science specialist, with a science degree, has been hired to deliver the curriculum. No other local school has a definitive plan like Liberty does for using higher order thinking [HOT] skill, including the teaching of habits of mind in the various subjects. To summarize HOT: the students learn to know, understand, and use knowledge across the curriculum. In addition students develop skills of patterning, likeness/difference; modeling, reproducing; and creating, producing uniqueness across the curriculum. The result is that the students absorb the curriculum thoroughly as well as develop thinking skills to be lifelong learners. Habits of mind are more specific critical thinking skills unique to each discipline.

The school is teacher focused. The program directly meets the desires of teachers to have more planning time, more training in certain subjects, and more help in the classroom. Additional hours are built into the weekly schedule so teachers can prepare lessons, coordinate plans and ideas with one another, and consult with the specialty subject teachers in the upper grades. There is a teaching assistant for every two classes in the lower grades. Teachers are paid competitively.

Liberty Common makes use of a unique plan to encourage at-risk students to attend the school. No other school is required to do so, but Liberty Common believes its program can truly benefit students from a broad background. The plan includes holding meetings targeted to certain neighborhoods, and making Spanish translation available. At-risk students and parents deserve to have a choice too. The school assists with transportation as needed.

The school has agreed to take any district-wide standardized tests, including math and reading level tests. It is important to be accountable, and provide data to verify the success of the program. The school will also participate in the Johns Hopkins University study of the Core Sequence.

The program consists of grades K–7 the first year, expanding to 8th and 9th grade in consecutive years. This is an essential part of the plan, both in terms of effective use of teachers and coherence of the entire school program. There is evidence that K–9 programs are common among charter schools, and are successfully meeting the demands of elementary and junior high age students. The K–9 plan is one of the innovations of the program, and parents deserve to have this choice as well. This curriculum, teacher development model, school day, and budget work most effectively together.

Mr. Speaker, Dr. Everett's vision is today a thriving example of the value of parental choice. Dr. Everett himself has become noted as one of Colorado's foremost leaders and authorities on the topic of school reform. I submit for the RECORD the following statement of philosophy by Dr. Randy Everett, M.D., which illustrates his commitment to the children of Fort Collins and perhaps best describes Liberty Common School:

Assumptions about how one learns, the purposes and goals of learning, and what constitutes effective teaching define an educational philosophy. The School's educational philosophy is known as agency education. It informs our decisions on how knowledge, skills, and democratic values should be taught and how students, parents and teachers should work together to accomplish that part of education that occurs in schooling.

The individuals which have most clearly identified and characterized the most significant issues of educational reform as well as put forth the best solutions are: E.D. Hirsch, (''Schools We Need and Why we Don't Have Them''), William Kilpatrick, (''Why Johnny Can't Tell Right from Wrong''), Neil Postman, (''The End of Education, Amusing Ourselves to Death, The Disappearance of Childhood''), Diane Ravitch, Thomas, Sowell, (''The Conflict of Visions''), and Jacques Barzun, (''Begin Here''). All parents are requested to read ''The Schools We Need and Why We Don't Have Them'' and ''Why Johnny Can't Tell Right From Wrong.''

Agency education has as its metaphor a journey. The journey is the individual's own quest in life and includes a responsibility for one's own education, which is a lifelong endeavor. The purpose of a liberal education is to lead young people on just such an odyssey of the mind and heart, which is to lead them to self-reliance. The classical allegories for a liberal education, such as the journeys of Odysseus, Aeneas, and Faust, represent a journey of the soul from one particular time, place and attachments to the universal and back again. The beauty of this journey is its applicability to the actual development of mind, heart, skills, and knowledge in each child.

Children begin their cognitive development by first developing a broad framework of knowledge through early acquisitional curiosity, much like they acquire their early spoken vocabulary. After they have gained a wider familiarity with literature, history, science, math, music, people, and places, as one does in the early years of Core Knowledge, they begin to appreciate patterns and forms. Following this, particularly when trained in Thinking Skills, or Habits of Mind, the student is able to engage in mental modeling, which is possible only when one's broad background knowledge, enables one to solve problems and exercise judgement.

The beginnings of the moral journey are along a similar course. At first the focus is obedience to parental authority. Later the child focuses on rules, or the required patterns of expectation. As in writing or thinking, it is only through the formation of good habits that the ability to act, and act wisely becomes instinctive. As those habits become more and more internalized, the student journeys closer to self-reliance.

Mr. Speaker, this philosophy has become manifest in the Mission Statement and Declaration of Liberty Common School's principles which I hereby submit for the RECORD:

The mission of the School is to provide excellence and fairness in education for school children through a common foundation by successfully teaching a contextual body of organized knowledge, the skills of learning including higher order thinking, and the values of a democratic society. The School recognizes the value of inclusiveness, or providing access to a broad cross-section of the community, so that students from all backgrounds can benefit from the School's educational offering. The School acknowledges the leadership of teachers in the classroom, and recognizes the responsibility of each student for his/her academic effort.

Mr. Speaker, I would like to include the Declaration of Principles the school has adopted:

1. Children yearn for more meaning and require a basis of solid contextual common knowledge for the development of mature literacy and critical thinking, for growth and communication in a diverse society.

2. The educational ''playing field'' between students of differing backgrounds should be level to provide all students a basis to the greatest degree practicable, upon which they can build further knowledge and to develop the skills necessary to communicate and succeed.

3. The skills of learning reading, writing, speaking, calculation, and higher order thinking are most meaningfully learned from the knowledge or content of the curriculum, modeling, coaching and sensible practice.

4. To thrive in work, citizenship, and personal growth, children must be taught the values of a democratic society. These values include: Respect for others; their property and rights; Responsibility for actions, honesty, and social justice; Resourcefulness being ready to learn, to serve, and to share.

5. Inclusiveness is fundamental in responding to the diverse needs of children and raising academic standards. All parents, regardless of economic status, should be free to choose this educational program for their children.

6. Teachers are professionals, which implies considerable autonomy, mastery and independence. Having accepted the academic and philosophic mission of a school, the teacher needs to be free to exercise informed judgement in order to fulfill his/her primary role as an educator.

7. The principle determinants of individual academic success are individual ability and effort. The policies of the School (grading, discipline, homework, pedagogy) must support the student's adoption of a personal quest for academic growth using the clearly marked path of expectations in knowledge, skill, and character. The guiding philosophy of the School acknowledges that children can and should be held accountable for their own school work and behavior with the support of teachers and parents.

Mr. Speaker, the academic program of the school was stated in the charter as follows:

ACADEMIC PROGRAM

Our goal is to provide a rich and balanced educational opportunity for all students. High standards are at the heart of our expectations, although we recognize every learner has unique abilities, interests and motivations. Parents encourage their child's success by monitoring progress in school and at home, and participating as fully as possible in the school community. Classwork and homework are designed to challenge each student to make the most of his/her talents.

KNOWLEDGE

The School has selected the Core Knowledge Foundation's Curriculum Sequence as the framework of its curriculum. The Core Knowledge Sequence is distinguished by planned progression of specific knowledge in history, geography, mathematics, science, language arts, and fine arts.

Children learn by building on what they already know. Thus, it is important for them to begin building foundations of knowledge in the early grades when they are most receptive to attaining an organized body of knowledge. Children are by instinct driven to construct a contextual view of the world. Thus, it is important to provide them an educational framework that assists them in developing the constructs upon which their viewpoints will be based. Academic deficiencies in these areas in the first nine grades can permanently impair the quality of later schooling.

By specifying the knowledge that all children should share, one can achieve equal access to that knowledge. At risk children especially suffer from low expectations, which often translate into watered-down curricula. In schools using the Core Knowledge Sequence, however, all children are exposed to a coherent core of challenging, interesting, interwoven knowledge. This knowledge not only provides a foundation for later learning, but also defines a common heritage and establishes a common ground for communication and cooperation in a diverse society.

In addition to its specificity, the Core Knowledge curriculum is characterized by knowledge that is shared, solid, and sequenced. Literacy in every subject requires a set of mechanical skills and shared background. The shared, many-cultural knowledge that promotes effective classroom learning also promotes cooperation and respect among students, both in the classroom and in society. Because Liberty teachers will be able to rely on shared background knowledge amongst their students, they will be able to build sequentially on that knowledge year by year.

As used above we define knowledge not in the simplistic sense of mere facts but in the fuller sense of the word historically. Knowledge consists of the facts, the relations between them, the thinking about them, and the effort to understand and connect them. It is not out of ignorance that we discover understanding. It is exactly because of what we already know that we can know more, that we can discern organizing principles, make and test hypotheses and act rationally.

SKILLS

The skills of learning, namely, reading, writing, speaking, listening, calculation, problem solving, and exercising critical judgment, are best taught through the content of a body of organized knowledge.

The development of literacy will be one of the primary aims and focuses of effort at Liberty. This will include a great deal of reading from a variety of both fiction and nonfiction primary literature. Particularly in the early grades, Liberty will emphasize reading and more reading. In the early grades, students will receive explicit, systematic phonemic awareness and phonics instruction. Children will be provided deliberate, coherent, direct instruction in letter-sound correspondences. Practices which teach children to rely on word-memorization (the look-say method) and guessing (through illustration and/or context) will be avoided.

Mature literacy develops as students become acquainted with a broad and rich body of knowledge and become familiar with many well-written, diverse and meaningful works of literature. The literature suggested by the Core Knowledge Sequence, as well as other literature that will be introduced is chosen not only for its place in the core body of knowledge, its representation and various cultures, and its rich use of language, but also because it provides access to deeper meaning of universal human problems, particularly those which preoccupy children's minds.

Liberty will acknowledge the central role of language in thought and action. Liberty students will be taught to write and speak through example and sensible practice. Grammar, logic, and real spelling learned from real literature will be part of these skills.

Liberty will teach thinking skills not as a stand-alone course, but rather as instruction integrated within the content. Students often receive knowledge disconnected from features that make it understandable and meaningful.

Additionally, we will teach the more specific thinking skills unique to each discipline, called ''Habits of Mind.'' The Habits of Mind to be taught for scientific literacy are found in ''Benchmarks for Scientific Literacy'' from the American Association for the Advancement of Science. The Habits of Mind for historical literacy are found in the book *Historical Literacy*, which is a report of the Bradley Commission on History. The Habits of Mind for math literacy are identified in ''Children's Mathematical Development.'' Habits of Mind specific to literature, language, art, and music will also be taught.

The development of skills requires time, thought and active engagement of the visual and verbal imagination. We will encourage students to replace non-instructional television watching, which is passive and discourages creative play, with the myriad of activities which will foster the development of imagination and skills. Because television viewing is diametrically opposed to reading, may stifle cognitive development and imagination, trivializes information, undermines values, distorts cause and effect, and is unable to portray thought, we discourage excessive (greater than 10hr/wk) viewing.

VALUES

The purpose of public education in a democracy is to prepare people for the demands of work, the duties of citizenship, and the obligation of each individual to make as much of herself or himself as possible. For this to be accomplished, our youth must be taught the values inherent in a democratic society, such as devotion to human dignity and freedom, equal rights for all, social and economic justice, the rule of law, civility and honesty, self-respect, and self-reliance. These values will be taught from the content of the curriculum by inference and example, and also in how we teach.

STUDENT ACCOUNTABILITY

All students are capable of learning to accept responsibility for their own education. The philosophy and practices this school will acknowledge that young people are free to act and are hence moral agents and can be held accountable for their actions. Our policies will encourage discipline, hard work, cooperation, making decisions and living with the consequences. Such policies, and a clear understanding of academic expectations, will help our students to choose a personal quest for intellectual and personal growth. The students' sensing of an alignment between their personal educational goals and those of their school's will further reinforce their desire to accept responsibility for their education. Such an approach to student accountability has been termed ''agency education.''

PARENTAL INVOLVEMENT AND RESPONSIBILITY

Liberty is a School of Choice. This means that parents have the option to select Liberty's educational philosophy for their children. Liberty believes that its design will result in parents wanting to play a strong role in their children's education. When parents have the opportunity to choose the kind of education they prefer, they will find the necessary energy, time, and resources to devote to their children's education. Liberty anticipates that parents will be directly engaged in tutoring, coaching, classroom instruction, preparing resource materials, and providing other necessary and invaluable assistance.

The family naturally provides the most influential and effective context for basic life long learning and teaching.

For this reason, and at the discretion of the classroom teacher, parents will be invited to teach or assist with lesson plans or learning projects in all subjects, depending on their interests and expertise. Parents will also be encouraged to spend time reading aloud to children at school and/or in the home, coaching them in skill development, and otherwise contributing time and talents in a variety of ways.

Liberty Common School is a charter school. As such, there are many new ideas being implemented. The classroom itself is the context for several of these innovations. There is great emphasis on parent volunteers in this school. There is also a need to establish a learning environment that best serves the students. At Liberty Common School we have defined the general parameters for parent volunteering in Liberty School classrooms.

1. Parents volunteering is an integral part of the Liberty Common School. Parents are not only welcome, but also crucial if we are to have high quality teaching of the entire curriculum in this first year.

2. The teacher's ''individual teaching style'' sets the tone for the classroom. This will include everything from delivery of the educational program to classroom management. The teacher has primary responsibility for the classroom and student learning within the classroom.

3. Parents who wish to be volunteering in the classroom need to learn the teaching style of the teacher they wish to assist. Each teacher will be giving a brief explanation of their style at the orientation before school starts. If the teaching style conflicts with the parent's volunteering style, the parent will need to either adjust their style or find a more compatible setting within the school to volunteer.

4. There will be a ''Liberty Volunteer Tutorial'' that each parent who wishes to work within the classroom itself will need to attend, including curriculum development, copy machine 101, centers, reading overview, laminator, etc. Even though a parent wishes to volunteer in one specific area of the classroom, it is best for all involved that each volunteer have an overview of the whole classroom.

5. There will be a ''curriculum assistant'' for each teacher. This person will work directly with the teacher to prepare resource materials and support the curriculum needs in accordance with the teacher's individual delivery style. The Core Knowledge Sequence

is just that, a sequence. Each teacher will be filling out the sequence for their grade level. The Curriculum Committee has amassed the materials necessary to succeed at this task and there is a Curriculum Resource Room where this work will be done.

6. There will be a volunteer coordinator for each classroom. This person will be responsible for organizing and delegating the volunteer needs both of the teacher/classroom and the parents.

7. Any grievance or concern a parent has with a classroom or a teacher will be handled by the procedures defined in the school handbook.

8. Under no circumstance is it ever acceptable for a parent/volunteer to confront a teacher on an issue in the classroom when the children are present.

Liberty will encourage every adult—parents, step-parents, grandparents, aunts and uncles—to take a special interest in the lives of Liberty's students, to act as mentors and tutors, and to instill in every student a love of learning.

Parents will work in conjunction with the staff to ensure the most effective education possible for their children. To this end, parents will be responsible for knowing and understanding the contents of Liberty's Charter, and be encouraged, but not required, to participate on school committees and provide other volunteer services as they are able.

Mr. Speaker, Liberty Common School's reliance on parental involvement is the epitome of local control. The original parents who volunteered to coordinate other classroom volunteers are Rachele Maffett, Felicia Coddington, Annie Groth, Lorena Lighthart, Karla Wild, Tina Durham, Beth Mizer, Beth Chilson, Joanne Deleon, Tatjana Swihart-Wyns, Melissa Massey, Susan Strong, Donna Regethoff, Judy Peterson, Kim Miller, and Mohamad Kalaaji.

Parents playing the primary role in founding the Liberty Common School, securing its charter, and planning its opening include: Greg and Jane Anderson, Diane Campbell, Steve and D'Ann Chorak, Phil and Carol Christ, Wade and Kim Darrow, Randy and Ruth Ann Everett, Tim and B.J. Gilmore, Francie and John Glycenfer, Phil and Sally Hutchinson, Peter and Penny Kast, Thomas and Dru Ledder, Larry and Mindy Moore, Marty and Cheryl Olson, Gil and Cindy Paben, Gary and Judy Peterson, Jacci Peterson, Carol Ricciardi, Del and Cathy Sandfort, Rolando and Kathy Santos, Maureen Schaffer, Susan Strong, Alberto Squassabia, Dan Norhues and Monica Sweere, Richard and Laura Szanto, Mike and Susan Thatcher, Becky Trentlage, Laurel and David Van Maren, and Harry and Kathy Williams.

Mr. Speaker, It is clear that Liberty Common School could not have opened had it not been for the generosity of several parents who committed significant personal finances to purchase the school facility. There are several parents who cosigned loans for the renovation of the former manufacturing facility which is now a school.

In particular Mr. David Neenan of Fort Collins deserves special recognition. It was indeed his own company that renovated the facility. Mr. Neenan himself made possible the financing of the project. A former school board member, Mr. Neenan's dedication to education excellence is well known and his personal involvement in Liberty Common School has truly resulted in enhanced opportunity for all children of Fort Collins.

Additionally Peter and Penny Kast, and Randy and Ruth Ann Everett have sacrificed long hours and personal fortune to secure the location and finances that have made Liberty Common School possible.

Mr. Speaker, the enthusiasm of the Liberty Common community is positively changing the entire city. Parental choice has reestablished a marketplace of educational opportunity and healthy competition. One parent captured the essence of the pride and enthusiasm all parents felt when Liberty Common opened its doors and it is here that I submit her comments for the RECORD. Mrs. Sally Hutchinson's words were printed by the Fort Collins Coloradoan on September 17, 1997.

NEW CHARTER SCHOOL SETS OPEN HOUSE

We're open! Yes, Liberty Common School opened for its very first day of school on Sept. 2. And an exciting day it was! Fort Collins' first charter school is under way. Let me remind you that we are a public school without tuition.

I have been part of this effort for more than a year now, and will continue to see the plan through as part of the administrative staff. It has required hard work for many, many people (and will require more), but seeing the vision of having a school like this come to pass is a tremendous reward. Fort Collins has finally joined the ranks of many cities in Colorado and across the country who see the value of allowing parents to choose a public school, and to participate in running the school. Not only does Liberty offer the complete Core Knowledge Curriculum for grades K–7 this year, but we have outlined a method to deliver the curriculum and use teachers that is unique.

In addition, we offer parents and students a ''relaxed uniform,'' not only to make it easier to choose what to wear to school, but to add a sense of importance to school, improve student appearance and promote an atmosphere more conducive to learning. Our science program has been enhanced, our depth of study in history and literature is excellent, our reading instruction is phonics based and our expectations and standards are high. We have separate teachers for art, music and physical education, and are currently organizing an extracurricular band program for fifth through seventh graders. Our property includes a huge playground, and a separate gym and multi-purpose room. Liberty is located at 1725 Sharp Point Drive, off of East Prospect.

If this describes the type of school you've been looking for, please call the school at (970) 482–9800, and plan to attend our Open House from 5 to 6 p.m. and 7 to 8 p.m. today. We have openings in several grades, and are open to all students.

We encourage those of you looking for a Core Knowledge program to get enrolled now. As we plan to continue through ninth grade, enrolling now in fourth or fifth grade means you will still have four to five more years of this rich, content-based curriculum.

Call, or stop by for a tour and additional information. We're very excited about the program that's been developed here at Liberty, and are looking for others with a spirit for excellence in education, and a desire to be part of the charter school movement taking place throughout the nation.

Sally Hutchinson is an administrative assistant at Liberty Common School.

Mr. Speaker, there is clearly no more important topic in northern Colorado than the topic of education, for without question, the stability of our republic and the strength of our Nation rely upon a well-educated electorate and productive economic participants. I commend Poudre School District, its board of education, its superintendent and staff for extending parental choice in Fort Collins to include Liberty Common Charter School.

The expanded opportunity for varied academic settings signals the district's commitment to enhanced equity and education fairness. Moreover, the district's commitment to true site based management and its deference to parental authority has inspired more opportunity for a professional teaching environment, and effective schooling.

It is for these reasons Mr. Speaker, that I urge my colleagues to look with favor upon the charter school movement, and to consider the families served by Liberty Common School. This new institution is a suitable model for successful, innovative, competitive schools throughout the country. It is a model that ought to be duplicated. I urge my colleagues and the public at large to further explore the remarkable features of this institution and celebrate another success in America's efforts toward excellence in public education.

STATEMENT OF REMEMBRANCE OF CHEDDI JAGAN AND MICHAEL MANLEY

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to remember two men who, though not Americans, deeply impacted America and the American people: Michael Manley and Cheddi Jagan. It is appropriate to remember them on the floor of the U.S. House of Representatives today because as we engage in the global market, we need to also be engaged in the discussion of global freedom within this structure.

Just as Toussaint L'Ouverture, the Haitian patriot who led the rebellion of 1791 to liberate the slaves in Haiti and helped inspire the struggle of African-Americans for their own freedom, Michael Manley and Cheddi Jagan, by their example in seeking independence and empowerment in their small nations, helped inspire and motivate the struggle for equality and empowerment in post-World War II America and throughout the world.

Michael Manley and Cheddi Jagan lived very different lives in very different countries but their struggles in life seemed to intersect just as their untimely deaths within days of each other brought them together at death. The Caribbean lost two giants in 2 days. They were both outstanding patriots and freedom fighters and their struggle echoed throughout the world. They were both practitioners of the art of mass struggle and devoted their lives to the common people. Respect and admiration for their lives and works extends far beyond the Caribbean.

Cheddi Jagan was the former President of Guyana and Michael Manley was the former Prime Minister of Jamaica. The world press, especially the Caribbean press acknowledged that the movement for self-rule, economic freedom and justice, workers rights, and human rights has suffered a great loss in these two visionaries.

Dr. Jagan, the son of indentured Indian immigrants and a U.S. trained, Howard Dental

School and Chicago's Northwestern University, dentist, has been described by many as champion of the poor. Disgusted by conditions in then British Guiana, Jagan became involved in the labor movement and was elected to the colonial legislature in 1947.

Jagan, founded the Peoples' Progressive Party which the dominant political force in the 1950's until the British Government sent in troops and forced Jagan's resignation as Prime Minister. Jagan helped Guyana to independence from British rule in 1996. Dr. Jagan was reelected in 1992.

Jagan was the author of a host of books on Caribbean history. His writings brought the Caribbean region to the attention of the world and filed in important parts of the history of the Americas. Dr. Jagan was a special kind of visionary: one who dreamed of a better day and could put it into motion.

Michael Manley was a great orator, a champion of human rights and a statesman of courage and conviction. Jamaica's most charismatic leader, he was acknowledged to be the central, driving force in cementing Caribbean unity and establishing a Caribbean community.

Manley, the son of Peoples' National Party founder Norman Manley and Edna Manley an artist and sculptor, went to war at age 19 as a member of the Royal Canadian Air Force. After the war he went to Jamaica College, became an activist in the West Indies Student Association. After graduation he became a journalist, and influenced by his experiences became involved in the trade union movement.

After his farther's death he became a leader of the PNP and was elected Prime Minister 3 years later in 1972. He served as Prime Minister for 11 years and then was reelected in 1989 and served until health problems forced him to resign in 1992. It was said of Manley, ''He showed us that the politics of nation, the ideologies and theories of government, are as relevant to the school girls and boys as to the guys in parliament.''

As we remember these two great gentlemen whose hard work, tireless determination, tenacity, and altruistic dedication for peace, justice, human and civil rights, self rule and empowerment, education, jobs and health care we are inspired to draw great strength from the common roots we share, the common problems we face and the common belief that the will and improvement of the people is the best and, ultimately, only guarantee of democracy.

INTRODUCTION OF LEGISLATION TO CLARIFY THE OSHACT REGARDING RESPONSIBILITY ON MULTIEMPLOYER WORKSITES

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BALLENGER. Mr. Speaker, one of the characteristics of the new OSHA, according to the Clinton administration, is that it will focus not on numbers of citations, but on results. Unfortunately, OSHA's policy with regard to multiemployer worksites shows just the opposite approach.

It is clear from the Occupational Safety and Health Act that in general each employer is responsible for the working conditions and health and safety of his or her own employees. However, early administrative and court decisions recognized that under limited circumstances an employer could be cited by OSHA if the employer created the violation even if the employees who were in danger as a result of the violation were employed by another employer. So, for example, an employer could be cited for storing heavy material near the edge of the top floor of a construction site which endangered employees of other employers working on the floor below.

In recent years, OSHA has stretched and stretched the limits of that legal test in order to artificially increase its numbers of citations and to achieve, through its enforcement, a policy of creating a site controlling employer responsible for all working conditions on the site. Specifically, OSHA has taken the enforcement position that a general contractor or owner should always be responsible for safety on the entire worksite. As a result, OSHA has begun to routinely cite general contractors even where the contractor's employees are not exposed to the violation and the contractor's employees did not create or have control over the violation. Instead, the basis of the general contractor's liability is simply that the general contractor, or owner, should have overall responsibility of the job site, regardless of what the facts and circumstances actually showed.

In that regard, OSHA has adopted a position for enforcement that follows Democratic-sponsored legislation in the 102d and 103d Congress—legislation which failed to pass. A central tenet of those bills was that either a contractor or the owner would be liable in all cases for any safety and health hazards on the worksite. Despite the defeat of that legislation, OSHA has attempted to implement the same policy through enforcement.

Ironically, OSHA's current enforcement policy on multiemployer liability is leading to less safety, not more. General contractors and owners are increasingly reluctant to include any language regarding safety and health responsibilities in contracts with subcontractors, or to take action on subcontractor safety problems that come to the attention of the general contractor or owner. This is done out of concern that any such contract language or action will be used by OSHA as the basis for claiming that the general contractor or owner has assumed responsibility for all safety and health on the worksite, and is therefore liable for any and all violations on the worksite, including those solely created by a subcontractor.

My legislation is intended to reestablish the earlier interpretation regarding liability of multiemployer worksites. Under the bill, an employer may only be cited for an OSHA violation if the employer's own employees are exposed to the violation, or the employer, or its employees, has created the violation or assumed responsibility for ensuring compliance by other employers on the worksite. I urge my colleagues to join me in support of this legislation.

TRIBUTE TO HORACE H. HEIDT

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. SHERMAN. Mr. Speaker, I rise before you today to pay tribute to Horace H. Heidt, who has been nominated for the prestigious Fernando Award for outstanding volunteerism.

President Kennedy once said, ''For of those to whom much is given, much is required. And when at some future date the high court sits in judgment of each of us, recording whether in our brief span of service we fulfilled our responsibilities to the state, our success or failure, in whatever office we hold, will be measured by the answers to four questions: First, were we truly men of courage . . . Second, were we truly men of judgment . . . Third, were we truly men of integrity . . . Finally, were we truly men of dedication.'' The Fernando Award was created to honor individuals who have exemplified leadership, volunteerism and dedication, and is recognized as the leading award for civic accomplishment in the San Fernando Valley. Each year, the Chambers of Commerce in the San Fernando Valley and other community organizations and leaders nominate candidates they feel demonstrate these characteristics. Horace Heidt is a worthy candidate for this award.

Horace has played a leadership role in bringing the arts to the forefront of our community. For 12 years, he was the musical director for the Los Angeles Raiders, and in 1985 he played for President Ronald Reagan at the 50th American Presidential Inaugural Ball. He has negotiated on behalf of the casual music industry and the orchestra leaders of Los Angeles for the collective bargaining agreements. Horace is the honorary chairman of the Valley Cultural Center, a position he has held for the past 3 years.

Horace's commitment to community involvement is not only evident in the cultural arena, he is a leader in business as well. He is the president and board member of the San Fernando Valley Business and Professional Association. This past year, Horace was elected to the Board of Economic Alliance of the San Fernando Valley and appointed to the board of advisors for Finally Restoring Excellence in Education [F.R.E.E.].

Horace has been recognized for his invaluable contributions to our community by several organizations. In 1993, he was presented with the distinguished Freedom Award by the Los Angeles Sertoma Club, and in May 1997, Horace was honored as Citizen of the Year at the 47th Annual Community Awards of the East Valley Coordinating Council. These honors are just a few of the several distinctions Horace has received, in addition to being named as a finalist for the 39th Annual Fernando Award.

Mr. Speaker, distinguished colleagues, please join me in paying tribute to Horace Heidt. He is a role model for the citizens of Los Angeles.

WHAT THE IRS NEEDS

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. MORAN. Mr. Speaker, this week Congress made an important, bipartisan statement on behalf of American taxpayers. I supported H.R. 2676 because my constituents know that the Internal Revenue Service needs restructuring and reforming. They tell me stories about assigning an employee to try for 5 hours to get an IRS agent on the telephone, and about wading through multiple notices of deficiency, none of which explain the supposed problem or include the name of an agent who could do so.

Stories such as those led me to introduce H.R. 2598, the IRS Customer Service Improvement Act, last month. All of my fellow Members of Congress who voted for H.R. 2676 earlier this week should consider signing on to my bill as well, because they have much in common.

Both bills are aimed at changing the attitude the IRS takes toward taxpayers. Taxpayers should be the customers of the IRS, not its targets. Most Americans want to follow the law and pay their taxes correctly and should not be considered de facto lawbreakers. Both bills also recognize that Government owes more than just a little respect to the people who have given it the authority to exist. Under our sprawling Tax Code, the IRS has an important role, but that is no excuse for institutional arrogance.

However, the bill we passed this week has more in common with my legislation than spirit and theme. The provision regarding equalizing the interest rates for overlapping underpayments and overpayments, for example, is similar to section 3 of the IRS Customers Service Improvement Act, which would make the interest rate equal in all cases.

The IRS Customer Service Improvement Act also would require the IRS to implement a plan to have all calls to service numbers answered by IRS employees—not machines—in a timely manner; require all IRS letters and notices to be signed by an IRS agent; require the IRS to notify you of mathematical or clerical errors within 6 months; require the IRS to forgive interest and penalties on mathematical and clerical errors if you pay within 60 days of timely notification; establish a 1-year period of limitation for the IRS to assess additional taxes on returns legally filed by individual taxpayers in all but the highest tax bracket; and make the electronic filing of depository taxes voluntary for small businesses.

While I look forward to the next phase of debate, the possible overhaul of our complex and flawed Tax Code, these provisions will add to the drive to change the nature of the IRS while we still have it. After all, Mr. Speaker, it is called the Internal Revenue Service—and it is service that American taxpayers deserve.

TRIBUTE TO MRS. CLARETTA ''MOTHER FREEDOM'' SIMPSON

HON. THOMAS M. BARRETT

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BARRETT of Wisconsin. Mr. Speaker, I ask the House today to join me in paying tribute to one of Milwaukee's most cherished citizens, Mrs. Claretta ''Mother Freedom'' Simpson.

Mrs. Simpson has devoted her entire life to helping others succeed. Through her actions, thousands of Milwaukee youth have gone on to realize their dreams and have, in turn, lent a helping hand to others. A circle of caring and giving has surrounded Mrs. Simpson all her life and this month her family will gather with her to celebrate her work.

Mrs. Simpson entered the world in 1901 in the small town of Smedes, MS, delivered by a mid-wife in her home. She experienced the hardships of life at an early age and these experiences lead her to become active very early in the American Civil Rights Movement.

Mrs. Simpson's activities in the civil rights movement pre-date Rev. Dr. Martin Luther King, Jr. She started her work with Dr. T.R.M. Howard of Mount Bayou, MS, one of Dr. King's professors. Mrs. Simpson turned the Civil Rights Movement into her life's work, marching in cities all across America, including Birmingham, AL, Detroit, MI and Washington, DC. She marched with Dr. King and was in Washington to hear his famous ''I have a dream. . .'' speech.

Mrs. Simpson's tireless efforts on behalf of her fellow man and woman have earned her the title of ''Mother Freedom'' from other civil rights activists. Her constant participation and support of the movement provided hope and inspiration to everyone around her. Her presence will forever be remembered by those who were there when the dogs came, the hoses flowed, and the lives were lost. Her bravery in the face of death is testimony to the beliefs she holds and the seriousness of her conviction. She cheated death to further the cause, and that is something we should never forget.

In 1958, Mrs. Simpson moved to Milwaukee, WI to continue her efforts in working for civil rights for African-Americans. She became an integral part of her community and worked to soften the sting of poverty on children in Milwaukee.

In 1970, she founded Career Youth Development (CYD), Inc. of Milwaukee. CYD is a non-profit, multi-service, social service agency that serves children from families who most need assistance in Milwaukee. CYD provides over 40 programs to Milwaukee's poor families to help them through drug addiction, gang activity, parenting, academic challenges and many other challenges. She started CYD in her own home, using her own social security check to cover costs.

CYD's slogan is ''Love in Action'' and it could not better summarize the philosophy of Ms. Simpson. ''Love in Action'' is what these families and children receive, Mrs. Simpson's love in action.

On November 28th of this year, Mrs. Simpson will be celebrating her 96th birthday. Family and friends will get together to celebrate a life of giving and a woman with undeniable strength and spirit. I am proud to say that I will be a part of her celebration that day and I will always appreciate the sacrifices she has made for Milwuakee and for America.***P***

PERSONAL EXPLANATION

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Ms. CARSON. Mr. Speaker, on Thursday, November 7, 1997, I was necessarily absent conducting official business in my Congressional District and was unable to cast the following rollcall votes. Had I been present, I would have voted as follows and request that this explanation appear at the appropriate place in the RECORD:

''Yea'' on rollcall votes 592, 595, 598, and 605; ''nay'' on rollcall votes 585, 586, 587, 588, 589, 590, 591, 593, 594, 596, 597, 599, 600, 601, 602, 603, and 604.

As a result of air traffic problems this morning, my return to Washington was delayed causing me to miss the first vote of the day. Had I been present, I would have voted ''nay'' on rollcall vote 606.

TRIBUTE TO PEG DUMBAUGH

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. ENGLISH. Mr. Speaker, this year, one of my constituents, Peg Dumbaugh, is retiring as president of the Butler Area School District School Board. I want to take a moment to pay tribute to her fine work not only during her 4 years on the school board, but during her many years of service in the Butler Area School System.

In November 1993, Peg Dumbaugh was elected to the Butler Area School Board for a 4-year term, and she was uniquely qualified to fill the position. For some years, she has been a former high school English teacher in the Butler school system, and had been the faculty adviser for the school newspaper, the Skyliner. After leaving the classroom, she has jointed the Butler Area School District's administrative team as Coordinator of School-Community Relations. During her tenure in that position, Mrs. Dumbaugh had initiated the Distinguished Graduate project, which each year recognizes an outstanding graduate of the Butler Area School District. One of the most notable of these distinguished Butler graduates is Dr. William J. Perry, our former Secretary of Defense. Finally, upon retirement from the school system, Mrs. Dumbaugh did free-lance work in journalism for the Pittsburgh Post-Gazette, among other things covering Butler Area School District school board meetings.

With this rich background of diverse and relevant experiences, Peg Dumbaugh became one of the nine elected members of the Butler Area School Board overseeing a school system that is the 21st largest school district out of the 501 school districts in the Commonwealth of Pennsylvania. The Butler Area

School District covers 150 square miles, with an administration office building, 14 schools, nearly 9,000 students, and with a budget for the 1997–1998 school year of over $58 million. During Mrs. Dumbaugh's term as a school director, the Butler Area School District implemented a $4.8 million instructional technology plan; introducing foreign language instruction and computer keyboarding in the junior high school curriculum; introduced Latin and Japanese foreign language instruction in the intermediate high school curriculum; and put together an excellent school supervisory and management team. And at a time when school buildings all over the country are struggling with structural problems, leaking roofs, and faulty plumbing, the Butler Area School District during Peg Dumbaugh's tenure has completed five renovation and expansion projects, is now completing a sixth, and has four more scheduled for spring of 1998. This, Mr. Speaker, is good management.

Perhaps Peg Dumbaugh's most significant contribution to the school district as a school director comes through her 4-year chairmanship of the board's Policy and Legislation Committee. As chair of this committee, Peg Dumbaugh guided the district through a complete and very much needed revision of its policy manual, ensuring that school district policies were consistent, well-documented, and uniformly enforceable. But what is not so obvious in a simple recounting of Peg Dumbaugh's accomplishments as a school director is the quiet and thoroughgoing dedication that she has brought to everything she has done. As an elected school board director in a job that pays absolutely nothing, Peg Dumbaugh has spent literally thousands of hours working for the benefit of the Butler Area School District. She has had the kind of quiet dedication that we really are speaking about when we speak of values—to dedicate yourself to the task, to thoroughly do your homework, to quietly and consistently demonstrate the courage of your convictions in situations where others would cave in to the pressure of special interest groups, and to do all of this without asking, but what's in it for me? As a Butler Area School District director, Peg Dumbaugh has personified what we all wish for in the education system—the unwavering determination to provide a quality education to every student.

IN HONOR OF THE CHIAN FEDERATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. MALONEY. Mr. Speaker, I rise today to bring to the attention of my colleagues, the Chian Federation, a special organization which has done so much to promote the values, culture, and ideals common to the United States and Greece and to strengthen Greek-American relations.

The Chian Federation is a cultural and philanthropic nonprofit organization that represents 25 societies and over 50,000 individuals with origins from the small island of Hios in the Aegean Sea.

This year, the Chian Federation is honoring several individuals who came to the United States through Ellis Island. From 1892 to 1954, 245,000 Greek immigrants passed through the complex of buildings on Ellis Island.

Today, many Hellenes trace their roots back to their brave parents, grandparents, and great-grandparents who came to the United States to find relief from rural poverty. These immigrants, many who were illiterate, gave the United States the future generations of college-educated, professionally successful Hellenic-Americans of today.

On November 23, 1997, the Chian Federation, under the direction of President George Almiroudis and Chairman Alex Doulis, will be honoring seven individuals who came through Ellis Island.

Those honorees include: Andreas Papadopulos, Christos Dakides, Pantelis John Marangos, Steve P. Mekedis, Michael N. Konotos, Sophia Kalogeras and Nicholas Christopher.

Mr. Speaker, I ask that my colleagues rise with me in this tribute to the Chian Federation and their honorees. These honorees, together with their families, represent the true blending of the best of the Hellenic and American cultures. I salute the Chian Federation for recognizing their contributions to our country.

TRIBUTE TO DR. WALTER MOSHER

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. SHERMAN. Mr. Speaker, I rise before you today to pay tribute to Dr. Walter Mosher, who has been nominated for the prestigious Fernando Award for outstanding voluntarism.

President Kennedy once said, ''For of those to whom much is given, much is required.'' The Fernando Award was created to honor individuals who have exemplified leadership, voluntarism and dedication and is recognized as the leading award for civic accomplishment in the San Fernando Valley. Each year, the Chambers of Commerce in the San Fernando Valley and other community organizations and leaders nominate candidates they feel demonstrate these characteristics. Dr. Mosher is a worthy candidate for this award.

Throughout his career, Walter has worked to improve the lives of individuals in our community. Understanding the importance of education, he was a student and faculty member at UCLA from 1956–1971. During his tenure as a professor, he served as a director of the urban ecology and transportation group at the Institute of Transportation and Traffic Engineering. Walter also served on the committee that established the School of Architecture and Urban Planning at UCLA.

During this time, Walter also served as a consultant to the Federal Government in its initial activities associated with setting up the National Highway Safety Bureau in the Department of Transportation. In this capacity, he worked directly with the deputy director of the National Highway Safety Bureau. Improved safety for our community has been a priority for Walter, and he has published numerous writings in the field of highway safety and traffic flow theory.

Walter's expertise also extends to the business community. In 1956, he was a cofounder of Precision Dynamics Corp., which initially manufactured and distributed products in the health care field. He served as president of this company on a part-time basis until 1971, when he took over full time. The company has evolved over the past 40 years, and Dr. Mosher has continued to play an imperative leadership role.

In addition to all of these responsibilities, Dr. Mosher serves on several different boards in our community. He is the director of the Health Industries Manufacturing Association, director of the Valley Family Center, and is the immediate past chair of the Valley Industry Commerce Association, to name a few of his positions.

Dr. Walter Mosher has used his extensive knowledge to serve our community, and he has generously donated his time and expertise to several different organizations. Mr. Speaker, distinguished colleagues, please join me in paying tribute to Dr. Walter Mosher. He is a role model for the citizens of Los Angeles.

INTRODUCTION OF LEGISLATION TO IMPLEMENT REDUCTION IN PENALTIES FOR SMALL BUSINESSES

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BALLENGER. Mr. Speaker, today I am introducing legislation to implement one of President Clinton's promises to small business: a reduction in OSHA penalties for small businesses.

On April 21, 1995, President Clinton issued a directive to Federal agencies, including OSHA, to adopt penalty relief for small businesses. Specifically, the directive instructed agencies to reduce penalties by up to 100 percent if the small business corrected the violation within the specified time, or applied the amount of the penalty against the cost of abatement of the violation.

Since then, OSHA has studied and re-studied how such a directive might be implemented. It has even tried to use the President's directive to reduce penalties as an excuse to increase OSHA penalties on some employers. In the end, however, OSHA has never adopted the President's directive and given small businesses the penalty relief promised.

My legislation follows the President's directive nearly verbatim. Under the bill, penalties would be waived in whole or in part, if the employer corrects the violation within a reasonable time, or to the extent that the employer applies them to the cost of abatement. The waiver of penalties applies where the employer has shown good faith in attempting to comply with health and safety requirements and the violation is not a significant threat to employees' health or safety. I invite my colleagues to support this penalty reduction for small business.

RECOGNIZING ALLISON DICKSON FOR HER BATTLE AGAINST MUSCULAR DYSTROPHY

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. EDWARDS. Mr. Speaker, today I wish to recognize a brave and bright young lady from my Texas congressional district. Allison Dickson, a Temple High senior, is at the top 3 percent of her class academically and has served as a class officer. Recently, Allison was selected as the 1997 Temple High School Football Sweetheart.

Allison has accomplished this and so much more despite the debilitating effects of muscular dystrophy. The disease has taken her mobility, but she has kept her heart and soul. I want to enter into the RECORD some special thoughts written by this exceptional young lady:

(By Allison Dickson)

He asked me a simple question. I'm sure he has no recollection of this day or of how much it meant to me. I often think back and remind myself of the five words that made me realize something very important about who I am.

Two rows over in my freshmen U.S. history class sat a boy with a quick smile and calm manner. I had only known him for a few weeks, but we often discussed sports and school like friends normally do. One day, with the innocence of a young child, he asked, ''Allison, do you play soccer?'' Just for a moment I didn't know what to say. I quickly glanced down, smiled at him, and shook my head no. He had given me the greatest compliment I could ever receive. I realized he didn't see me as a person in a wheelchair. To him, I was his friend Allison who could do anything.

I have muscular dystrophy. This disease has taken away my ability to walk but nothing more. Everyone has a weakness, but determination, hard work and a strong faith makes nothing impossible. My achievements, both academically and in leadership roles, have helped me truly believe this.

Of course, I have heard the random rude comments people say. I have felt the effects of prejudice first hand. All of this has made me a stronger and more compassionate person.

I am different from others, but different is not always bad. This boy's trivial question helped me understand that I am not so unlike most people. He had looked past my disability and saw the real me.

Jim Valvano, a former basketball coach and sports announcer, had been diagnosed with cancer. In a speech, he told people cancer could not touch his mind, it could not touch his heart, and it could not touch his soul. He then said that those three things would carry on forever.

Look into my eyes and you will see a mind yearning for knowledge and truth. Look into my heart and you will see a burning passion for life and love for others. Look into my soul and you will see an enduring spirit that touches the lives of others and will carry on forever.

TRIBUTE TO JIM LAMOTTE

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. WELLER. Mr. Speaker, I rise today to honor Mr. Jim LaMotte who is retiring from the Momence Fire Department after 39 years of service including 21 years as fire chief. The Momence Fire District is staffed by volunteers. Mr. LaMotte is the fourth chief to serve Momence since the district was formed in 1949.

During his role as fire chief, Mr. LaMotte achieved many goals. One was to relocate the department to a new facility which was done at a low cost to the taxpayers. Another of Mr. LaMotte's priorities was to maintain and upgrade the equipment such as the breathing apparatus which was recently purchased.

Mr. LaMotte and his wife of 35 years live in Momence, IL. They have three daughters and six grandchildren with one more grandchild on the way. He is the cofounder and vice president of Custom Farm Seed. Mr. LaMotte is also chairman of the board for Good Shepherd Manor, chairman of the 9–1–1 emergency telephone system board, and a member of the Kankakee county board.

Mr. LaMotte is a credit to his community. I am sure his knowledge, professionalism, and skill will be missed by the Momence Fire Department. I urge this body to identify and recognize other citizens in their communities whose actions have clearly made a difference to their community's well being and safety.

BUCHEIT INTERNATIONAL LIMITED

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. TRAFICANT. Mr. Speaker, Bucheit International Ltd., a family-owned company in my 17th Congressional District of Ohio, has experienced difficulties in its business dealings with Burgan Bank, S.A.K. of Kuwait.

Bucheit is a shareholder of the Gulf Global Petroleum Establishment, which has maintained a $3 million fixed deposit account with Burgan Bank since August 17, 1980. Over the following decade, the $3 million account was used as a guarantee on Gulf Global's oil trade agreements.

Prior to Saddam Hussein's invasion of Kuwait in 1990, Gulf Global continued to maintain this fixed deposit account, plus accrued interest, in order to continue its oil trading business. During the Iraqi occupation of Kuwait in 1990 and the gulf war in 1991, Gulf Global's account at Burgan Bank was frozen.

Following the gulf war, Burgan Bank was taken over by the Kuwaiti Government. When Gulf Global tried to resume its operations following the war, Burgan Bank first denied that Gulf Global's account ever existed, even though company has bank receipts to prove it. Then Burgan officials said that they had found Gulf Global's account, but there was no money in it.

It should also be noted that all legal and statutory rights of the company have been held by Mr. Said Al Sabawi, a Canadian citizen. Mr. Sabawi can certify that the account did indeed exist in 1990 and that he has never authorized the removal of the funds from the account, as Burgan Bank must have his signature for any withdrawal from the account.

Burgan Bank's official story is that the $3 million on deposit was withdrawn in 1980. Who's kidding whom? If the money was withdrawn in 1980, how did Burgan guarantee, in writing, Gulf Global's oil purchases? If the money was withdrawn in 1980, how could Burgan issue bank statements showing the $3 million was in the account?

The fact is, the $3 million didn't vanish into thin air. I guarantee it's lining the pockets of the Kuwaiti royal family, who seized control of Burgan Bank in 1991. It's time the United States State Department gets tough with Kuwait, and demands the prompt return of Gulf Global's $3 million, in full.

COLLINS AND AIKMAN FLOORCOVERINGS: A COMPANY MAKING STRIDES IN ENVIRONMENT, EDUCATION

HON. NATHAN DEAL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. DEAL of Georgia. Mr. Speaker, as a member of both the Commerce Subcommittee on Health and Environment well as the House Education and the Workforce Committee, I am particularly interested in programs and achievements in education and the environment. Preserving our environment and educating our work force are challenges our Government cannot meet alone. It is important for those of us concerned about these issues to develop partnerships to help meet our responsibilities to society. This past summer, I had the opportunity to tour Collins and Aikman Floorcoverings in my ninth district of Georgia. Located in Dalton, the company manufactures commercial carpets and tiles.

Collins and Aikman is an example of a company that has discovered solutions to preserve the environment by being the first to recycle carpeting. Using 100 percent of the used carpet that it reclaims, Collins and Aikman produces the only high-performance carpet that contains a significant amount of recycled content. The product has the same performance characteristics and warranties as new carpet and sells for the same price. Further, the recycled content carpet is itself 100 percent recyclable, creating the opportunity for an infinite cycle of use.

These achievements signify that manufacturers can produce successful recycled products without compromising design, quality, or price as well as preserve the environment. Companies that go beyond compliance to achieve new benchmarks in resource and energy conservation should be commended, This holistic approach to environmental responsibility and accountability protect our resources for future generations.

This technological breakthrough involved the ingenuity and dedication of all Collins and Aikman employees. Through trial and error testing and development, this product became a reality. Special training and education programs are the key. The innovative Collins and

Aikman Pacesetters program is designed to orient new employees—from hourly wage earners to top level management—in the company. The outdoor adventure program builds team work, respect, and problemsolving skills. During my tour, I learned that this program broke down barriers for employees, making them feel part of a team and company right away.

A second educational effort within Collins and Aikman is its continuous, internal GED program. The company decided that instead of sending employees out to classes, it would bring the classes to the employees. Like Pacesetters, this program has helped develop an empowered, creative work force. Teachers conduct classes in a room set on the factory floor. Classes are held 2 days a week in 2-hour shifts, and participants go to class on the clock during work hours.

Since the company started this program 5 years ago, 115 employees—25 percent of the Collins and Aikman hourly work force—have earned high school equivalences. They have become part of the central core of trained employees who manage high-technology equipment and make daily, critical decisions that companies depend upon to stay competitive. Going back to school has been made easier for employees, and the resulting self-esteem and pride are immeasurable. Productivity and quality of work have improved yearly, and the trained work force has been instrumental in breakthrough discoveries such as the closed loop carpet recycling program.

As testament to these successes, Collins and Aikman Floorcoverings has recently been awarded the Success Track Outstanding Employer Award from the Georgia Department of Labor. I am pleased to bring these innovative examples in corporate leadership to your attention. Such environmental and educational practices help prepare our country for the challenges of the 21st century.

CONGRATULATING THE TIMES NEWSPAPER

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. VISCLOSKY. Mr. Speaker, it is my distinct pleasure to congratulate The Times newspaper as it celebrates its receipt of two first-place and two third-place honors in the Hoosier Press Association's 1996–97 Ad Award Contest. The Times has also been named the Hoosier State Press Association's ''Blue Ribbon Newspaper of the Year'' for 4 consecutive years.

In the highly competitive field of newspaper advertising, garnering two first-place and two third-place honors serves as a testament to the outstanding quality of The Times, its close-knit relationship to the community, and the high caliber of its staff. The award winning Times staff includes: Betty Durochik, Lisa Tatina, Dan Lavin, Kathy Campbell, Mary Alexander, Cindy Carstenson, and Mike Scamihorn. Betty Durochik and Lisa Tatina took first-place honors in the miscellaneous category of the Hoosier Press Association's contest for their work on the ''Home for the Holidays'' advertisement section. Dan Lavin and Kathy Campbell received first-place honors in the Special Projects, Promotion or Special Sections that have one common theme category for ''Calumet City's Retail Dining Directory.'' Cindy Carstenson and Mike Scamihorn received third-place honors for ''Taste of Chocolate'' Recipe Cards in the best Non-Inserted Promotion category. Betty Durochik, Lisa Tatina, and Mary Alexander placed third for ''Welcome to Schererville'' in the Downtown Council, Shopping Center or Community-wide Group of Merchants category. The Times was judged in the division for newspapers with a circulation of greater than 10,000 by members of the Ohio Newspaper Advertising Executives Association.

The Hoosier Press Association's 1996–97 Ad Award Contest demonstrates a continuation of the proud and outstanding journalistic tradition upon which The Times was founded. The newspaper's maintenance of this strong tradition is especially evident in its receipt of the Hoosier State Press Association's ''Blue Ribbon Newspaper of the Year Award'' for 4 consecutive years. Earning this award has given The Times the distinction of being one of Indiana's finest newspapers.

Founded in June of 1906, The Times was established by Canadian stock and grain operations industrialist, Sidmon McHie, to serve as a vital source of local information for Northwest Indiana. Originally called the ''Lake County Times,'' the newspaper was based in downtown Hammond on Fayette Street and Hohman Avenue. The paper grew and prospered over the years, and its name was changed to The Hammond Times in 1933. In 1967, with the addition of a bureau in South Lake County, the paper's name was changed to The Times. Ownership of The Times continued in the McHie family trust until May, 1962, when the paper was sold to Robert S. Howard, President and founder of Howard Publication, Inc. Under the direction of Howard Publication, The Times relocated to Munster, IN, in 1989, and currently publishes seven uniquely zoned editions.

Mr. Speaker, I ask that you and my other esteemed colleagues join me in commending The Times on its award winning performance. Through the hard work and dedication of its employees, past and present, The Times has remained true to its mission of being a vital source of information for the communities of Northwest Indiana.

THE TAMPON SAFETY AND RESEARCH ACT OF 1997

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mrs. MALONEY of New York. Mr. Speaker, I rise today to introduce an important piece of women's health legislation—The Tampon Safety and Research Act of 1997. The research called for in this bipartisan bill will finally give women the accurate information they need to make informed decisions about their health as it relates to tampon use.

Why is this issue important? Because tampons and other related products often contain additives, synthetic fibers, and dioxin. Dioxin is a toxic byproduct of the paper manufacturing process. Wood pulp, as well as the rayon used in nearly all tampons, undergoes several production processes; a common method is chlorine bleaching, a process which results in the formation of dioxin and other contaminants. As a result, trace amounts of dioxin is present in most paper products, from toilet paper to tampons.

Dioxins are also found in varying levels throughout the environment, but are women being subjected to additional and potentially avoidable exposures to dioxin through tampon use? Let me put dioxin in perspective, because we only have to consult recent history to know of the potentially disastrous effects of this substance. Dioxin is a member of the organochlorine group, which includes the contaminants found in agent orange, the Vietnam war-era defoliant, and at Love Canal.

But let's consult the experts, too. According to a 1994 report issued by the Environmental Protection Agency, dioxins are a known animal cancer-causing agent as well as a probable human carcinogen. My bill is specifically concerned with the possible links between dioxin in tampons and ovarian, cervical, and breast cancers, as well as other potential hazards.

A 1996 EPA study has also linked dioxin exposure with increased risks for endometriosis, an often painful menstrual-related condition that is a leading cause of infertility. Further, the EPA has concluded that people with high exposure to dioxins may be at risk for other effects that could suppress the immune system, increase the risk of pelvic inflammatory disease, reduce fertility, and possibly interfere with normal fetal and childhood development.

The EPA conclusions regarding dioxin exposure are particularly alarming in light of a 1989 Food and Drug Administration report, which stated that ''possible exposures from all other medical device sources would be dwarfed by the potential tampon exposure.'' Why? Because tampons are used by up to 70 percent of menstruating women in the United States, and the average woman may use as many as 11,400 tampons during her lifetime. If dioxin is putting women at risk, could the long-term use of tampons increase that risk?

What makes these toxic residues in tampons even more disturbing is that they come in direct contact with some of the most absorbent tissue in a woman's body. According to Dr. Phillip Tierno, Jr., director of microbiology and immunology at New York University Medical Center, almost anything placed on this tissue—including dioxin—gets absorbed into the body.

According to researchers, dioxin is stored in fatty tissue—just like that found in the vagina. And the fact is that women have more body fat than men, possibly allowing them to more efficiently store dioxins from all sources, not just tampons. Worse yet, the effects of dioxin are cumulative, and can be measured as much as 20 or 30 years after exposure. This accumulation is cause for particular concern, because a woman may be exposed to dioxin in tampons for approximately 40 years over the course of her reproductive life.

The question, of course, is why it is acceptable to have this toxic substance in tampons—despite the advice of an FDA scientist to the contrary. A 1989 agency document reported that ''the most effective risk management strategy would be to assure that tampons, and menstrual pads for good measure, contain no dioxin.'' And why has there been far more testing on the possible health effects of chlorine-bleached coffee filters that on chlorine-

bleached tampons and related products? My bill seeks to address this inadequacy, and finally give women the most accurate, up-to-date information available regarding this critical health concern.

Although the FDA currently requires tampon manufacturers to monitor dioxin levels in their finished products, the results are not availalbe to the public. When I—as a Member of Congress—requested the information, the FDA told me it was proprietary information and therefore could not be released. It should be noted that the dioxin tests relied upon by the FDA are done by the manufacturers themselves, who do not surprisingly insist their products are safe. Some of my constituents say this is the equivalent of the fox guarding the hen house.

How much dioxin exposure is considered safe for humans? And does the fact that tampons are in direct contact with absorbent tissue, and for extended periods of time, make whatever levels of dioxin tampons possess even more dangerous? Is this the equivalent of a ticking time bomb, capable of increasing women's risks for several life-threatening or fertility-threatening diseases? Unfortunately there are no easy answers. We simply don't have instructive, persuasive evidence either way.

Many experts believe, however, that if the slightest possibility exists that dioxin residues in tampons could harm women, the dioxin should simply be eliminated. I also believe we should err on the side of protecting women's health. Tampon manufacturers are not required to disclose ingredients to consumers, although many have taken the positive step of voluntarily disclosing this information. However, women are still being forced to take the word of the industry-sponsored research that their products are completely safe.

My bill also addresses the many other potentially harmful additives in tampons, including chlorine compounds, absorbency enhancers, and synthetic fibers, as well as deodorants and fragrances. Most people are surprised to learn that these additives are commonly found in these products.

We do not really know enough about the potential risks associated with such additives. Independent research has already shown that synthetic fiber additives in tampons amplify toxins, which are associated with toxic shock. Toxic shock syndrome is a rare bacterial illness that caused over 50 deaths between 1979 and 1980, when the link between tampons and toxic shock was first established. According to a 1994 study, of the toxic shock cases occurring in menstruating women, up to 99 percent were using tampons. Obviously toxic shock syndrome is still a woman's health concern, and its link to tampons has become more clear.

The fact is, women do not have the information they need to make sound decisions about their health. For the sake of women's well-being, we need accurate, independent information. American women have a right to know about any potential hazards associated with tampons and other related products. It is only when women fully understand the consequences that they can make truly informed decisions about their reproductive health.

I also note that my bill is not the first time a Member of Congress has expressed concern about this issue. In 1992, the late Representative Ted Weiss of New York brought the issue up on a subcommittee hearing of the Committee on Government Operations. He did this after his staff had uncovered internal FDA documents which suggested the agency had not adequately investigated the danger of dioxin in tampons.

My bill would direct the National Institutes of Health to conduct research to determine the extent to which the presence of dioxin, synthetic fibers, and other additives in tampons and related menstruation products pose any health risks to women. An NIH study, would mean that American women could depend on independent research, and not on the word of research funded by tampon manufacturers.

Mr. Speaker, I hope my colleagues will join me in this fight to get accurate health information to the women of America. Their future fertility, and perhaps their lives, may depend on it.

PAYING TRIBUTE TO DAN RUPP

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. MORAN of Kansas. Mr. Speaker, today I rise to pay tribute to Dr. Dan Rupp, a distinguished citizen from my home town of Hays, KS. Dr. Rupp has displayed a serious commitment to the welfare of his local community, spending his entire adult life in public service and education. Dr. Rupp has been a member of the Hays City Commission for 24 years and served as mayor for six terms.

Dr. Rupp is the longest serving commissioner in the history of the city of Hays, KS, but his active role in the community goes beyond service in local government. His career in higher education as a college professor commenced immediately after he graduated from college. Most of that career was spent as an economics professor at Fort Hays State University. Dr. Rupp also leads a life of volunteerism. He has been a part of many community service projects over the years, including serving as the president of the Volga German Association from 1974 through the present and as a long time member of the Ellis County Historical Society. He was recently recognized for his activity in the local senior companion program, a service he has been involved in since its inception in 1974. Dr. Rupp and his family are also active members of St. Joseph's Catholic Church.

Earlier this year Dr. Rupp was diagnosed with a cancerous lung tumor. He is one of the 1 percent of people with lung cancer who are nonsmokers. Since his diagnosis, he has undergone radiation treatment for his disease. Dr. Rupp is not fighting this disease alone. He has a wonderful, supportive wife and two daughters with him every step of the way, as well as the town of Hays, a community of people who have come to know him well over the years.

While Dr. Rupp decided to not seek reelection to the city commission in 1996, his service to the community has continued. This summer he taught graduate courses and volunteered as a city tour guide, all of this while undergoing his cancer treatment. He has continued to be positive, active, and upbeat. At 61 years old, Dr. Rupp continues as a role model for others in our community, a dedicated educator who has inspired his many students, and one who knows the supreme importance of family. I join the people of Hays, KS hoping and praying for Dan's healthy and speedy recovery.

NATIONAL HOSPICE MONTH

HON. ALLEN BOYD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BOYD. Mr. Speaker, in honor of National Hospice Month, I would like to take a moment to recognize the two hospices which serve the communities in my district, Big Bend Hospice and the Hospice of Northwest Florida-Panama City, and thank them for their invaluable contributions to North Florida's families.

Hospice care involves a team of professionals, including physicians, nurses, therapists, home care aides, counselors and volunteers who help terminally ill patients and their families share their final days at home in peace, comfort and dignity. These hospice caregivers help patients, as well as their family members, with one of the toughest transitions in life. The hospice program, primarily based in the home, treats the person, not the disease; focuses on the family, not the individual; and emphasizes the quality of life. Hospice care ensures that the patient's life is as fulfilling and satisfying as possible, right up to the last moment.

Hospice care has played an important role in my life. Two years ago, I lost my father to cancer. I do not know what my mother and my family would have done without the care that Big Bend Hospice provided. The hospice allowed my father to die at home, in dignity, surrounded by the people who love him. I want to thank the caregivers who helped my family through a very difficult time. My family and I will never forget their commitment and compassion.

NATIONAL LIGHTHOUSE MUSEUM

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. KILDEE. Mr. Speaker, in an effort to broaden the public's appreciation and understanding of America's lighthouse heritage, I have introduced legislation to establish a national lighthouse museum.

Currently, there is no single site in our country where one can go to learn the complete history of American lighthouse development, to learn about the different types of lighthouses, the how and why they were built, who operated them, and their successes and failures. A national lighthouse museum would provide such a learning opportunity.

Mr. Speaker, my legislation would establish a national lighthouse museum commission to develop a fundraising plan, secure a site, draft an operational proposal and establish a national lighthouse museum corporation. The commission would be comprised of 19 members who represent both public and private interests. The national lighthouse museum corporation would be run as a tax exempt, nonprofit 501 C(3) organization.

The national lighthouse museum will hold a collection of artifacts known as the national lighthouse collection. It will also provide support to other museums that interpret the history of aids to navigation in the United States.

Although the national lighthouse museum commission would choose the site, Mr. Speaker, I would like to point out that Michigan has more lighthouses than any other State in the Union.

TRIBUTE TO MATTIEBELLE WOODS

HON. THOMAS M. BARRETT

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BARRETT of Wisconsin. Mr. Speaker, it is with great pride that I pay tribute today to Mattiebelle Woods, on the occasion of her 95th birthday. Her many years of community service and dedication to making a difference in the lives of people of Milwaukee, are truly notable and merit our appreciation and acclaim.

Mattiebelle was born in Milwaukee on Halloween Day, in 1902. And Milwaukee is where she has lived for nearly a century.

Described as the community's ageless wonder, by the Milwaukee Community Journal, Mattiebelle has seen her city through wartime, women's suffrage, prohibition, a great depression, a midcentury industrial boom, civil rights endeavors, recession, and recovery.

Mattiebelle is fiercely committee to bringing along generations of young women. As the founder the Wisconsin Black Teen Pageant, she has ensured that scores of young, black women will have opportunities which may never have surfaced without the pageant as a vehicle.

Today, Mattiebelle remains a director of that pageant, continues in her work as a committeewoman, is active in her church, chairs her area voter registration efforts, and volunteers regularly at the Clinton Rose Senior Center.

Mr. Speaker, I urge you and my colleagues in the U.S. House of Representatives to join me in a salute to Mattiebelle Woods, and to join me in sending her best wishes as she begins her 96th year. Recently, when Mattiebelle was asked by a newspaper reporter just how she continues to do all she does, Mattiebelle responded with ''I'll be OK. God is looking out for me.'' Mr. Speaker, I would like Mattiebelle to know that we are looking out for her, too.

RETIREMENT OF COL. GIULIANO M. TONEATTO

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BORSKI. Mr. Speaker, I rise today in honor of my good friend, Giuliano Toneatto on the occasion of his retirement from the U.S. Army Reserves and to recognize his contributions to his community. Mr. Toneatto is a man of great substance whose service to his country exemplified honor and distinction.

Upon his retirement, Giuliano was given the Legion of Merit award by the U.S. Army Reserves. His military career has consistently exceeded the high standards set by the service, and his exceptional knowledge and expertise will be sorely missed. A U.S. Military Academy graduate, he continued his career in the U.S. Army Corps of Engineers and later received two Bronze Star medals and an Army Commendation Medal for his service in the Republic of Vietnam. His commitment to military education continued when he returned to USMA to teach honors courses in civil engineering.

Giuliano Toneatto has been instrumental to the nomination process for candidates to the U.S. Military Academy from the city of Philadelphia. He is a public servant who has gone above and beyond the call of duty. For 10 years Giuliano has served on the 3d Congressional District Academy Board, which screens candidates for nominations to West Point. He also has served as a Liaison Officer for USMA, recruiting top notch nominees from Philadelphia.

A role model for young men and women, he has provided a meaningful experience for many young people in Philadelphia by introducing them to the USMA and opening that wonderful door of opportunity of opportunity. Giuliano's time, talents, and energy are appreciated by the community and Nation. I would like to thank him for his efforts and commend him for his good work.

Giuliano Toneatto has provided outstanding leadership to the city of Philadelphia. I am proud of his achievements and contributions to our country. Mr. Speaker, please join me as I extend my congratulations and best wishes to a truly amazing man. May he enjoy continued success in his future endeavors.

INTRODUCTION OF LEGISLATION REQUIRING THAT OSHA PROVIDE ADEQUATE NOTICE AND INFORMATION FOR INDUSTRIES AFFECTED BY RULEMAKING

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BALLENGER. Mr. Speaker, one of President Clinton's promises for reinventing OSHA in 1995 was that OSHA regulations would be made ''as simple and sensible and flexible as they can be.'' That is a good goal. Unfortunately, the administration and OSHA have done little to implement it.

One of the ways that OSHA standards become nonsensible is when these standards are enforced and applied to industries—industries had little notice that they were covered by the standard. As a result, the industry must often spend millions of dollars, either in trying to comply with a standard that is not feasible or necessary in their workplaces, or in legal fees, in order to get the courts to overturn OSHA's rule.

Recently, for example, the court of appeals ruled against OSHA with regard to inclusion of the roof coatings industry under the asbestos standard. The court found that ''there is no evidence in the record that asbestos fibers can ever escape from roofing sealants and become airborne'' (Asbestos Information Assn/North America v. Secretary of Labor, 7/24/97). Yet, OSHA insisted on covering the industry with the standard until the court ruled otherwise. Fixing the problem caused by an overreaching OSHA cost the industry thousands of dollars in litigation fees.

Similarly, the airplane maintenance industry is now faced with coverage under OSHA's Methylene Chloride standard, even though OSHA itself acknowledged in testimony before my subcommittee that it did not thoroughly analyze the impact of the rule on that industry.

In contrast, OSHA's recent proposal on tuberculosis does list the specific industries to which the standard would apply. So, the requirements of my bill are not unique or radical. They simply assure that the practice of notifying the specific industries, and analyzing the effect of the standard on them, is consistently followed in OSHA rulemakings.

Mr. Speaker, this is one of several changes which would help to fulfill the President's promise to make OSHA's rules ''as simple and sensible and flexible as they can be.'' I invite my colleagues to cosponsor and support this change.

TRIBUTE TO PHILIP ''FLIP'' SMITH

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. SHERMAN. Mr. Speaker, I rise before you today to pay tribute to Philip ''Flip'' Smith who has been nominated for the prestigious Fernando Award for outstanding voluntarism.

President Kennedy once said, ''For of those to whom much is given, much is required.'' The Fernando Award was created to honor individuals who have exemplified leadership, voluntarism and dedication and it is recognized as the leading award for civic accomplishment in the San Fernando Valley. Each year, the chambers of commerce in the San Fernando Valley and other community organizations and leaders nominate candidates they feel demonstrate these characteristics. Philip Smith is a worthy candidate for this award.

As a high school student, Flip worked in the General Tire store alongside his father and grandfather. This experience encouraged him to open his own business, and in 1972 he opened Flip's Tire Store. The values and lessons he learned as a child have served Flip well: 24 years later he owns one of the most successful tire and automotive operations in the valley, and is a leader in the economic development of our community. His appointment as initiative leader of the Economic Alliance of the San Fernando Valley's Business/Police Crime Reduction Committee has led to the expansion of his highly successful Sepulveda Boulevard Business Watch Program to seven other communities in the San Fernando Valley. This program has become a model for the city of Los Angeles.

Flip is not only an outstanding role model for our business community, he has initiated several programs to work with children, the disadvantaged and senior citizens throughout the valley. These include the Rotary Youth Leadership Conference, Dodger Day for disadvantaged children, seniors and handicapped, and the San Fernando Valleywide track meet for lower achieving athletes. He has also been involved in mentoring and education counseling assistance programs for youth and uneducated adults.

Flip's interest and involvement in our community have led him to serve on several boards and committees, including the American Heart Association, San Fernando Valley Public Safety Advisory Commission, the State Small Business Commission, and many others. He also served as the president of the Mid-Valley Community Police Council, helping to raise over $100,000 annually to assist law enforcement in the San Fernando Valley.

Flip has worked closely with the members of our community to raise the standard of living, and he has generously donated his time and energy to several different organizations. Mr. Speaker, distinguished colleagues, please join me in paying tribute to Philip Smith. He is a role model for the citizens of Los Angeles.

McLEAN COUNTY WORLD WAR II MEMORIAL

HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. EWING. Mr. Speaker, on Saturday, November 8, 1997, McLean County will hold a dedication ceremony for their new World War II memorial.

Our Nation is graced with many treasures, though none so precious as the freedom we enjoy in our prosperous country. As we approach this Veterans Day, we must thank our veterans for providing and safeguarding that freedom. Unfortunately, many have died in war protecting and defending that freedom. In cities throughout this great land, and now right here in Bloomington, there are monuments etched with names of those who made the ultimate sacrifice. Each name marks the end of the dreams of a young American whose life was cut short in the defense of freedom, each inscription a lasting legacy to the selfless sacrifice our very best men and women were willing to make.

I commend all the volunteers who spent countless hours building this lasting memorial for the 306 men and women from McLean County who died in World War II. I thank all the union workers who donated their time and efforts, in particular the carpenters, engineers, cement masons, plumbers, teamsters, and electrical workers. Their efforts will be appreciated for generations to come.

I invite all to join me on November 11, Veterans Day, in recognizing all of yesterday's service members, and all of today's soldiers, sailors, airmen and marines. Our Nation is the finest in the history of mankind because of their service.

HELP COMBAT UNDERAGE SMOKING

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. LEWIS of Georgia. Mr. Speaker, today I am introducing legislation that would place a $500 per year tax on vending machines that sell cigarettes and other tobacco products. It is my hope that this tax will discourage the use of these vending machines and recoup some of the costs that these vending machines inflict upon society by making it easier for our children to illegally purchase and use tobacco products.

Smoking and second-hand tobacco smoke are known class A carcinogens. In fact, scientists recently identified the chemical process through which cigarette smoke causes cancer. Smoking also causes heart disease and birth defects among the children of women smokers. Cigarettes kill more than 434,000 Americans each year. Tobacco addiction costs the American public more than $65 billion each year in health care costs and lost productivity.

The saddest fact to me is that 90 percent of smokers began smoking when they were children—most started before they were 16 years old. Everyday—every single day—3,000 young people began smoking.

All States have laws restricting tobacco sales to children below a certain age. While these laws can be effective when a sales clerk is selling the tobacco, they do little to prevent minors from purchasing tobacco from vending machines. My legislation recognizes the insidious nature of tobacco vending machines by placing a $500 per year tax on vending machines that sell tobacco products.

Hopefully, this tax will help discourage tobacco companies from selling their goods through vending machines and discourage our children from smoking; $500 is a small price to pay to protect our children from emphysema, cancer, and the other ravages of tobacco.

53D ANNIVERSARY REMEMBRANCE OF THE BATTLE OF THE BULGE

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. GOODLING. Mr. Speaker, I rise to honor the veterans of the Battle of the Bulge, who came together with friends and family on their 53d anniversary to dedicate a monument to the courage of the soldiers, living and dead, who fought, in the most important battles ever undertaken by the U.S. Army.

My sister was an army nurse who treated the sick and wounded in field hospitals during this great battle. Joseph F. Zimmer, a member of the 87th Infantry Division, read the following essay, Reflections. I commend this essay to my colleagues' attention.

Once again we meet to recall and honor those days, those men, those warriors who saved the day in the historic Battle of the Bulge of World War II.

As WWII gets even more remote from people's personal experiences, it, and this battle, are going to become even more attractive and memorable. In 100 years, even at the end of the 3rd millennium, people are going to flock to see the memorials that mark, for all time, those dark, dank, foggy days in Belgium and Luxembourg. The valor, bravery, courage, and heroics have been spoken of, written about, and memorialized in uncountable plaques and monuments in our country, most recently at Carlisle, and those far away villages and towns where heroes died, were captured, wounded, or escaped unharmed.

Emerson said ''Every hero becomes a bore at last.'' Nevertheless, the storytelling will insure that our journey to this sacred place at Gettysburg, and the unknown future will keep us connected to one another, to what we experienced in the Bulge during those terrifying times, our inherited strength, and, most especially, to those who have gone before us. Life became death, the shatterer of worlds. We live in the present without being obsessed about the past or worried about the future. We constantly strive to discover the significance of our experiences and in our minds we are constantly standing on holy ground. The bitterest tears shed over a grave are for words left unsaid and deeds left undone. (Harriet Beecher Stowe)

What we forget is that this country had about 120 million people during those war years. Out of that number there were only about 20 million men between the ages of 17 and 36—and four out of five of them went to war, joined by over 100,000 women. Beginning in 1939 with our Armed Forces numbering about 174,000 men, ranking 17th in the world behind such nations as Bulgaria and Portugal, we turned into a global fighting force of more than 8 million, an army without which the allies could not have defeated Nazi Germany and Japan. In all of this it is worthwhile to remember some words of war. They were uttered by Joshua Chamberlain when he returned to the battle field many years after his heroics on Little Round Top: ''In great deeds something abides. On great fields something stays,'' says the old soldier ''Generations that know us not and that we know not of, heart-drawn to see where and by whom great things were suffered and done for them, shall come to this deathless field, to ponder and dream'' This too can be said about all the areas we fought in during the Battle of the Bulge.

The history of the world, like letters without poetry, flowers without fragrance, or thought without imagination, would be a dry matter indeed without its legends. And yet many of these, though scorned by proof of a hundred times, seem worth preserving for their own familiar sakes. What we did, what we experienced, represents the engrafted love of our country, our fellow citizens, and of freedom. In the suburbs of our hearts, we remember that we were part of a gathering of the noblest of men who ever lived in the tides of times. We feel that we must draw on our history to describe our history. It fits each of us to a ''t''—honesty, loyalty, integrity. ''The spirit of man is god-like, eternal, indestructible,'' said Norman Mailer in his WWII book, The Naked and the Dead. This spirit is reflected in the selfless sacrifices made by army nurses, doctors and medics, the women who waited—a mother, wife, sister, even a daughter, maybe, had their daily hell as well.

Our organization, Veterans of the Battle of the Bulge, remains a vessel for each of us to pour our memories and values into, and yet we don't have to run to catch up with our selves. Our founders, present and past presidents, our leaders, are owed a great debt of gratitude to afford us a vehicle, and these reunions, in the company of our companions, to once again gather together, to keep alive in the special vault of the national imagination, the gallantry, uncommon glory and sacrifices made during that great battle. Each of the 19,000 who died, every drop of blood shed, invigorated our Nation and other nations as well as Western civilization. They were among the 292,131 men and women that were killed in battle in WWII; another 115,000 did under

other conditions. These are not just statistics—these are persons. Our being here is important for when we pass on. You don't just lose the glamorous culture we survived in, you lose the whole culture that we stood for and in a way fought for.

It is good to be reminded that there are such men, that there always have been and always will be. ''We sometimes forget, I think,'' said historian, Stephen Ambrose, ''that you can manufacture weapons, and you can purchase ammunition, but you can't buy valor and you can't pull heroes off a assembly line'' Each of us veterans of VBOB can be very proud this day and every day. We are all still heroes, and we do not take lightly being called a hero.

Who knows what our comradeship means, but surely it means more than just that we are all haunted by ghosts; because they are not just echoes of voices that have years since ceased to speak, but the murmur of heroes, in the sense that, through them, something of the power and richness of life itself, not only touched us once long ago, but continues to touch us today as we meet. Let us be worthy of this heritage as we continue to meet from time to time in our chapter meetings, our executive national reunions to see that it is memorialized and never forgotten.

In our vintage years remember: yesterday is history; tomorrow is a mystery; today is a gift—that's why it is called ''the present.''

Finally, legend has it that when we leave this world and get to our enternal abode in heaven, the God we believe in returns to us our best self. It is not difficult to see that what we all were during WWII, and what we became mirrors our best selves. What we did and how we performed in the Battle of the Bulge surely added to our luster. Godspeed to each and everyone here.

IN RECOGNITION OF THE LIFE AND ACCOMPLISHMENTS OF AIR FORCE SERGEANT WILLIAM ROY PEARSON

HON. CHARLES F. BASS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BASS. Mr. Speaker, I rise today to pay tribute to an outstanding American, Air Force Sergeant William Roy Pearson, a member of the elite Maroon Berets of the 37th Air Rescue, who died with six other servicemen when his helicopter was shot down during a rescue mission in Vietnam in 1972. Missing in action for 25 years, Sgt. Pearson was recently returned home to New Hampshire and his family to be buried in his hometown of Webster.

In a time when the word hero is used to describe sports stars or movie actors, Sgt. Pearson stands out as a real-life hero. Like all true heroes, he rose to meet his challenges with a quiet courage. This brave young man, shot down just 12 days before his 21st birthday, earned in his short lifetime, a Silver Star, a Purple Heart and two Distinguished Flying Crosses. He and his squadron are credited with helping to rescue 116 servicemen. And he was a hero until the end—Sgt. William Pearson died while trying to save the life of a downed airman.

I read the comments of another New Hampshire soldier who had trained and served with Sgt. Pearson and I want to share his thoughts with you. He said that he wasn't surprised that his friend died while trying to save another solider, stating: ''Billy Pearson didn't just decide that he was going to be a hero that day. It was the result of a strong family heritage and a loving home where he developed into a young man with a courageous spirit.''

Mr. Speaker, I honor that selfless, courageous spirit today. I ask that you join his family, friends, fellow soldiers and all the people of the Granite State in honoring the life and heroic efforts of Sgt. William Pearson. For too long, New Hampshire had lost one of her bravest sons, and we are very grateful to have him back.

TRIBUTE TO POLICE CHIEF JOHN HOPKINS

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. GALLEGLY. Mr. Speaker, I would like to pay a special tribute to retiring Police Chief John Hopkins of the Port Hueneme, CA Police Department. His dedication to his community is truly extraordinary.

Chief Hopkins began his service over 30 years ago in the city of Port Hueneme as a reserve police officer. He later moved through the ranks from patrolman, eventually becoming Chief of Police in 1992.

Over the years, I have had the opportunity to work with this devoted member of our law enforcement community. During his tenure with the police department, he has been recognized for his many accomplishments and the outstanding progress he has made on the force. The diligence and commitment to Duty Chief Hopkins and his counterparts have displayed are the primary reasons Ventura County consistently ranks as one of the safest areas in the county.

Chief Hopkins will be greatly missed, but his contributions to our community will not be forgotten. I want to congratulate and wish him the very best in his retirement.

IN RECOGNITION OF THE SERVICE OF MR. GEORGE MORRIS TO OUR NATION'S VETERANS

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. YOUNG of Florida. Mr. Speaker, as Veteran's Day draws near, I rise today to recognize an individual in my district who continues to serve his country, and his fellow veterans, more than half a century after his release as a prisoner of war.

George Morris of St. Petersburg, FL has served as a volunteer at the Bay Pines Veterans Administration Medical Center since 1981. In his 16 years of service, Mr. Morris has logged more than 16,200 hours as a volunteer. This is a remarkable feat made all the more so by the fact that he began volunteering at age 75.

During his service in World War II, Mr. Morris was working in the Philippines as a mapmaker for the Government's Coast and Geodetic Survey when he was captured by the Japanese in 1941. After being imprisoned in the Philippines, Japan, and Korea, he was released at the end of the war. Mr. Morris has not forgotten those he served with and continues to honor their memory through his service to other veterans today.

Mr. Speaker, Veteran's Day is a time to reflect on the many gifts we as a nation and as Americans have been given because of those men and women who have served in uniform here and throughout the world. This is a time to say thank you for those gifts. Mr. Morris paid a great price to protect our freedom while his was denied for so long as he was held as a prisoner of war 55 years ago. Today he continues to give of himself in service to others.

On behalf of all my colleagues, I want to say thank you to Mr. Morris, and to all our Nation's veterans, for your service and dedication which enable us all to enjoy all the freedoms and liberties the United States has to offer. Our Nation is the finest nation in the history of mankind because of their service—both past and present.

THE SILK ROAD STRATEGY ACT OF 1997, H.R. 2867

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. GILMAN. Mr. Speaker, I am today introducing the Silk Road Strategy Act of 1997 (H.R. 2867), a measure designed to focus American diplomatic and commercial attention, as well as American foreign assistance, on the important regions of the Caucasus and Central Asia.

The name Silk Road is an ancient one, referring to the East-West trade route that for so long linked China and other countries in East Asia with Italy and other countries in West Europe. The countries of the Caucasus and Central Asian regions, through which travelers on the Silk Road passed, fell victim to conflict and repression as the Russian tsars pushed south and then were replaced by the brutal dictatorship of the Bolshevik Commissars. For over seven decades the eight countries of these two regions—Georgia, Armenia, Azerbaijan, Uzbekistan, Turkmenistan, Tajikistan, Kyrgyzstan and Kazakhstan—were sealed behind the Iron Curtain, unable to move forward toward democracy and commercial prosperity with the rest of Europe and Asia. Ironically, the resources to fuel such progress lay just under the surface, in the form of vast gas and oil reserves.

Mr. Speaker, the peoples of the Caucasus and Central Asia now face the challenge of rebuilding their links to Europe and Asia, and we in the United States have a national interest to help them overcome the obstacles that lay in the way of resurrecting the old Silk Road. Regrettably, these countries lie between Russia, Iran, Afghanistan and China. In Russia, they face a country that seems intent on forcing them to stay within its sphere of dominance. In Iran, they face a fundamental Islamic regime that seeks to use them to thwart efforts led by the United States to isolate Iran until it forsakes its support for international terrorism—and an Iran that hopes to forment fundamentalist Islam from Azerbaijan to the borders of

China. In Afghanistan, these countries face a country in turmoil—and a violence they fear could spread northward. Finally, in China they face the world's most populous nation, controlled by a brutal Communist regime that is looking hungrily to the energy reserves and natural resources of these thinly populated countries to fuel its industrial and technological expansion in the 21st century.

What is the American interest in these two far-flung regions? First, we want to see democratic government take root in these states. Stability in these regions and in the broader Eurasian region may well depend on the successful consolidation of democratic governance in these states over the next decade or two, frankly, there is a lot of work ahead of us in that regard, Second, we want to defuse the current ethnic conflicts that are destabilizing the two regions, and that are providing neighboring states, such as Iran, the leverage to gain these countries' cooperation in major commercial endeavors, such as energy export pipelines. Finally, just as it is in America's interest to help these countries open up a window to the West to lessen their manipulation by their larger neighbors, it is in America's interest to see the energy reserves of the two regions opened up to the West. As my colleagues well know, our United States military forces face an increasingly difficult task in ensuring our continued access to the energy reserves of the Persian Gulf. We need to encourage the development of other sources of oil and gas as we enter the next century to lessen our dependence on their Persian Gulf as Iran and Iraq seek to manipulate that dependence. The reserves of the Caucasus and Central Asian regions do not compare with those of the Persian Gulf, but they are indeed vast, and we should look for ways to get pipelines out to the West—avoiding routes through countries, such as Russia and Iran, that may have a geopolitical interest to choke off those pipelines at some point in the future.

Mr. Speaker, I invite my colleagues to join me in sponsoring this bill, H.R. 2867, a measure that, if enacted, would target our diplomatic attention and foreign assistance on these increasingly important regions.

H.R. 2867

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 ''Silk Road Strategy Act of 1997''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The ancient Silk Road, once the economic lifeline of Central Asia and the South Caucasus, traversed much of the territory now within the countries of Armenia, Azerbaijan, Georgia, Kazakstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan.

(2) Economic interdependence spurred mutual cooperation among the peoples along the Silk Road and restoration of the historic relationships and economic ties between those peoples is an important element of ensuring their sovereignty as well as the success of democratic and market reforms.

(3) The development of strong political and economic ties between countries of the South Caucasus and Central Asia and the West will foster stability in the region.

(4) The development of open market economies and open democratic systems in the countries of the South Caucasus and Central Asia will provide positive incentives for international private investment, increased trade, and other forms of commercial interactions with the rest of the world.

(5) The Caspian Sea Basin, overlapping the territory of the countries of the South Caucasus and Central Asia, contains proven oil and gas reserves that may exceed $4,000,000,000,000 in value.

(6) The region of the South Caucasus and Central Asia will produce oil and gas in sufficient quantities to reduce the dependence of the United States on energy from the volatile Persian Gulf region.

(7) United States foreign policy and international assistance should be narrowly targeted to support the economic and political independence of the countries of the South Caucasus and Central Asia.

SEC. 3. POLICY OF THE UNITED STATES.

It shall be the policy of the United States in the countries of the South Caucasus and Central Asia—

(1) to promote and strengthen independence, sovereignty, and democratic government;

(2) to assist actively in the resolution of regional conflicts;

(3) to promote friendly relations and economic cooperation;

(4) to help promote market-oriented principles and practices;

(5) to assist in the development of the infrastructure necessary for communications, transportation, and energy and trade on an East-West axis in order to build strong international relations and commerce between those countries and the stable, democratic, and market-oriented countries of the Euro-Atlantic Community; and

(6) to support United States business interests and investments in the region.

SEC. 4. UNITED STATES EFFORTS TO RESOLVE CONFLICTS IN GEORGIA, AZERBAIJAN, AND TAJIKISTAN.

It is the sense of Congress that the President should use all diplomatic means practicable, including the engagement of senior United States Government officials, to press for an equitable, fair, and permanent resolution to the conflicts in Georgia and Azerbaijan and the civil war in Tajikistan.

SEC. 5. AMENDMENT OF THE FOREIGN ASSISTANCE ACT OF 1961.

Part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by adding at the end the following new chapter:

''Chapter 12—Support for the Economic and Political Independence of the Countries of the South Caucasus and Central Asia

''SEC. 499. UNITED STATES ASSISTANCE TO PROMOTE RECONCILIATION AND RECOVERY FROM REGIONAL CONFLICTS.

''(a) PURPOSE OF ASSISTANCE.—The purposes of assistance under this section are—

''(1) to create the basis for reconciliation between belligerents;

''(2) to promote economic development in areas of the countries of the South Caucasus and Central Asia impacted by civil conflict and war; and

''(3) to encourage broad regional cooperation among countries of the South Caucasus and Central Asia that have been destabilized by internal conflicts.

''(b) AUTHORIZATION FOR ASSISTANCE.—

''(1) IN GENERAL.—To carry out the purposes of subsection (a), the President is authorized to provide humanitarian assistance and economic reconstruction assistance under this Act, and assistance under the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601 et seq.), to the countries of the South Caucasus and Central Asia to support the activities described in subsection (c).

''(2) DEFINITION OF HUMANITARIAN ASSISTANCE.—In this subsection, the term 'humanitarian assistance' means assistance to meet urgent humanitarian needs, in particular meeting needs for food, medicine, medical supplies and equipment, and clothing.

''(c) ACTIVITIES SUPPORTED.—Activities that may be supported by assistance under subsection (b) are limited to—

''(1) providing for the essential needs of victims of the conflicts;

''(2) facilitating the return of refugees and internally displaced persons to their homes; and

''(3) assisting in the reconstruction of residential and economic infrastructure destroyed by war.

''(d) POLICY.—It is the sense of Congress that the United States should, where appropriate, support the establishment of neutral, multinational peacekeeping forces to implement peace agreements reached between belligerents in the countries of the South Caucasus and Central Asia.

''SEC. 499A. ECONOMIC ASSISTANCE.

''(a) PURPOSE OF ASSISTANCE.—The purpose of assistance under this section is to foster the conditions necessary for regional economic cooperation in the South Caucasus and Central Asia.

''(b) AUTHORIZATION FOR ASSISTANCE.—To carry out the purpose of subsection (a), the President is authorized to provide technical assistance to the countries of the South Caucasus and Central Asia to support the activities described in subsection (c).

''(c) ACTIVITIES SUPPORTED.—Activities that may be supported by assistance under subsection (b) are limited to the development of the structures and means necessary for the growth of private sector economies based upon market principles.

''(d) POLICY.—It is the sense of Congress that the United States should—

''(1) assist the countries of the South Caucasus and Central Asia to develop laws and regulations that would facilitate the ability of those countries to join the World Trade Organization;

''(2) provide permanent nondiscriminatory trade treatment (MFN status) to the countries of the South Caucasus and Central Asia; and

''(3) consider the establishment of zero-to-zero tariffs between the United States and the countries of the South Caucasus and Central Asia.

''SEC. 499B. DEVELOPMENT OF INFRASTRUCTURE.

''(a) PURPOSE OF ASSISTANCE.—The purposes of assistance under this section are—

''(1) to develop the physical infrastructure necessary for regional cooperation among the countries of the South Caucasus and Central Asia; and

''(2) to encourage closer economic relations between those countries and the United States and other developed nations.

''(b) AUTHORIZATION FOR ASSISTANCE.—To carry out the purposes of subsection (a), the following types of assistance to the countries of the South Caucasus and Central Asia are authorized to support the activities described in subsection (c):

''(1) Activities by the Export-Import Bank to complete the review process for eligibility for financing under the Export-Import Bank Act of 1945.

''(2) The provision of insurance, reinsurance, financing, or other assistance by the Overseas Private Investment Corporation.

''(3) Assistance under section 661 of this Act (relating to the Trade and Development Agency).

''(c) ACTIVITIES SUPPORTED.—Activities that may be supported by assistance under subsection (b) are limited to promoting actively the participation of United States companies and investors in the planning, financing, and construction of infrastructure

for communications, transportation, and energy and trade including highways, railroads, port facilities, shipping, banking, insurance, telecommunications networks, and gas and oil pipelines.

''(d) POLICY.—It is the sense of Congress that the United States representatives at the International Bank for Reconstruction and Development, the International Finance Corporation, and the European Bank for Reconstruction and Development should encourage lending to the countries of the South Caucasus and Central Asia to assist the development of the physical infrastructure necessary for regional economic cooperation.

''SEC. 499C. SECURITY ASSISTANCE.

''(a) PURPOSE OF ASSISTANCE.—The purpose of assistance under this section is to assist countries of the South Caucasus and Central Asia to secure their borders and implement effective controls necessary to prevent the trafficking of illegal narcotics and the proliferation of technology and materials related to weapons of mass destruction (as defined in section 2332a(c)(2) of title 18, United States Code), and to contain and inhibit transnational organized criminal activities.

''(b) AUTHORIZATION FOR ASSISTANCE.—To carry out the purpose of subsection (a), the President is authorized to provide the following types of assistance to the countries of the South Caucasus and Central Asia to support the activities described in subsection (c):

''(1) Assistance under chapter 5 of part II of this Act (relating to international military education and training).

''(2) Assistance under chapter 8 of this part of this Act (relating to international narcotics control assistance).

''(3) The transfer of excess defense articles under section 516 of this Act (22 U.S.C. 2321j).

''(c) ACTIVITIES SUPPORTED.—Activities that may be supported by assistance under subsection (b) are limited to assisting those countries of the South Caucasus and Central Asia in developing capabilities to maintain national border guards, coast guard, and customs controls.

''(d) POLICY.—It is the sense of Congress that the United States should encourage and assist the development of regional military cooperation among the countries of the South Caucasus and Central Asia through programs such as the Central Asian Battalion and the Partnership for Peace of the North Atlantic Treaty Organization.

''SEC. 499D. STRENGTHENING DEMOCRACY, TOLERANCE, AND THE DEVELOPMENT OF CIVIL SOCIETY.

''(a) PURPOSE OF ASSISTANCE.—The purpose of assistance under this section is to promote institutions of democratic government and to create the conditions for the growth of pluralistic societies, including religious tolerance.

''(b) AUTHORIZATION FOR ASSISTANCE.—To carry out the purpose of subsection (a), the President is authorized to provide the following types of assistance to the countries of the South Caucasus and Central Asia.

''(1) Technical assistance for democracy building.

''(2) Technical assistance for the development of nongovernmental organizations.

''(3) Technical assistance for development of independent media.

''(4) Technical assistance for the development of the rule of law.

''(5) International exchanges and advanced professional training programs in skill areas central to the development of civil society.

''(c) ACTIVITIES SUPPORTED.—Activities that may be supported by assistance under subsection (b) are limited to activities that directly and specifically are designed to advance progress toward the development of democracy.

''(d) POLICY.—It is the sense of Congress that the Voice of America and RFE/RL, Incorporated, should maintain high quality broadcasting for the maximum duration possible in the native languages of the countries of the South Caucasus and Central Asia.

''SEC. 499E. INELIGIBILITY FOR ASSISTANCE.

''(a) IN GENERAL.—Except as provided in subsection (b), assistance may not be provided under this chapter for a country of the South Caucasus or Central Asia if the President determines and certifies to the appropriate congressional committees that the country—

''(1) is engaged in a consistent pattern of gross violations of internationally recognized human rights;

''(2) has, on or after the date of enactment of this chapter, knowingly transferred to another country—

''(A) missiles or missile technology inconsistent with the guidelines and parameters of the Missile Technology Control Regime (as defined in section 11B(c) of the Export Administration Act of 1979 950 U.S.C. App. 2410b(c); or

''(B) any material, equipment, or technology that would contribute significantly to the ability of such country to manufacture any weapon of mass destruction (including nuclear, chemical, and biological weapons) if the President determines that the material, equipment, or technology was to be used by such country in the manufacture of such weapons;

''(3) has supported acts of international terrorism;

''(4) is prohibited from receiving such assistance by chapter 10 of the Arms Export Control Act or section 306(a)(1) and 307 of the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 (22 U.S.C. 5604(a)(1), 5605); or

''(5) has initiated an act of aggression against another state in the region after the date of enactment of the Silk Road Strategy Act of 1997.

''(b) EXCEPTION TO INELIGIBILITY.—Notwithstanding subsection (a), assistance may be provided under this chapter if the President determines and certifies in advance to the appropriate congressional committees that the provision of such assistance is important to the national interest of the United States.

''SEC. 499F. ADMINISTRATIVE AUTHORITIES.

''(a) ASSISTANCE THROUGH GOVERNMENTS AND NONGOVERNMENTAL ORGANIZATIONS.—Assistance under this chapter may be provided to governments or through nongovernmental organizations.

''(b) USE OF ECONOMIC SUPPORT FUNDS.—Except as otherwise provided, any funds that have been allocated under chapter 4 of part II for assistance for the independent states of the former Soviet Union may be used in accordance with the provisions of this chapter.

''(c) TERMS AND CONDITIONS.—Assistance under this chapter shall be provided on such terms and conditions as the President may determine.

''(d) SUPERSEDING EXISTING LAW.—The authority to provide assistance under this chapter supersedes any other provision of law, except for—

''(1) this chapter;

''(2) section 634A of this Act and comparable notification requirements contained in sections of the annual foreign operations, export financing, and related programs Act;

''(3) section 907 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (22 U.S.C. 5812 note; relating to restriction on assistance to Azerbaijan), except such section shall not apply with respect to—

''(A) activities to provide humanitarian assistance under the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601 et seq.);

''(B) activities to support democratic reforms and democratic governance;

''(C) assistance for the control of narcotic and psychotropic drugs and other controlled substances, or for other anticrime purposes, under section 481(a)(4) of this Act (22 U.S.C. 2291(a)(4));

''(D) assistance under programs carried out under section 1424 of the National Defense Authorization Act for Fiscal Year 1997 (50 U.S.C. 2333);

''(E) assistance provided by the Trade and Development Agency under section 661 of this Act (22 U.S.C. 2421) ; and

''(F) activities carried out by the United States and Foreign Commercial Service; and

''(4) section 1341 of title 31, United States Code (commonly referred to as the ''Anti-Deficiency Act''), the Congressional Budget and Impoundment Control Act of 1974, the Balanced Budget and Emergency Deficit Control Act of 1985, and the Budget Enforcement Act of 1990.

''SEC. 499G. DEFINITIONS.

''In this chapter:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

''(2) COUNTRIES OF THE SOUTH CAUCASUS AND CENTRAL ASIA.—The term 'countries of the South Caucasus and Central Asia' means Armenia, Azerbaijan, Georgia, Kazakstan, Kyrgystan, Tajikistan, Turkmenistan, and Uzbekistan.''.

SEC. 6. ANNUAL REPORT.

Beginning one year after the date of enactment of this Act, and annually thereafter, the President shall submit a report to the appropriate congressional committees—

(1) identifying the progress of United States foreign policy to accomplish the policy identified in section 3;

(2) evaluating the degree to which the assistance authorized by chapter 12 of part I of the Foreign Assistance Act of 1961, as added by section 5 of this Act, was able to accomplish the purposes identified in those sections; and

(3) recommending any additional initiatives that should be undertaken by the United States to implement the policy and purposes contained in this Act.

SEC. 7. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(2) COUNTRIES OF THE SOUTH CAUCASUS AND CENTRAL ASIA.—The term ''countries of the South Caucasus and Central Asia'' means Armenia, Azerbaijan, Georgia, Kazakstan, Kyrgystan, Tajikistan, Turkmenistan, and Uzbekistan.

TRIBUTE TO JUDGE EARLE MURPHY

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. DUNCAN. Mr. Speaker, I would like to take a few moments to honor a man who has devoted his life to serving the people of Bradley County, Judge Earle Murphy.

Through more than 50 years of service, Judge Murphy has become one of the most

respected judges in East Tennessee. He is known not only for his knowledge of the law, but also for his common sense approach to the law.

But Judge Murphy's contributions to the people of Bradley County reach far beyond his legal career. In every aspect of his life, he dedicated himself to improving the world in which he lived.

Judge Murphy was recently honored by the Bradley County Bar Association for his many achievements and his years of service to the people of Bradley County.

I am deeply saddened to say that Judge Murphy passed away recently. Judge Murphy was an exemplary man, who made the most of his life. He will be missed by the many people who knew and loved him.

I would like to call attention to the attached editorial which was printed in the Cleveland Daily Banner Newspaper shortly before Judge Murphy's death:

MURPHY'S CONTRIBUTIONS SHOULD BE RECOGNIZED

On Tuesday Judge Earle G. Murphy will be honored by the Bradley County Bar Association for his more than 50 years of service to the community.

It is, undoubtedly, a celebration of a man who has not only devoted himself to his job, but has given time and talent to countless community service agencies, and we, as citizens of Cleveland and Bradley County, owe him a debt of gratitude.

Murphy began his life in the Bradley County Courthouse at age 12. His father, James, served as county register of deeds, and, when he was old enough, Murphy went with his dad to help proofread deeds of trust and chattle mortgages each day. He attended local schools, working after class. Before long he formed relationships with attorneys in the area and a craving for the study of the law.

Lucky for us he did. His service as General Sessions, Circuit Court, and Cleveland City judge over the years has proven to be balanced and fair. Even in times when one party or another didn't agree with Murphy's ruling, you could rest assured that the decision was made with much thought and great consideration for the law. Murphy's devotion to what is fair and legal in his courtroom is apparent above all else.

In addition, Murphy has proven to be a kind friend, a sincere Christian, a loving family man, and a servant of the public. He has worked, as president of both the Cleveland Lions Club and of the Bar Association. He also gave eight years to the Cleveland Board of Education. Most anyone in town will tell you that Murphy and other community leaders work during that period was greatly responsible for getting Cleveland High School built when it was so desperately needed.

His personal love remains his wife, Norma, who he has been devoted to for nearly 54 years. Murphy's children and grandchildren are sparkles in his eyes, and though the children are grown, the family remains close. Murphy has served in almost every capacity at his church, First United Methodist. He has been a chairman of the building committee, a member of the choir, a Sunday School teacher, and he's given the occasional sermon. As scoutmaster of that church's Boy Scout troop, he touched the lives of many of the boys of Bradley County. Those boys are men today, and no doubt they still have enormous respect for their leader.

Murphy's experience as a judge stayed with him in his friendships. He was often a voice of mediation in times of dissension, a compassionate listener other times. He helped numerous young attorneys in Bradley County get their feet planted; he acted as a guide and counselor, just as the older attorneys he met in his youth did for him.

The golf course was a place of escape for Murphy. He turned his love of sports into energy which helped found the Bradley Sports Foundation and Sports for Youth. It seems that in every area of his life, Murphy looked beyond himself to the greater good.

We encourage everyone to take part in the ceremony lauding the achievements of this man. He truly is the epitome of home folk achieving greatness, and as a community we should be very proud and grateful.

NEED FOR A NEW POLICY ON ENCRYPTION

HON. TOM DeLAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. DELAY. Mr. Speaker, I would like to call to my colleagues' attention the need for a new policy on encryption. A simple policy that lets American computer users continue to buy whatever encryption they want and that lets American companies remain internationally competitive by modernizing existing export controls.

The administration has failed year after year to address this issue—stonewalling, making minor export control modifications years after they were necessary, and even preparing to take away the ability of Americans in this country to protect sensitive and confidential electronic information.

I am concerned that it we do not take rational and effective action soon, our ability to use American ingenuity to keep at the forefront of worldwide economic growth through information technology will be irreparably harmed because of our inability to protect our Nation's primary source of strength—our citizens' knowledge and ideas. That being the case, I believe the Security and Freedom through Encryption [SAFE] Act, H.R. 695, should be a priority for the second session of this Congress.

STRONG, SECURE PROTECTION OVER NETWORKS IS CRITICAL

Information has become power in the 21st century. We need to protect our information in order to protect our national and economic security. Every technological advance is encouraging individuals, companies, and governments to become more networked—whether to work with others, communicate and share documents within a company, or to access work from home. If we do not take necessary and adequate precautions, these computer networks eventually may create a danger. Foreign competitors, foreign powers, terrorists, and just plain criminals may exploit their knowledge of technology to gain access to more information than ever before in order to steal information or to injure people.

THE ADMINISTRATION'S EXPORT POLICY HAS HAMSTRINGED AND HARMED AMERICANS

Encryption is simply a fancy name for scrambling information so that it may not be understood by the casual reader or listener. Computer software or hardware scrambles information using a key. The longer the key, the more options for scrambling information and the more protection is provided to protect the information from knowledgeable computer hackers seeking to descramble or decrypt the information.

In 1992 the administration permitted U.S. companies to freely export 40-bit key length encryption products. Fire years later the administration still limits mass market exports in general to 40-bits.

The only way that the administration permits companies to increase this encryption strength to even a slightly stronger 56-bits is to agree to build back door government access features into future products.

It is hard to believe that what would protect information in 1992 could still be considered reasonable protection for information in 1997. One very smart student in California proved that 40-bit strength encryption could be broken by trying every key combination in just a few hours. Several smart U.S. cryptographers got together and calculated that a government willing to spend some money could break 40-bit encryption, or even 56-bits, in a [minute fraction] of a second.

Importantly, an unfortunate side-effect of the administration's export control policy is that it also has limited the strength of encryption that Americans have access to from their corner software store. I understand that American software companies earn over one-half of their total revenues from their software exports. So that they do not face a marketing nightmare as well as the expense of developing two different products—one for the United States and one for overseas—these software companies have in general developed only one version of a product. Thus, most U.S. companies are also stuck at the unprotected 40-bit level.

FOREIGN VENDORS SUPPLY STRONG, 128-BIT ENCRYPTION

Our administration has created a huge window of opportunity for foreign hardware and software vendors to fill the void created by these antiquated export controls. Several foreign companies provide strong, 128-bit encryption. They quite often market their products as add-ons or replacements for export-crippled U.S. products. Would you really want to buy a 40-bit or even a 56-bit version of a software product when you knew that your competitor had a 128-bit product?

While the U.S. computer industry has had a strong lead in developing hardware and software products, we can no longer rely on this advantage to ensure that foreign vendors do not use the opening of supplying encryption software to start to provide foreign consumers with other programs, such as stronger, 128-bit Internet browsers.

Thus, I believe that if a comparable product is available overseas, then we should not hamstring America's companies from providing the same product. If a foreigner can and will purchase a 128-bit encryption product overseas, I would prefer that they bought it from an American company. I believe that this is better for our economy, and ultimately better for our national security. Otherwise, the result will be that all encryption expertise will move off-shore as well as encryption sales.

WHAT LOUIS FREEH AND HIS LOBBY MACHINE WANT AND WHY IT DOES NOT WORK DOMESTIC ENCRYPTION CONTROLS

After testifying at House Judiciary and House Commerce regarding export controls, Louis Freeh finally came out of the closet and

divulged that he had not been discussing export controls, he had been talking about domestic controls on encryption designed by Americans for Americans. Mr. Freeh and his 80 lobbyists apparently never thought to bring this up so that it could be part of the Judiciary Committee's hearings on the legislation from the very beginning.

Why? Perhaps he knew the reception he would receive to the proposal that Americans should no longer be able to design, manufacture or import encryption unless the encryption technique ensured that a government approved third party could have access to the information without the user's knowledge. Thus, he would prefer that every time an American encrypts information to store it on a computer or to send it over the Internet, a third party must be able to access the information and the user would never know that the information had been accessed. This would change over 200 years of free speech.

IMPACT OF REQUIRING FBI'S PROPOSED DOMESTIC CONTROLS

I am a strong proponent of law enforcement. But I do not believe that we should adopt a system that our best and brightest say will be nearly impossible to design, hard to keep secure and probably very costly to consumers.

To my knowledge, no one has ever built or even begun to test the reliability, security, and costs of such a system. I have seen a report by another group of extremely well-known American scientists who tell me that they have no idea of how to design and implement this proposed domestic key recovery system. They also say that such a system could create greater vulnerability for its users. Apparently encryption techniques are not foolproof, and adding sufficient complexity to permit third party access will make the encryption even less secure. It also appears to be highly dependent upon the honesty and integrity of those third parties who have access to the information. Who, ultimately, do we trust?

I understand that while advances in technology have generally provided the FBI and other law enforcement with more investigatory tools, this one advance may make it more difficult for them. I propose instead that we look at methods that will help law enforcement to combat these new hurdles, rather than choosing the more simplistic approach of building law enforcement access into each and every encryption product.

I also can only image the bureaucracy necessary to handle the magnitude of information regarding encryption keys. It would have to rival many agencies we have spent years trying to reduce in size—the Internal Revenue Service and the Department of Commerce to name just a few.

While we are expending all of our efforts trying to lessen government intrusion in our lives, domestic encryption controls as proposed by Mr. Freeh would create probably the largest intrusion yet.

Finally, I have a basic concern about requiring American citizens to provide access to their information if they decide to encrypt it. If I write a letter in the privacy of my own home and leave it in my desk drawer, I do not have to provide a copy of my house key and desk drawer key with the local police so that they may look at it easily without my knowledge. I do not see why this should change if I write this letter on my computer and decide to encrypt it. Why should this act require me to let others have the capability of viewing it without my knowledge? I agree with the constitutional law professors who stated that this would have a ''chilling effect'' on American speech.

FOREIGNERS SIMPLY WILL NOT PURCHASE AND CRIMINALS WILL NOT USE AMERICAN DESIGNED MANDATORY KEY RECOVERY ENCRYPTION PRODUCTS

Ultimately, foreigners will not purchase or use American encryption products if they provide mandatory third party access to information. Neither will criminals. They know that the encryption technique is strongly desired by American law enforcement because law enforcement can monitor or otherwise access the information. Why would they voluntarily use such a product when they can use a 128-bit product they can obtain today over the Internet from tens of countries.

The FBI alleges that all foreign governments are eager to adopt similar controls on their citizens. While this is true of France, it is not true of the European Union for example, which categorically rejected the administration's proposal for a worldwide key recovery infrastructure requirement.

The only impact of the FBI proposal is that normal, law abiding American citizens will use American designed encryption programs. Foreigners will turn to foreign sources for their nonkey recovery products, and criminals will certainly turn to the same foreign sources. Thus, the FBI proposal does not address the real problem created by encryption technology. I do not want to put in place a large, costly bureaucracy that will not permit law enforcement to bet the information it believes necessary.

WHAT IS BEST FOR AMERICA

The United States should not try to control the export of something that by its very nature is uncontrollable. The United States should also not take a lead in forcing its citizens to adopt a costly technology that will insure easy monitoring and intrusion by law enforcement. Our constitutional guarantees of free speech and our rights to privacy should not be in any way lessened in order to accomplish Louis Freeh's desire for a fourth amendment for the 21st century. We in Congress should act now to relax export controls on encryption technology and to ensure that Americans remain free to speak in whatever manner they desire, using whatever encryption they choose.

INTRODUCTION OF LEGISLATION REQUIRING PEER REVIEW IN OSHA RULEMAKING

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BALLENGER. Mr. Speaker, today I am introducing legislation to require that future occupational safety and health standards be subject to peer review as part of the rulemaking process.

Part of the Clinton Administration's promise to reinvent OSHA was the commitment to commonsense regulations. Whatever else that might mean, surely it must mean that such regulations are based on sound science.

The congressionally mandated Presidential-Congressional Commission on Risk Assessment and Risk Management said this about peer review in its recent report: ''Peer review is an important and effective mechanism for evaluating the accuracy or appropriateness of technical data, observations, interpretations, and the scientific and economic aspects of regulatory decisions. Peer review should provide balanced, independent views. When used well, peer review can serve as a system of checks and balances for the technical aspects of the regulatory process'' (Risk Assessment and Risk Management in Regulatory Decision-Making, Volume 2, page 103).

While other Federal regulatory agencies have adopted politics on peer review of major regulatory actions, OSHA has not adopted such a policy and only rarely has conducted peer review in conjunction with regulations. A draft policy circulated near the end of the Bush administration, was left unfinished and never implemented by the Clinton administration.

It will no doubt be alleged by some that requiring peer review is intended to delay or draw out the rulemaking process. In fact, peer review can prevent OSHA from errors that can save years of controversy and litigation. As the Presidential-Congressional Commission on Risk Assessment and Risk Management noted: ''An open process of sharing the findings and conclusions from peer review can increase the credibility of a risk assessment and stakeholders confidence in the conclusions. Peer review might even be useful in the first stage of putting a problem in context, drawing in experienced health officials and researchers'' (Volume 2, page 103).

The legislation generally requires that peer review be part of OSHA's rulemaking process. However, where the rule is adopted through negotiated rulemaking, conducted in accordance with the Negotiated Rulemaking Act which insures that affected persons are adequately represented in the negotiations, a separate peer review of the scientific and economic basis for the standard is not required.

Mr. Speaker, I look forward to working with my colleagues in adopting this important legislation.

CONGRATULATION TO STANTON J. BLUESTONE

HON. THOMAS M. BARRETT

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BARRETT of Wisconsin. Mr. Speaker, today, I ask the House to join me in congratulating Stanton J. Bluestone the 1997 recipient of the American Jewish Committee's Institute of Human Relations award.

Stanton started in retail at Shillito's Department Store in Cincinnati, in 1957. His rise through the industry took Stanton and his family to New York, Illinois, Indiana, and finally Wisconsin. Today, as Chairman of the Board and CEO of Carson Pirie Scott & Co., Stanton Bluestone oversees a chain of 56 department stores from the company's Mulwaukee headquarters. Throughout his career, his creativity, his dedication, and his unique ability to bring out the best in his assocates have earned Stanton the respect of his coworkers and peers.

The AJC's Institute of Human Relations Award recognizes not only Stanton's personal

and professional successes, but also his many volunteer civic contributions. Stanton has demonstrated caring and stewardship in each of the communities along his journey, and his career exemplifies the ideal of commerce in the public interest. He presently serves on the boards of the Milwaukee Art Museum, the Milwaukee Symphony Orchestra, the Greater Mulwaukee Committee, and he serves as treasurer for the Milwaukee Jewish Federation.

I have great respect for Stanton Bluestone and his wife Judy and I can confidently say that the AJC could not have made a better selection. I am honored to join Stanton Bluestone's many friends and admirers in offering congratulations on this important and richly deserved honor.

HOUSE JOINT RESOLUTION 102 REAFFIRMING U.S. LINKS WITH ISRAEL ON THE 50TH ANNIVERSARY OF THE ESTABLISHMENT OF THE MODERN STATE OF ISRAEL

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. LANTOS. Mr. Speaker, on November 29, 1947, the United Nations General Assembly voted to partition the British Mandate of Palestine, and that action set in place the conditions which led to the reestablishment of the State of Israel 6 months later. On May 14, 1948 the people of Israel formally proclaimed the establishment of the modern State of Israel, and on that very same day, the United States extended diplomatic recognition to the new state.

Beginning later this month with the 50th anniversary of the United Nations General Assembly vote and continuing through the formal celebration of the 50th anniversary of the proclamation of the state next May, the people of Israel are marking a half century of the flourishing of the modern State of Israel.

Mr. Speaker, it is most appropriate that we here in the Congress on behalf of the American people reaffirm the bonds of warm friendship that link us with the Jewish people and Israel. Israel is our only democratic ally in the volatile Middle East region, and the strong common links that bind us with the people of Israel reflect our shared experiences and our strong shared interests.

Today, with our distinguished colleague and the Chairman of the International Relations Committee, Congressman BENJAMIN GILMAN, and a number of our other distinguished colleagues in the House, I have introduced a Joint Resolution which (1) recognizes the historic significance of the fiftieth anniversary of Israel, (2) commends the people of Israel for their remarkable achievements in building a new state and a pluralistic democratic society in the face of half a century of terrorism, hostility and belligerence by many of her neighbors, (3) reaffirms the bonds of friendship and cooperation which have existed between the United States and Israel for the past half-century and which have been significant for both countries, and (4) extends the warmest congratulations and best wishes to the State of Israel and her people for a peaceful and prosperous and successful future.

Mr. Speaker, I invite my colleagues to join me and Chairman GILMAN in cosponsoring this resolution, and I ask that the text of our resolution be included in the RECORD.

H.J. RES. 102

Expressing the sense of the Congress on the occasion of the 50th anniversary of the founding of the modern State of Israel and reaffirming the bonds of friendship and cooperation between the United States and Israel.

Whereas on November 29, 1947, the United Nations General Assembly voted to partition the British Mandate of Palestine, and through that vote, to create the State of Israel;

Whereas on May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel and the United States Government established full diplomatic relations with Israel;

Whereas the desire of the Jewish people to establish an independent modern state of Israel is the outgrowth of the existence of the historic Kingdom of Israel established three thousand years ago in the city of Jerusalem and in the land of Israel;

Whereas one century ago at the First Zionist Congress on August 29 to 31, 1897, in Basel, Switzerland, participants under the leadership of Theodore Herzl affirmed the desire to reestablish a Jewish homeland in the historic land of Israel;

Whereas the establishment of the modern State of Israel as a homeland for the Jews following the slaughter of more than six million European Jews during the Holocaust;

Whereas since its establishment fifty years ago, the modern state of Israel has rebuilt a nation, forged a new and dynamic society, and created a unique and vital economic, political, cultural, and intellectual life despite the heavy costs of six wars, terrorism, international ostracism, and economic boycotts;

Whereas the people of Israel have established a vibrant and functioning pluralistic democratic political system including freedom of speech, a free press, free and fair and open elections, the rule of law, and other democratic principles and practices;

Whereas, at great social and financial costs, Israel has absorbed hundreds of thousands of Jews from countries throughout the world, many of them refugees from Arab countries, and fully integrated them into Israeli society;

Whereas for half a century the United States and Israel have maintained a special relationship based on mutually shared democratic values, common strategic interests, and moral bonds of friendship and mutual respect; and

Whereas the American people have shared an affinity with the people of Israel and regard Israel as a strong and trusted ally and an important strategic partner:

Now, therefore, be it *Resolved by the Senate and House of Representatives of the United States of American in Congress assembled,* That the United States

(1) recognizes the historic significance of the fiftieth anniversary of the reestablishment of the sovereign and independent modern State of Israel;

(2)commends the people of Israel for their remarkable achievements in building a new state and a pluralistic democratic society in the Middle East in the face of terrorism, hostility and belligerence by many of her neighbors;

(3) reaffirms the bonds of friendship and cooperation which have existed between the United States and Israel for the past half-century and which have been significant for both countries; and

(4) extends the warmest congratulations and best wishes to the State of Israel and her people for a peaceful and prosperous and successful future.

HONORING AMBASSADOR SHYAMALA B. COWSIK OF INDIA

HON. JON D. FOX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. FOX. Mr. Speaker, it is an honor as a member of the International Relations Committee's Subcommittee on Asia and the Pacific to bid farewell to a person who has worked closely with members of our Committee and the Congress as a whole. After 2 years of tireless work, she has completed her second tour in Washington and sadly will be moving to a new post. The Ambassador's professionalism and keen understanding of our two nation's histories, culture, and diplomatic relations allowed her to be particularly effective.

During this period, we have witnessed a dramatically expanded dialogue between our nations. This has taken the form of interparliamentary contacts, ministerial meetings, trade growth and a visit by the First lady. As a result of Ambassador Cowsik's work, I am convinced that our two democracies can work to create an international order that is based on international law and mutual respect.

LIMITED OVERTIME EXEMPTION

HON. LINDSEY O. GRAHAM

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. GRAHAM. Mr. Speaker, today I am introducing legislation to provide a limited overtime exemption from section 7(k) of the Fair Labor Standards Act (FLSA) for public sector employees who provide emergency medical services (EMS)—the same FLSA exemption afforded to fire protection personnel. Without this change in law, there will continue to be circumstances in which EMS personnel are working the same tours of duty as either fire protection or law enforcement personnel, but must be paid overtime for any hours worked in excess of 40 hours during any workweek.

In some localities, such as Pickens County, SC, EMS functions are entirely separate from fire protection and law enforcement activities, but their job duties are identical. There should be no difference in the treatment of EMS personnel under the FLSA simply because of the manner in which emergency services are provided by local communities. Furthermore, in many jurisdictions, the majority of emergency calls are medical emergencies. The current situation is very expensive for State and local governments and intrudes on their management of fire protection and law enforcement activities.

Section 7(k) of the FLSA provides a partial exemption from overtime for those employees engaged in fire protection and law enforcement activities. Employers are allowed to establish work periods of up to 28 days, and overtime compensation is not owned until fire protection employees have worked more than 212 hours and law enforcement personnel exceed 171 hours of work. There have been

conflicting rulings by the Federal courts of appeal on the issue of whether EMS personnel are covered by section 7(k). There also have been different interpretations by the courts of the regulations on this subject. This has led to confusion and large financial liability on the part of State and local governments. The bill I am introducing today revises section 7(k) so that EMS personnel qualify for the same partial exemption from overtime as fire protection personnel.

Mr. Speaker, the FLSA, passed in 1938, mandates a rigid interpretation of the 40-hour workweek. The law's worker classification and compensation requirements are not reflective of the contemporary workplace. Contradictory court interpretations of the FLSA have provided windfall judgements for some employees. These costly judgements against public sector employers have a direct impact on budgets supported by taxpayer dollars and also affect public safety services. The existing liability for many States and localities is estimated to be in the millions of dollars, and the potential for future liability creates tremendous fiscal uncertainly. I urge my colleagues to support this legislation which promotes the mandate of public accountability and fiscal responsibility to which State and local governments must adhere.

SIXTH DISTRICT ESSAY CONTEST WINNERS

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. HYDE. Mr. Speaker, please permit me to share with my colleagues the tremendous work of a half-dozen young men and women who live in my District.

Each year, my office in cooperation with numerous junior and senior high schools in Northern Illinois sponsor an essay writing contest. A board, chaired by Vivian Turner, a former principle of Blackhawk Junior High School in Bensenville, IL, chooses a topic, and evaluates results of the submitted essays. Winners share more than $1,000 in scholarship funds.

This year, Marta Kuersten, a student at Algonquin Junior High School in Des Plaines, IL, placed first in the junior high division with an essay entitled What I can do for my Country, a text of which I include in the RECORD. Placing second in the junior division is Tina Rasane, a student at Mary, Seat of Wisdom School in Park Ridge, IL; and John Tadelski, a student at St. Alexander School in Villa Park, placed third.

In the Senior High School Division, Thomas W. Repetto, a student at Maine South High School in Park Ridge, placed first with his essay entitled Towards the Preservation of the Government by the Citizen, a text of which I include in the RECORD. Shrujal Baxi, a student at Glenbard North High School in Carol Stream, IL, placed second; and Shannon McNamara, a student at Lake Park High School in Roselle, placed third.

WHAT I CAN DO FOR MY COUNTRY

(By Marta Kuersten)

''Ask not what your country can do for you; ask what you can do for your country.'' Well, there are the things that naturally come to mind. I could pick up litter, volunteer at the local hospital, make donations to charities or even join the army when I'm old enough. But I think real service to my country has to do more with my attitude which can affect my actions. It's got to do with the choices I make, and the way I face life.

I'm choosing to go to college, and earn a degree, so I'll have the skills to get a good job. I'll avoid premarital sex, so I don't have to worry about unwanted pregnancy or sexually transmitted diseases. And even the simplest choices are important, like choosing to throw my trash in a garbage can instead of on the ground.

Okay, so how does this affect my country, you ask? Simple, unemployment is a problem in our country, and if I don't get a college education, why should I expect not to join the ranks? Welfare is what your country does for you. Paying taxes is what you do for your country.

And why should I take the place in a hospital of a person with cancer because I have hepatitis, or worst of all, HIV/AIDS? I can save myself and the person with the unavoidable illness, (like cancer), a lot of grief if I choose wisely and remain abstinent. And that is to say nothing of the grief shared by both the mother and a child born of an unwanted pregnancy. A hospital bed or Medicaid is what the country can do for you. Saying ''no'' is what you can do for your country.

Although it may seem small next to chastity and a college degree, choosing not to litter means that someone else doesn't have the responsibility of picking up your garbage. ''Keep Your Town Beautiful'' crews are what your country does for you. Finding and using a trash can is what you can do for your country.

The point is, the choices we make, big or small, affect our country in one way or another. If I'm really asking myself what I could do for my country, I'll make a wise decision that will not only do the country good but will also probably do me good as well. And John F. Kennedy would surely agree with that thinking.

TOWARDS THE PRESERVATION OF THE GOVERNMENT BY THE CITIZEN

(Thomas W. Repetto)

''We the People . . .'' The first three words of the United States Constitution affirm that the true leaders of government are the millions of people who are governed by it. In a government that is representative of the people, it is the will of the people that directs a government to satisfactory levels. As John F. Kennedy told Americans to ''Ask what you can do for your country,'' he echoed the most necessary component of a healthy and successful government: popular participation. The participation of citizens is necessary so that a government can truly serve the needs of its constituents. In many foreign nations, the only way one can voice his opinions and help his country is through a ballot box. While Americans still honor the significance of the vote, they have found numerous other ways to do something for their country and respond to President Kennedy's request.

Citizens can serve in the military, and fight for one's country. Programs such as the Peace Corps and Americorps allow citizens to travel to other countries and work to preserve world peace. This helps the United States by strengthening foreign relations and creating a world where our children and our children's children do not need to deal with the rigors and heartache that war can bring. Promoting peace in our domestic wars with crime, gangs, and drugs can be aided by organizations like the Guardian Angels and Community Watch programs. Battles are fought every day, and our willingness to resolve these problems is the first step in combating the crime that surrounds us. Only through peace and safety can we truly find happiness in our lives and in our government.

The Puritans who settled in the Massachusetts Bay Colony believed in the philosophy that ''We are our brothers's keeper.'' Likewise, citizens of America, a country of the people, by the people, and for the people, can help their country by being their brother's keeper, aiding the people who make up this great nation. When one helps serve food at a soup kitchen, visits people at a nursing home around Christmas time, holds a door for a handicapped person, or tutors disadvantaged children, he helps to promote the general welfare of the community and subsequently the nation. As an individual with deeply rooted Catholic beliefs, I believe that acting as a ''Good Samaritan'' is the ultimate way to serve the United States.

One can join a local branch of political party, join a union, actively participate in a special interest group, or assist a political campaign. For example, when my government teacher was running for trustee in his village, myself and several other students went door to door passing out campaign literature. In government, we work so that the best people are elected and the best views are represented. Unions fight for the rights of their members and work to improve working conditions. As the son of a union member, I respect the union's activity in trying to promote a better workplace. Involvement in a special interest group demonstrates a desire to see that a concern is respected. Joining any organization that is active in trying to influence public policy is a positive way to be an active citizen.

Criticisms of the government help to illuminate problems and propose solutions. Satirical cartoons, commentary articles, and political discussions and debates demonstrate a citizen's desire to improve his country's ability to protect and serve the people. It is our duty as Americans to read commentaries on the government, watch political discussions, keep up to date on issues that affect our community, and argue with our friends on datable issues. Demonstrations are effective in conveying concerns of a large sect. While we may not march in front of an abortion clinic, we must be aware of why the people are marching and understand their position as not to be ignorantly biased one way or another.

A citizen who simply abides by the laws of his community supports his country. A person who chooses not to drive recklessly, who chooses not to cause a public disturbance, who refrains from taking away the rights of another individual, preserves the order and justice with which the government is designed to protect. When we respect the unalienable rights of others, we promote the ideals of American society and protect our nation from falling into an abyss of immorality and injustice.

Only a few people can be elected to serve in Congress. Only several individuals can represent a community in local politics. Yet, every American can participate and do something for their country. There are always improvements to be made and problems to be solved. A letter to a Congressman, a letter to the editor of a local newspaper, a phone call to a friend who might generate interest: whatever the form of communication, citizens must dictate their concerns. Then, after the concerns are exposed, the individual must take it upon himself to see that the problem is fixed. In the words of Learned Hand, ''Liberty lies in the hearts of men and women; when it dies there, no constitution,

no law, no court can save it.'' Only with a eminent desire to right what is wrong, to make just what is unjust, to equalize what is unequal, and to improve what is imperfect can man truly make a difference. Citizens must passionately believe in a cause and do their best to make sure that their dream is fulfilled. If, and only if, the hearts of man bubble with painstaking ability to fight for the liberty ingrained in the stars and stripes of America, then we can exclaim that no barrier is unbreakable, no problem is unsolvable, no aspect of moral degradation is unstoppable.

INTRODUCTION OF LEGISLATION TO ALLOW EMPLOYERS OPPORTUNITY TO PROVIDE ALTERNATIVE MEANS OF PROTECTION IN MEETING SAFETY AND HEALTH RULES

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BALLENGER. Mr. Speaker, 2 years ago, when President Clinton promised to ''reinvent'' OSHA, he promisted ''to make sure that worker safety rules [would be] as simple and sensible and flexible as they can be.'' I think we all appreciate the President's goal. Certainly anyone who has had to deal with OSHA's rules would not describe them as simple, sensible, or flexible.

Unfortunately, OSHA has made little progress in addressing this aspect of reinvention. The Subcommittee on Workforce Protections recently completed hearings on the progress made in reinventing OSHA. It was apparent that little progress has been made in changing the regulatory progress. Even OSHA's Director of Regulatory Affairs was recently quoted as saying that ''regulatory reinvention is not a subject that has gotten much attention.''

The legislation which I am introducing will go a long way to make OSHA's rules ''simple, sensible, and flexible''—without any diminishing of employee's safety. This legislation simply allows an employer to meet the same level of protection of employees that is mandated by OSHA's rules, but allows employers the flexibility to do so through means, methods, processes, or operations that are different than those which may be mandated by OSHA.

It may be argued that the Occupational Safety and Health Act already provides flexibility to employers in meeting occupational safety and health standards, by providing that employers may apply for a variance from any standard. In reality, OSHA's variance process is unwieldy, lengthy, and expensive. But the test for granting a variance—that the employer's alternative method of protection will provide protection of employees equal to or greater than that provided by the standard—is the same test as would apply under my legislation. What my legislation in effect does, is make the variance process more useable and useful for employers.

In short, this legislation gives employers precisely what the President promised: flexibility in worker safety rules without diminishing worker protection. I invite my colleagues to join me in supporting this step forward in reinventing OSHA.

REBUILDING AMERICAN SCHOOLS ACT OF 1997

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. MENENDEZ. Mr. Speaker, we simply cannot ignore the needs of our students any longer when it comes to the poor physical condition of our schools. We can see that many schools throughout America need assistance in continuing to educate our children.

We cannot allow our schools to continue with inadequate buildings, inadequate building features, and unsatisfactory building conditions. We can't sit by and watch our schools crumble. Congress needs to recognize that the quality of their learning environment affects the education children receive.

Our children need a strong foundation—better physical conditions—in the schools they attend. In some parts of the country the problems facing our schools' infrastructure have reached crisis proportions. Poor infrastructure is often a barrier to schools being wired to the Internet among other things.

We need the proper school facilities to deal with the surge of enrollment that is occurring right now. In the next 10 years, many school districts will have to cope with the need for more space to accommodate 55.9 million students, a jump of 9.4 million since 1990. New Jersey public elementary and secondary schools will see an increase of 109,000 students in the next 10 years, requiring 4,360 additional classrooms.

For all these reasons, I have introduced the Rebuilding American Schools Act of 1997, with Representative ROB ANDREWS. This legislation will assist local school districts finance the repair, renovation, alteration, and construction of public elementary and secondary school facilities.

A General Accounting Office report last year drew alarms in Congress about the need to repair and upgrade school facilities across the country. The GAO study stated that one-third of schools, serving over 14 million students nationwide, reported needing extensive repair or replacement of at least one building and 60 percent of schools, many in otherwise decent condition, reported at least one major building feature, such as plumbing, in disrepair. In addition, about half the schools reported at least one unsatisfactory environmental condition, such as lighting problems or poor ventilation.

According to the GAO, 19 percent of New Jersey schools reported one inadequate building, 53 percent reported at least one inadequate building feature, and 69 percent reported at least one unsatisfactory environmental factor. In total, 87 percent of New Jersey schools reported a need to upgrade or repair buildings to good overall condition.

Local schools rely on property taxes to support our country's public elementary and secondary schools. But communities everywhere are finding it increasingly difficult to support their academic programs much less their school facilities with local property taxes. The Rebuilding American Schools Act of 1997 would help communities support the repair, renovation, alteration, and construction of our Nation's public elementary and secondary school facilities. States and local governments would continue to maintain full responsibility for determining their school construction needs and administering their infrastructure programs.

This legislation authorizes $200 million in fiscal year 1999 to help States increase school construction and renovation targeting school districts that enroll the greatest numbers of children living in poverty. The loans and bond guarantees in the bill will apply to a wide range of improvement projects.

It leverages additional spending on school construction and renovation. And it applies to a wide range of improvement projects, including construction of elementary and secondary facilities, renovation to ensure health and safety of students, improvements of the basic infrastructure, increases in energy efficiency, and construction that prepares facilities for installation of modern educational technology.

This bill goes a long way to providing the proper infrastructural our children need to enter the 21st century. While many of the most desperate repairs and needed improvements are being met, these funds could help our schools meet additional needs. I look forward to the day when I can see the physical manifestation of this bill in better facilities for our children to learn and grow.

HONORING THE BRAVERY AND SERVICE OF THE U.S. NAVY ASIATIC FLEET

HON. SHERROD BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BROWN of Ohio. Mr. Speaker, as we approach Veterans Day, I am proud to introduce legislation honoring the bravery and dedication of the sailors and marines who served with the U.S. Navy Asiatic Fleet.

Formed in 1910, the Asiatic Fleet patrolled the waters of the Far East for 32 years, defending the interests of the United States and ensuring the safety of our citizens abroad during various regional conflicts and natural disasters.

Following the attack on Pearl Harbor in December 1941, the personnel of the Asiatic Fleet courageously opposed Japan's continued aggression in the South Pacific. Outnumbered and outgunned by a modern Japanese armada, the aging ships and submarines of the fleet fought valiantly, relying on wits, courage, and sheer determination.

Despite incredible valor and the help of our Australian, British, and Dutch allies, the sailors and marines of the Asiatic Fleet ultimately succumbed to the Japanese on March 1, 1942, when the flagship U.S.S. *Houston* was sunk near Indonesia. The total losses suffered by the fleet were staggering: 22 ships sunk, 1,826 men killed or missing in action, and 518 men captured, many of whom did not survive their internment.

Yet, the spirit displayed by those who served with the Asiatic Fleet was equally stunning. Charged with a near-impossible task from the very start, the Fleet ''fought like hell,'' as one survivor recently put it. That these particular veterans have received little commendation is especially disappointing, for their cunning and fortitude in the face of such overwhelming odds is one of the finer moments in defense of democracy. We can begin to rectify

history's oversight with this resolution, and I encourage all my colleagues to support its passage.

HONORING A DISTINGUISHED PUBLIC SERVANT, WESTCHESTER COUNTY EXECUTIVE, ANDREW P. O'ROURKE

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. GILMAN. Mr. Speaker, I am proud to salute Andrew P. O'Rourke, a public servant who has distinguished himself as one of New York's most outstanding community leaders.

With his recent decision to retire from his position as Westchester County Executive, Andy O'Rourke leaves a legacy of goodwill, Responsiveness and genuine concern for the citizens of Westchester. This is highlighted by the many community groups, such as the Westchester Arts Council, that are now calling attention to the success of Andy's 14-year administration as county executive.

The people of Westchester have been privileged to have had a stellar county leader like Andy O'Rourke. Since he began his public career in 1965 as a representative on the Yonkers City Council, through his time as chairman of the board of county legislators, and finally his tenure as Westchester's county executive, it is clear that Andy has maintained a sincere desire to serve the best interests of his constituents. Every resident of Westchester County can take pride in knowing that such a concerned leader was looking out for them.

However, Andy is not just a public servant. He is a playwright and author, having published two novels and is recently finishing a third. Andy is also an educator, having taught students in the 1970's as a law professor at Fordham University. He has also served in the important role of humanitarian in his work with the Cardinal Newman Foundation of New York, Big Brother-Big Sisters, and campaigns to fight AIDS, drunk driving, and racism.

It is the humanitarian role that has possibly drawn the greatest and most rewarding accolades for this great citizen. The outstanding service of Andy O'Rourke has been recognized over the years by the Jewish National Fund with the tree of life award, and as the 1986 B'nai B'rith man of the year. Other honors have been bestowed by Long Island University, the National Conference of Christians and Jews, the Greater Westchester Human Rights Fund, Bar-Ilan University of Tel Aviv, and the Westchester-Putnam Affirmative Action Program.

While this list is long, it is also diverse and well deserved. Andy O'Rourke has demonstrated love and compassion for his neighbors and their communities. I am proud to have known and worked with Andy O'Rourke. Having represented a portion of Westchester County since 1982, I know how committed Andy has been to the citizens of Westchester. We all regret that he is retiring from his position as County Executive, but we can look back with admiration at the significant work he has accomplished.

Mr. Speaker, I invite my colleagues to join with me in saluting the Honorable Andy O'Rourke and wishing him and his family continued success and good health in the years to come.

TRIBUTE TO LOIS J. CARSON

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. BROWN of California. Mr. Speaker, I rise today to recognize Lois J. Carson's years of outstanding achievement and service to the San Bernardino and Riverside communities, and to bid her a fond farewell as she retires from more than 20 years of service on the board of trustees for the San Bernardino Community College District.

Mrs. Carson has dedicated her professional, and much of her personal life to helping improve the lives of those most in need in our community by promoting education and fighting poverty. Her early days as a teacher in San Bernardino County marked the beginnings of an admirable and illustrious career that has truly made a difference in the lives of many.

Mrs. Carson, the first African-American to be elected to the San Bernardino Community College District board, has served since 1973. During her tenure, she has served twice as clerk, vice-president, and president, and as a result of her leadership, the college district now offers a child care center, the Minority Transfer Center, and Community Forms—Vision 2001. She has greatly impacted higher education not only in her district, but also on the national level, serving on the board of the Association of Community College Trustees (ACCT). In 1991, Mrs. Carson was recognized by ACCT as the top trustee in the U.S. with the M. Dale Ensign Award.

In addition to her work in the San Bernardino Community College District, Mrs. Carson served as the director of Project Upward Bound at the University of California at Riverside from 1972 to 1976, and, since 1980, has served as the director of the Department of Community Action for Riverside County. She has led the agency, whose mission is to move families out of poverty, in developing innovative, high quality community action programs for female-headed households, for minority males, for the homeless, and for all low-income residents of Riverside County.

Mrs. Carson's dedication to promoting education and fighting poverty also involves extensive community involvement. She is one of the founders of the San Bernardino Commission on the Status of Women, the Inland Empire chapter of the National Council of Negro Women [NCNW] and the Diocean Assembly for African-American Catholics.

While she will be sorely missed on the San Bernardino Community College District board, Lois Carson has left a remarkable legacy and her work will benefit the district for many years to come. She has given, and continues to give, an invaluable amount of dedication and expertise to the people of the San Bernardino and Riverside communities, an serves as an example for us all.

SALLIE WILLIAMS, A GOOD CHRISTIAN WOMAN

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. PAYNE. Mr. Speaker, Sunday, October 26, marked the Annual Women's Day program at my church, Bethlehem Missionary Baptist Church in Newark, NJ. The church and its faithful congregation are led by our progressive pastor, Rev. Toney Jackson. Occasions such as this are used to recognize those persons who make a positive difference in the lives of a church family. I am proud to inform you that Mrs. Sallie P. Williams, my aunt, was afforded this honor this year.

Aunt Sallie, as she is known by both her relatives and her church family, has been a member of Bethlehem Missionary Baptist Church for 65 years, since 1932. A deaconess since 1951, she has served as a member of the Willing Workers, the Progressive Women's Guild, and head of the church kitchen.

As a young woman, Aunt Sallie learned photography and that was her career for over 30 years. She is a good Christian woman who has served as a stalwart role model for many young people.

Aunt Sallie has always been deeply respected as the matriarch of our family, a kind-hearted and generous person with a special love of children. Following the untimely death of my mother during my boyhood, Aunt Sallie welcomed me into her home, along with my siblings.

She and her late husband, Lincoln, had a strong and beautiful marriage spanning many decades. They were totally devoted to each other, the embodiment of true family values.

Aunt Sallie has won the respect of all who know her through her strength of character, sense of purpose and commitment to her community.

I know my colleagues join me in extending congratulations and best wishes to a person of whom I am so proud, Sallie P. Williams.

COLD WAR MEMORIAL

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. DAVIS. Mr. Speaker, I rise today to introduce legislation creating a cold war memorial. This bill will authorize a commission to establish a memorial to honor the military and civilian personnel of the Department of Defense, members of the intelligence community, members of the foreign service, and others who served the United States in pursuit of its cold war aims. This legislation will also commemorate the involvement of the United States in that conflict.

Mr. Speaker, I believe that this legislation is important, not only because it honors the people who valiantly fought the cold war, but will help future generations understand and learn about one of the most dangerous times in American history. The cold war may not have been as intense as World War II or as widely viewed as the Vietnam war, but it was just as real and just as dangerous. The United States

officially entered this conflict on March 12, 1947 and won it on December 31, 1991 at the stroke of midnight. During that time, America saw the creation of the Central Intelligence Agency [CIA], and the implementation of both the Marshall plan, and the Truman doctrine.

Mr. Speaker, the cold war was a war that the United States won. It took 50 years to win, but it showed the whole world what we have always known, that a democratic form of government will outlast a communist form of government. As we look at the world now we see that the former Eastern bloc countries are democratic and are now becoming partners with the United States in a whole host of issues. This would not have been possible without these cold war warriors tremendous efforts. This in itself is reason to erect a monument.

Mr. Speaker, it is my hope that all of my colleagues will support the passage of this legislation.

STATEMENT ON THE DEATH OF WALTER HOLDEN CAPPS

HON. BILL LUTHER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. LUTHER. Mr. Speaker, we all lost a friend last week with the passing of Representative Walter Capps. Walter's untimely death, coming without warning, reminds us of the fragility of life. Even though he was only here in the House for 10 months, Walter and I spent quite a bit of time together. Our committee assignments, Science, and International Relations, were identical and we also served together on the Science Subcommittees on Basic Research, and Space and Aeronautics. Walter's positive outlook, passion for service and tireless sense of humor helped make sometimes lengthy committee proceedings seem to go just a little quicker. I'm going to miss Walter Capps not just because he was a friend and a genuinely good guy but also because he was the kind of person we need more of in Congress. I am also a new person to this institution, having arrived here just 2 years before Walter and I know that he was committed to doing everything he could to change the public perception and the private reality of Congress. He was a reformer in the truest sense of the word—a person dedicated to making Government work better for our employers, the people. Our hearts and prayers go out to his wife Lois, his children Lisa, Todd, and Laura, and the people he represented. We know you'll miss him so much and we will too.

WELCOMING THE WORLD RENOWNED ST. MICHAEL'S BOY'S CHOIR TO WASHINGTON, DC

HON. JAMES V. HANSEN

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. HANSEN. Mr. Speaker, I would like to take this opportunity to announce that some very talented young individuals will visit the House of Representatives in early December to honor us with a short musical performance in the Cannon Caucus Room. The St. Michael's Boy's Choir, representing the St. Michael's Boy's Choir School from Toronto, Canada, is visiting the Washington, DC area and has agreed to perform a Christmas medley the afternoon of December 5.

Mr. Speaker, please allow me to pass along some words of praise for this fine group of young people.

Canada's St. Michael's Choir School has been internationally acclaimed and is considered to have one of the finest boy's choirs in the world. The 150 boys who made up the choir represent over 40 different ethnic groups, and they come from many countries.

The choir school, located in Toronto, Ontario, Canada, offers training from grade 3 through grade 13, with a student body of over 370 boys. The secondary school offers a 5-year arts and science program for the 98-percent of students who continue on to a university or college program. To qualify for admission to the choir school, students must have a good voice and a musical ear. Each boy has private piano lessons weekly and may also be invited to study pipe organ, violin, or classical guitar.

The music program for this choir school was so highly regarded that it was accorded an affiliation with the Pontifical Institute of Scared Music in Rome, one of only six in the world. This affiliation, the only one accorded to a North American school, allows the authorization to grant degrees in sacred music.

The Boy's Choir makes two trips a year out of Canada—one to Europe and one to the United States. Earlier this year, they were in Europe to sing at a major music festival where they were awarded first place and had the opportunity to sing before the Pope. Additionally, concert tours, recordings, radio and television appearances, and live performances have increased their visibility to the world audience. Their best known concert in Canada is the annual Christmas Concert which attracts over 8,000 people annually.

Mr. Speaker, we are indeed fortunate to have these wonderful young men here on December 5 to sing for us in the Cannon Caucus Room. Brian Rae, their choir director, has told us his boys are excited and honored to be coming to our Nation's Capitol and are looking forward to their performance for the House of Representatives. I invite all my colleagues and their staffs to attend this wonderful event.

SMALL TURBINE INVESTMENT CREDIT

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. McDERMOTT. Mr. Speaker, last month, the World Wildlife Fund conducted a national survey regarding the attitude of Americans toward global warming. One interesting result was that voters overwhelmingly support proposals which encourage consumer access to clean energy options. In particular, 81 percent of Americans responded that tax incentives should be made available to encourage the sale of clean energy.

Since coming to Congress, I've worked on several initiatives to support wind turbine investment. Today I introduced a bill which will provide a 30-percent tax credit toward the purchase of small wind turbines, 50 kw or less. Similar legislation already has been introduced by Senators CHARLES GRASSLEY and JAMES JEFFORDS. I hope a majority of my House colleagues will join me in supporting this bipartisan legislation.

At a time when U.S. energy consumers are under international pressure to reduce CO_2 emissions, passage of the small wind turbine investment credit will, in my view, encourage alternative energy use for small users, increase the international competitiveness of U.S. alternative technology industries, and help rural communities that lack access to utility grids.

HONORING AUGUST F. SCORNAIENCHI

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. DELLUMS. Mr. Speaker, I rise to honor August Scornaienchi, the Alameda County Superintendent of Schools, on the occasion of his retirement. Mr. Scornaienchi has devoted over 36 years of service in public education, 24 of those in leadership positions within the Alameda County Office of Education. He is a visionary who has worked diligently at education reform before it became fashionable. This vision, his passion, and his leadership abilities have earned him the respect of not only his colleagues, but the community as well.

Superintendent Scornaienchi has been a champion for students of minority and marginalized groups and has worked diligently to provide for their special needs. He was one of the first to develop and later expand an outstanding bilingual/multicultural education program which gained a statewide reputation as a model program. He was instrumental in developing educational programs for homeless children, recognizing the incredible hurdles that this population faces. This program included setting up a portable unit at a shelter in Berkeley and equipping it with computers and educational materials, securing grants to pay for tutoring programs, and conducting workshops for staff to learn how to better serve homeless children. He has expanded county office educational services to neglected and delinquent youth by opening four community-based school programs and an innovative ''boot camp'' for at-risk students in collaboration with the probation department. He has furthered the opportunities for pregnant and parenting teens by providing alternative programs, including academic and support services which allow students to complete their high school education. In addition, he was among the first superintendents in the county to publicly condemn homophobia in our schools and to encourage local schools to address the intolerance and the other complex issues facing this student population.

Superintendent Scornaienchi clearly recognizes that there are many factors that impact upon a child's education. Under his guidance, the county has taken a leadership role in the areas of school safety, dealing with hate-motivated behavior, Healthy Kids Resources and

Healthy Start Programs, staff development, new teacher training, business-education partnerships, effective parenting, interagency collaboration, and using technology in the classroom.

His work and commitment to the community does not end at the school door. He has chaired the Inter-agency Child and Family Policy Board, which is composed of all department heads from various agencies in Alameda County. His goal was to find ways for these various children and family county service providers to work together more efficiently and effectively by considering innovative measures such as blending funding streams and reducing red tape and redundant services. He also served as cochair of the East Bay Conversion/Base Closure Board which makes policy decisions that have far-reaching impact on schools and communities throughout the bay area.

Superintendent Scornaienchi vociferously advocated and worked for the implementation of a statewide proposal to levy a surcharge on tickets for professional sporting events to help save school athletic programs. This campaign was expanded to include an assessment on performing arts tickets to support the arts program for homeless children. Recognizing the need for global interaction, he developed and administered the first county office student international exchange program with the former Soviet Union designed to promote a better understanding between our countries and establish invaluable communication links. There is no doubt that the program participants expanded their world view and learned important life lessons.

I ask that my colleagues join me in commending the incredible dedication of this public servant. His advocacy for the welfare of children has brought together all segments of the community to address the improvement of services to all of our children. Thank you so much for your many years of service. I and the people of Alameda County are grateful to you and wish you well in this new phase of your life.

SYLURA BARRON: AN AMERICAN HERO

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. FILNER. Mr. Speaker and colleagues, I rise today to mourn the passing and celebrate the life of one of San Diego's most cherished civic leaders, Sylura Barron. For almost seven decades Sylura Barron made her mark on San Diego business, politics, and society.

Sylura was born on Christmas Day, 1900, to Richard Richardson and Comelia Booker in Mainsfield, LA. Joining Calvary Baptist Church where her father was its first pastor in 1929, she remained a loyal member until her passing on November 4, 1997. She leaves a loving extended family, an admiring community of friends, and a legacy of service from which we will all draw strength and courage.

Sylura Barron championed the shared goals and beliefs of the Democratic Party, and every Democratic leader from Franklin Delano Roosevelt to William Jefferson Clinton was honored by her input and her unflagging devotion to the community and Nation. which she viewed as her own extended family.

The Democratic Party and our beloved Nation are better because of the contributions made by true patriots like Sylura Barron. Throughout her life, Sylura fought to promote educational and business opportunities in communities that often lacked strong and determined representation. Sylura was a thoughtful and eloquent promoter of a society that could step beyond divisions of race, class, ethnicity, gender, and sexual orientation. Sylura was a voice for all of us.

Sylura Barron learned very early in life that there would be many barriers put in front of her, and she became determined to not only cross over those barriers, but to tear them down so they would not slow anyone following in her steps.

Sylura Barron always felt that room should be made in the Democratic Party and in the Nation as a whole for every segment of our society. ''Leave out no one'' was one of her favorite slogans. She was a determined and dedicated fighter, and she demanded that her voice be heard. Many times she led progressive movements to make the point that her political party was truly the party of the people. Sylura sometimes wondered if she was fighting this battle alone. Sylura, you can rest assured, thousands followed your lead—and you left out no one.

Mr. Speaker, I hope that my colleagues will join me in keeping Sylura's dreams for our Nation alive. Leave out no one.

CAMPAIGN FINANCE REFORM

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. KIND. Mr. Speaker, today is November 7, over 4 months after the July 4th deadline that the President set for passage of campaign finance reform. I have delivered each day since that time a statement in the House of Representatives calling on the leadership to allow a vote on any one of the many campaign finance bills pending in this Congress. My pleas, and the request of many others, has gone unanswered. We are now entering into the final weekend of our legislative year. By Sunday we may be out of session, not to return until late January of next year. If we don't act this weekend we will never change the current system.

The examples of abuse of the existing system are too numerous to mention. I have documented many of the abuses, on both sides of the aisle, in my earlier statements. The Republicans have invested an enormous amount of taxpayers' money investigating and exposing the alleged violations of law by the White House in the last election.

Investigation is good. Those who broke the law should be brought to justice. The sad fact is, however, that many of the most well known abuses are technically legal. We must do more than investigate, we must legislate. With only a few days left, we must act now. Let's take some time this weekend to debate, consider, and pass campaign finance reform.

The people of my district will not take no for an answer.

HONORING KAREN S. DAUGHTRY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. TOWNS. Mr. Speaker, I rise today to honor the work and achievements of Dr. Karen S. Daughtry. While working as the director for the past 26 years of the Alonzo A. Daughtry Memorial Day Care Center, her dedication to issues concerning women and children, locally and internationally, has proven incomparable.

As a 1996 recipient of the doctor of ministry degree from New York Theological Seminary, her commitment to social change, through her faith, is unquestionable. Using a Christian perspective, she has focused on increasing knowledge and comprehensive understanding of social and political issues which impact on and relate to family life, health, the arts, and educational and personal development. Dr. Daughtry, has been able to further her goals by serving as an advisor to the House of the Lord Youth Department and Sisterhood, and as chair of the Church's National Department of Women's Work. Dr. Daughtry also serves on the board of directors of the Randolph Evans Memorial Scholarship Fund, an organization formed in 1979 which awards 10 scholarships of $1,500 each to Brooklyn college bound youth in the name and memory of Randolph Evans, a 16-year-old shot to death in 1976 by a police officer.

Under her leadership, Sisters Against South African Apartheid [SASAA] participated in a petition drive which delivered thousands of signatures to the United Nations on behalf of detained and tortured children of Angola and hosted Mrs. Maria Eugenia Neto, the mother of Angola, at a special service when she visited the United States. In addition, SASAA was proud to host Zenami Mandela, daughter of Nelson and Winnie Mandela, a year prior to his release from prison. The organization also participated with the Nelson Mandela Reception Committee in organizing the first visit to New York City of Nelson and Winnie Mandela, and hosted Mrs. Mandela in programs at the House of the Lord Church and the Brooklyn Academy of Music.

Probably what Dr. Karen Daughtry would consider her most important achievement, however, is the raising of her family. She has been married since 1962 to Rev. Herbert Daughtry, national presiding minister of the House of Lord Churches. They are proud parents of three daughters, Leah Denyatta, Sharon D'Boya, and Dawnique Dekeba and one son Herbert, Jr., all college graduates.

Though Dr. Daughtry may only be one person, she has shown this country and the world the power of what one person can do. As a result, Dr. Daughtry has been the recipient of a plethora of awards and proclamations for her work and achievements. Mr. Speaker, please join me in honoring Dr. Karen Daughtry for all of her important work.

COMMEMORATING DR. CHARLES W. BUGGS

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise today to commemorate a remarkable man from the 37th District of California: Dr. Charles W. Buggs. Dr. Buggs has served a leading role in the field of medicine and has inspired thousands of other young African-Americans to follow in his footsteps. Often referred to as the ''Father of Allied Health'' within the Drew University of Medicine and Science, Dr. Buggs made significant accomplishments during his 85 years of life.

Dr. Buggs was a microbiologist who contributed to the advancement of humandkind through his extensive scientific research. He worked on the original research to develop penicillin and laid the foundation for the work of today's scientists and physicians who are studying cancer metabolism and using antibiotics such as streptomycin. He conducted the study which opened the eyes of Congress to the need for science educational centers in historically black colleges and universities. He paved the way for the establishment of Federal funding for these educational centers and provided the foundational research and development for Drew University's College of Allied Health.

Dr. Buggs scientific work has enriched the lives of Americans far beyond Drew University and the 37th District of California. His leadership and unyielding commitment to expanding the minds of aspiring physicians and scientists has contributed to the education of a significant number of African-American physicians in the United States. Numerous people throughout the country have become educated and are now serving their communities as health professionals because of his shining example of what it means to lead, to educate, and to truly make a difference for the generations of today and tomorrow.

As a leading role model for young African-Americans striving to become scientists, Dr. Buggs ensured that this spirit of learning and expanding science would not end with his passing. I am honored to be able to represent a district which has benefited so immensely from this man.

TURKEY LOOKS OUTSIDE ITS BORDERS TO SOLVE ITS KURDISH QUESTION, WHEN THE PROBLEM CLEARLY RESTS WITHIN

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. HOYER. Mr. Speaker, over the past several years, Turkey, a NATO ally and United States friend, has made repeated incursions into Iraq. The invasions, which violate international law, are undertaken ostensibly against Kurdish guerillas waging a violent insurgency in Turkey. In reality, these military campaigns result in countless civilian casualties, widespread population displacement, severe economic hardship, and if anything, encourage local support for the guerrillas. While the Turkish military declares the guerrillas eradicated after each incursion, repeated cross-border attacks expose this as a fiction.

The latest invasion raises new cause for concern. For more than three weeks, Turkish forces have actively supported the Kurdistan Democratic Party (KDP), which has been engaged in years of bloody fighting with its rival, the Patriotic Union of Kurdistan (PUK). Widespread reports indicate Turkey is using napalm and cluster bombs, despite international covenants banning their use. The PUK receives significant United States funding, so in effect, our ally Turkey is attacking a party which receives funds from the United States Government. I question why our Government refuses to acknowledge this inconsistency. And even more importantly, I question our Government's silence when a United States-supplied ally violates a United States-imposed 'no-fly zone' to kill Kurdish civilians and destroy their villages in the so-called safe haven.

Mr. Speaker, Turkey along with the United States and Great Britain, had been participating in the ''Ankara Process'' in an effort to bring the two feuding Kurdish factions to the negotiating table. Turkey's military support for the KDP ends any hope that it can serve as a neutral regional peace-broker. Furthermore, Turkish plans to establish a ''buffer zone'' in Iraqi Kurdistan, with at least 8,000 troops, will destabilize the entire region and invite intervention by Iraq, Iran and Syria. Mr. Speaker, I would like to submit for the record an editorial by Jim Hoagland from last Sunday's Washington Post that further questions the logic of U.S. policy in this area.

It is tragic and ironic that Turkey seeks answers to its ''Kurdish question'' outside its borders, when in reality it should be working these issues out at home. Turkey's 15 million Kurds have faced oppression since modern Turkey was forged in 1923. Since then, there have been 28 major Kurdish uprisings. The most recent, underway since 1984, has claimed almost 30,000 lives. According to Turkish Government sources 3,185 Kurdish villages have been evacuated and up to three million people have been internally displaced from southeast Turkey. Dispite the severity of the conflict, Turkey refuses access by the International Red Cross to the stricken region. The conflict costs billions of dollars each year and destroys hopes of economic development that is greatly needed in the region.

Mr. Speaker, the Turkish regime must put flesh on its skeletal democracy, or the Kurdish problem and other pressing issues will fester and continue to prevent Turkey from moving closer to Europe. Turkey's civilian and military leaders have repeatedly stated their intentions to address human rights problems, yet the problems persist and reform efforts seem little more than public relations exercises. Meanwhile, our Government continues business as usual, sending billions of dollars worth of security assistance to Ankara while refusing to acknowledge increasing signs of political instability. Such unequivocal support is unwise because it reinforces the military and other non-democratic forces in Turkey, and sends a message that the United States Government will support the Turkish Government no matter how deficient it remains in human rights areas.

Mr. Speaker, as I stand before this distinguished body, a group of Kurds and Americans, including Kathryn Cameron Porter, are fasting in front of this building to protest human rights violations in Turkey. They too believe our Government has remained silent in the face of growing threats to democracy in Turkey. A major impetus for their protest is the continued imprisonment of four Kurdish parliamentarians, including Leyla Zana, whose indictment included charges related to her appearance at a Helsinki commission briefing. All Kurdish-based political parties in Turkey are suppressed, even though Kurdish political opinions must be considered if political institutions are to be truly representative. Non-violent Kurdish parties must be allowed to participate in political life. Individuals should not be jailed for expressing opinions deemed harmful by the Government. Open debate and dialogue is imperative.

Mr. Speaker, another democratic measure is freedom of the media. On October 21, the Committee to Protect Journalists (CPJ) issued a report entitled ''The Anatolian Archipelago'' which details the fate of 78 journalists jailed for speech crimes in Turkey. CPJ, which does meticulous research and seeks Turkish Government input before publishing, has concluded in each of the last 3 years that more journalists are jailed in Turkey than in any other country.

Human rights defenders and Kurdish peace activists are also subject to harassment, imprisonment or worse. This past week, Yavuz Onen and Akin Birdal, two internationally recognized rights leaders, and Ahmet Turk, a Kurd, were charged for reading in public a report detailing the ongoing scandal linking officials to death squads and face up to 3 years in prison. On October 20, well-known peace activist, Esber Yagmurdereli, was jailed for 22 years. On October 21, the president and 7 other Human Rights Association (HRA) executives were sentenced to between 1 and 2 years in prison for speeches made during human rights week in 1996. In recent years, 20 HRA branches have been closed, including all that serve Kurdish communities in Southeast Turkey.

Free expression is only one area where Turkey is deficient in meeting its stated human rights commitments. Local NGOS, Amnesty International, Human Rights Watch, and our own State Department conclude that torture remains widespread and few accused of torture are brought to justice. Last week, a panel of judges presiding over an internationally publicized trial, refused to make police accused of torturing 14 young people, some as young as 13, appear in court. Also pending is the legal appeal of the human rights foundation doctor who refused to turn over to the government information on victims of torture.

Mr. Speaker, I have joined more than 160 of our colleagues in signing a letter calling for the release of imprisoned parliamentarians in Turkey. At the very least, as Members of an elected legislature, we should demand that our colleagues in Turkey be freed, for it is unthinkable that legislators in a democratic society would be jailed for speaking out on behalf of democratic society would be jailed for speaking out on behalf of their constituents. I urge my colleagues to sign the ''Dear Colleague'' letter and to visit those fasting on the steps of this building.

I have also joined my colleagues on the Helsinki Commission in introducing a resolution expressing the sense of the Congress that Turkey should not be chosen as the host of

the next summit meeting of the Organization for Security and Cooperation in Europe. As long as Turkey continues to violate international law and its own commitments to OSCE principles, Turkey should not be considered an appropriate venue for a human rights summit. Such a privilege, Mr. Speaker, should be reserved for participating States that have demonstrated, in word and in deed, steadfast support for Helsinki principles and standards, particularly respect for basic human rights.

[From The Washington Post, Nov. 2, 1997]

BEFORE TURKEY JOINS EUROPE

(By Jim Hoagland)

Friend and ally to Turkey for half a century, the United States today plays a new role: pusher. The drug of choice is unrealistic ambition, fed by Washington to Ankara to keep the Turks cooperative.

The Clinton administration has correctly identified Turkey as the new ''front-line state'' in global conflict. It is the major crossroads of the religious, social and nationalist fractures of new-era politics, and gateway to the oil fields of Central Asia, Iraq and the Persian Gulf. Turkey counts.

But Washington is as weak at remedy as it is strong on diagnosis. In no other region of the post-Cold War world is the imbalance greater between a region's declared importance to U.S. interests and active, sustained U.S. involvement.

Instead the Clinton administration offers diplomatic opium to the Turks, suggesting that the answer to their problems is quick membership in the European Union, and then presses the Europeans to admit the Turks and overlook a few flaws here and there.

There is nothing inherently wrong with the U.S. goal of Turkish membership in the 15-member club of Europe's most affluent nations. A Turkey that fits into Europe economically and socially would be a more stable nation, as U.S. diplomats argue at international conferences and in increasingly acrimonious private exchanges with their European counterparts.

But Washington turns a blind eye to the self-destructive, addictive behavior of the Turkish military that makes EU membership in the near future a pipe dream. Worse: Washington denies its own responsibility for conditions that feed that behavior.

The Turkish military, which dominates the weak coalition government in Ankara, is not interested in harmonizing value added taxes, a perennial hot topic in the EU. The Turkish military expends its energies persecuting dissidents at home—a new wave of arrests of human rights activists was launched last week—and plunging deeper into a nasty civil war in neighboring northern Iraq.

For several weeks Turkish warplanes have been strafing Kurdish guerrillas in Iraq on a near-daily basis. Turkey has moved U.S.-supplied artillery into Iraq to fire on one Kurdish faction, and is dropping napalm on them from U.S.-supplied warplanes, Kurdish spokesmen say.

Turkey's involvement in the Kurdish civil war demolishes the notion that this is a distant, small conflict with no consequence for the United States. The White House pretends otherwise in its misleading reports to Congress and in its anesthetizing public statements playing up the ''success'' of U.S. policy in northern Iraq and Turkey.

The confusion of American purposes and methods is made clear by this officially unacknowledged, bizarre reality: The main targets of Turkey's current attacks inside Iraq are the guerrillas of the Patriotic Union of Kurdistan, an organization that receives at least $500,000 a month in covert support from the Central Intelligence Agency.

Official American money intended to finance peacekeeping has also been flowing to the PUK's Kurdish opponents, led by Massoud Barzani, who has allied himself with the Baghdad regime of Saddam Hussein.

The Turks are now weary of the vacuum that the United States has let develop in northern Iraq, a U.S. protectorate after the gulf war. They are also understandably upset about the heavy financial sacrifices the long U.S.-led economic blockade on Saddam has imposed on them. Frustrated and confused about U.S. goals, the Turks follow policies that will result in both Kurdish groups reconciling with Saddam, who will resume operational control of the north.

On top of this disastrous scenario, the brutal Turkish campaign pushes further and further away the day when Ankara would be accepted by the European Union. U.S. abdication in northern Iraq, and its self-imposed blindness to the regional consequences of that abdication, undermine its proposed solution for Turkey's problems.

This large, developing Muslim nation already faces nearly insurmountable hurdles in gaining EU membership. Germany, with 2 million Turkish residents and 500,000 Kurds on its soil, is terrified of new waves of immigration. The Europeans are also keenly aware that they are being asked by the Americans to provide more financial support for Turkey so U.S. help can decline.

Washington needs to acknowledge the damage its vacillating policy on Iraq has caused Turkey and offer financial compensation to Ankara. The deal must include Turkey's ending its human rights abuses at home and the border war on the Kurds, as part of a self-help program to get ready to join Europe.

Friends challenge self-delusion. They do not feed it.

TRIBUTE TO THE LOUISIANA-PACIFIC CORP. FOR POSITIVE EFFORTS MADE IN IMPROVING THEIR ENVIRONMENTAL RECORD

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. McINNIS. Mr. Speaker, I rise today to offer congratulations to the Louisiana-Pacific Corp. for turning around its performance in the area of environmental compliance. The Louisiana-Pacific Corp. is one of the Nation's leading building products manufacturers and operates a facility in my district at Olathe, CO. The facility in Olathe manufactures oriented strand boards [OSB] which are high-quality structural panels used in the construction of homes and commercial buildings.

To be fair, this facility has had its share of environmental problems. However, due to an extraordinary effort by the workers in this facility along with a solid commitment from the management of the Louisiana-Pacific Corp., this facility has completed the hard work necessary to meet its environmental compliance responsibilities. This is evidenced by a surprise inspection of this facility by the Environmental Protection Agency which occurred in August 1997. The quotation from the inspection team speaks for itself:

The general housekeeping of the plant was uncommonly good and the plant operations were well organized. Records and Monitoring data were complete, quickly available and easy to understand. Training was thorough, updated regularly and well tracked. Contingency and safety strategies were in place and well understood by managers and staff. Staff knowledge and attention to environmental compliance was good in all categories.

The results of this inspection are a source of pride for all at Louisiana-Pacific and the Olathe OSB plant. The plant was the pilot plant for the roll-out of Louisiana-Pacific's Environmental Management System [EMS], which is now being introduced to all of Louisiana-Pacific's OSB plants and will be introduced to all of Louisiana-Pacific's business units in 1998.

Mr. Speaker, I would like to submit for the RECORD a portion of the U.S. Environmental Protection Agencies report regarding their inspection of Louisiana-Pacific's Loathe, CO OSB plant and once again say job well done to those at the Louisiana-Pacific Corp.

PRELIMINARY COMPLIANCE AGREEMENT AUDIT OF LOUISIANA PACIFIC CORPORATION—SEPTEMBER 16, 1997

BRIEFING WITH LPC CEO

The Audit Team met with Mr. Mark Suwyn, Chief Executive Officer (CEO), who provided a broad overview of what he has envisioned for LPC's environmental programs and culture changes instituted LPC as a result of the change in management since the Consent Decree and Agreement. The Audit Team viewed a video from series of videos that LPC has prepared for its employees. The video included an address from LPC's CEO to LPC's employees on, among other things, LPC's commitment to environmental laws and regulations. During the Audit Teams meeting with Mr. Suwyn, he also spoke of the Montrose Mill accomplishments in particular and the many changes that have been made at the mill as a result of the Consent Decree.

FACTS AND FINDING FROM INTERVIEWS

The following summarizes the questions asked and responses given by LPC personnel in reference to the Consent Decree and the Preliminary Compliance Agreement.

LPC Structure and Montrose Mill

LPC Structure and Montrose Mill

LPC restructured in 1996 into a geographical alignment and has been changed from Divisions to Regions. The Montrose Mill is no longer in the North Central Division. The North Central Division manager has been recently assigned to Portland Headquarters. He is currently stationed in Idaho. The Montrose Mill is part of the Northwest Region consisting of the States of Washington, Oregon, Idaho, Montana, Wyoming and Colorado. Mr. Richard Flather is the Regional Business Manager. Each LPC Region has separate positions for a Regional Business Manager, and a Environmental Manager.

LPC uses two organizational structures: one for the Business side and the second for environmental compliance purposes. LPC formed five Environmental Compliance Regions:

Northwest (EPA Regions 8 and 10),

North Central—East (EPA Regions 1 and 5), EPA Region 2 would be included; however, LPS's Environmental Compliance Regional chart does not list any facilities in this Region at the time of this report.

Western (EPA Region 9),

South West (EPA Regions 6 and 7), and

South East (Regions 3 and 4).

LPC Installation of Facilities Pollution Equipment

The Montrose Mill installed the Wet Electrostatic Preciptators (WEPS) in 1996 at a

cost of approximately $1.5 million and it is being installed at all newer plants with some of the plants having 3 to 4 WEPS installed. The Regenerative Thermal Oxidizer (RTO) was installed at Montrose in 1996 at a cost of approximately $1.6 million. In total LPC has invested approximately $100 million in RTO's at eighteen (18) plants and RTO's will be installed at all new constructions and current plants under construction at the cost of $3.0 to $3.5 million per setup.

NEW MANAGEMENT EMPHASIZES AND ENVIRONMENTAL PROGRAM

After Ms. Elizabeth T. Smith was appointed Director, Environmental Affairs in 1993, she and her immediate staff (four positions) trained the Plant Environmental Managers. The Plant Environmental Managers trained the assigned mill personnel. Ms. Smith meets quarterly with the Regional Business Managers and 20 to 30 Production Managers to ensure that the environmental programs are within compliance and meeting both the Consent Decree and the EPA Preliminary Compliance Agreement. Ms. Smith prepares a quarterly report regarding all environmental matters for the CEO and BOD.

Ms. Smith in conjunction with Plant Managers and in special cases with the Vice President, hired the Plant Environmental Managers or assigned a Plant Environmental Manager for each LPC plant/facility as directed in the Consent Decree. Ms. Smith stated that LPC is currently replacing the environmental managers with environmental professionals with three to four years of experience before appointments. There are currently four Regional Environmental Managers who report to Ms. Smith. They are:

Northwest Region—Randy Sandberg
North Central/East Region—Sue Somers
South West and South East Regions—Barb McGiness
Western Region—Dwayne Arino

The Audit Team reviewed the July 1997 Montrose mill monthly report submitted by the plant Environmental Manager, who has dual reporting to Ms. Smith and the Plant Manager. The reports are used as a monitoring tool and if there appears to be an environmental problem, Ms. Smith contacts the Plant Manager and/or Regional Business Manager. If the issues cannot be resolved in a short period of time and it is a major environmental issue, a Corrective Action Plan is put into effect.

To assist the Plant Manager in plant operations, he or she has a staff that consists of an Operations Manager, Supervisor of Production, and the Plant Environmental Manager. However, LPC's Plant Manager is totally responsible for environmental and production functions. The LPC Plant Manager is responsible for coordination and training of environmental and safety of plant personnel. Environmental and Safety functions are part of the LPC Plant Manager's position description.

Ms. Lundquist, VP for Operations, issued the ''Manufacturing—1997 Performance Plan'' that includes a performance evaluation base of 20% for Safety and 15% for Environment to all LPC Plant Managers. The background of the plan states ''Environmental compliance is a *must be* . . .'' and the objective is to support compliance goals and meet expectations of the Corporate Policy on Protection of the Environment and included as part of performance measures. Two important goals for 1997 are the Manufacturing Managers Tracking System for Correcting Environmental Compliance Issues by August 1997 and identifying best available technology for environmental compliance by December 1997.

In addition, in July 1997, LPC issued the LPC Environmental Management Charter, Standard Operating Procedures (SOP) for ''Reporting Suspected Violations of Law'' and Environmental Management Responsibilities matrix listing duties and responsibilities regarding area of concerns: policy, reporting, promote compliance, audits, compliance programs, staffing, training, handbook, meeting, records, records retention, permits, operations, spill, upsets and violations, curtailment, inspections, waste minimization/energy use, environmental contracts, budgeting, plant closure, sale/purchase/lease of land, corporate acquisitions/divestitures and Consent Decree for each of the corporate environments consisting of: Corporate Environment, Business Group Environment, Regional Environment, and Plant Environment.

Ms. Smith Explained the (SOP) for Shut Down of Plants/Facilities. Authority extends from the CEO, Director Environmental Affairs, Regional Environmental Managers, Plant Managers, Plant Environmental Manager. Any one of them can close a plant down. She stated however, the most important person who can shut the production down is a production employee if he or she is aware there is a problem. She stated in reality the production employees are the ones who alert management of an environmental problem or potential environmental problems.

LPC has developed an Environmental Affairs Team ''Center of Expertise'' for managers to contact with problems or questions. In addition, LPC installed an internal ''Intra-net and Environmental Internal WEB Page'' for LPC employees to utilize for information.

A training course was developed regarding Polychlorinated Biphenyls (PCBs) that explains what PCBs' are, health hazards, regulations, management responsibility, and how LPC will handle monitoring, engineering, emergencies, transportation and disposal of PCBs'.

In addition, LPC developed ''Doing Something About It . . . '' for an August 14, 1997 training class at New Waverly Complex scheduled for reopening something in 1999 or 2000. It appears to be a very detailed course with a major array of environmental issues and compliance requirements in both English and Spanish.

STANDARD OPERATING PROCEDURES (SOP) AND MANAGEMENT PROGRAM CHANGES

There was an in-depth discussion in this area. The following focuses on the major areas discussed. LPC has made major advances in SOP's for internal operations. They are currently in the process of updating their formal evaluation system of performance of Plant Managers to be rated on Production, Environmental, Health and Safety on an equal basis. LPC has developed an Environmental Management System (EMS) for mill operations. The Montrose mill served as the pilot and cutting down the time to respond to problems has been contributed to the EMS process

Performance Plans, Handbooks, and SOP's

The Audit Team reviewed the 1997 Environmental Affairs Performance Plan, the Manager's Environmental Handbook, and various LPC SOP's.

The Audit Team reviewed the 1997 Environmental Affairs Performance Plan dated August 13, 1997, which illustrated the status of programs and projects: as complete, in progress, or initiated. In addition, the plan contained additional projects and efforts for 1997.

The Audit Team reviewed the Manager's Environmental Handbook, which was very detailed and covered the entire array of environmental acts and programs. This handbook has been distributed to each Plant Manager.

The Audit Team reviewed LPC's Audit Privileged & Confidential SOP policy written in 1993 and is still the current SOP. Ms. Smith stated that the LPC internal audit process, which proved to be a valuable tool, was a major factor in her efforts to get changes made through the CEO.

The newly issued SOP for Environmental Audit Corrective Action Process effective April 25, 1997, was reviewed and this SOP explained the basic processes as: Root Cause Analysis, Corrective Action, Monthly Review of Issue Status, Monthly Report to CEO and Issue Corrected. To bring the environmental issue to ''Closure'', the Legal Department, the Department of Environmental Affairs and the Plant Manager must review and agree on the status of the issue and agree on closure. Then, the Legal Department will issue a final report to Senior Management, Director of Environmental Affairs, the Product Line General Manager and the Plant Manager stating that the issue(s) has been resolved. Follow-up audits or inspections by regional or corporate environmental personnel may occur to confirm that an appropriate correction has been satisfactorily completed.

Interviews were held with Mr. Don Smith, Audit Manager, and Mr. Bill Hossman, Environmental Assessment Coordinator. Mr. Smith stated that LPC uses a standard audit program and does special audits for the legal department and gave risk assessments as an example for special audits. Environmental Audits started in 1993 for specific risk assessments and has been expanded from specific risk to include financial and operations. The LPC audit team gives a two weeks notice and has an entrance and exit meeting with the plant manager. The Legal Department makes an evaluation of the audit report. LPC has 10 to 15 plants plus acquisitions that need audits. They have completed 70% of their audits with a target of finishing remaining audits by end of 1998. As a rule of thumb, each plant is audited every three years. The LPC auditor viewed closed plants as a significant risk and cite the PCB problems at closed plants as an example. Mr. Smith responded to the question, ''Were there common environmental problems at plants that led to changes to SOP's?''. He stated, ''Yes.''

REQUIRED PUBLISHED LETTERS AND/OR MANUALS:

LPC Code of Conduct

LPC issued the Code of Conduct instituted by the new CEO in April 1996 and distributed it to all employees by mail in April 1996. LPC, in addition, printed a Spanish version of the LPC Code of Conduct. Prior to that date there was no official LPC Code of Conduct publication.

Environmental Handbook

Mr. Harry Merlo, CEO transmitted by mail in January 1994 to all employees a copy of the LPC ''Environmental Handbook for Employees''. The letter in addition enclosed a copy of the ''Corporate Policy on Protection of the Environment'' adopted by the BOD in July, 1993.

Manager Environmental Handbook

LPC issued under CEO Harry Merlo the original ''Manager Environmental Handbook'' on February 24, 1995. A revised version dated May 1997 was distributed to managers in May 1997. The latest revision contains four (4) training modules as follows: Management Overview, Waste, Water, and Air.

In addition, the handbook includes a Questionnaire to assist in the goal of identifying environmental issues that will be addressed in the next 5 years by recommending that Plant Managers utilize the development of Corrective Action Plans as the ''Way to Go''.

TRIBUTE TO NOTED MASSILLON BASEBALL AND FOOTBALL COACH

HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. REGULA. Mr. Speaker, I would like to pay tribute to a special person, Carl Frederick (Ducky) Schroeder who died on November 1, 1997 after a brief illness. He was born on March 25, 1905 in Canal Fulton to Elizabeth nee Ruehling and Frederick Schroeder. He lived in the Massillon area most of his life. It was said that as a young boy, he spent much of his time swimming in the Ohio Canal and the Tuscarawas River, and that he used to ''walk like a duck on land'' hence the nickname ''Ducky.''

Ducky began his athletic career in Canal Fulton and Massillon where he was a standout in baseball and football. Upon graduation, Ducky played football at Kings College in Tennessee but subsequently transferred to Wittenberg University where he was a standout pitcher for three years. He also was a football star and still holds the record for most carries in one game—44 times for 176 yards while also playing linebacker on defense. After graduation Ducky went on to obtain a Masters Degree in Physical Education from Ohio State University.

Starting in 1930 Ducky embarked on a long illustrious career of public service as a teacher and coach. For example, up until he began his career at Washington High School, Ducky was head football and basketball coach at the Ohio Military Institute, Newcomerstown, Logan, and Salem High School and was Athletic Director for both the Springfield YMCA and High School.

On the collegiate and military level Ducky was assistant football and basketball coach at Mount Union College and was head football and basketball coach at Wittenberg University. For the WWII war effort, Ducky trained more than 700 Air Force cadets who later went on to become pilots.

However, it was his career in public service at Massillon for which he will be most remembered. In 1948, Ducky returned to Massillon High School where he taught and coached until his retirement in 1971. As head coach of the baseball team, he took the team to the state finals in 1955 and the state semifinals in 1960. During his 23 years as assistant football coach, the Tigers won 13 state championships and it was Ducky's job to supervise the winter conditioning program. He also coached several professional baseball and football players.

Ducky selflessly gave of his free time to promote sports. He was on the Big 33 Committee which led to five Ohio-Pennsylvania all star games. He was Secretary/Treasurer of the Ohio High School Football Coaches Association and was inducted into the Ohio High School Coaches Hall of Fame. Ducky was a past president of the Professional Football Hall of Fame Club in Canton. He also served as sales representative for the Rae Crowther Blocking Sled Company. In recognition for all his service to Massillon Athletics, he had one of the best high school baseball facilities dedicated to him—The Carl ''Ducky'' Schroeder Field.

In 1935, a group of athletics at Newcomerstown High School wrote Ducky upon his leaving that school. Their letter reads as follows: Dear Coach: On behalf of the colored boys of Newcomerstown High School, permit me to bid you a fond adieu. We regretfully say that you must leave us, because we consider you equal to or better than any coach who had been or shall be here. We admire you for showing no discrimination whatsoever, and we hope your future career of coaching will be onward and upward. Though our conduct at times was not commendable, we feel that your instructions were for the best. Though we have nothing to offer you as a remembrance of us, we hope you will sometimes think of us. The colored boys of NHS bid you farewell. Signed Matthew Scott, Booker Russell, Sidney Jones, Buster Cohen, Ed McCall, ''Fat'' Jones, Killie Sterns, Osie Dansby.

Ducky is survived by his wife of 63 years, Gertrude, his sister Helen Ellis, and numerous nieces and nephews, great nieces and nephews, and great great nieces and nephews. He was a longstanding member of St. John's Lutheran Church of Canal Fulton.

INTRODUCTION OF A BILL TO CREATE THE NATIONAL INSTITUTE FOR THE ENVIRONMENT

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. SAXTON. Mr. Speaker, today I am introducing a bill, the ''Sound Science for the Environment Act,'' along with Mr. ABERCROMBIE, that would create a National Institute for the Environment (NIE). The sole mission of the NIE will be to improve the scientific basis for environmental decision-making.

The United States spends more than $150 billion a year on pollution control and environmental clean up. Yet, less than 2 percent of that amount is spent on the background science to fully understand these problems before we legislate and regulate them. As we have seen on countless issues from clean air standards to endangered species habitat, from global warming to nonpoint source pollution, the credibility and impartiality of the science underlying our decisions is a topic of heated debate. However, very little has been done to provide unbiased science or to link it with policy-making. This legislation is an effort to put some substance behind the calls for ''sound science''.

Our legislation envisions the creation of the NIE within the National Science Foundation, a significant difference from similar bills I have supported in past Congresses. Operating as part of the NSF will provide the National Institute for the Environment with opportunities to function more effectively, and will accord it a position of stature within the scientific community.

Mr. Speaker, the NIE's sole purpose will be to come up with the best available science on a particular subject. That science will be used by us, the nation's lawmakers, who have been entrusted by our constituents to make the soundest environmental decisions, in their trust and their children's trust. We therefore must ensure that we do base our decisions on sound science. No politics, no interest group pressure, no lobbying. . . .just straightforward sound science by the country's best scientists. Importantly, this information will not be compiled by regulators, as the NIE is entirely a non-regulatory body. The NIE will support original scientific research, in addition to data assessment.

The NIE signifies a new approach to environmental science by integrating knowledge assessment, research, and educational training. The NIE will be created by consolidating some environmental science programs and redirecting funds from programs that are not a high priority and not cost-effective. To minimize cost and bureaucracy, the NIE will not operate laboratories and research facilities, but will competitively award peer-reviewed grants to the best scientists in academia, the private sector, government.

With the Federal Government's current fiscal constraints, Congress needs to implement cost-effective, integrated environmental science that underpins our environmental policies. The question is not whether the federal government will play a role in environmental science, but rather, the accuracy of that role. Thus the need for the NIE. Once we have the best environmental science and information at our fingertips, we can begin to make more informed environmental decisions based on the most accurate, reliable and unbiased science. The dividend returned on this investment will be long-term and will establish a true legacy to future generations.

Mr. Speaker, we all share the common goal to inject credible, peer-reviewed science into environmental legislation and regulations. This legislation will serve to accomplish that goal. I encourage all my colleagues to join me in cosponsoring this bipartisan legislation.

Please include for the RECORD this line-by-line summary of our bill, the ''Sound Science for the Environment Act.''

OUTLINE OF THE SOUND SCIENCE FOR THE ENVIRONMENT ACT TO ESTABLISH THE NATIONAL INSTITUTE FOR THE ENVIRONMENT

This outline describes legislation to create a National Institute for the Environment (NIE), with the mission to improve the scientific basis for decision-making on environmental issues, & for other purposes.

Section 1. Short title: the ''Sound Science for the Environment Act.''

Section 2. Findings: The Congress finds the following:

A healthy environment is essential to an enhanced quality of life, a competitive economy, & national security.

The United States lacks an effective mechanism for providing & communicating a comprehensive, objective & credible scientific understanding of environmental issues in a timely manner to policy-makers & the public.

An appropriate understanding of the diverse scientific issues that underlie the environmental problems facing the United States is essential to finding environmentally & economically sound solutions to these problems.

To be useful, this understanding requires the integration of ongoing assessments of the state of scientific knowledge with credible problem-focused research, the communication of scientific information, & the appropriate education & training of environmental scientists, engineers, & other professionals.

These scientific activities are best carried out through a neutral, institution without regulatory responsibilities, where the public & private organizations and individuals can establish a shared understanding of the state

of scientific knowledge on environmental issues, & support research, education, and information exchange to expand and spread the state of knowledge.

A National Institute for the Environment will allow the Nation to more effectively use science to improve environmental decision-making, thereby reducing costs and saving lives.

Section 3. Purpose: Create an institute to improve the scientific basis for decision-making on environmental issues by integrating the functions of knowledge assessment, research, information services, education & training, provide national leadership in environment science and research, and facilitate the sharing of public and private resources to enhance understanding and communication of scientific knowledge about the environment.

Section 4. Establishment: Authorizes and directs the National Science Foundation to establish a National Institute for the Environment with a mission to improve the scientific basis for decisionmaking on environmental issues. Directs that management of the Institute be awarded competitively.

Section 5. Duties & Functions: Sets the duties of the Institute to:

1. Initiate, facilitate, & where appropriate perform assessments of the current state of knowledge of environmental issues & their implications;

2. Award competitively peer-reviewed grants & where appropriate, contracts, for extramural scientific research;

3. Establish a National Library for the Environment as a universally accessible, easy to use, electronic, state-of-the-art information system for scientists, decisionmakers, & the public;

4. Sponsor education & training of environmental scientists & professionals & improve public environmental literacy.

Section 6. Governing board: Establishes a Governing Board composed of 18 members appointed by the President and confirmed by the Senate, which shall establish goals, priorities, & policies of the Institute, & will include approximately equal numbers of scientists & users of scientific information on the environment. Ensures diverse composition including representation of States, academic institutions, business, labor, environmental groups, other citizens groups, women & minority groups. Ensures geographic diversity. Provides for 6-year terms of office in order to provide stability. Designates one member of the National Science Board to serve on the Governing Board.

Section 7. Management and Staff; Provides for a Director, Assistant Directors, & staff. Directs that the Institute be operated by a non-profit organization under contract with NSF.

Section 8. Relation with National Science Board, Directs the National Science Board to recommend names for the Governing Board and to approve selection of the Director.

Section 9. Cooperation with Agencies: The Institute may acquire any unclassified data & non-proprietary knowledge possessed by Federal agencies. The Institute shall cooperate with the agencies to ensure that the information & products of the Institute are useful & accessible to the agencies.

Section 10. Interagency Advisory Committee: Directs the Committee on Environment and Natural Resources of the National Science and Technology Council or an equivalent body to serve as an interagency advisory committee, to ensure that the efforts of the Institute & Federal agencies are complementary.

Section 11. Grants, contracts, & other authorities: Provides the Institute with the same authority as NSF to enter into financial arrangements, including competitively awarded grants, loans, cooperative agreements, & contracts to institutions, teams, & centers, after rigorous peer-review. States that scientists, engineers, & other researchers should be able to receive funding regardless of whether they are from government or private sector institutions. Allows the Institute to receive funds from Federal agencies, states, & private sector institutions to carry out particular projects & activities, subject to guidelines established by the Board. Directs that funds provided not be used to reduce amounts available to the Institute from appropriations.

Section 12. Authorization of appropriations. Authorizes such sums as may be necessary to NSF to be transferred to the Institute. Prohibits funds of NSF from being transferred.

Section 13. Definitions.

Environmental sciences—the full range of fields of study including biological, physical, chemical, geological, & social sciences, engineering, & humanities, relevant to the understanding of environmental problems.

Scientist—practitioner of science relevant to the environment.

Decisionmakers—elected or appointed officials of Federal, State, tribal, & local governments & similar individuals in the private sector.

TRIBUTE TO REST HAVEN CHRISTIAN SERVICES

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. WELLER. Mr. Speaker, I rise today to honor the hard work and dedication of Rest Haven Christian Services, a nonprofit Christian based organization which has facilities located throughout the metropolitan Chicago area. This organization provides hope and opportunity to those in need in a way unmatched by any other.

Tonight they celebrate over 37 years of care for the frail and infirm elderly, and over 80 years of serving the needs of the aged who are well. Rest Haven was formed in 1954 to serve the elderly. A sister organization, the Holland Home—originally begun in Roseland in 1914—was merged into the Rest Haven ministry in 1969.

This ministry now serves over 1,200 seniors with skilled nursing, subacute rehabilitation services, assisted living, independent living, and community based services through its Providence Home Health Care Division. These services are accomplished on its five campuses located in Downers Grove, South Holland, Palos Heights, Crete, and Homer Township.

I commend Rest Haven Christian Services for the way they impact lives and restore hope and for their commitment to make serving their community a core value of citizenship.

Rest Haven Christian Services pledges to hold these values: Protecting the client's dignity and privacy; preserving independence; caring for the whole person, physically, spiritually, mentally, and emotionally; and, to glorify God in all they do.

Rest Haven Christian Services is an organization that has greatly benefited and enlightened our community. Their commitment, hard work and dedication deserves the highest acclaim.

TRIBUTE TO JOSEPH WLODARZ

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Ms. KAPTUR. Mr. Speaker, I rise today to commemorate a man in my district who embodied the spirit of America. Joseph Wlodarz died to this life on August 5, 1997 at the age of 85 years.

Joseph ''Fudgie'' Wlodarz came to East Toledo when he was 13 years old. An all-city football player at Toledo's Central Catholic High School, Joe went on to play with local semi-professional teams, the Jack Frost Sugars, the Vargo Coals, and the Birmingham Ads. In addition to his passion for football, Joe also played basketball, baseball, and softball. He passed on his passion and his skill to hundreds of youngsters at Holy Rosary Church and School, where he coached children in these sports for 60 years. His son noted at his passing, ''He just loved to coach kids.'' Wlodarz Field at Ravine Park in East Toledo bears his name, a testament to his love of sport.

Joseph Wlodarz worked for 27 years at the former Unitcast Corp. in Toledo, where he left his mark as well. While at Unitcast, he organized UAW Local 48, and served many times as the union's president. He also worked as the labor-management coordinator.

Dubbed ''The Mayor of Birmingham''—(the close-knit Hungarian neighborhood of East Toledo in which he lived—Joe took an active interest in the neighborhood's community and civic affairs, although he never held an elected office. He was a founder of the Birmingham Hall of Fame, helped organize the 20th Ward Democratic Club, was a member of the East Side Recreation Board, served on the city of Toledo advisory panel for parks and recreation, and labored to establish the East Toledo Family Center where he also served on the board.

Joseph ''Fudgie'' Wlodarz' life is perhaps best summed up in his eldest son's tribute to him, which is a most fitting epitaph, ''He was never too concerned about making much money. He was always for his community and neighborhood, union, and helping people.''

Our heartfelt sympathy to Joe's wife Garnet, his sons James, Jack, Joseph, Jr., and Steve, his grandchildren and great-grandchildren. We mourn your loss, but trust you will find comfort in his memory and the legacy of a life truly well spent and devoted to others.

PERSONAL EXPLANATION

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Ms. ROS-LEHTINEN. Mr. Speaker, I regret that due to unforeseen circumstances I was unable to vote on H.R. 2570—roll call No. 598. If I had been present, I would have voted ''aye''.

INTRODUCTION OF THE ELECTRICITY CLEAN COMPETITION ACT OF 1997

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. PALLONE. Mr. Speaker, today, on behalf of myself, and my colleagues Mr. CAMPBELL, Mr. FRANKS of New Jersey, Mr. PAYNE, other members of the New Jersey delegation, and Mr. WAXMAN, rise to offer legislation that all of us concerned about fair competition and the environment should support—the Electricity Clean Competition Act of 1997. Our legislation is offered in recognition of the fact that environmental regulation is a competitive issue that must be addressed as the Congress considers the restructuring of the electricity industry.

As many of my colleagues are aware, I have been skeptical that the Congress needs to take the lead in introducing the retail competition to the electricity industry. I have been an advocate for recognizing the unique role of States in ensuring the availability of this commodity to all our citizens in a manner that reflects the need for continued reliability of service, recovery of stranded costs, and continued consumer protection for residential customers.

At the same time, I have been concerned that States might find it difficult to develop a framework that would protect other vital interests of the American public, including: preventing the exercise of market power; establishing a reciprocal regime prohibiting States from gaining competitive advantages resulting from uneven application of deregulation; and most importantly, preventing market distortion and air quality degradation due to inconsistent environmental regulation that resulted from past Federal decisions made under a different set of regulatory circumstances.

As I have listened to the testimony presented before the House Subcommittee on Energy and Power, it appears that a number of principles are emerging that can form the basis for a consensus bill. While I am still uncertain as to the exact timing of mandated universal direct access by all consumers, I believe that a date certain might well be a useful backstop to the efforts of the States and to ensure that the benefits of competition reach all our citizens within a reasonable timeframe.

However, I could not support restructuring legislation if it did not also: provide for reciprocity of access during the time preceding the implementation of universal access—ensuring that some suppliers could not retain captive customers under state regulation and compete for new customers in other jurisdictions; respect reasoned State decisions on utility recovery of investments in assets that become uneconomic in the new competitive environment; establish a regime favorable to the development of environmentally friendly, and competitive renewable technologies; and most importantly, address the need for comparable environmental standards applicable to all generating assets.

It is of this last point that our legislation is directed. I think that it is time we recognized that when the Congress adopted the Clean Air Act Amendments of 1977, many old, dirty facilities that were expected to close down were granted exemptions to the strict air pollution control requirements that we applied to new facilities. Yet, 20 years later these grandfathered facilities continue to operate and would, in the absence of our legislation, enjoy an even greater unfair competitive economic advantage over electricity generators that have installed state-of-the-art pollution control technologies or that generate electricity using cleaner fuels or renewable resources.

In order to remedy this problem, the proposed legislation establishes national emissions caps and a credit trading system for nitrogen oxides [NO_x] and sulfur fine particulates. The national generation performance standard that would apply to existing facilities would be based on Federal new source performance standards, ensuring that all generation facilities would have to meet the same environmental requirements. Trading in emission credits ensures the lowest possible compliance costs.

Federal restructuring legislation represents the last, best chance to achieve the goals of the Clean Air Act and level the playing field for all competitors in the electric generation market. I hope that if Congress proceeds with consideration of restructuring proposals, my colleagues and I who support Electric Clean Competition Act of 1997 can work with the Commerce Committee to craft consensus legislation that will protect consumers, ensure a fair competitive environment and improve air quality.

TRIBUTE TO SYLVIA LEVIN

HON. HENRY A. WAXMAN

OF CALIFORNIA

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Mr. WAXMAN. Mr. Speaker, Mr. BERMAN and I ask our colleagues to join us in honoring Sylvia Levin for her remarkable achievements in voter registration.

Sylvia became a deputy registrar with the Los Angeles County Registrar-Recorder's office in 1973 and has enthusiastically registered an estimated 35,000 voters since then. She has done more to increase voter participation than virtually anyone we know.

For nearly 25 years, Sylvia has walked or bicycled to her post with an indefatigable determination to get as many eligible voters registered as possible. Nothing—not even a broken arm—has slowed the pace of her work.

Sylvia's generous contribution to our community has received wide recognition. She has been honored for her work by the Los Angeles County Board of Supervisors, nominated to the California Secretary of State's Voter Outreach Hall of Fame, and selected as an ''Unsung Hero'' by NBC News in Los Angeles.

Our community owes a great debt of gratitude to Sylvia, and Mr. BERMAN and I ask our Congressional colleagues to join us in saluting her extraordinary contribution to our democratic system. We warmly congratulate her and wish her every happiness in the future.

H.R. 2493, THE FORAGE IMPROVEMENT ACT OF 1997

SPEECH OF

HON. ROBERT SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 30, 1997

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2493) to establish a mechanism by which the Secretary of Agriculture and the Secretary of the Interior can provide for uniform management of livestock grazing on Federal lands:

Mr. SMITH of Oregon. Mr. Chairman, allow me to provide a little historical reference and explain why we in the Congress should once and for all enact long-overdue legislative resolutions to management of livestock on public lands. This is not a new issue, but it is a delicate one, and the proposal that we have crafted and the method suggested to achieve this goal is different than prior efforts by Congress.

The facts are clear. The family ranchers who rely on access to public lands in the West suffer from great insecurity. For a number of years now they have been subjected to a litany of confusing and often-contradictory agency regulations. This fact was further exacerbated when Interior Secretary Bruce Babbitt implemented additional far-reaching regulations known as ''Rangeland Reform.'' The vast majority of ranchers in the West are good stewards of public land, yet they are forced to comply with a host of counter-productive regulations that should be aimed for the occasional wayward rancher—the exception to the rule—and not applied across the board in punitive fashion as they are today.

Many of you remember very well the efforts of the 104th Congress to enact reforms to the current regulatory structure for management of livestock on public lands. This well-intentioned goal failed to materialize in the closing days of last session, but the pressing needs of the West are still very present. Failed public policy deserves our attention, and that is why we are undertaking this effort.

For the past four months I have met with numerous Senators and Representatives who represent both ends of the philosophical divide to determine if there is a will to address a short, focused list of issues that will provide the western rancher small measures of needed security and are achievable in this Congress. With few exceptions, I have received very positive feedback. We have the consensus to engage such an effort.

After consultation with these Members of Congress and numerous interest groups, I developed a moderate list of issues that were addressed by the last Congress and would provide meaningful measures of security in the West while leaving the more contentious issues to be addressed another day. After meeting with key Senators and agreeing on this list of issues, in July I drafted them in legislative form, distributed them across the West, to environmental organizations, and throughout the Congress. I solicited input on this draft and, using these comments, recently drafted a new bill that reflects concerns raised by both ranchers and the environmental community. This bill has since passed both the House Committee on Agriculture and the House Committee on Resources with broad, bipartisan support.

The reasons for and benefits of this legislation are pretty simple. Right now we have no clear direction from Congress regarding how 270+; million acres of rangeland and grassland in the western States are to be managed. This lack of clear direction and morass of conflicting agency regulations cries out to be resolved. There are still many rangeland and grassland management issues that deserve legislative resolve, but those addressed in this Act are a solid start and appeal to concerns of all interests.

As I have said for a number of months now, I remain committed to bridging gaps between the ranching and environmental communities, as well as between Members of Congress from different parts of the country, to produce meaningful legislation that serves a handful of legitimate needs of the western family ranchers while at the same time encourages the continued health of the range.

Although this issue remains one of the more controversial public policy matters before Congress, I believe we should be able to work together to make strides that achieve a very necessary goal. Until such time, the rural West will continue to wither with little security and flawed public policy will rule the day.

The process of providing relief for western ranchers, however, is not a job for one man. It requires an abundance of legal, scientific, and practical expertise to craft a piece of legislation that meets the stringent substantive and political criteria required by the U.S. House of Representatives. Fortunately, I had the benefit of such expertise, and I would like to recognize those individuals for their hard work.

Dr. John M. Fowler, a professor of agricultural economics at New Mexico State University, and Dr. Fred Obermiller, a professor of agricultural economics at Oregon State University, are two of the nation's leading experts on our public rangelands. The success of H.R. 2493 is due in large part to their insight into the implications of proposed policy changes, their thorough understanding of the history of public lands, and their willingness to work on short, congressional timelines.

Dr. Fowler is responsible for compiling extensive data and fine tuning the new simplified fee formula in H.R. 2493, a fee that will undoubtedly bring greater stability to western ranchers and provide a fair return to the Federal Treasury. Without his specific analysis and explanation of the economic effect of this new fee, it would have been impossible to show its many benefits. New Mexico State University, and the nation as a whole, should be proud to have Dr. Fowler working on their behalf.

My fellow Oregonian, Dr. Obermiller has been a highly valued adviser of mine for a number of years. As has been the case on other legislative endeavors throughout my congressional career, his assistance on H.R. 2493 was critical to its development. Any newly-introduced legislation in the U.S. House of Representatives must address the inconsistencies and unfairness of current law, but must do so with a proper deference to the history of such issues. When it comes to ensuring that current proposals are accurately framed in an historical context, Dr. Obermiller has few equals. Both of these gentlemen are to be commended for the excellence they have achieved in their field.

In addition, it is essential that a legal analysis of any legislative proposal be performed so that the intent of the author is attained. This analysis must be completed by an attorney who is broadly respected, imparts prudent interpretations based on actual statute and case law, and reads with a critical eye for the needs of the western rancher. Bill Myers, who I heavily relied upon to serve this function, is such a person. Bill, who has served as an Administration official, counsel in the United States Senate, and as the Executive Director of the Public Lands Council, is now in private practice in the State of Idaho. Nevertheless, he took time out of his own workload to provide his advice about the language in the bill and review criticisms that were being levied against it. Without his assistance, it would have been difficult to move forward with any degree of certainty as amendments were being offered to broaden support for the bill.

When all is said and done, and the opinions of the scientists, economists, and attorneys are stripped away, H.R. 2493 is nothing more than a law under which men must live. Therefore, without the wisdom of ranchers themselves, this bill would be little more than a collection of legal terms and scientific formulas. As a life-long resident of Oregon, it should be a surprise to no one that when I need opinions about rangeland policy, I consult with old friends who I trust—friends like Bob Skinner of Jordan Valley, OR. Bob is a steady and thoughtful voice for a community that experiences too much instability. Although this instability is caused mainly by external forces, too often it comes from the ranchers themselves. Through all the disagreements and disputes, however, Bob has demonstrated a unique quality: an ability to see the big picture. This has served him well over the years and is a big reason why I value his opinion.

Finally, I would like to thank my good friend Rep. DON YOUNG, Chairman of the House Resources Committee, for his leadership on this issue. He and his staffer, Tod Hull, provided a much-needed push for the bill when we needed to get it through his Committee and on to the floor. The momentum that the bill enjoyed as it proceeded along the legislative process is in large part due to their hard work.

The extraordinary efforts of these gentlemen were extremely helpful in taking H.R. 2493 from a bill that faced little chance of passage in the U.S. House of Representatives to one that enjoyed broad, bi-partisan support. I look forward to working with all of them as we continue to address the important issue of stability for western ranchers in the next session of Congress.

[MEMORANDUM—OCTOBER 29, 1997]

Re: Status of Property Rights on Federal Lands.

To: Congressman Bob Smith.

From: William G. Myers III, Esq.

I am informed that H.R. 2493, the Forage Improvement Act of 1997, as reported by the House Resources Committee, may be subject to several amendments during floor consideration today. Specifically, I understand that the definition of ''base property'' will be changed so that it means private or other non-federal land, water, or water rights owned or controlled by a permittee or lessee to which a federal allotment is associated. The question is whether substitution of the word ''associated'' for the word ''appurtenant,'' as contained in the bill as reported by the House Resources Committee, is of legal significance.

In essence, the question is whether it is preferable that a federal allotment is appurtenant to base property or associated with base property. Proponents of the word ''appurtenant'' prefer that term over ''associated'' on the basis that it may provide greater leverage in asserting that ranchers have a property right in their federal grazing permits.

Federal statutes and case law are consistent in their discussion of the status of grazing permits. The Taylor Grazing Act (43 U.S.C. §315b) states tndat ''the issuance of a permit pursuant to the provisions of this Act shall not create any right, title, interest, or estate in or to the lands.'' The Supreme Court has interpreted this provision and held that Congress did not intend that an compensable property right be created in permit lands themselves as the result of the issuance of a permit. *See United States* v. *Fuller,* (409 U.S. 488 (1073)). Additionally, the Federal Land Policy and Management Act (42 U.S.C. §1752(h)) states that ''nothing in this Act shall be construed as modifying in any way law existing on the date of approval of this Act with respect to the creation of right, title, interest or estate in or to public lands or land in National Forests by issuance of grazing permits or leases.''

Several recent decisions have added to the jurisprudence on this issue. The federal court in *Public Lands Council, et al.* v. *Babbitt,* (929 F. Supp. 1436, 1440 (D. Wyo. 1996)) provided a valuable historical review and held that a ''grazing preference'' represents ''an adjudicated right to place livestock on public lands.'' The court also held that ''the grazing preference attached to the base property, and followed the base property if it was transferred.'' It is the grazing preference which permits the permittee to place livestock on the federal land in the case of Bureau of Land Management lands. As noted above, the preference ''attaches'' to the base property. The use of the word ''associated'' in the definition of base property in H.R. 2493 is consistent with the notion of attachment. If there is any question, this should be clarified during debate on the House floor. I recommend that an amendment be offered to delete the word ''appurtenant,'' and that the word ''attached'' be inserted in its place.

This would be consistent as well with the court's ruling in *Hage* v. *United States* (35 Fed. Cl. 147 (1996)). The court held that a ''grazing permit has the traditional characteristics and language of a revocable license, not a contract.'' The court went on to state that ''[A] license creates a personal or revocable privilege allowing a specific party to utilize the land of another for specific purpose but does not vest any title or interest in such property in the licensee.''

In conclusion, if Congress wishes to make a grazing permit a property right, it should do so *explicitly*. An attempt to establish a property right by the use of the word ''appurtenant'' in the definition of base property, without more, is unlikely to overcome existing statutes and case law cited above.

TRIBUTE TO ERIE SAUDER

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 1997

Ms. KAPTUR. Mr. Speaker, I take this opportunity to remark upon the passing of an extraordinary man of my district. Erie Sauder of Archbold, OH died June 29, 1997 at the age of 92 years.

Erie Sauder was a visionary, an entrepreneur, and a deeply spiritual man. A living legend in his own community of Archbold, he

was well known among the larger community as well. In fact, even the world knew of him, through his company's products. Mr. Sauder was the founder and chairman of the board of Sauder Woodworking. The world's largest manufacturer of ready-to-assemble furniture, Sauder Woodworking employs 3,000 Archbold area residents. Along with two subsidiaries of the company and Mr. Sauder's signature piece, Sauder Farm and Craft Village, his enterprises are the lifeblood of the community. Sauder Farm and Craft Village is a living history of northwest Ohio, a recreation of a pioneer village which brings to life the day-to-day activity of its residents. The village also includes an auditorium, restaurant, and inn, and over two million people visit it each year to get a glimpse of an understanding of life in the 19th century.

A man of faith and deep moral conviction, Erie Sauder was a scholar of the Scriptures and Mennonite Church history. He was an active congregant in four churches, most recently the Pine Grove Mennonite Church. His work with the church led him to become a founding member of the Mennonite Economic Development Association. Through this organization, he made 18 trips to Paraguay, directing a development project which put to work thousands of indigent Paraguayans. Mr. Sauder looked upon that project as his most satisfactory achievement. His spirituality and civic-mindedness is evident in the other boards on which he served: Sunshine Children's Home—for profoundly disabled children; Ohio Mission Board; Oaklawn Center; Farmers and Merchants State Bank; Goshen College and Defiance College.

A grounded man who never forgot his roots, Erie Sauder received much recognition in his later years. He was honored as Archbold's Citizen of the year in 1969 and the State of Ohio's Senior Citizen of the Year in 1986. He was inducted into the Northwest Ohio Area Office on Aging's Hall of Honor in 1986. He received the Ohio Designer Craftsmen Award in 1987 and the Governor's Award in 1992.

He has also been recognized by the Maumee Valley Girl Scout Council and the Ohio 4–H Foundation for his generous support of the organizations' programs.

A man of considerable fortune who grew up poor on a Fulton County farm, Erie Sauder's charity was legendary. In addition to his contributions to the Sauder Farm and Craft Village, his business, and many other programs, his obituary notes that his good deeds ''ranged from donating an organ to his church to donating $1 million toward the construction of Archbold's new library.'' His community truly felt his presence and he treated everyone in it as his friend.

Erie Sauder survived his first wife, Leona, their daughter, his sister Mabel and brother Leo. He leaves to this life his wife Orlyss, his sons Delmar, Maynard, and Myrl, stepdaughter Elaine, sisters Lucretia and Herma, nine grandchildren and eleven great-grandchildren. May they find comfort in his memory and in the lasting legacy he left in the form of his entrepreneurship and in living his faith.