

EXTENSIONS OF REMARKS

THE CITIZEN PROTECTION ACT

HON. ASA HUTCHINSON

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. HUTCHINSON. Mr. Speaker, I rise today to announce the introduction of the "Citizen Protection Act," legislation designed to hold bounty hunters, and the bail bondsmen who employ them, liable for civil rights violations. The bill also requires bounty hunters and bail bondsmen who travel in interstate commerce to recover a defendant to report their intentions to local law enforcement authorities and provide whatever information is required under that state's laws.

I believe this bill accomplishes an important public safety goal, namely keeping innocent citizens safe from the abusive actions of rogue bounty hunters, without creating a new federal bureaucracy or imposing any mandates on the states.

Under current law, bounty hunters do not operate under the same standards required of law enforcement officers, which prohibit excessive force. Bounty hunters are free to break into the homes of people thought to be criminals in order to capture bond-jumpers, without any accountability to innocent citizens who may be injured because of wrongful and abusive conduct.

In September 1997, five men claiming to be bounty hunters forced their way into a private residence, terrorized a mother and her children, and fatally shot a young couple. Despite the fact that the Arizona suspects turned out not to have been bounty hunters, the notoriety of the case brought national attention to flaws in the bail bond system.

While not as publicized as the Arizona case, bounty hunter abuses occur more frequently than we realize. One such case from Houston, Texas illustrates why Congress needs to provide a legal recourse for innocent victims. In the Summer of 1995, Betty Caballero was beaten by a bail bondsman seeking to arrest another woman, Ms. Ruth Garcia. Because of the beating, Betty miscarried her pregnancy the next day. Although she brought suit against the bail company for the violation of her civil rights, the district court found that federal civil rights laws did not apply to the case and exonerated the bond company from any liability for the bounty hunter's behavior.

Just a few weeks ago, rogue bounty hunters in Memphis, Tennessee beat up a high school student they mistakenly targeted as a bond-jumper. Last year, in another case of mistaken identity, an innocent Kansas City man was shot three times by bounty hunters. And in the summer of 1994, an innocent New York woman was abducted by bounty hunters and transported to Alabama. The bounty hunters ignored the woman's protests of innocence. Three and a half days and 910 miles later, the bounty hunters acknowledge their error and paid for a bus ticket to send the woman back home. She also was not allowed to pursue a

case for violation of her civil rights against the bail bond company or the bounty hunters.

The Citizen Protection Act remedies these injustices by allowing abused individuals to seek redress in federal court. The bail bond industry is interstate in nature, and many of these abuses involve the transportation of victims across state lines. It is important to note that this bill does not create a new federal regulatory scheme or impose any mandates on the states. It merely provides remedial relief to those who are now slipping through the cracks of the justice.

Many professional bounty hunters and bail bondsmen support regulation of their industry in order to drive out the rogue bounty hunters who undermine the industry's reputation and credibility. Law enforcement agents have also been supportive of the notification requirement, arguing that they want to be aware of bounty hunter activities in their jurisdictions.

Mr. Speaker, I believe Congress can and should take this modest step and bring some accountability to the use of bounty hunters. That is why am I proud to be introducing this legislation with my colleagues Congressmen CHARLES CANADY, JOHN CONYERS AND ALCEE HASTINGS.

JOHN HOGAN III, A VERY SPECIAL
YOUNG MAN

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. SOLOMON. Mr. Speaker, in today's cynical, selfish world, it is rare to find an individual whose pure goodness, compassion and selfless generosity transcend his own personal travails. I would like to bring to your attention just such a person, 11-year old John Hogan III of Hadley, New York.

Diagnosed at birth with cerebral palsy and a seizure disorder, John's doctors did not expect him to survive. However, John beat the odds, earning the opportunity to embark on what has already become a remarkable life. Because of his medical conditions, John was referred to the Make-a-Wish program of Northeastern New York, an organization which arranges for children with life-threatening illnesses to realize their dreams. Unlike many young people, John's dream was not to meet a celebrity or to go to Disney World. John's only wish was to feed the homeless—a desire to which he held firm despite the efforts of volunteers and other adults to convince him to do something special for himself. This incredible young man would not be dissuaded from his goal.

Through Make-a-Wish, John arranged for \$50,000 worth of food to be distributed to food banks in his area, riding along in the cab beside a truck driver to personally deliver the 22 tons of much-needed food donated by a local supermarket chain. Although John's wish initially flabbergasted the Make-a-Wish volunteers, John's mother was not at all surprised.

"He's always been this way," she said, "He shares everything with others." In fact, she remembered, when his parents would give him quarters to play in an arcade, John would instead give them away to his brothers. Feeding the homeless was simply a natural next step for this selfless young man, who hopes one day to become a minister.

Mr. Speaker, John Hogan is an example we should all strive to follow. Faced with adversity from the very beginning of his young life, John has not only coped with his situation, he has triumphed over it through his spirit of kindness and generosity. I ask that all members join me in rising to express our thanks and admiration for this remarkable young man. I only hope we can all achieve at some point in our lives the strength and compassion which he has accomplished already in eleven short years.

TRIBUTE TO DORIAN DAVID
ROREX

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. VISCLOSKY. Mr. Speaker, on Thursday, January 15, 1998, tragedy struck Northwest Indiana when Dorian David Rorex, a police officer with the Gary Police Department, was fatally shot by a drug dealer. Dorian made the ultimate sacrifice by giving his life in the effort to protect our community. On the day he was killed, Dorian was working with a team of detectives in an undercover sting operation to put illegal drug dealers behind bars. In the process of making the arrest, however, a drug dealer turned on Dorian and fired his gun repeatedly, putting an abrupt end to the life of a man who had been dedicated to helping protect others.

The black bunting that hung over the police station door in Gary, Indiana, was a reminder of the sadness that hung on the hearts of all the people who have been affected by this terrible incident. It affected all the citizens of Northwest Indiana who suffered loss, knowing that the plague of illegal drugs and the violence they breed had taken the life of a courageous public servant who had been working to protect them. Dorian's colleagues, the officers who knew him and worked with him, are now forced to deal with the pain and anger of a lost partner. Most of all Dorian's family, his mother, father, fiancé, and his young son, David, must face this terrible pain that this tragedy has brought them. They must now struggle to come to terms with their painful loss.

As we all work to move on from this point, we can take solace from the Bible and St. Paul, who said: "Let us not grow weary in doing good. For in due season we shall reap

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

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

if we do not lose heart." Dorian Rorex did not grow weary of doing good, and he did not lose heart. In all of his life's endeavors he worked to help people. He was a member of Tarrytown Baptist Church and a graduate of West Side High School. He was a veteran of the United States Marine Corps, who served in Operation Desert Storm. While serving as a member of the Gary Police Department he was a member of the Fraternal Order of Police, the S.W.A.T. team, and served as an Honor Guardsman.

Dorian's life ended too soon, but his life was full, and he lived it with honor and a sense of duty to others. In all of our endeavors to make our community safe, we were encouraged by his energy. We were made young by his enthusiasm, and, when things weren't perfect, we were warmed by his friendship. His commitment to his colleagues, his department and his city was complete. Dorian's love for his family was absolute. And, though we'll never know "Why?" Dorian was taken from us, we can take heart in knowing that at least part of the reason he gave his life was so that the world his son, David, inherits will be the best he could make it. And with that, in some small way, we can all try to make sure that Dorian's hope for a better world for David, and all of our sons and daughters, is fulfilled.

IN HONOR OF MR. PAT TORNILLO

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to publicly recognize an important civic leader and my good friend, Mr. Pat Tornillo.

As some of you may know, Pat has been the leader of a nearly four-decade effort to improve the public schools in the Miami-Dade County area.

Pat arrived in the Great State of Florida in 1956. As a new teacher in Miami-Dade, he took an active role in the Dade County Classroom Teachers Association (which is now known as the United Teachers of Dade). Today, 42 years later, he serves as the Executive Director of that important organization.

This week, on February 7, the educational and political communities of Florida are joining together to honor Pat L. Tornillo for his "Uncommon Commitment to Public Education." This commitment includes turning Miami-Dade's public schools into one of the largest and most culturally diverse school systems in the country today.

Mr. Tornillo's work has been publicly noted before. He has won the Martin Luther King Jr. Memorial Brotherhood Award, the Outstanding Leadership Award from the United Way, and the NAACP Distinguished Award. Now, it is Congress' turn. Mr. Speaker, I ask for my colleagues to join me today as we honor a truly great American. A grateful nation thanks Pat Tornillo.

IN RECOGNITION OF MAYOR
LIONEL WILSON

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. DELLUMS. Mr. Speaker, I rise to honor a historic figure, Lionel Wilson, who was elected in 1977 as the first African American Mayor of the City of Oakland, California. Lionel passed away recently at the age of 82 and left a legacy that forever changed the political contours of the city.

Born in New Orleans, Lionel came to his "hometown" of Oakland, California with his family at age 3. He attended Clawson Elementary and McClymonds High School. Lionel went to law school and eventually became the first African American Superior Court Judge in Alameda County. The Wilson Family became a cornerstone of the West Oakland neighborhood during its economic and social heydays of the forties and fifties. Lionel served as Chair of an anti-poverty board in the sixties and seventies that came out of the Great Society legislation under President Lyndon Baines Johnson.

When Oakland elected Lionel in 1977, City Hall was boldly turned around as his compassionate but firm leadership brought access to those who had been denied access. Wilson opened up city government for blacks and other minorities, creating a new Oakland that paved the way for a new generation of minority politicians. Critical to policy decision is the city budget which was the responsibility of the city manager; however, his insistence that the mayor must have an important role in the process led to a three-term mayor serving for 12 years. His broad vision can be seen in the development of downtown Oakland and its neighborhoods.

One passion that Lionel and I share is the love for baseball, in fact, to be professional players. As you see, history had other plans. Lionel Wilson will be greatly missed and remembered by all as a man with a vision for the City of Oakland.

CELEBRATING THE LIFE OF
KENNETH ROGER THOMAS, ESQ.

HON. JULIAN C. DIXON

OF CALIFORNIA

HON. MAXINE WATERS

OF CALIFORNIA

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. DIXON. Mr. Speaker, I join with my colleagues Congresswoman MAXINE WATERS and Congresswoman JUANITA MILLENDER-McDONALD in announcing the untimely passing of one of this nation's outstanding minority newspaper publishers. Kenneth Roger Thomas, Esq., publisher of the Los Angeles Sentinel, died on November 28, 1997. He was not only a friend, but a valiant crusader for the truth and a compassionate man who ceaselessly contributed his time and energy to those who needed help.

Born January 1, 1930, in Cleveland, Ohio to James Edward Thomas and Augusta

Dickerson, Ken spent his formative years in Marietta, Ohio. He completed his primary and secondary education there before attending Ohio University from 1947-1951, where he received a bachelor's degree in pre-medicine. His degree took him not to medical school but to the military; Thomas served in the U.S. Air Force from 1951-1956 in Korea and Japan, achieving the rank of First Lieutenant.

Upon returning to the states in 1956, Ken studied law at Ohio State University, earning his bachelor of laws and doctor of laws degrees in 1958 and 1967, respectively. He began his successful private law practice in 1960, and served as a California Probate Referee from 1974 until his death. Ken utilized his keen legal mind to assist and advise a number of organizations, including the Los Angeles Fair Housing Council, the NAACP, and the Congress of Racial Equality (CORE). Over the course of his career, he served on the boards of the California Rapid Transit District, the Los Angeles Urban League, and the National Newspaper Publishers Association.

Ken's affiliation with the Sentinel began with his service as longtime attorney for Ruth Washington, the widow of Sentinel founder and civil rights activist Col. Leon H. Washington, Jr. Col. Washington died in 1974, leaving the paper to his wife, who made Ken CEO in 1983. Ken brought tremendous energy and vision to the Sentinel, which had been foundering amid huge debts and antiquated equipment. Through his herculean efforts, the weekly was equipped with computers, its finances were stabilized, and the physical plant was renovated. Meanwhile, Ken found the stamina to maintain his private law practice and help the less fortunate, often playing Santa Claus for foster children at Christmas.

Ken was also important to the Sentinel and the Los Angeles community because he maintained the paper's commitment to relating the black experience to the general public, covering stories not told by the mainstream papers and providing frank commentary untinged by racial bias. He maintained an active interest in Los Angeles politics and was a trusted confidant and advisor to several community and political leaders.

Ken's tenacity, courage, conviction, love, and generosity will be sorely missed by us all. MAXINE, JUANITA, and I strongly urge our colleagues to join us in extending condolences to his loving wife Jennifer, his daughter Maria K. Thomas of Los Angeles, his extended family, and his many devoted friends.

PEACE INITIATIVE OF DR.
ANTHONY S. LENZO

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1998

Mr. VISCLOSKY. Mr. Speaker, I would like to call your attention to a noble initiative proposed by Dr. Anthony S. Lenzo of Crown Point, Indiana. Dr. Lenzo has toiled selflessly for many years in an attempt to designate a "Weekend of Prayer, Meditation and Thought on the Futility of War and the Desperate Need for Peace in the World." His goal is to have the United States submit his resolution to the United Nations. Dr. Lenzo feels that, as a global leader and the chief proponent of

peace, the United States should be the country to propose such a resolution. The United Nations Educational, Scientific and Cultural Organization constitution itself reads, "since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed."

His own words most eloquently express his intentions. According to Dr. Lenzo, who recently retired from teaching elementary school and from his position as a colonel in the Army Reserves, peace is still a possibility: "With the entire world, together with its political and religious leaders, all praying for peace at the same time, marked with parades, speeches, dinners, fireworks, and whatever else is necessary to make this the most important event of the year, it has to have impact on everyone and further the cause of peace." Dr. Lenzo continues, "It will be a thankful day when we can once again live in peace * * * peace in the world, peace within our nations, peace in our neighborhoods, peace on our streets." He dismisses claims that this is impossible: "Years ago it was said that it was impossible to find a cure for polio, but we did; impossible to find a cure for smallpox, but we did; impossible for the Berlin Wall to come down, but it did; impossible to overcome Russian communism, but we did! The endless list of accomplishments that were once thought to be impossible are now realities. Peace in the world can also become a reality."

During the course of his campaign, Dr. Lenzo has met with great success. Between 1992 and 1994, he received responses from 30 states, 9 of whom instated a weekend of prayer for peace at his request. He has received responses from Boutros Boutros-Ghali, the Pope, and Elizabeth Taylor. Nearly all who hear Dr. Lenzo's plea to champion peace commend his campaign.

The last time I called your attention to Dr. Lenzo's initiative, in January 1991, we were just four days away from the United Nations' deadline for Saddam Hussein to remove his troops from Kuwait. Five days after I spoke of Dr. Lenzo's project, we deployed military forces in Kuwait. Now, again, we are nearing a stand-off with Iraq. And again, Dr. Lenzo works to remind us of the gravity of the actions we contemplate. As we negotiate and strategize and consider all our options, Dr. Lenzo tells us to keep in sight the end we all seek. His suggestion that we step back and remember to whom we are accountable is vitally relevant at this time.

In the words of John Milton, "Peace hath her victories, no less renowned than War," and Dr. Lenzo's work is surely one of those victories. I admire Dr. Lenzo's insight and encourage all my colleagues in the House of Representatives to seriously contemplate his "Weekend of Prayer, Meditation and Thought."

PRESIDENT'S BUDGET FOR FISCAL
YEAR 1999

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. RADANOVICH. Mr. Speaker, I rise today as a member of the Budget Committee, to analyze the President's budget for FY 1999.

The federal budget isn't just an accounting tool. It's a vision of the kind of America we want for our families. Our vision is for an America where families are restored to their central role in society, the entrepreneurial spirit is unleashed in every community, and religious and civic organizations are released to solve local problems.

Unfortunately the President's vision, as outlined in his latest budget, is limited to an ever expanding Federal government.

The President claims that his spending plan achieves a \$9.5 billion surplus in fiscal year 1999 thereby reaching, an even surpassing, the goal of a balanced budget three years sooner than expected.

But even is that assertion is correct, his budget submission misses the real point: balancing the federal budget is not just a book-keeping exercise. Balancing the budget is about moving power out of Washington, having more decisions made by families and communities, and putting more faith in people rather than Washington "experts."

Balancing the budget is about restraining the size of the federal government so that other fundamental institutions—families, religious and civic organizations and business enterprises—begin to play their appropriate roles in the nation. When government grows, it invades the proper roles of these other institutions. The reverse is also true, so that when government is restrained, the other institutions grow. That is why Congress insisted that last year's budget agreement should not only balance the budget, but should also cut taxes at the same time. Only by coupling both strategies would the growth of federal bureaucracies stay in check. Only in this way could balancing the budget achieve the far more important goal of restoring balance among the nation's fundamental institutions.

One example of this restored balanced is the economic growth of the past several years, which has contributed significantly to today's favorable budget outlook. Critics have long predicted that too much deficit reduction, undertaken too fast, would cause the economy to contract. Instead, the reverse has happened. As the 104th and 105th Congresses held fast to their pledge to restrain spending and reform government, the engines of economic growth took over. The economy grew faster than projected. Interest rates fell, which in effect gave everyone a tax cut. Employment climbed. This growth, coupled with Congress's spending restraint, fueled our ability to quickly reach a balanced budget.

Another example of how rebuilding fundamental institutions helps all Americans is the decline in welfare dependency. This has occurred partly because the welfare reform law adopted in 1996—a reform the President vetoed twice before finally accepting public demand for it—devolved responsibilities and control to states and communities, which always were better suited to address the problems of poverty. Welfare reform gave Governors the flexibility to experiment, and tailor programs to their own unique populations. More importantly, it showed real compassion for those who received public assistance by encouraging taking responsibility for their lives, by making them accountable, and by moving them off the welfare rolls and onto payrolls. Since welfare reform was enacted, the welfare rolls have declined by 2.2 million people.

Mr. Speaker, the President seems not to have noticed. His budget reflects a typical re-

turn to expanding government whenever and wherever possible. For him, every problem (real or imagined) has a government solution—one that puts trust in Washington bureaucrats rather than individuals and families.

The President's budget contains 85 new spending programs, including 39 new entitlements. In all, these entitlements add nearly \$150 billion to federal spending over the next five years. Meanwhile, he fails to pursue any further reduction in the tax burden on the American family—who notwithstanding last year's reduction—are still overtaxed. In fact, he slams the family budget by gobbling-up over \$129 billion more of American income in new taxes and fees.

The President, who speaks of building bridges to the future, is actually taking the discredited road of the past—the past that brought on the era of big government. His zeal for more spending is disturbing. The government should be doing all it can to foster growth of economic resources, to provide for long-term prosperity, and to assure that the nation can meet its obligations to future generations. The government should not look for every way possible to spend these resources.

Nowhere is this more important than in Social Security—and nowhere does the President present a more staggering contradiction. To his credit, the President has acknowledged the need to prepare this unique program for the coming retirement of 76 million "baby boomers." In his State of the Union address, he urged that any budget surpluses that appear should be preserved for Social Security's needs. But right now, in this budget, he proposes to spend any surpluses and then increase taxes and pour those funds into more government programs. All this increased spending could, alternatively, be preserved for saving Social Security. But the President's actions say more than his words. He would rather spend the money on special interest giveaways than provide for a safe and secure Social Security system.

The soul of last year's budget agreement was a commitment to restrain the growth of government and to help restore the vitality of America's communities, neighborhoods, and families. By contrast, the President's budget harkens back to the era of big government. While Americans have come to recognize the limits of Washington's ability to solve problems, President Clinton continues trying to draw more of American life under the control of Washington.

America is hungry for a positive vision of society, a society that values hard work, honesty, and a commitment to family faith and freedom. But the President only serves up a vision of more government in a budget that is balanced in numbers, not in spirit.

MICHAEL KELLY COLUMN ON
PRESIDENTIAL SCANDAL

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. SOLOMON. Mr. Speaker, if any members are keeping a file of administration scandals, I would suggest including the February 4 "I Believe" Op Ed column in the Washington Post by Michael Kelly, senior writer for the National Journal.

It's a paradox that this administration has bought some time by giving us so many and such a variety of scandals that we cannot possibly keep up with them. Critics take the measure of one scandal, only to be distracted or overwhelmed by another, and another, and another, seemingly without end.

Kelly's column serves to remind us that the Lewinski affair is only the latest in a series of scandals, and the White House attempt to change the subject merely the continuation of a pattern of dissembling.

Mr. Speaker, I believe our present policy of deferring to the independent counsel is the correct one. Should it ever be found that such dissembling took the form of obstructing justice, we will be faced with a serious decision. If only a fraction of the allegations catalogued by Kelly turn out to be true, the House will be obliged to act. It will do so with a collective feeling of sorrow, but it must not shrink from its responsibilities.

I include the Kelly column in today's RECORD.

I BELIEVE

I believe the president. I have always believed him. I believed him when he said he had never been drafted in the Vietnam War and I believed him when he said he had forgotten to mention that he had been drafted in the Vietnam War. I believed him when he said he hadn't had sex with Gennifer Flowers and I believe him now, when he reportedly says he did.

I believe the president did not rent out the Lincoln Bedroom, did not sell access to himself and the vice president to hundreds of well-heeled special pleaders and did not supervise the largest, most systematic money-laundering operation in campaign finance history, collecting more than \$3 million in illegal and improper donations. I believe that Charlie Trie and James Riady were motivated by nothing but patriotism for their adopted country.

I believed Vice President Gore when he said that he had made dunning calls to political contributors "on a few occasions" from his White House office, and I believed him when he said that, actually, "a few" meant 46. I believe in no controlling legal authority.

I believe Bruce Babbitt when he says that the \$286,000 contributed to the DNC by Indian tribes opposed to granting a casino license to rival tribes had nothing to do with his denial of the license. I believed the secretary when he said that he had not been instructed in this matter by then-White House deputy chief of staff Harold Ickes. I believed him when he said later that he had told lobbyist and friend Paul Eckstein that Ickes had told him to move on the casino decision, but that he had been lying to Eckstein. I agree with the secretary that it is an outrage that anyone would question his integrity.

I believe in the Clinton Standard of adherence to the nation's campaign finance and bribery laws, enunciated by the president on March 7, 1997: "I don't believe you can find any evidence of the fact that I had changed government policy solely because of a contribution." I note with approval the use of the word "evidence" and also the use of the word "solely." I believe that it is proper to change government policy to address the concerns of people who have given the president money, as long as nobody can find evidence of this being the sole reason.

I believe the president has lived up to his promise to preside over the most ethical administration in American history. I believe that indicted former agriculture secretary Mike Espy did not accept \$35,000 in illegal fa-

vors from Tyson Foods and other regulated businesses. I believe that indicted former housing secretary Henry Cisneros did not lie to the FBI and tell others to lie cover up \$250,000 in blackmail payments to his former mistress. I believe that convicted former associate attorney general Webster Hubbell was not involved in the obstruction of justice when the president's minions arranged for Hubbell to receive \$400,000 in sweetheart consulting deals at a time when he was renegeing on his promise to cooperate with Kenneth Starr's Whitewater investigation.

I believe Paula Jones is a cheap tramp who was asking for it. I believe Kathleen Willey is a cheap tramp who was asking for it. I believe Monica Lewinsky is a cheap tramp who was asking for it.

I believe Lewinsky was fantasizing in her 20 hours of taped conversation in which she reported detailed her sexual relationship with the president and begged Linda Tripp to join her in lying about the relationship. I believe that any gifts, correspondence, telephone calls and the 37 post-employment White House visits that may have passed between Lewinsky and the president are evidence only of a platonic relationship; such innocent intimate friendships are quite common between middle-aged married men and young single women, and also between presidents of the United States and White House interns.

I see nothing suspicious in the report that the president's intimate, Vernon Jordan, arranged a \$40,000-per-year job for Lewinsky shortly after she signed but before she filed an affidavit saying she had not had sex with the president. Nor do I read anything into the fact that the ambassador to the United Nations, Bill Richardson, visited Lewinsky at the Watergate to offer her a job. I believe the instructions Lewinsky gave Tripp informing her on how to properly perjure herself in the Willey matter simply wrote themselves.

I believe that The Washington Post, the Los Angeles Times, The New York Times, Newsweek, Time, U.S. News & World Report, ABC, CBS, NBC, CNN, PBS and NPR are all part of a vast right-wing conspiracy. Especially NPR.

NATIONAL AFRICAN-AMERICAN PARENT INVOLVEMENT DAY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. HASTINGS of Florida. Mr. Speaker, it is often said that education is the key to our country's future. While so many individuals give mere lip service to this idea, I am proud to announce that several of my constituents have been working hard to bring education into the limelight it deserves. February 9th of this year will mark the third annual National African-American Parent Involvement Day, a program done in conjunction with the Miami-Dade County School Board. This effort is being chaired by Earl Davis from the Office of Multicultural Education of Miami-Dade County Public Schools and co-chaired by Eunice Davis from North Davis Middle School and Carlos Seales from the Miami-Dade PTA/PTSA Council.

As we all know, parents in our hectic times often do not have the time to take an active role in the education of their children. Quite frequently, they do not know what their children are learning or who is teaching them.

The "Take Your Child to School—Visit Your Child in School" program is a concerted effort by principals, teachers, and other educators to encourage parents to change this disturbing trend. Parents will come into their children's schools to meet teachers, tour the buildings, and learn alongside their youngsters. Employers are also being contacted and encouraged to give interested parents "release time" so that they are able to be with their children on this important day.

I would like to personally commend my constituents who are organizing and participating in this vastly important program. When we consistently hear bad news about our nation's public schools, it is truly refreshing to see individual and community efforts such as these. I join my colleagues in South Florida in hoping that February 9th will initiate open communication between parents, children, and educators throughout the nation. Education truly is the key to the future, and it is programs such as this one that insure that it proceeds in the right direction.

A TRIBUTE TO LA SUPERIOR COURT JUDGE SHERMAN SMITH, JR.

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. DIXON. Mr. Speaker, I rise today to pay tribute to outstanding Los Angeles Superior Court Judge, the Honorable Sherman Smith, Jr. For nearly two decades, Judge Smith has presided over cases in a fair and forthright manner, earning him the respect of his judicial peers, as well as the admiration of the many members of the bar who have tried cases in his courtroom.

Judge Smith received his undergraduate and law degrees from Howard University in Washington, DC. Following his 1969 graduation from law school, he headed west to Los Angeles, landing a job with the public defender's office, where he helped the poor achieve justice through our legal system. He then spent a year at the L.A. City Attorney's office, working in the appellate department and then as one of the special counsels for then-City Attorney Burt Pines. He worked an additional year with the office as a prosecutor in West Los Angeles before being appointed to the Los Angeles Municipal Court in 1979 by then-Governor Jerry Brown, Jr. Judge Smith eventually reached the ranks of presiding judge, making substantial changes and working to modernize the court. He served on the Municipal Court bench for nine years.

In 1988 he was elected to a Superior Court seat and has served on the court's budget and personnel committee, chairing the education subcommittee of its access and fairness committee. During this period he was also active in judicial education, serving four years on the California Judicial Education and Research board and teaching for the program.

Judge Smith's commitment to the court and to a fair and equitable judicial system for every citizen honors our system of jurisprudence. I am honored to call him my friend and to have this opportunity to provide this brief retrospective of his exemplary career with my colleagues. I ask that you join me in paying tribute to him for his distinguished contributions to

the court and to the citizens of Los Angeles. Thank you, Sherman, for your many years of public service.

HOME HEALTH CARE

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Ms. STABENOW. Mr. Speaker, I rise today as an advocate for the vital services home health care provides to many of our nation's citizens and their families—people whose voices are not always heard on Capitol Hill. We all recall the stories from the news last year of the bad actors who abused the Medicare system and provided inadequate care to their patients. Unfortunately, the reprehensible actions of a few home health care businesses lead to dramatic changes in the Balanced Budget Act that will impact the quality of care of all individuals whose doctors and families have decided that home care is the necessary course of action. Although it is critical to curb abuse, we must be careful that we do not inadvertently cause harm to the small businesses who have always provided and who will continue to provide quality care to many people in our communities.

I am very concerned that as of today, home care providers will no longer be reimbursed if they visit a patient solely to draw blood. Section 4615 of the Balanced Budget Act states that this is a non-vital service to provide to homebound patients. What about the blind diabetic who needs a blood sugar reading? What about the cancer patient or AIDS patient who is confined to a bed and whose continued treatment relies on blood tests? This provision of the Balanced Budget Act must be reversed or at least modified to allow the needs of the patient to determine the need for this health care service. As of today I am a co-sponsor of the Venipuncture Fairness Act, H.R. 2912, sponsored by my colleague, NICK RAHALL. H.R. 2912 will reinstate payment under Medicare for home health visits made to provide the important service of drawing blood. I urge my colleagues to immediately join the Venipuncture Fairness Act as co-sponsors and to work to ensure swift passage of the bill so that homebound patients do not suffer a life-threatening gap in care.

Other efforts are underway in Congress to reverse decisions made in the Balanced Budget Act that inadvertently cause harm to the home care providers. This Wednesday I will join Congressman JIM MCGOVERN as an original co-sponsor of a bill to protect effective home health care agencies from last year's cutbacks. The bill will delay the implementation of the interim payment system for home health services and provide for a later base year for the purpose of calculating new payment rates. It is our hope that the bill will allow continuation of quality home health services in communities throughout the country.

Another obstacle stands in the way of home health care companies staying in business. The Balanced Budget Act provisions regarding surety bonds is being misread by the Health Care Financing Administration. It is reasonable to ask home health care businesses to secure a surety bond at an affordable cost. The Balanced Budget Act set that cost at \$50,000 or

15% of an agency's previous year's Medicare revenues. It was assumed that a \$50,000 surety bond would be too expensive for some agencies, hence the provision for 15% of revenues was included to ease the burden on smaller operations. I have now discovered that the Health Care Financing Administration is requiring all home health care providers to get a surety bond for 15% of the previous year's revenues. For some companies, this could be as high as half a million dollars, a far cry from the original \$50,000 Congress intended. I will be circulating a letter to send to the Health Care Financing Administration urging them to implement this provision of the Balanced Budget Act according to the original intent of Congress. I urge my colleagues to sign the letter and send a strong message to the Health Care Financing Administration.

Home health care is a critical part of the health care system for thousands of Americans. Citizens, who would otherwise be required to be in nursing homes, are able to live independently or with family members because of the support services provided by home health care professionals. It is critical that our policies make sense for the thousands of qualified and dedicated home care agencies in America while we focus our energies on those who abuse the system and waste taxpayer dollars. I urge my colleagues to join with me in taking appropriate actions to meet both important goals. Thank you.

ANDERSON HIGH SCHOOL INDIANS
BASKETBALL TEAM

HON. DAVID M. McINTOSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. McINTOSH. Mr. Speaker, I want to take this opportunity to recognize the boy's varsity basketball team of Anderson High School. These distinguished and courageous young men traveled to Washington D.C. and won an exciting game against DeMatha High school in the Washington Classic right here in our nation's Capital.

The determination shown by the team is a tribute to the rich tradition of Hoosier basketball. The Indians demonstrated a level of achievement which can only be attained when individuals dedicate themselves to a team effort. Their awesome victory was indeed a remarkable performance.

The game also had special significance for the two coaches. Both men have undergone successful liver transplants and the tournament raised awareness for this important procedure. The evening was a true testimony to the fact that anything is possible with a positive mental attitude.

Let me join everyone involved with the team's trip and winning season—the fans, parents, teachers and students in saying that we are all very proud of you! Congratulations.

HONORING THE LIFE AND SERVICE
OF ED BLACKBURN

HON. JIM DAVIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. DAVIS of Florida. Mr. Speaker, I rise today to honor a man who changed the face of law enforcement in my community of Hillsborough County and in the entire state of Florida—Ed Blackburn.

Mr. Blackburn was elected sheriff of Hillsborough County in 1953 at a time when organized crime tied to gambling was pervasive in the community. Sheriff Blackburn joined with nearby counties to stage gambling raids in an effort to break up the syndicate. Together, they were successful in turning back crime. He worked with other sheriffs to found the Florida Sheriffs Bureau—the precursor to what is the Florida Department of Law Enforcement today. The sheriffs bureau was the first effort to coordinate law enforcement across the state.

Sheriff Blackburn won a seat in the Florida House of Representatives in 1968 where he became a champion of law enforcement. He also served as an interim director of the Florida Department of Law Enforcement in 1979. During that time, he persuaded the Florida Legislature to fund a statewide crime laboratory. The crime lab is an essential tool for investigators as they work to establish concrete evidence against criminal suspects.

There is another important legacy of Ed Blackburn—the Florida Sheriff's Youth Ranch. As a former law enforcement officer, Mr. Blackburn knew well that early efforts to steer youth away from a life of crime was as important as locking up a wrongdoer. Mr. Blackburn helped found the ranch and also served as its executive director. He saw firsthand countless lives transformed at the youth ranch.

Mr. Blackburn recently passed away. I rise today in appreciation for Mr. Blackburn's years of selfless public service to his community and his state.

RONALD REAGAN WASHINGTON
NATIONAL AIRPORT

SPEECH OF

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 1998

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2625) to redesignate Washington National Airport as "Ronald Reagan Washington National Airport":

Mr. ANDREWS. Mr. Chairman, I hope someday in the near future to vote for a bill designating an appropriate memorial to President Reagan. But the proposal before us this week, to rename Washington National Airport, is not that proposal. I oppose this renaming of the airport, and I want to explain my reasons.

This bill violates one of President Reagan's most cherished values: federalism. The federal government should not carry out responsibilities which can be handled by state or local governments. The renaming of Washington National Airport would be in direct opposition

to the wishes of the local authority which governs the airport, as well as the surrounding communities and local governments. The airport is not a federal facility, but is run locally and financed by the local taxpayers, who ought to have the say in this matter.

This airport is already named for a great President, George Washington. There are other, more appropriate landmarks and facilities that can be named for President Reagan. I support the naming of a new aircraft carrier, the USS Ronald Reagan. And I strongly approve of the recent christening of the new federal building in Washington after President Reagan. But we should not act, contrary to the principle of federalism, to name this airport after President Reagan, over the objection of local officials and the people they represent.

PENNSYLVANIA'S SCIENCE
EDUCATION SUCCESS STORY

HON. JOSEPH R. PITTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. PITTS. Mr. Speaker, Pennsylvania's West Chester University, a pioneer teacher training institution, has been blazing new trails to lead students toward greater enthusiasm for math and the sciences. The vehicle for this effort? An Educational Center for Earth Observation Systems. March 11–13 this year, West Chester University will host the eleventh annual "Satellites and Education" Conference for teachers as part of this program. West Chester's innovative program has attracted thousands of elementary, middle and high school educators by focusing on inexpensive "hands on" classroom exercises that enable students to participate in actual satellite communications and earth observations.

While serving in the Pennsylvania State Legislature I was pleased to be an early advocate of this innovative experiment in educational leadership. I have also been proud to serve as Chairman of the Satellite Educators Association, an outgrowth of West Chester University's novel approach to science instruction composed of teachers and school system supporters across the nation.

Each year the University hosts its "Satellites and Education" Conference for teachers during Pennsylvania's "Spaces Satellite and Technology Week," an observance established by a Special Resolution of the Pennsylvania House of Representatives.

The tenth anniversary conference was attended by more than 300 students, educators, and federal and state scientists, from 25 states, the District of Columbia, Canada, Finland, Indonesia and Japan. Enthusiastic sponsors and exhibitors were Lockheed-Martin, DuPont Aerospace, Hughes Aircraft Corp., National Aeronautics and Space Administration (NASA), National Oceanic and Atmospheric Administration (NOAA), the American Institute of Aeronautics and Astronautics, Center for Rural PA, Pennsylvania Space Grant Consortium, Accu-Weather Inc., Analytical Graphics Inc., Aquila Systems Inc., Center for Image Processing in Education, Civil Air Patrol, Maryland Space Grant Consortium, Orbital Sciences Corporation, PCI Enterprises Inc., Sargent Welch, Satellite Educators Association, Service Argos, and The Wether Under-

ground. Keynote speaker at the 1997 conference was Dr. Mary Cleav, NASA Aeronaut who is now managing NASA's Sea WIFS Program. Exciting Ocean-color images for the Sea viewing Wide Field-of-view Sensor (Sea WIFS)—the first readily available ocean-color data in more than ten years—should play a major role in studying El Nino and other global warming research. Other speakers included Dr. Michael Hanes, former Dean of West Chester's School of Education and now president of Georgia Southwestern University; Helen Martin, President, Satellite Educators Association; Tom Pyke, Director of Project GLOBE, the international youth environmental study program; Dr. Ronald McPherson, President American Meteorological Society; Robert Winokur, NOAA Assistant Administrator in charge of the National Weather Service's 4.5 billion modernization program; Dr. Shelby Tilford, Chief Scientist, Orbital Sciences Corporation; Dr. Perry Samson, Director of the Atmospheric, Oceanic and Space Science Program at the University of Michigan. The 1998 program will be equally outstanding. The day conference offers many workshop sessions where educators and government and industry experts exchange ideas, with students as kibitzers, to evaluate instructional materials, equipment and techniques. A popular feature of the conference is the distribution of dozens of door prizes useful to teachers. These have been contributed by supporting industries and other vendors including a complete Aquila system for receiving earth images from satellites.

Primary objects of these conferences are: To introduce educators to satellite and related technologies; to demonstrate equipment affordable to educators and help teachers employ them in the classroom; to examine successful programs for integration into math/science curricula; to provide mentorship and follow-up activities for teachers; to network locally and globally with educators who have successfully incorporated satellite applications into their curricula; and to conduct concurrent workshop sessions dealing with the Internet applications for various computer systems, as well as to show students how to assemble and operate satellite receiving stations.

I know my colleagues will applaud and join me as I offer congratulations to Dr. Madeleine Alser, President of West Chester University; Dr. Michael Hanes, President of Georgia Southwestern University; Nancy McIntyre, Director of the West Chester University's Educational Center for Earth Observation Systems; Helen Martin, President of the Satellite Educators Association; and sponsoring government agencies and corporations for their efforts to help young people, and especially to the many far-sighted educators who have participated over the years in this educational success story.

CONGRATULATIONS TO CAROL
BARNES PIERCY

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate Clovis Unified School District teacher Carol Barnes Piercy for being recognized with the Presidential Award for Ex-

cellence in Teaching Mathematics. Carol Piercy is committed to her teachings and is very deserving of this honor.

The Presidential Award program was initiated in 1983 by President Ronald Reagan to encourage excellence in teaching math and science. In January, Clovis Unified School District teacher Carol Piercy received this award for her accomplishments in teaching. Ms. Piercy has an extensive educational background with a Bachelor of Science degree from Stanford University, a Master of Science degree from Oregon State University, and a teaching credential from California State University, Fresno.

Carol Piercy has held multiple leadership roles in the community during her career. A few of her many achievements include acting as Chairperson of the Mathematics Curriculum Committee from 1993–1994, as a Family Math Leader at the University of Berkeley in 1995, and as consultant for the Department of Defense Schools from 1995–1997.

As a speaker and presenter, Ms. Piercy has dedicated herself towards making a difference. She has participated in numerous presentations that include contributions to the Fresno County Office of Education during 1994, the National Council of Teachers of Mathematics Western Regional Office, and the California League of Middle Schools Conference in San Diego.

Mr. Speaker, it is with great honor that I congratulate Carol Barnes Piercy for being honored with the Presidential Award for Excellence in Teaching Mathematics. It is the guidance and commitment shown by Ms. Piercy that should serve as a model for all teachers. I ask my colleagues to join me in wishing Ms. Carol Piercy many more years of success.

WOMEN OF EXCELLENCE HONORED

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. PAYNE. Mr. Speaker, today eleven African-American women of distinction are being honored as part of the Essex County, New Jersey, Hospital Center's Third Annual Afrikan Heritage Month celebration. The vision of Carter G. Woodson to set aside some time to remember and pay tribute to our history and its people is one for which we will always be grateful. I am especially proud of this group of women for it is representative of our families and our society as a whole when it comes to being prepared and accomplished.

The women being honored today are: Gail Thompson, Vice President of Design and Construction of the New Jersey Performing Arts Center, our new \$165 million, 255,000 square foot theater building and infrastructure on 12 acres; Carolyn Wade, President of Communications Workers of America Local, the largest local in New Jersey which represents 9,000 dues-paying members in both the public and private sectors; Senator Wynona M. Lipman, distinguished by her tenure as the only African-American female state senator for 21 years; Dorothy E. Grisby, a representative of the National Black Nurses Association, a national organization with 42 chapters that works to provide quality health care; Miriam E. Ferguson, a community advocate is also Superintendent of Recreation and Culture for the

City of Hackensack, NJ; Mary F. Lewis, an Education Training Coordinator and the Site Administrator of the United Auto Workers/General Motors Skill Center at the General Motors Corp. in Linden, NJ, became the first African American female electrician in General Motors in 1984; Dolores "Bobby" Reilly, a former Montclair, NJ, Councilwoman became the first African American woman ever elected to political office in the town; Audrey Fletcher, a former Montclair Councilwoman serves as the Executive Director of the Montclair Child Development Center which provides comprehensive services to Montclair's children and their families; Desha L. Jackson, the first African American female Assistant Prosecutor for Ocean County, NJ; Marcia Wilson Brown, a law school graduate and community activist who has used her time and talent to assist urban cities to plan, develop and fund a variety of housing and community development programs to improve the quality of life for poor, low and moderate income persons and neighborhoods; and Cheryl Diane Lawrence, an adventurous, compassionate and civic-minded business woman is the founder of Blind Detective Agency, a provider of customized security services, a business she developed when she became permanently disabled as a result of an act of heroism while serving as the first female police officer at the Rutgers University Police Department.

Mr. Speaker, I am sure my colleagues will want to join me in congratulating these individuals for this appropriate recognition as their "labors of love" are recorded in the annals of American history.

NEED FOR NUCLEAR DISARMAMENT

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. DELLUMS. Mr. Speaker, on my last legislative day as a Member of Congress, I wish to share with my colleagues my concern that we are not moving forward deliberately enough to meet our obligations to secure the eradication of nuclear weapons—as is required under the Nuclear Non-Proliferation Treaty (NPT).

Preserving our planet for the future of our children is our moral obligation, and eradicating nuclear weapons stockpiles is a key to fulfilling that obligation. Former Generals of the United States armed forces have called for such a commitment. The International Court of Justice has opined on the obligation nations have to achieve this goal. The United Nations General Assembly has recently acted in this regard and circulating now is a draft convention on the elimination of such weapons.

I urge our government to take the lead in changing its own policy and in advancing the cause of nuclear disarmament in the world. We should not be inventing new uses for these weapons of mass destruction, but should instead use all of the power of our imagination, diplomacy and statecraft to achieve this objective.

In this light, Mr. Speaker, I want to share with my colleagues two documents that are part of the legal and moral fabric that surrounds this issue. The first is of the "dispositif"

of the International Court of Justice which illuminates the legal obligations that face the nations of the world. The second is the General Assembly Resolution on this subject. I hope that my colleagues will familiarize themselves with the issues raised within these important documents.

UNITED NATIONS,
GENERAL ASSEMBLY.

[Fifty-second session, First Committee
Agenda item 71 (k)]

GENERAL AND COMPLETE DISARMAMENT

Algeria, Bangladesh, Brazil, Brunei Darussalam, Burundi, Colombia, Costa Rica, Ecuador, El Salvador, Fiji, Ghana, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Kenya, Lao People's Democratic Republic, Malawi, Malaysia, Marshall Islands, Mexico, Mongolia, Myanmar, Namibia, Niger, Nigeria, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Samoa, San Marino, Singapore, Solomon Islands, Sri Lanka, Sudan, Thailand, United Republic of Tanzania, Uruguay, Viet Nam and Zimbabwe: draft resolution

Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons

The General Assembly,

Recalling its resolutions 49/75 K of 15 December 1994 and 51/45 M of 10 December 1996,

Convinced that the continuing existence of nuclear weapons poses a threat to all humanity and that their use would have catastrophic consequences for all life on Earth, and recognizing that the only defence against a nuclear catastrophe is the total elimination of nuclear weapons and the certainty that they will never be produced again,

Mindful of the solemn obligations of States parties, undertaken in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons,¹ particularly to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament.

Recalling the Principles and Objectives for Nuclear Non-Proliferation and Disarmament adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,² and in particular the objective of determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons,

Recalling also the adoption of the Comprehensive Nuclear-Test-Ban Treaty in its resolution 50/245 of 10 September 1996,

Recognizing with satisfaction that the Antarctic Treaty and the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba are gradually freeing the entire southern hemisphere and adjacent areas covered by those treaties from nuclear weapons,

Noting the efforts by the States possessing the largest inventories of nuclear weapons to reduce their stockpiles of such weapons through bilateral and unilateral agreements or arrangements, and calling for the intensification of such efforts to accelerate the significant reduction of nuclear-weapons arsenals,

Recognizing the need for a multilaterally negotiated and legally binding instrument to assure non-nuclear-weapon States against the threat or use of nuclear weapons,

Reaffirming the central role of the Conference on Disarmament as the single multilateral disarmament negotiating forum, and regretting the lack of progress in disarmament negotiations, particularly nuclear disarmament, in the Conference on Disarmament during its 1997 session,

Emphasizing the need for the Conference on Disarmament to commence negotiations on a phased programme for the complete elimination of nuclear weapons with a specified framework of time,

Desiring to achieve the objective of a legally binding prohibition of the development, production, testing, deployment, stockpiling, threat or use of nuclear weapons and their destruction under effective international control,

Recalling the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons,³ issued on 8 July 1996,

1. Underlines once again the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control;

2. Calls once again upon all States to immediately fulfill that obligation by commencing multilateral negotiations in 1998 leading to an early conclusion of a nuclear-weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination;

3. Requests all States to inform the Secretary-General of the efforts and measures they have taken on the implementation of the present resolution and nuclear disarmament, and requests the Secretary-General to apprise the General Assembly of that information at its fifty-third session;

4. Decides to include in the provisional agenda of its fifty-third session an item entitled "Follow-up to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons."

FOOTNOTES

* Reissued for technical reasons.

¹ United Nations, *Treaty Series*, vol. 729, No. 10485.

² 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Final Document, Part I* (NPT/CONF.1995/32 (Part I)), annex, decision 2.

³ A/51/218, annex.

APPENDIX III—DISPOSITIF OF THE ADVISORY OPINION OF THE INTERNATIONAL COURT OF JUSTICE ON THE LEGALITY OF THE THREAT OR USE OF NUCLEAR WEAPONS

THE COURT

(1) By thirteen votes to one,
Decides to comply with the request for an advisory opinion;

IN FAVOUR: President Bedjaoui; Vice-President Schwebel; Judges Guillaume, Shahabuddeen, Weeramantry, Ranjeva, Herczegh, Shi, Fleischhauer, Koroma, Vereshchetin, Ferrari Bravo, Higgins;
AGAINST: Judge Oda.

(2) Replies in the following manner to the question put by the General Assembly:

A. Unanimously,

There is in neither customary nor conventional international law any specific authorization of the threat or use of nuclear weapons;

B. By eleven votes to three,

There is in neither customary nor conventional international law any comprehensive and universal prohibition of the threat or use of nuclear weapons as such;

IN FAVOUR: President Bedjaoui; Vice-President Schwebel; Judges Oda, Guillaume, Ranjeva, Herczegh, Shi, Fleischhauer, Vereshchetin, Ferrari Bravo, Higgins;
AGAINST: Judges Shahabuddeen,

Weeramantry, Koroma.

C. Unanimously,

A threat or use of force by means of nuclear weapons that is contrary to Article 2, paragraph 4, of the United Nations Charter

¹Footnotes appear at end of article.

and that fails to meet all the requirements of Article 51, is unlawful;

D. Unanimously,

A threat or use of nuclear weapons should also be compatible with the requirements of the international law applicable in armed conflict, particularly those of the principles and rules of international humanitarian law, as well as with specific obligations under treaties and other undertakings which expressly deal with nuclear weapons;

E. By seven votes to seven, by the President's casting vote,

It follows from the above-mentioned requirements that the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law;

However, in view of the current state of international law, and of the elements of fact at its disposal, the Court cannot conclude definitively whether the threat or use of nuclear weapons would be lawful or unlawful in an extreme circumstance of self-defence, in which the very survival of a State would be at stake;

IN FAVOUR: President Bedjaoui; Judges Ranjeva, Herczegh, Shi, Fleischhauer, Vereshchetin, Ferrari Bravo;

AGAINST: Vice-President Schwebel; Judges Oda, Guillaume, Shahabuddeen, Weeramantry, Koroma, Higgins.

F. Unanimously,

There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this eighth day of July, one thousand nine hundred and ninety-six, in two copies, one of which will be placed in the archives of the Court and the other transmitted to the Secretary-General of the United Nations.

[SIGNED] PRESIDENT
[SIGNED] REGISTRAR

REPORT FROM INDIANA— GREENSBURG DRUG-FREE RALLY

HON. DAVID M. McINTOSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. McINTOSH. Mr. Speaker, I rise today to give my Report from Indiana. Every weekend, I travel around the 2nd Congressional District of Indiana from Richmond to Muncie, Anderson to Greensburg.

And so often, people share with me amazing stories about their friends and neighbors who have done amazing things. These individuals are good people who make our communities better places to live. They give us hope for the future that our best days are yet to come.

In my book, these individuals are Hoosier Heroes. Hoosier Heroes because they set examples for all of us to live by. But more importantly they make us proud.

Today, I would like to share with you about a special event that was organized by teachers, parents, and community leaders in Greensburg, Indiana to help protect the children of the community from the effects of drug abuse. On Wednesday, October 29th over 300 students gathered on the Decatur County Courthouse Lawn for the first ever Red Ribbon Week Drug-Free Rally.

The students listened to speeches from several local leaders encouraging them to stay away from drugs and to help protect the future of their community. They were reminded that

they will face many difficult challenges in life, but that they have to use their good judgement when it comes to situations involving drugs.

Greensburg Mayor Frank Manus told the students that "When people offer you drugs, just remember that it is a test. When you are in those situations you have to be on your toes. Life is a test."

Mike Riley, Chief of the Greensburg City Police, reminded the students to live up to their commitment not to use drugs, telling them that "You are now saying you are against drugs, but now you've got to live as you say."

Bob Bostic, Executive Director of the Greensburg Area Chamber of Commerce, reminded the students that by saying no to drugs, they are helping to make the Greensburg community a better place for everyone, saying that "We are at war against drugs, and you have come down here today to say no to drugs and yes to a clean life and yes to a clean community."

Keith Hipskind, Coach of the Greensburg Community High School Boys' Basketball team, told the students that they can always rely on their families and people in their community for help and support when they have a problem, saying that "We all have problems. They're not going to go away. Just remember that you have good leaders to lean on throughout the problem's duration."

I was especially touched by a poem that was written for the rally by Sarah Nahmias. Sarah is currently a member of the Greensburg Community School Board and has been active in issues involving education and children in the local community. I would like to share the poem that Sarah wrote for the children of the Greensburg community:

"Well, the teachers all announced that there would be Red Ribbon Week

And you felt "if I show interest, then my friends will call me a 'geek.'"

But you'll see as each day passes it's unto your heart we speak.

Be brave enough to just say no—don't fall back and become meek.

When you each unite together to celebrate this "dare"

You will find so many other whose strength you then can share.

And just like the little child who stepped up when no one was there

You can help in such a big way if you only show you care.

Yes, you've heard all of the facts about what happens on the drugs

Your mind will turn to mush and you'll slither like a slug.

You'll often think—"oh, what the heck," your shoulders you might shrug

But poppin' pills to get your thrills won't last quite like a hug.

Some say to drag on cigarettes or pack a wad of chew

Is for them the only measure of how to show they're cool.

But let me tell you of the toll which will come to each of you

Though not so brisk—you'll think 'no risk,' Oh, please don't be a fool.

Should I tell you of the money you will spend, if that you choose?

You could buy yourself a nice new car—or just cigarettes and booze.

Or should I introduce the friend of mine who can no longer speak?

You see, they cut his tongue and throat—the cancer's made him weak.

Or would you rather hear of Gramps who we all hold so dear?

He misses the games the grandkids play—they'll never hear him cheer.

Or the dad who just retired, looking forward to his golf?

But he can't play that much—he has the time, but breath, there's not enough.

There'll be someone who's out there who will offer you some grass.

You may answer—"no, no drugs for me."

They'll laugh then as you pass.

So gather 'round your friends and find the strength you need to fight

And stand up for the only thing you know—it's only right.

For if you make the choice to give into the ones who push

So many things will pass you by while you're sitting on your tush.

Perhaps you'll want it easy—the work seems much too hard

But self-respect and true reward come from trying 'til you're tired.

Perhaps it is particularly tough, to stand up all alone.

Your friends all seem to do it, and you see it in your home.

But YOU CAN make a difference—believe me just one step

Say "no that's not the way I want to live"—and get a grip

Make the promise to yourself, be proud it's one you've kept.

The toughest one you may just face—a teenager with beer.

If you don't chug-a-lug with them, they'll point to you and jeer.

But walk away and say, "no way, I'm more valuable than that"

And find the safety with your friends with whom you'll need to chat.

Talk about how hard it is to fight and to resist

Dare to show the strength you hold in your heart—and not your fist.

Then you will have more than anyone can ever offer you

Because you dared to take a stand and say, "I know what I must do!"

Each one of you who sit here has a value each his own

Whether you live in a fancy house or don't even have a phone

It's the individuality that's deep within your heart

That makes you oh so special and sets you so apart.

So pull from there and take the dare to stay away from drugs.

A simple promise to yourself with friends—to not give in to thugs.

Surround yourself with friends like those you find 'round here today.

For if you're feeling weak, then they can help you on your way.

For as the story told us, we don't have to be alone

There are many all around us to support us—here or home

So lean upon your brother to your left or to your right

And all please join together for this most important fight.

You see it isn't just adults who are preaching what to do

But people in your community who are reaching out to you.

Allow us all to share our strength to fight this ugly war.

After all—each one of you is most worth fight for!"

Every day, children across this country are confronted with decisions regarding drugs. It is important that these children have the knowledge and the strength to deal with these situations appropriately. I salute these men and women in Greensburg who are doing their part to help the children of their community make

the right choices in life and secure a brighter future.

And that, Mr. Speaker, is my Report from Indiana.

THE SPIRIT OF DR. MARTIN
LUTHER KING, JR. LIVES ON

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. ANDREWS. Mr. Speaker, I rise today to continue the celebration of the life and work of Dr. Martin Luther King, Jr. Last month, I attended an event in Deptford Township, New Jersey, honoring Dr. King and his dream. Speaking with the people of Deptford, I was struck by how significant of an impact Dr. King had on all our lives and, in particular, on the lives of our children. Even though Dr. King left this world long before they entered it, America's youth have a deep understanding of what his message says to us today. I would like to share with my colleagues the essays of Krystal Tribbett and Dave Forstrom, two local high school students. Their words do much to inspire us as we continue our progress to realizing Dr. King's dream.

"FULFILLING DR. KING'S DREAM"

(By Krystal Tribbett)

"I have a dream, that one day, my four little children will grow up in a nation where they are not judged by the color of their skin, but by the content of their characters." In the future Martin Luther King's dream will come true, not because biased people will change their points of view, but because people will no longer allow themselves to sit in the back of the bus, or the middle, but will place themselves in the front, to become an intricate element in protesting against bigotry in today's society. Men and women of different denominations, creeds, and colors will transcend the negative comments, stereotypes, and statistics in order to become our leaders. The tormented will focus their attention on improving their status and beating the odds stacked against them in order to better themselves, by helping their families and communities. They will improve the nation by improving themselves. They will fight not through violence, but through intelligence. They will use the power of the gray, gray matter, to place their ethnicity, individuality to a respected, revered level in the world.

The many people of the world are recognized in history for various reasons, for being slaves, illegal aliens, drug dealers, etc. They are also known, however, for being renown actors and singers, scientists, doctors, attorneys, and athletes. In these areas people have begun to exhibit themselves as a powerful force that can reshape history. Youths are the key to the accomplishment of Dr. King's dream. They are setting goals to impact the future. Most importantly, the goals of young people focus on disproving various stereotypes, in order to serve as an example to the older generation, as well as the younger one, that they can be more than drug dealers, clerks, or custodians. They want to prove to biased individuals that anyone and everyone can be anything, and all that they want to be, despite obstacles that they have or will encounter. Everybody can make a difference.

In the future, great changes are bound to occur in the history of this nation, of this world, because of the remarkable achieve-

ments of the people who did not allow ignorance to hold them back. The history makers of tomorrow are recognizing, and taking advantage of the fact that nothing and no one but themselves can keep them from achieving their dreams. True, there will be an element of society who remain ignorant, however adults and juveniles who are knowledgeable and determined will make the difference. The fulfillment of Dr. King's honorable dream is not too far around the corner. Blacks, Whites, Jews, Hispanics, and Asians will put forth their best effort to carry out their plans and become role models that will inform others of prejudice, and how to defeat it. The ambitions are many and the intentions are promising. The great dream of Martin Luther King is going to come true, with the use of the "gray, lifting up the black."

MARTIN LUTHER KING JR.

(By Dave Forstrom)

What can one person do to carry on the legacy of this great individual? I feel you must start by acquiring some of his own characteristics. You will need his passion, drive, and most of all his courage. Without these you will never accomplish anything worthwhile. Next, you must look at what he did for African Americans and America as a country. He led a massive movement against racism and prejudice which is unparalleled. The main reason for this is that every one of his marches, rallies, and boycotts was completely peaceful.

Now that you have a basic idea of what King did you must look at society today and see how you can make an impact on it. The world now is still rampant with racism and it seems like an insurmountable problem. Everywhere you look there is segregation, prejudice, and hatred. Many people choose to ignore it and put it out of their minds. That is where you must make the choice to care and not to ignore but to start making a change for the better.

I think the next logical step would be to find other people who have made the same choice as you and surround yourself with them. Talk to them and find out what they have done and plan to do. You should also share your experiences with the problem and any ideas that you might have. Together you have many options to choose from. You can start organizing meetings to expand your following and try to get more people involved.

At these gatherings you could discuss plans on what you are going to do. As a group you could follow Dr. King's example and hold peace marches or boycotts. By making yourselves more public you will be noticed more and be able to spread your message to a larger amount of people. This is important because it will cause people to think about how they feel on this issue and may gain your group more support.

Another possibility is to seek help from already founded organizations that share your views on racism. You can gain a deeper understanding of what is happening and what needs to be done. This will also be a good starting point and will provide much needed experience for yourself.

It may also help your quest to write letters to your local government or member of Congress. By getting support from a politician your group would get much more attention and recognition. That would certainly be a great boost and would land you many more members.

But what if you are not a great leader or cannot devote all your free time to such an organization? Well, there are also ways you can help as well. You could set aside a part of your income each month and try to support the peace groups. You could also set

aside some time to attend one of the meetings. But I feel the most important thing is to make that choice to care about racism in your society. Do not ignore it and keep yourself informed about it by reading or watching the news each night. Refuse to let racism continue and eat away at the community. Keep the memory of Martin Luther King Jr. alive and stand up for what is right.

TRIBUTE TO ROBERT G. KEENE

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. FORBES. Mr. Speaker, I rise to pay tribute to a good friend and neighbor to all of us Suffolk County who recently passed away, Robert G. Keene, beloved historian for the Town of Southampton.

Bob was a familiar figure in Southampton and a regular columnist for the weekly Southampton Press, where according to his editor Peter Boody, "He wrote mostly about things that irritated him, and that included everything from people with no class to historians who didn't give Southampton the credit it deserved." Bob was a vocal and articulate advocate of Southampton's cause in the debate with Southold over which community was the first on Long Island to establish an English-speaking settlement.

For 31 years, Mr. Keene ran a bookstore and art gallery in Southampton that brought him into daily contact with such notables as Truman Capote and Willem de Kooning. His store carried many rare titles, including a first edition of Dr. Samuel Johnson's dictionary and a copy of the first Roman Catholic bible published in America. Bob also had a very passionate appreciation for art and eventually he combined his love for books and art by displaying art work in his shop.

Bob started working with the town historian's office when it was under William Dunwell. Mr. Dunwell was first appointed town historian in 1939 and served the people of Southampton faithfully for 43 years until 1981 when he retired to become historian emeritus. Bob took over the historian's office in 1979, although he was not officially appointed historian until Mr. Dunwell's retirement in 1981. From day one Bob's office was an historic treasure trove piled high with books, documents, photographs and local history memorabilia. The local history that Mr. Keene carried in his head, garnered from his own personal experiences and his years working with William Dunwell, was considered so valuable, that the town board recently budgeted \$10,000 to capture it all in an oral-history project. Regrettably, that project was not begun before Mr. Keene's untimely death. An irreplaceable history is lost to us forever.

Although Bob Keene only settled in Southampton in 1950, from Bar Harbor Maine, his heart and soul beat for Southampton. He loved Southampton and he loved the people of Southampton. He will be sorely missed. I urge my colleagues to join me in celebrating the life and accomplishments of Bob Keene and wishing his family, especially his daughter Melissa Elizabeth, our prayers and condolences.

CONGRATULATING THE GARDNER
GRADE SCHOOL CHORUS

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. WELLER. Mr. Speaker, I rise today to congratulate the Gardner Grade School Chorus of Gardner, IL, on their recent performance at Walt Disney World in Orlando, FL.

At the direction of Patti Johnson, the Gardner Grade School Chorus had a dream back in 1996, that it would someday have a chance to perform at Walt Disney's Magic Kingdom. After a year of research, planning, rehearsals, and raising the funds that were needed to make the trip to Orlando, the Gardner Grade School Chorus realized their dream on June 9, 1997.

The journey to Orlando by the 40 member chorus and 10 chaperones began on June 7, 1997. After saying their goodbyes to family and friends, the chorus was escorted through Gardner by the local police and fire departments as they began their 23-hour bus ride to the Magic Kingdom. In short Mr. Speaker, this was not a dream come true just for the chorus, it was a dream come true for an entire town.

On June 9, 1997 the long-awaited dream was finally fulfilled. Outlasting the Florida rain, the chorus dazzled the audience as they performed on the Tomorrowland Stage in the Magic Kingdom. The chorus performed several selections in their 25-minute performance including, "Dance, Dance, Dance", "Sea of the Cowboy", and "Footloose". On June 10 the Chorus participated in a 3-hour music education workshop at the Epcot Center, where chorus members received first hand knowledge on how Disney prepares its shows from the Disney cast.

Now as you might suspect Mr. Speaker, this trip was not all work and no play. On the final 2 days of their trip, chorus members explored the theme parks and took part in many of the activities in the Orlando area, taking advantage of a much deserved rest before returning home to Illinois.

Mr. Speaker, the Gardner Grade School Chorus had a dream that they would perform at Walt Disney World someday, and they did. Thanks to the hard work of its members, directors and chaperones, the Gardner Grade School Chorus not only realized their dream, but, they shared their dream with their parents, schoolmates, town, and the people in the audience at the Magic Kingdom. Mr. Speaker, I ask my colleagues to join me in saluting the Gardner Grade School Chorus and their very special performance at Disney World, and I ask that a list of those who participated on this trip be included in the RECORD following my statement.

DIRECTOR

Patti Johnson.

FIFTH GRADE

Carissa Crater, Jaime Wade.

SIXTH GRADE

Laura Bivens, Rhonda Brookman, Nicole DeToye, Misti Domagala, Rachel Hanson, Lynsi Lardi, Nicci Mack, Krystle Phillips, Nikki Rowland, Jonathan Scheel, Sarah Sibley, Lauren Zagar.

SEVENTH GRADE

Brandon Carwell, Milly Chase, Tiffany Hullet, Cassie Kirkpatrick, Krystal

Lamping, Renee Moore, Jacob Olson, Carly Scheuber, Samantha Serena, Brigid Sweeney, Ashley Wade, Vicki Wayne, Mary Wollgast.

EIGHTH GRADE

Becky Christensen, Candi Forsythe, Beth Hanson, Cindy Harrop, Mindy Harvey, Meghan Holohan, David Wayne.

NINTH GRADE

Jeanette Bivens, Kathy Bolton, Elizabeth Esparza, Amber Forsythe, Mary Landers, Anne Wollgast.

CHAPERONES

Sandy Harrop, Pam Holohan, Janine Lardi, Sharon Zagar, Becci Forsythe, Mary Hanson, Jody Harop, Denise Sibley, Wendy Rowland, Greg Bingheim, Dick Johnson.

A TRIBUTE TO JOHN L. SMITH

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. POSHARD. Mr. Speaker, I rise today to pay tribute to a dear friend, Mr. John L. Smith of Chicago, IL, who will be retiring next month from the U.S. Small Business Administration. He has honorably served as director of the SBA's Chicago District Office of over 20 years.

Jack has been a faithful Federal employee for 46 years beginning in the U.S. Navy and then establishing his career in the Department of Commerce's Economic Development Administration. In 1973, Jack was named Regional Administrator for the Commerce Department's Office of Minority Business Enterprise. The SBA noticed his extraordinary accomplishments as Commerce Regional Administrator and after just 2 years, Jack was appointed SBA Chicago District Director. He has been a major supporter of private sector development through his dedicated service. During his tenure, Jack oversaw several billion dollars in loans and Federal contracts to Illinois small businesses.

As you know, Mr. Speaker, I am a member of the House Small Business Committee which oversees the SBA, and the retirement of one of the best directors from Illinois will certainly be a loss to the Chicago business community and to the state. Jack's experience and enthusiasm for his work will be missed greatly by business owners and public officials involved in private sector development. I wish him the best in his future endeavors.

Mr. Speaker, Jack dedicated his life to the community and to the SBA. Now it is our turn to thank Jack for all of the energy and dedication he expended for so many years to make Illinois a better place.

STATEMENT IN SUPPORT OF NA-
TIONAL GIRLS AND WOMEN IN
SPORTS DAY

HON. CAROLYN C. KILPATRICK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Ms. KILPATRICK. Mr. Speaker, I rise today to state my strong support for the 12th Annual National Girls and Women in Sports Day. I have long been an ardent supporter of women

athletes who use grace, strength, and discipline to break down barriers. Sports instill confidence in girls and women and equip them with important life skills such as teamwork, goal-setting, the pursuit of excellence in performance, and other achievement-oriented behaviors.

National Girls and Women in Sports Day was established in 1987 in memory of the late Flo Hyman, the Olympic volleyball champion who died suddenly in 1986.

Participants in this year's celebration include Tajama Abraham, Sacramento Monarchs center; Lillian Greene-Chamberlain, PhD, national track and field champion; Nancy Hogshead, three-time Olympic swimming gold medalist, Benita Fitzgerald Mosley, Olympic track and field champion; Nadia Comaneci, Olympic gymnastics champion; Robin Campbell, track and field Olympian; Dominique Dawes, Olympic gymnastic gold medalist; Camille Duvall-Hero, world champion water-skier; Kelly Dyer, world-champion ice hockey player; Wendy Hilliard, national rhythmic gymnastics champion; Rusty Kanokogi, highest ranking woman in judo; Nikki McCray, 1996 Olympic gold medalist and member of the newly formed WNBA Washington Mystics; Aimee Mullins, national track and field champion; Donna Richardson, fitness star, national aerobic champion; Chanda Rubin, tennis champion; Lyn St. James, champion auto racer.

At a luncheon today in the Senate Hart Building, Nadia Comaneci was given the Women's Sports Foundation's 1998 Flo Hyman Award. Every year on National Girls and Women in Sports Day, the award is given to women who exemplify the dignity, spirit, and commitment to excellence of Ms. Hyman, captain of the 1984 U.S. Olympic volleyball team.

Ms. Comaneci is the most celebrated gymnast in the history of the sport. She was the star of the 1976 Olympic Games in Montreal, where she won three gold medals, two silver medals, and a bronze, and became the first woman ever to score a perfect 10.

I congratulate Ms. Comaneci for her awe-inspiring achievements, and I applaud the Women's Sports Foundation for its recognition of the importance of sports for women and girls.

MEDICAL SAVINGS ACCOUNTS FOR
FEDERAL EMPLOYEES

HON. MATT SALMON

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. SALMON. Mr. Speaker, I am very pleased today to see the introduction of the Burton/Archer/Thomas/Mica/Salmon legislation on medical savings accounts for federal employees. It is certainly time our federal workers have the opportunity to select a medical savings account for their health care. Over the past two years we have enacted landmark legislation that has made the choice of an MSA possible for some American workers and Medicare recipients. Now it is time to extend that option to our federal workers.

I have long been a proponent of medical savings accounts. While a state senator in Arizona I sponsored the MSA legislation that was signed into law in 1994. As a member of Congress, I have consistently introduced legislation promoting and expanding MSAs. One of my bills would allow MSAs for federal workers,

and two others would "lift the caps" on MSAs for all workers and those on Medicare, virtually allowing everyone the freedom to choose a medical savings account.

MSAs would empower federal employees to take control of their own health care decisions. With an MSA, workers can choose which physician or specialist they want to see and when to see them. They decide how they want to spend their health care dollars, and what they don't spend they can roll over to the next year.

Medical savings accounts would reduce health care inflation for the federal government. Results from the private sector show that companies using MSAs report lower utilization of health care services and reduced high-deductible premiums. This contributes to lower overall health care costs for the United States.

MSAs encourage preventive care and "incentivize" people to live healthier, so that they do not need expensive medical services in the future. Unlike some insurance plans that have deductibles or copays to meet, the employee's MSA account has money in it to use immediately if they desire routine or preventive care.

Because they can roll funds leftover at year-end, an MSA account would offer federal employees the ability to build a fund for future health care needs such as long-term care insurance or nursing home services. The savings accrued in these accounts will also help the federal government by reducing dependence on federal health care programs for assistance.

Again, Mr. Speaker, I am pleased to join in on the introduction of this legislation and I urge all members to support the expansion of health care choices for federal employees by cosponsoring Burton/Archer/Thomas/Mica/Salmon.

UNITED STATES CATHOLIC CONFERENCE QUESTIONS U.S. CUBA POLICY

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. HAMILTON. Mr. Speaker, I commend to my colleagues' attention the recent statement by Archbishop Theodore E. McCarrick, Chairman of the United States Catholic Conference (USCC) Committee on International Policy. The USCC met on the heels of the Pope's historic visit to Cuba, and concluded that "it is incumbent on us, therefore, to take a fresh look at the issues that continue to divide [the United States and Cuba], and to see if it is not time for fresh initiatives to promote goals of reconciliation among us."

We would do well to consider fresh initiatives in U.S. policy toward Cuba.

STATEMENT ON CUBA IN THE LIGHT OF THE PAPAL VISIT BY ARCHBISHOP THEODORE E. MCCARRICK CHAIRMAN, USCC COMMITTEE ON INTERNATIONAL POLICY

JANUARY 30, 1998

Together with other members of the USCC Committee on International Policy and staff of the Conference, I have just returned from a most moving and, I truly believe, historic event, the visit by our Holy Father, Pope John Paul II to the Church and people of

Cuba. It was a visit that not only provided new hope and energy for the Church in Cuba, enabling the faithful to express their religious beliefs in a climate of ever greater freedom, but may also have marked a positive advance in the long sought for goal of reconciliation among the Cuban people, both within Cuba and with the Cubans in the diaspora. It is our hope that the visit will also mark a new phase in the relations between our two countries, so deeply in need of reconciliation.

As bishops of the Church in the United States, we feel strongly called to express our convictions about possible implications the visit may have for the conduct of our country's policy toward Cuba. No other country in the world looms as large in the minds of the Cuban people and their government as does the United States. No other country has had, and continues to have, such a turbulent and mutually hostile relationship with Cuba as does the United States. And no other country outside of Cuba itself has within it such a large concentration of Cuba's sons and daughters. It is incumbent on us, therefore, to take a fresh look at the issues that continue to divide us, and see if it is not time for fresh initiatives to promote the goals of reconciliation among us.

As a Conference, our overarching concern has been and continues to be the freedom of the Church in Cuba to exercise its threefold ministry of free and open worship, of prophetic preaching, and of Christian service to the needy. Within this essential framework of religious liberty and respect for fundamental human rights which we call upon the Cuban government to assure, we turn to the policies of our own government. The central U.S. policy issue is, of course, the decades-old economic sanctions imposed by our government against Cuba. As far back as 1969, the Cuban bishops called for the dismantling of the trade embargo, a move that was publicly supported by the USCC in 1972. It was only in the present decade, however, that circumstances have made such appeals even remotely possible.

The moral principles governing Catholic teaching on economic sanctions in general, and on Cuba specifically, are well known. The Cuban bishops have repeatedly expressed their opposition to "any kind of measure that, in order to punish the Cuban government, serves to aggravate the problems of our people." Observing that embargoes are acts of force, the bishops addressed provisions of the 1992 Cuban Democracy Act, stating that any embargo that prevents essential foods and medicines from getting to people in need is "morally unacceptable, generally in violation of the principles of international law, and always contrary to the value of the Gospel."

After the passage of the so-called Helms-Burton Act in 1996, the Cuban bishops expressed their concern that the law runs the risk of "making even more difficult the likelihood of finding peaceful means to lead to the reconciliation of all Cubans." Cardinal Jaime Ortega of Havana added that "Any economic measure that aims to isolate a country and thus eliminates the possibility of development, thus threatening the survival of people, is unacceptable."

And in his departure remarks at José Martí Airport on January 25th, Pope John Paul stressed that, in our day, "No nation can live in isolation. The Cuban people therefore cannot be denied the contacts with other peoples necessary for economic, social and cultural development, especially when the imposed isolation strikes the population indiscriminately, making it ever more difficult for the weakest to enjoy the bare essentials of decent living, things such as food, health and education. All can and should

take practical steps to bring about changes in this regard."

The officials of our government repeatedly affirm their readiness to at least modify aspects of the embargo, to take some practical steps, in response to clear signs of a greater opening within the society and increased respect for basic human rights, including religious freedom. While we make no predictions on how lasting some of the expressions of openness shown by the Cuban government prior to and during the papal visit may prove to be, it is an undeniable fact that important changes did occur over this past year; allowing for the door-to-door missions conducted by the dioceses to talk about the Pope's visit, permission for a number of open-air Masses, including hitherto forbidden religious processions, granting a larger than previously allowed number of visas for foreign priests and religious to minister in Cuba, a limited amount of access to the state media, even re-instating Christmas, at least for this past year, as a national holiday, and other expressions of a more open official attitude toward the rights and freedoms of believers.

As welcome as these changes are, it is obvious that they fall far short of the measure of a just society repeatedly outlined by the Holy Father. But they are steps along a better path and should be acknowledged as such. In our view, therefore, it is clearly time for the United States also to take some practical steps of its own and test whether the hopes enkindled by the papal visit can lead to real improvements in relations between our two countries.

First of all, we call upon the President to rescind the onerous and evidently meaningless ban on direct flights to Cuba, requiring all passenger traffic and humanitarian aid to transit third countries en route to Cuba. This ban was lifted for flights related to the papal visit these past weeks, for which we are indeed grateful. But as humanitarian agencies here, such as Catholic Relief Services and Catholic Medical Mission Board, plan their next shipments of critically needed medicines and other aid to the Cuban Church's relief and development agency, Caritas Cuba, they are still faced with the excessive added costs that third country transit imposes.

Secondly, only a very small part of the nutritional and health needs of the Cuban people can be met by these periodic infusions of humanitarian aid from private donors from other countries. The Cuban people need these commodities from abroad, including from the United States, without excessive prohibitions and restrictions. The present socio-political system, privileging those with power and ready access to hard currency but leaving great numbers of the poor with inadequate access to food and medicine, will not be changed overnight. The demands of elementary social justice, however, call upon us to do what we can to alleviate the suffering of the Cuban people, especially the poorest and most vulnerable. Ending the restrictions on the sale of food and medicines, as legislation currently in both Houses and of the U.S. Congress calls for, would be, in our view, a noble and needed humanitarian gesture and an expression of wise statesmanship on the part of our elected leaders.

It is our fervent hope and prayer that the encouraging, inspiring and, we hope, transforming words spoken by the Holy Father in Cuba will continue to strengthen and give hope to the Cuban people, especially our brothers and sisters in the faith. And we pray that his powerful and eloquent calls for a more open, participative and just society, for a liberation "that reaches its fullness in the exercise of freedom of conscience, the basis and foundation of all other human

rights," will be ever more heeded by the civil authorities. We urge and look forward to further hopeful signs of positive developments within Cuban society that could lead toward the needed rapprochement between our two countries and reconciliation among all our peoples.

The Holy Father summarized his goal for the visit as offering the "opportunity to strengthen not only the courageous Catholics of that country but also all their fellow citizens in their efforts to achieve a homeland ever more just and united, where all individuals can find their rightful place and see their legitimate aspirations realized." We stand with the Cuban people in their just hopes for full civic, political and religious freedom.

CELEBRATING A CHICAGO LEGEND

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. HYDE. Mr. Speaker, one of the few genuine legends of Chicago journalism, Irv Kupcinet, has just completed 55 years of writing one of the most popular columns in the midwest. "Kup" has countless friends in the worlds of entertainment, politics and sports. His entire career has been spent with the Chicago Sun-Times and predecessor newspapers. And on January 18th, the Sun-Times published a warm editorial which I am pleased to share with my colleagues:

KUP A TREASURE

For 55 years, Kup's Column has been a staple of Chicago journalism. And its author, Irv Kupcinet, has been a dean of his profession.

It is not just that he has done what he does for so many years. It is that he has done it with a grace, quality and compassion so often missing from contemporary American culture.

Kup has been a gentleman away from his keyboard as well. Over the years, he has spent his time and money supporting the Weizmann Institute of Science, the Chicago Academy for the Arts, Little City Foundation and the Variety Club, and working on telethons raising money for Easter Seals, muscular dystrophy and cerebral palsy. Last, but certainly not least, he spent an amazing 50 years hosting the Purple Heart Cruise to thank veterans for their service to the country.

And to think this whole, wonderful career happened only because an injury ended his first career as a professional football player.

Football's loss was Our Town's gain. Chicago, and the Sun-Times, are lucky to have you, Kup.

REGARDING COL. WILLIAM VOGEL

HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. CALLAHAN. Mr. Speaker, I would like to take a moment to extend my utmost appreciation to Col. William Vogel, district engineer, U.S. Army Corps of Engineers, Mobile District. Colonel Vogel deserves special recognition for the hard work and dedication to his employees demonstrated during the recent reduction in

force executed at the Army Corps of Engineers' Mobile District.

Faced with unfortunate, but unavoidable funding constraints, the Corps was forced to notify 192 employees in June 1997 they would be affected by the impending RIF in October of the same year. Obviously, when this notice was made public by the Corps there was tremendous and justified concern and uneasiness felt on the part of those employees whose names appeared among the 192.

Colonel Vogel led the mission to accomplish the necessary reductions and made every effort to minimize the apprehension and potentially devastating implications to his dedicated and loyal work force. He worked tirelessly to accomplish this goal. Realizing the only way a mutually beneficial agreement could be reached was through the cooperation of the Corps' management and the union, Colonel Vogel met often with union officials in an attempt to minimize the impact on those who would be terminated. Among the many efforts designed to accomplish this goal, local union leaders were invited to attend staff meetings and labor-management meetings were increased to every 2 weeks, therefore opening the lines of communication between the two sides.

The immensely successful program which followed was the direct result of Colonel Vogel's efforts. Several options were made available to the employees who faced termination, ranging from early retirement packages to transfers or pay cuts. A center was established to facilitate job placement for those who chose to leave. The final results in December 1997 were, given the potential alternatives, the best possible in this unfortunate situation. Seventy-nine employees left to pursue other employment opportunities and 113 were to be re-assigned. Of the 192 employees affected by the Reduction in Force, none were faced with involuntary separation.

I would like to personally thank Colonel Vogel and his staff for their dedication and commitment to their employees and coworkers. As Congress continues in its efforts to reduce the size of the Federal Government, other Federal agencies facing the same downsizing realities would do wise to study the model and accomplishment put forth by Colonel William Vogel and his staff.

I and everyone else affected by the Corps' reduction in force extend our sincere appreciation for a difficult job well done.

TRIBUTE TO NAVY CAPT. MANUEL A. HIPOL

HON. OWEN B. PICKETT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. PICKETT. Mr. Speaker, I rise to pay tribute to Capt. Manuel A. Hipol of the Navy Medical Corps who is retiring after almost 30 years of loyal and dedicated service to our country.

Born in Manila, Philippines, Captain Hipol launched his medical career at Manila Central University, completing its thoracic medicine residency program at the Philippines Veterans Hospital in 1966. Later that year he immigrated to the United States and settled in Seattle, WA, where he completed a 1-year in-

ternship and then accepted a commission as captain in the U.S. Army.

Like many dedicated, hard working career medical officers, Captain Hipol saw duty in numerous locations including Fort Sam Houston, TX; Fort Sheridan, IL; the Rock Island, IL Arsenal dispensary where he became officer-in-charge; and the Camp McCoy Army Dispensary, Sparta, WI, also serving as officer-in-charge.

Captain Hipol resigned from the U.S. Army in 1974 and almost immediately accepted a commission in the U.S. Navy as a lieutenant commander. His first assignment at the Naval Medical Center, Portsmouth, VA, was in the radiology department of Boone Clinic. He transferred to the reserves and served as commanding officer of the Naval Reserve, Naval Station Branch Clinic 106 in Norfolk. In 1980, he was promoted to the rank of captain.

Captain Hipol was recalled to active duty during Desert Storm and rejoined the reserves after his active duty release. Despite these many transfers and assignments, he remained active in numerous professional and community organizations including: the Association of Philippine Physicians in America; the Manila Central University Medical Alumni Association of America, where he served as national president; the Philippine Cultural Center Building Committee, where he served as chairman; and the Council of United Filipino Organizations of Tidewater, where he also served as chairman.

He has been recognized as 1 of the 20 most outstanding Filipino-Americans in the United States and Canada.

Dr. Hipol will continue his medical practice of outpatient diagnostic radiology in partnership with his wife, Rose, who practices general internal medicine. I join his many friends in wishing Captain Hipol and his family fair winds and following seas.

TRIBUTE TO THE HONORABLE RONALD V. DELLUMS

SPEECH OF

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. PORTMAN. Mr. Speaker, I rise today to pay tribute to RON DELLUMS, a friend and a man whose departure from Congress will leave a major void on Capitol Hill. RON is known as an articulate spokesman for his constituents and a serious legislator of proven ability. These attributes alone when combined with his many years of public service are worthy of praise and commendation. But RON brought more to the job that singled him out as a congressional and national leader.

He reached out: across the aisle, across racial boundaries, and across ideological lines. He did it with a sincerity that was heartfelt and a pure motive, and it showed. This was his magic and this was the key to his many friendships and the unusual respect he received during his service and upon his retirement. I know Congress as an institution is a better place for his service. I hope we as individual Members have learned from his example.

CONGRATULATIONS TO BETHESDA-CHEVY CHASE MEALS ON WHEELS

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mrs. MORELLA. Mr. Speaker, it is with great pride that I rise today to recognize the outstanding work done by the Bethesda-Chevy Chase Meals on Wheels. On February 11, the organization will mark the one millionth meal delivered in more than 25 years of continuous service to those in need.

The remarkable commitment displayed by the B-CC program is best exemplified by some of the veterans who have been with the organization since its inception. Alfred Wellborn, Mary Bartels, and Ann-Marie Snyder, all have worked for, and supported, the B-CC Meals on Wheels since the beginning. They are the embodiment of perseverance and dedication.

There are many other unsung heroes of this institution. The burden of cost for deliveries rests on the shoulders of the volunteers, while the Christian Church provides office space for administrative duties. Many other area places of worship contribute by supplying volunteers and organizing routes, such as Chevy Chase Methodist Church, St. Dunstan's Church and St. John's Episcopal Church.

I salute the commitment displayed by these individuals and congratulate them heartily on their achievement. Furthermore, I join the Bethesda-Chevy Chase Meals on Wheels in their celebration of longevity and distinguished performance in service.

THE INTRODUCTION OF H.R. 3136, THE "TRADE DRESS PROTECTION ACT"

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. COBLE. Mr. Speaker, I am pleased to introduce today the "Trade Dress Protection Act." This bill is intended to clarify the law with respect to the applicable legal standards for the protection of trade dress, which includes product designs and packaging.

Several years ago, Mr. Speaker, the Supreme Court, in the case *Two Pesos, Inc. v. Taco Cabana, Inc.*, 505 U.S. 763 (1992), held that trade dress which is inherently distinctive is protectable under federal trademark law without a showing that it has acquired secondary meaning. The Court, however, had no occasion to comment on the test that should be applied in determining whether trade dress is inherently distinctive.

Subsequent to the Court's decision in *Two Pesos*, a number of federal courts of appeals have issued conflicting and confusing opinions regarding the showing necessary to establish if trade dress is inherently distinctive. My bill is intended to provide the courts, as well as the U.S. Patent and Trademark Office, with guidance as to the relevant factors to consider in determining whether or not product designs or packaging are inherently distinctive. It has been drafted in conjunction with the Administration to make the registrability and protection

of trade dress as efficient as possible for both the applicant and the examiner.

The "Trade Dress Protection Act" addresses a number of other issues as well. Under U.S. trademark law, trade dress is not subject to protection if it is functional. However, the Trademark Act does not define the term "functional" and some courts still rely on widely discredited tests; for example, whether the trade dress in issue is an important ingredient to the commercial success of the product. My bill, Mr. Speaker, attempts to define the term "functional" in a manner consistent with prevailing case law and provides the courts and the PTO with a number of factors to consider when engaging in a functionality analysis.

The "Trade Dress Protection Act" also clarifies the law with respect to which party to a lawsuit bears the burden of proof on the issue of functionality. This issue has provoked a sharp split among the federal courts of appeals.

My bill also provides the PTO with a new statutory basis upon which it may refuse to register matter that, as a whole, is functional. The number of applications seeking registration of trade dress has increased markedly over the past few years, and my bill updates the Trademark Act to provide the PTO with the statutory tools necessary for it to carry out its mission.

Finally, my bill contains a number of technical amendments to the Trademark Act to correct drafting and other errors.

Due to the importance of the issues raised by this bill, the House Subcommittee on Courts and Intellectual Property, which I chair, will hold a hearing on the measure on February 12. My colleagues and I look forward to hearing the testimony of the scheduled witnesses and to advancing this legislation this session.

PRESIDENT LEE TENG-HUI CELEBRATES TEN YEARS IN OFFICE

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. HINCHEY. Mr. Speaker, President Lee Teng-hui of the Republic of China assumed the office of the Presidency on January 13th, 1988, upon the sudden death of President Chiang Ching-kuo. On March 21st, 1990, Lee was elected in his own right by the National Assembly as eighth President of the Republic of China. On March 23rd, 1996, Lee won a landslide victory in the first direct presidential election in the history of China. President Lee was sworn in as the ninth President of the Republic of China on May 20, 1996.

In the past ten years, Taiwan has made remarkable progress in moving toward full-fledged democracy. Vigorous opposition parties compete in regular, fair, frequent elections, allowing Taiwan citizens an opportunity to determine the future of their nation. In fact, Taiwan has succeeded in developing full democratic representation at all levels of government throughout the island.

The right and responsibility to choose political representatives through the ballot box is guaranteed in the Republic of China Constitution. Taiwan's political leaders, from the lowest administrative officer to the highest office holder, must be accountable to the people.

The people of Taiwan will decide Taiwan's future with mainland China. The 21 million people in Taiwan have rejected the so-called "one country, two systems" approach advocated by the government on the mainland. In order for meaningful dialogue to begin between Taipei and Peking, President Lee Teng-hui has made it very clear that the two sides must first narrow the enormous differences between the standards of living and political systems.

On the matter of economic cooperation between the two sides, President Lee Teng-hui on January 7th explained Taiwan's "no haste, be patient" policy on investment in mainland China by saying that the policy is aimed at protecting Taiwan's entrepreneurs and Taiwan's overall interests.

In addition to advocating economic caution in dealings with mainland China, President Lee has repeatedly said that Taiwan, like all sovereign nations, must be given a place in the international community. Since mainland China has never stopped trying to have Taipei expelled from the world village, Taiwan must promote its "pragmatic diplomacy" more actively.

There is no question that Taiwan faces many challenges in the world. But Taiwan stands tall and firm as a beacon of freedom in the Far East. In addition, I would like to express admiration for Taiwan and President Lee Teng-hui for their skill in economic management. While other countries in Asia are suffering from plunging currency values, Taiwan has remained secure and stable.

In large measure, that is because of Taiwan's careful banking practices, and high foreign reserves. The Washington Post reports that Taiwan has been so confident of its fiscal management that it is prepared to use its vast financial resources to aid its Southeast Asian neighbors. As an indication of Taiwan's willingness to offer help to its troubled neighbors, high-level delegations, composed of government officials and business leaders, have been visiting the Philippines, Indonesia, Thailand, and Singapore.

Taiwan is a good neighbor in Asia and a responsible member of the international community.

On the occasion of President Lee's ten years in office, I wish him and his country much good fortune in the months and years ahead.

May the year of the Tiger be a good one for all my friends in Taiwan.

THE FEDERAL EMPLOYEES HEALTH CARE FREEDOM OF CHOICE ACT

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. BURTON of Indiana, Mr. Speaker, I am pleased to join my colleague Congressman ARCHER in introducing today the Federal Employees Health Care Freedom of Choice Act. This is significant legislation because it will allow Federal employees the option to choose a Medicare savings account combined with a high deductible catastrophic policy under the Federal Employee Health Benefit [FEHB] Program. We believe that it is important that Federal employees have the same option that is

now, or will be, available to almost every other American. By offering an MSA, Federal employees and their families will have the opportunity to take control over their health care dollars by choosing their own doctors.

The FEHB Program is the largest employer-sponsored health insurance system in the country. The program is often cited by both the private and public sector as a model of efficiency and effectiveness, controlling costs through private sector competition with limited governmental intervention. Participants choose from roughly 400 competing health plans nationwide, with anywhere from 10 to 30 health plan options available in any particular area. With a fixed dollar amount contributed by the Government, Federal employees can decide which health plan best meets their specific health needs. We strongly believe that the FEHB Program can be further enhanced by allowing enrollees the opportunity to choose an MSA option.

Under our legislation, MSA's combined with a high deductible plan will be available to all FEHP Program enrollees, including active workers, dependents, and annuitants, at the beginning of 1999. The annual deductible limits are identical to those currently in law for private market MSA's: \$1,500–\$2,250 for individual coverage with an annual out-of-pocket cap on expenses of no more than \$3,000, and \$3,000–\$4,000 for family coverage with an annual out-of-pocket cap on expenses of no more than \$5,500. Contributions made to the MSA and any interest on the account will build up tax free. Distributions from MSA's are exempt from Federal income tax to the extent that the distributions are used to pay for qualified health expenses. Should the worker retire prior to age 65, he or she can continue coverage through the high deductible health insurance plan and will continue to have contributions made to his or her MSA.

I believe that there are many advantages to using MSA's. One of the most important advantages of MSA's is that it provides individuals maximum freedom of choice regarding their health care. Rather than putting the power to choose in the hands of the Government, employer, insurance company, or provider, MSA's keep the power to choose in the hands of the patient. In addition, MSA's have been shown to be cost effective. Under the current third party system consumers have little incentive to limit spending or weigh the cost-benefits of services. However, when individuals realize that the money in the MSA's belong to them, they are much more cost-conscious purchasers of health care and make much more informed judgments about their own health care needs. And, as a result of more cost-effective use of health care resources, health care costs are reduced not only for the individual, but ultimately for the Government and the taxpayers.

Over the past few years, many of us in Congress have fought hard to provide MSA's to Americans. We have succeeded in providing MSA's to both individuals in the private sector and Medicare beneficiaries. It is now time for us to turn to our Federal employees and empower them to control their own health care decisions.

Adding MSA's to the FEHB Program will expand choice to Federal workers, improve their health coverage, and reduce health care costs for Federal employees, the Government, and taxpayers. Furthermore, they will further

strengthen and improve the FEHB Program by expanding the array of choices in the program. I urge my colleagues to join us in supporting this essential legislation.

HONORING THE 75TH "DIAMOND"
ANNIVERSARY OF THE CITY OF
SOUTH GATE

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Ms. ROYBAL-ALLARD. Mr. Speaker, it is with great pride and honor that I rise today to recognize the 75th "Diamond" Anniversary of the City of South Gate, California.

Founded on January 20, 1923, the City of South Gate is a proud community where families and industry flourish together. South Gate's successful blending of the needs of the community and industrial base provides residents with a safe community where families can prosper, industry can succeed, and diversity can thrive. Fittingly, South Gate has consistently ranked among the best cities in Southern California for its quality of life, and in 1990, won the "All America City" award from the National Civic League.

South Gate's motto, "Opportunity," is fitting for this thriving community. Throughout the city's history, it's opportunity that gave Amelia Earhart a place where she first learned to fly; it's opportunity that gave rise to the spectacular transportation and industrial base the city grows from; and it's opportunity through the city's ethnic diversity, safe communities, and positive youth outlets that allows South Gate to prosper. Whether it be religious cooperation or community volunteering, abundant parks or growing industries, South Gate has always promoted opportunity for its diverse population in order to give rise to success.

To the casual observer, South Gate is seen as a place with a strong history of support for the promotion of the "ideal community" through individual and collective opportunity. Look deeper and one sees that "opportunity" has always been a way of life for South Gate's citizens. Industries are thriving because of targeted incentives and investments in the commercial districts; residents are prospering because of the city's nationally recognized schools, parks, churches, civic groups, and recreational facilities; and the community is flourishing because of the unequalled protection provided by the police, fire, and public-works services.

Over the past 75 years, South Gate has persevered because of its innovative spirit, community vitality, and diverse population. But most importantly, South Gate has excelled because of the opportunities given to its people. I congratulate South Gate on their 75th anniversary and for being a city whose vision and character reflect the best of America.

CAMPAIGN FINANCE REFORM

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. KIND. Mr. Speaker, we have been back in session for several days now and still no

word on campaign finance reform. With almost daily editorials and articles in newspapers across this country, how can we sit back and ignore a call to action? There may be different ideas promulgated and different reservations expressed about the problem but until those ideas and reservations are debated on the House floor, we are getting nowhere fast. The American people deserve a response to their concern.

This week the members of the House of Representatives were in town for a very light schedule. This would have been a perfect time to consider campaign finance reform. I hope that next week, with another light schedule, we may take up this important issue. The people of my district refuse to accept "no" for an answer.

TRIBUTE TO THE HONORABLE
RONALD V. DELLUMS

SPEECH OF

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. BISHOP. Mr. Speaker, on Friday, February 6, 1998, the House of Representatives and the California Delegation will bid farewell to RON DELLUMS, a man who will go down in history as one of the most effective legislators ever sent to Washington. I rise today to pay tribute to this man who has served this country and this body with great distinction, valor, integrity, and honor.

He has been a faithful servant on a long journey. When he came to Congress in the early seventies, he came with a mission—to ensure civil rights and social justice for all mankind. His record speaks for itself. From leading the fight against apartheid in South Africa to providing comprehensive solutions to a myriad of problems that this country has faced over the last 27 years.

RON's presence in Congress will surely be missed. His wisdom and hard work have provided a solid foundation on which the Congress continues to build. It has been a pleasure working with him throughout the years. He has all always been fair and equitable in his approach. I am pleased that I have been able to build a lasting professional and social relationship with RON. He has given me sound advice and has provided a legacy for legislators such as myself to emulate.

He has worked tirelessly to provide the people of the Ninth District of California with a sound, reasonable, and effective voice in Washington while providing the entire country with superb statesmanship. His accomplishments are innumerable.

I would like to thank RON for his commitment, wisdom, and guidance to our great nation. His work ethic has been and will continue to be the measure by which all legislators should be judged.

As he leaves this body to pursue new interests and endeavors, I want him to know that our prayers are with him and his family. I know that God will continue to bless and keep him as he moves into yet another phase of life.

H.R. 2846—NATIONAL TESTING

HON. FRANK D. LUCAS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. LUCAS of Oklahoma. Mr. Speaker. During the first session of the 105th Congress, nearly 300 members of the House rejected the President's federal testing plan as part of the FY 1998 Labor, HHS, and Education Appropriation Act. A compromise was reached that prohibited the President from moving forward with national testing in FY 1998. However, no agreement was reached regarding national testing activities in FY 99 or beyond. Therefore, President Clinton is at it again.

For some reason the Clinton Administration thinks people inside the beltway know what is best for my children and my constituent's children in Western Oklahoma. The Department of Education is moving forward to write a national test to be voluntarily administered to fourth and eighth graders in reading and math respectively. How can a huge bureaucracy such as the Department of Education know how to test the students of Hollis, Oklahoma? Has anyone from the Clinton Administration ever been to Hollis, Oklahoma? Is it appropriate to give fourth and eighth grade students in Boise City, Oklahoma population 1,509 the same national test as the students in Boston, Massachusetts? What is the Clinton Administration hoping to accomplish with the results of these beltway developed tests?

Many questions still need to be answered regarding the manner in which the Administration is moving ahead with test development. During consideration of the FY 98 Labor, HHS, and Education Appropriations Act, I head from hundreds of parents who were irate with the proposal of national testing. Parents, local PTA's, and local school boards know what is best for their local students. Let's support the parents in our districts by voting in support of H.R. 2846 and insuring that Congress will have a voice in developing any sort of voluntary testing. Parents need to know that their children's best interests are being protected.

25TH ANNIVERSARY OF JOHN H. HARLAND CO. IN GURABO, PR

HON. CARLOS A. ROMERO-BARCELÓ

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. ROMERO-BARCELÓ. Mr. Speaker, I am pleased to have the opportunity to call attention to an important American success story. This past December 1997, the John H. Harland Co., headquartered in Atlanta, GA, celebrated the 25th anniversary of its Gurabo, PR, printing plant.

The Gurabo plant opened in 1972. During that quarter of a century, Harland's employees have played a crucial role in helping the company meet the needs of its customers. Today, the 52 employees at the Gurabo facility fill approximately 31,000 check orders each month for customers of financial institutions in Puerto Rico, Antigua, the Virgin Islands, the Dominican Republic, and throughout the Caribbean. The financial institutions represented include

Banco Popular, Banco Santander, Citibank, Scotia Bank of Puerto Rico, and Banco Bilbao Vizcaya.

Based on their experience with Harland's Gurabo facility, many of these financial institutions now also use other Harland products and services, including the company's database marketing software which help them to better understand the needs of their customers. They have served as a fine example of entrepreneurship, demonstrating over the past 25 years their commitment to the development of quality products and services. As the needs of their clients expanded or varied, so did their services.

The John H. Harland Co. was founded in 1923, and is the second largest check printer in the United States. It is also the Nation's leading provider of database marketing to financial institutions. Harland is understandably proud of the Gurabo plant and its employees. And Mr. Speaker, we are proud to have such a good corporate neighbor in our community. John H. Harland Co. has preserved and enhanced a great tradition during its first 25 years in Puerto Rico. I offer my congratulations to the John H. Harland Co. and its employees on the occasion of its 25th anniversary in Puerto Rico. It is my hope that their fine example proves to be a catalyst for other companies to make similar commitments. May the company's endurance and prosperity serve as positive lessons to future generations of Americans.

JENNIFER RODRIGUEZ PARTICIPATION IN THE WINTER OLYMPICS

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. DIAZ-BALART. Mr. Speaker, it gives me great pleasure to rise today, just one day before the Opening Ceremonies at the 1998 Winter Olympics in Nagano, Japan to congratulate Jennifer Rodriguez, the first Cuban-American to participate in this most important event. Ms. Rodriguez, who will compete in the women's speedskating tournament, also has the distinction of being the first Hispanic athlete and the first Miamian to participate in a Winter Olympics. As a Hispanic, a Cuban-American and a resident of South Florida, I am immensely proud of Ms. Rodriguez great accomplishment.

We are blessed to be the heirs of an extraordinary tradition of athleticism, competition and camaraderie which began over 2,000 years ago in Ancient Greece and lives on in our modern Olympic games. These celebrations bear witness to the best in the human spirit—the Spirit of the Olympiad. As elected officials, we too partake of an arena which itself is marked by conflict. All too often, however, we forget to play fair—the old cliché that it is not just about winning. These games should remind us of the inherent value of sportsmanship.

I salute Ms. Rodriguez for her dedication. Her effort serves as testimony that those virtues the Ancient Greeks so valued are alive and well, so much so that they have driven a young woman from the warm, semi-tropical climate of her native South Florida to the ice-cold weather of Milwaukee where she has

been training rigorously since 1996 for this upcoming event.

Good luck Ms. Rodriguez and best wishes to your family! They, like me, must be very proud.

TRIBUTE TO THE HONORABLE RONALD V. DELLUMS

SPEECH OF

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it saddens me today to say goodbye to Congressman RONALD V. DELLUMS of the 9th District of the State of California. He has brought a great conscience to this body during our debates over military spending and the role of the modern U.S. military. He is as thoughtful and passionate on issues to protect the opportunities for children as he is on reducing a massive military budget. Mr. Speaker, on those issues of advocacy of children, he reminds many of a mutual friend of both of ours, Congressman Mickey Leland of Texas.

Mr. Speaker, we all know that Congressman DELLUMS is a staunch opponent of weapons funding, specifically the funding of the B-2 bomber, an issue where he and I have disagreed on sharply. However, as with all his dealings with opponents, I never experienced a slight or an unkind word.

Although he opposes many weapons funding initiatives, he is not an enemy of our military or the ideas of the country it is sworn to protect. Rather, he is outspoken when in times of peace, our military spending takes more importance than feeding our children.

I would be remiss if I did not acknowledge that Congressman DELLUMS and Congressman Leland lead the effort to end U.S. support for the apartheid regime in South Africa by introducing legislation calling for economic sanctions. Fifteen years later, that legislation passed the House, imposing the sanctions that would eventually lead to the dismantling of apartheid and begin the creation of a new South Africa.

Congressman DELLUMS was born in Oakland, CA, on November 24, 1935. However, he has deep Texas roots. After serving in the U.S. Marine Corps for 2 years, he received an A.A. degree at Oakland City College, A.B.A. from San Francisco State University and his master's in social work from the University of California at Berkeley.

Throughout his career in the Berkeley City Council and Congress, his education background and experience in social work helped draw attention to the plight of the poor and influence the implementation of policies like the National Health Service Act and the Head Start Program.

Mr. Speaker, among all his legislative accomplishments and contributions to this body, all Americans, particularly African-Americans are proud that in 1973 he was the first African-American appointed to the formerly known House Armed Services Committee. He made another historic first in the 103rd Congress, becoming chairman of the committee. As chairman, he articulated a progressive and alternative vision of the military, beginning an honest debate over the possibilities of reinventing our military forces without threatening national security.

Mr. Speaker, ironically, the wars in Vietnam and on the streets of urban ghettos developed his sense of compassion and concern for those who face inequities and discrimination. He could have easily had a bitter soul forged out of the fires from the 1960 riots and battles he knew so well, but he chose to care and use his mind and ability for justice. Therefore, he is a great example to young men and women that the anger and distress known to many of our cities can be directed to solving our country's most pressing social problems.

Mr. Speaker, although many Members of Congress may have disagreed with his stands on military spending and his legal challenges to a President's authority to declare war on countries, no one can dispute that his arguments and debating style were pragmatic, intelligent, and were carried out with respect and dignity toward others, regardless of ideology. Therefore, he was respected in this House by those of all ideologies and political persuasions.

Mr. Speaker, our colleague from California is leaving this body after a long and productive career. While I can say that his return to private life is much deserved, I must say that he will be sorely missed because of his courage, leadership, and compassion. I will miss him as a friend.

PERSONAL EXPLANATION

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. PICKERING. Mr. Speaker, I was unable to return to the House floor last evening due to a scheduling conflict and missed the following vote:

Rollcall vote No. 7, passage of H. J. Res. 107. Had I been present, I would have voted "aye."

NATIONAL HISTORIC LIGHTHOUSE PRESERVATION ACT

HON. MARK E. SOUDER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. SOUDER. Mr. Speaker, I have introduced H.R. 2970, the National Historic Lighthouse Preservation Act, which would amend the National Historic Preservation Act, to establish a national historic light station preservation program. This legislation was introduced in the other body by the Chairman of the Energy and Natural Resources Committee, Senator FRANK MURKOWSKI of Alaska.

As you may know, Mr. Speaker, lighthouses have served as life-saving navigational aids since before the turn of the century. However, many of these lighthouses have outlived their use to the Coast Guard as navigational aids. Thus, the Coast Guard is left with surplus lighthouses, and declares them "excessed." The question then becomes, who cares for these lighthouses once they leave the Coast Guard's hands? If the land on which a particular lighthouse in question was first granted by a Presidential Order to the U.S. Lighthouse Establishment, it is considered to be "public

domain," and has to be first offered through the Bureau of Land Management (BLM) to the Interior Department. If the Interior Department does not claim the land, then the lighthouse is placed in the General Service Administration's (GSA) excessing process. If the property is not considered public domain, then the lighthouse is placed directly into the GSA excessing process.

Through the GSA process, priority is first granted to federal agencies. This means that the lighthouse could be used for such things as an office for the Internal Revenue Service. If no federal agency claims it, the property is then surveyed to see if it suitable to qualify under the McKinney Homeless Assistance Act, thereby allowing it to be transferred to those organizations that assist the homeless. Should neither of these categories claim the lighthouse, it is then offered to the state in which it is located, possibly to be used for recreation purposes. If the state not claim it, then it is offered to the local government where the property is located. Finally, if the lighthouse is still available at the end of the GSA process, it is put up for public sale.

The real tragedy here, Mr. Speaker, is that many of these lighthouses have been protected and preserved over the years by non-profit historical lighthouse societies, which have donated a great deal of time, money, and resources to lighthouse preservation efforts. As you can see, in order to have the lighthouses conveyed to them, they must wait through the long process described above, and then must bid on them. This process basically requires these non-profit organizations to compete financially with private groups that have greater access to funds, and that have, in many cases, not made the same commitment to the lighthouse in the past. In addition, these private groups may have plans for the lighthouse that are inconsistent with the best interests of the community. Though these non-profit groups can, in some specific cases, purchase the light house directly from the BLM, they sometimes have to pay as much as half of its market value—a value that those particular groups helped to increase over the years through their hard work. Thus, the message we are sending here is that if you're going to provide a public service by preserving historical sites, you're going to have to pay for them in the end.

I should point out that another method for conveyance is for Congress to enact separate pieces of legislation to transfer a lighthouse to a specific group. As you know, this process can be very time consuming and cumbersome considering that there are hundreds of lighthouses that will be excessed in the near future.

My legislation would introduce a degree of fairness to the conveyance process for historic lighthouses by amending the National Historic Preservation Act to transfer this process to the National Parks Service, which would be able to work in conjunction with the State Historic Preservation Officer, to establish a national historical light station program. This new program would have priority to those government agencies that have entered into a partnership agreement with a non-profit organization whose primary mission is historical preservation of lighthouses, and would convey them at no cost. If no such applications are offered, or approved of, then the lighthouse would be put up for public sale. Thus, this legislation would

help to ensure that in those cases where a non-profit group has been active in a particular lighthouses' preservation, and wishes to continue in it's work, that that group would be given a fair shot at claiming that lighthouse when the Coast Guard declares it excessed.

Mr. Speaker, we need to recognize the very important role lighthouses have played in this country's history. By encouraging government agencies to join with non-profit groups to help preserve lighthouses for the future, we will be providing a much fairer process to those who wish to continue their work in preserving these nationally historic structures.

TRIBUTE TO THE HONORABLE RONALD V. DELLUMS

SPEECH OF

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. STARK. Mr. Speaker, we are here to celebrate the career of a champion of Democratic principles in the House of Representatives. I am honored to have served with my friend, RON DELLUMS.

For over a quarter of a century, I have had the distinct privilege of joining RON in the good fight. He vehemently opposed our government's involvement in Vietnam. He asked the tough questions and pursued the truth in the crime of Watergate. He demanded quality for women and minorities and defended civil rights. He did not waver in the charge to stop the testing of nuclear weapons. He fought for the poor, the disabled, and the disadvantaged, in the hope that all Americans could partake in our country's bounty.

His focus, above all, was to promote peace. His work on the National Security Committee earned him the respect of all his colleagues for his grasp of issues, his focus and his powerful oratory skills. He worked for decades to expose unnecessary military spending and cut defense spending. He came here to make things better for all Americans and he succeeded.

Mr. Speaker, I stood with RON DELLUMS for close to three decades; I am saddened to see him go but I know he will make a difference for the better wherever he goes.

FINANCIAL ACCOUNTING FAIRNESS ACT OF 1998

HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. BAKER. Mr. Speaker, today I am introducing a bill that will serve as a legislative remedy to a flaw in the private sector process for developing financial accounting standards. Specifically, the Financial Accounting Fairness Act (FAFA) will provide for judicial review of accounting principles that the Financial Accounting Standards Board has developed and the Securities and Exchange Commission has approved. In short, public companies will not be able to do what they currently cannot: have their complaints with the substance of a proposed accounting principle aired in the neutral

forum of the federal court system, just like those companies can when they are affected by other SEC rules and regulations.

Congress should not have to inject itself in these controversies each time they erupt—as it has in recent years with squabbles over accounting for stock options and derivatives. Rather, the federal court system, the traditional mechanism our democratic republic has employed to solve disputes, should be called upon to serve as the final independent adjudicator of thorny issues that arise in accounting principles.

Yesterday the issue was stock options. Today it is derivatives. What will the issue be tomorrow and beyond? The process needs to be fixed, and fixed now, before another disagreement again causes congressional intervention—an outcome few observers want.

Since 1934, when Congress and President Roosevelt created the SEC, the agency has had the ultimate responsibility for establishing financial accounting and reporting standards for public companies. Although the SEC decided long ago to place that authority in the private sector—a system that by and large has worked well—it has maintained oversight authority of these principles with regard to the federal securities laws. Since its creation in 1973, the Financial Accounting Standards Board (FASB) has served this role. Like its two predecessors, the Committee on Accounting Procedure and the Accounting Principles Board, statements and interpretations of the FASB have benefited from an SEC presumption that financial statements not in compliance with these principles are misleading and therefore in violation of the federal securities laws. As a result of this policy, FASB pronouncements have generally had the full force and effect of SEC regulations.

Although it is true that the FASB itself has extensive procedures to allow parties interested in FASB projects to make their opinions known, questions have arisen whether persons aggrieved by FASB pronouncements have the right to judicial review of their complaints, and whether such pronouncements must comply with the requirements applicable to other SEC regulations.

Recently, for example, the FASB held 100 public meetings to discuss a project, followed

by four days of public hearings, and still more public meetings on an “Exposure Draft” of a proposal related to accounting for derivatives and hedging activities. Yet, even with all this openness, and ample opportunity for interested parties to comment on the project, there exists substantial dissension on what has emerged as the final product. Some have claimed that the process, however open, does not provide meaningful opportunities for a party—whose business may be fundamentally affected by SEC-enforced accounting and reporting standards—to truly have their concerns heard. Ultimately, the FASB can and will move forward, and its product will be endorsed through routine SEC policy. This process is flawed. Congress, having given the SEC an important responsibility for establishing accounting principles for public companies, should now clarify that judicial review can and will be available for persons whose livelihoods are at stake because of these rules.

FAPA makes it clear that judicial review is available in the event that an aggrieved party decides to seek it, and that accounting principles established for federal securities purposes shall meet the same good standards that other SEC promulgations must. To require less is to say that financial accounting principles are somehow different in nature and kind from other SEC regulations, and that they should be exempt from legal challenge, no matter how good the reason. At the end of the day, this legislation will simply provide a last chance for an aggrieved party to make its case before a neutral forum—a federal appeals court—rather than limiting it to pleas before the very body that implemented and created the standard.

The Financial Accounting Fairness Act retains the current system of private sector development of accounting principles. It in no way interferes with the FASB’s process for producing financial accounting guidelines. It will not meaningfully affect the speed with which these standards are implemented, except in the event that an appeals court decides that good cause exists to stay the implementation of the standard pending resolution of a case before the court. As a result of SEC policy, FASB pronouncements have generally had the full force and effect of SEC regula-

tions. Other SEC regulations are subject to judicial review, and the Act would allow SEC-recognized accounting principles to be similarly reviewable.

Under the Fairness Act, FASB accounting principles, as well as the FASB’s record of proceedings, would be delivered to the SEC, which would in turn publish notice of each principle, and provide interested persons an opportunity to comment. The SEC would then determine whether the principle shall apply to public companies by issuing an order approving or disapproving it. In making this decision, the agency must consider the proposed principle’s impact on the protection of investors, and whether it will promote efficiency, competition, and capital formation. Additionally, no principle may be approved that imposes an unnecessary or inappropriate burden on competition. These requirements are identical to those applied to other SEC regulations.

If the principle will apply to persons subject to Federal banking agency oversight, each applicable agency shall be consulted, and its views considered. Without SEC approval, SEC registrants shall not be required to comply with FASB standards for the purposes of SEC filings.

If an aggrieved party determines to seek judicial review, the Act would, in accordance with current law regarding SEC regulations, recognize the conclusiveness of SEC findings of fact supported by substantial evidence. Moreover, the reviewing court must affirm and enforce the regulation unless the SEC’s action in approving the regulation is found to be arbitrary, capricious, or an abuse of discretion, among other such considerations already required under existing law. The Act would only apply to FASB pronouncements formally adopted after January 1, 1998.

Recent events have highlighted the need for this legislation. I look forward to its passage, so that the need for congressional involvement in the development of financial accounting principles will be reduced or eliminated in the future. Only when aggrieved parties clearly have the opportunity to make their cases in court will we have accounting standards that are truly accountable for their impact on public companies