

course. He was subsequently assigned to Fort Riley, Kansas, and the First Infantry Division (Big Red One) where he served as a Company Commander and Maneuver Brigade Logistics Officer. In this agreement, he deployed twice to the Federal Republic of Germany. He was responsible for the entire logistical support of 2,500 soldiers for eight weeks and their safe and efficient transport from Kansas to Germany and back.

Upon the completion of his 4-year tour at Fort Riley, Lt. Col. Schoenrock was selected to represent the Army in the highly competitive Training With Industry (TWI) program. He served as the Army's first representative with the General Motors Corporation, Allison Gas Turbines Division. He played an instrumental role in the development of the T-800 engine, which is now the engine in the Army's Comanche helicopter.

Following TWI, Lt. Col. Schoenrock served as a Contracting Officer and Contracting Section Chief in St. Louis, Missouri, responsible for the development and acquisition of petroleum and water logistics. He was responsible for the acquisition of many end items that served our soldiers so well during Operation Desert Storm and that were vital to our ultimate victory in the deserts of southwest Asia. He then was selected to attend the Army Command and General Staff College (CGSC) at Fort Leavenworth, Kansas.

Following CGSC graduation, Lt. Col. Schoenrock was selected to be the principal acquisition advisor to the Inspector General of the Army in Washington. In this role, he advised and assisted the Inspector General with some of the Army's most sensitive acquisition programs and other matters. He then was selected to serve as an executive officer in the Office of the Assistant Secretary of the Army (Research, Development and Acquisition). He served as a key facilitator in preparing the Army leadership for senior level Secretary of Defense and Congressional reviews for programs that were valued in excess of \$30 billion.

He then was selected to serve as an Army liaison officer with Congress. Lt. Col. Schoenrock has worked directly with the Army leadership and with Members of Congress and their staffs in resolving matter of the utmost sensitivity and urgency.

Through the programs he has worked these past seven years in our nation's capital, Lt. Col. Schoenrock has made a difference in the lives of thousands of people. He has worked to ensure programs totaling billions of dollars are wisely and prudently executed to provide maximum benefit to the Army and to the communities that are so clearly related to the Army.

Lt. Col. Schoenrock was recently selected as the next Inspector General for the State of Colorado's National Guard. In this position, he will advise and assist the State Adjutant General and Governor regarding military matters within their area of responsibility, I'm confident Lt. Col. Schoenrock will do his utmost to continue his outstanding record of achievement and service to our nation in this new duties.

Mr. Speaker, as a career Army officer, as a husband and father, and dedicated churchman, I wish Mark Schoenrock well as he and his family depart Washington for Colorado.

TRIBUTE TO DR. WILLIAM LLOYD BIRCH

**HON. JAMES E. CLYBURN**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 20, 1998*

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Dr. William Lloyd Birch of the Sixth Congressional District of South Carolina. Dr. Birch has taught at Francis Marion University in Florence, South Carolina, since he moved to the Palmetto State in 1971. It is on the occasion of his retirement that I pay tribute to his 27 years of tireless involvement in the community surrounding the Pee Dee area of South Carolina.

A native of Louisville, Kentucky, Dr. Birch received his B.A. at Georgetown College in Georgetown, Kentucky. He received a Th.B. from Southern Baptist Theological Seminary in 1955. From 1949–1960 Dr. Birch conducted summer youth revivals throughout the state for the Kentucky Baptist Convention. He was a Mission Pastor and served as Interim Pastor for First Baptist Church in Prestonsburg, Kentucky. From there, he was pastor at Shakertown Baptist in Harrodsburg, Visalia Baptist in Covington, Wildwood Baptist in Ashland, and Chevy Chase Baptist in Lexington. He served on the Board of Directors for The Western Recorder, the Kentucky Baptist state paper, and was an Executive Board Member of the Kentucky Baptist Convention from 1964–1967. He was also on the Board of Directors of the Christian Life Committee.

In 1969, Dr. Birch received an M.A. in Sociology from the University of Kentucky. He received his Ph.D. in 1971. Dr. Birch began his distinguished teaching career at Georgetown College in Georgetown, Kentucky as a part-time instructor and then Assistant Professor.

Dr. Birch moved to the Sixth Congressional District of South Carolina in 1971 and began as an Associate Professor of Sociology at FMU. In 1972, he established the Sociology major and Department of Sociology. He served as Chairman of the department for 23 years. From his leadership during the founding of the Sociology department, the Sociology major was the third most popular major on campus for many years. Through 1994, it remained in the top 5 largest majors of bachelor level graduates. Since the University opened, 35% of all graduates have taken Dr. Birch's Courtship and Marriage course, a course not required by any major. During his stint at FMU, Dr. Birch has also made professional presentations and published articles or book reviews a total of 45 times. In addition, he has made an average of one presentation per month during his tenure to workshops, civic clubs, hospitals, hospices and Family Life Conferences for a total of 297 presentations.

Dr. Birch has received numerous awards during his tenure at FMU. He was awarded the Distinguished Professor Award in 1977–1978 and held the Joan and Garry Gladstone Chair in Sociology since 1989. He is also a member of the Alpha Kappa Delta Honorary Society and the Pi Gamma Mu Honorary Society. Among his professional affiliations are the American Sociological Association, Southern Sociological Society, Association for the Sociology of Religion, and the Society for the Scientific Study of Religion. He was a charter member and served as Vice President of the

South Carolina Sociological Society and is a Legacy Council member of the National Council on Family Relations. He also served on the Board of Directors and was Chairman of the Legislative Action Committee of the Southeastern Council on Family Relations. He was President and served on the Executive Committee of the South Carolina Council on Family Relations, is a Clinical Member of the American Association of Marriage and Family Therapy, and served as Vice President of the South Carolina Association Marriage and Family Therapy.

Aside from his professional organizations related to Sociology, Dr. Birch is a licensed Marriage and Family Therapist. He remains in private practice at Family Therapy Associates in Florence where he has practiced since 1974. Dr. Birch has been a therapist at the Pastoral Counseling Service in Florence, a Consultant to the S.C. Department of Youth Services, and a Consultant on Human Sexuality for the National Council of Churches Task Force on Developmental Disabilities. He has also served as a member of the Ethics Committee of McLeod Regional Medical Center.

Dr. Birch's first professional appointment came from Governor West in 1973. He was appointed to the S.C. Council for the Developmentally Disabled and served as the Chairman of the Committee on Deinstitutionalization and Institutionalization Reform. He also co-authored South Carolina's first plan for deinstitutionalization. Governor Campbell next appointed Dr. Birch to the S.C. Board of Examiners for Licensure of Professional Counselors, Associate Counselors, and Marital and Family Therapists. He was re-appointed to the S.C. Board by Governor Beasley and will serve as Vice President through 2001. He is also Chairman of the Marriage and Family Therapy Standards Committee that reviews the credentials of all applicants seeking licensing as marriage and family therapist in South Carolina. Dr. Birch has also been a recent S.C. delegate to the Annual Meeting of the Association of Marital and Family Therapy Regulatory Boards.

Although he is retiring from FMU, Dr. Birch will continue to impact the lives of many of my constituents through his service as interim pastor at South Carolina's Southern Baptist Churches. During the past 27 years, he has served as interim pastor 31 times, delivered 2,275 sermons. For seven of 27 years, he has filled a pulpit every Sunday. Dr. Birch has also conducted over 100 Family Life Conferences for Baptist, Methodist, Presbyterian, Episcopal and Catholic churches.

Throughout his 27 years in South Carolina, Dr. Birch has served, and continues to serve, his State and community tirelessly. Mr. Speaker, I ask that you join me in extending best wishes to him for a fulfilling retirement.

COMMEMORATING THE 125TH ANNIVERSARY OF LEVI'S JEANS

**HON. NANCY PELOSI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 20, 1998*

Ms. PELOSI. Mr. Speaker, I would like to ask members of the House of Representatives to join me in celebrating the 125th Anniversary of an American legend: blue jeans. Or more specifically, Levi's jeans.

On this day, the 20th of May, 1873, a California businessman named Levi Strauss patented the process of putting rivets in blue denim pants for greater strength. He did so with the help of his business partner, Jacob Davis, a tailor from Nevada. From that moment on, Levi's jeans have been a part of daily life in America and around the world.

Initially, the jeans gained popularity for their superior quality and durability, but the invention was destined to become an international phenomenon because of what they came to represent: the spirit of personal freedom and originality.

For more than a century, Levi's jeans have been part of the cultural experience in the United States and overseas. From frontier independence to the fall of the Berlin Wall; from Woodstock to the White House; from the assembly line to casual Friday, blue jeans have been the uniform of individuality allowing the wearer to express his or her essential self.

It's remarkable to think that what was conceived as a garment for California gold miners has evolved into a global icon for independence. But then again, good ideas have a way of making themselves well-known to everyone. The familiarity we all share with blue jeans is proof of that.

On this, the 125th anniversary of the invention of Levi's, please join me in acknowledging the spirit of freedom and limitless possibilities that they symbolize.

H.R. 1872—SATELLITE REFORM  
LEGISLATION

**HON. TOM BLILEY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 20, 1998*

Mr. BLILEY. Mr. Speaker, two weeks ago the House overwhelmingly approved legislation to procompetitively privatize the intergovernmental satellite organizations—INTELSAT and Inmarsat—that dominate international satellite communications today. This legislation, H.R. 1872, garnered near unanimous support of the House, which demonstrates the bipartisan commitment of this body to enact this form of satellite reform legislation this Congress.

During the debate on the bill, there was considerable discussion on whether the bill could be ruled a "taking" of COMSAT's property. The House soundly rejected this notion. Absent from that debate, however, was an important commentary done by Mr. George L. Priest, former member of President Reagan's Commission on Privatization and now the Olin Professor of Law and Economics at Yale Law School. Mr. Priest conducted an analysis of the takings issue regarding H.R. 1872 which he reflected in a lengthy monograph. This monograph was circulated to Members prior to the debate on the bill and a similar version has been subsequently published in the May 11, 1998, issue of Space News in an article entitled "Breaking Comsat's Hold." In summary, Mr. Priest concluded that COMSAT's takings argument "will not hold legal water."

I think the House would benefit from Mr. Priest's viewpoint on this important matter and I ask that it, along with a letter from the Washington Legal Foundation and a letter from United States Trade Representative Amba-

sador Charlene Barshefsky relating to a World Trade Organization issue discussed in the debate, be included in the CONGRESSIONAL RECORD at this point.

[From Space News, May 11, 1998]

BREAKING COMSAT'S HOLD

(By George L. Priest)

In recent weeks, several commentators including Comsat and supporters such as Nancie G. Marzulla in an op-ed piece entitled "Deregulation or Plain Old Theft," Washington Times, April 27, have argued that legislation introducing competition in the international telecommunications satellite industry constitutes a taking under the U.S. Constitution's 5th Amendment, which would require the government to compensate Comsat for all its losses if Congress has the nerve to pass the bill.

In principle, I applaud the defense of private property rights against government intrusion. But Comsat and Ms. Marzulla mistake protection of property rights with the protection of monopoly and confuse the defense of investor expectations with the deregulation of a telecommunications monopoly to expand services and enhance consumer welfare.

Comsat was created by the Satellite Act of 1962, which, like much activist legislation of that era, derived from the view that government-controlled investment buttressed by heavy regulation was superior to private-market initiative in developing industries. Indeed, the Satellite Act took this thinking to the next level: If heavy regulation by the U.S. government was needed for U.S. satellite investment, then heavier, worldwide intergovernmental regulation was needed for international satellite investment.

Thus, the Satellite Act tackled the problem of "too few satellite communications facilities" by establishing Comsat as the U.S. participant in an international satellite venture known as Intelsat.

Intelsat, in turn, is owned mostly by government-owned or protected telephone monopolies. In essence, Intelsat controls satellite facilities that possess dominant positions over much of the world to which Comsat has exclusive—which is to say, monopoly—access in the United States.

Comsat and Intelsat, in fact, are among the last vestiges of exclusive governmental monopolies, at least in the United States. They have retained their near-monopoly position despite the general deregulation of industry that began in the late 1970s and 1980s in the United States, not to mention the vast privatization of government enterprise proceeding worldwide.

Intelsat operates the world's largest satellite fleet, comprising 24 satellites in prime geostationary orbital locations. Moreover, Intelsat and Comsat enjoy a host of competitive advantages because of their intergovernmental or quasi-governmental status.

Intelsat is completely immune from U.S. antitrust laws. It has preferential access to new orbital locations, and is exempt from myriad U.S. Federal Communications Commission regulatory requirements that apply to private satellite competitors.

In addition, Intelsat and Comsat have competitive advantages by virtue of Intelsat's ownership structure. Intelsat's owners have a financial stake in denying overseas access to competitors. Each use of a private, international satellite to access a foreign country reduces the financial dividend from satellite services that would otherwise flow to that country's Intelsat signatory. Private U.S. satellite companies, as a consequence, continue to be shut out of many foreign markets.

Within the last decade and a half, most American consumers has received direct and

dramatic benefits from the breakup of the AT&T monopoly, a breakup which gave rise to an extraordinary flowering of new telecommunications services. Unleashing competition in the international telecommunications satellite industry holds similar promise.

The neglect of satellite competition, however, appears to have ended. The U.S. House of Representatives May 6 passed legislation sponsored by Rep. THOMAS J. BLILEY (R-Va), chairman of the House Commerce Committee and Rep. EDWARD J. MARKEY (D-Mass.), ranking minority member of the committee, that would require Comsat to compete in the satellite market stripped of its government-conferred privileges and immunities.

Comsat has battled these efforts, claiming that the legislation constitutes a breach of the 1962 Satellite Act contract, an unfair disappointment of reasonable investor expectations and, most dramatically, a compensable taking under the 5th Amendment. In rhetoric, these appear to be good conservative positions: All conservatives believe in protecting investor expectations and compensating victims of breach of contract or of governmental takings. These principles, however, are horribly misapplied with respect to Comsat and Intelsat.

Every monopoly in history has complained about damage from competition.

Indeed, Comsat's complaints could be taken verbatim from the 1602 Case of Monopolies in which the person to whom Queen Elizabeth had granted a monopoly over the sale of playing cards protested when the English Parliament introduced competition.

Standard Oil back in 1911 complained about impairment of contracts and disappointment of expectations when the Justice Department sought to break it up. The courts in 1602 and in 1911 rejected those arguments, establishing and encouraging the competitive economy we enjoy today.

It is not conservative policy to protect the property rights of a monopolist. From Adam Smith to the Chicago School more recently, true conservatives know the benefits of the maximum competitive order, compelling the break-up of monopolies or cartels to engender the most vigorous competition possible.

The Bliley-Markey legislation may not go far enough in this regard.

Although the legislation appropriately encourages the break-up of Intelsat, it does not specify the number of competing entities to result (three or four are a minimum to establish long-term competition), and the deadline it sets for the break-up—January 2002—is unnecessarily protracted.

Once agreement is reached, Intelsat could be broken up within short months, unleashing competitive energies immediately. Nevertheless, the bill's reduction of Comsat's governmental privileges and the opening-up of potential entry are surely important first steps.

The notion that this legislation violates the 5th Amendment will not hold legal water. The 1962 Satellite Act contains a provision that reserves the right of Congress to repeal, alter or amend the act. Even without this provision, this case is far different from the recent decision—loudly invoked by Comsat—in which the Supreme Court held that various savings and loan associations could sue the government for breach of contract when Congress enacted the Federal Institutions Reform, Recovery, Enforcement Act of 1989.

In the savings and loan cases, in order to induce a solvent savings and loan to take over one that had failed, the Federal Home Loan Bank Board promised a favorable accounting treatment that made the acquisition profitable. Congress later renounced the accounting treatment. The Supreme Court