

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1999

INHOFE AMENDMENT NO. 2445

(Ordered to lie on the table.)

Mr. INHOFE submitted an amendment intended to be proposed by him to the bill (S. 2057) to authorize appropriations for the fiscal year 1999 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 347, below line 23, add the following:

SEC. 2833. ELIMINATION OF WAIVER AUTHORITY REGARDING PROHIBITION AGAINST CERTAIN CONVEYANCES OF PROPERTY AT NAVAL STATION, LONG BEACH, CALIFORNIA.

Section 2826 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105-85; 111 Stat. 2001) is amended by striking out subsection (e).

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing previously announced for June 11, 1998, has been rescheduled before the Subcommittee on Forests and Public Land Management of the Senate Committee on Energy and Natural Resources.

The hearing will take place Wednesday, June 17, 1998, at 2:00 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on S. 1253, the Public Land Management Improvement Act of 1997.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Amie Brown or Mark Rey at (202) 224-6170.

AUTHORITY FOR COMMITTEE TO MEET

SELECT COMMITTEE ON INTELLIGENCE

Mr. KYL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Friday, May 22, 1998, to hold a business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

SPECIAL NEEDS CHILDREN

• Mr. GRASSLEY. Mr. President, on Saturday, April 18, 1998, an article ran

in the Rochester Post Bulletin in Rochester, MN that illustrates very well the tremendous child care challenges facing families. This is a story about a child with disabilities and her parents who are having increasing problems finding quality child care. Mr. President, I will ask that this article be printed in the RECORD at the conclusion of my remarks.

Mr. President, at the age of six months, this young child—Christina Barth—developed infantile spasms or epilepsy. Christina is not alone. More than two million Americans have some form of epilepsy. More than one fourth of them are children under the age of 18.

Upon her diagnosis, Christina was treated with many different types of medication. Unfortunately, none of the treatments worked successfully. Then, at the age of three, Christina underwent a partial lobotomy on the right side of her brain. The surgery successfully treated her disease for almost two years. But then, the symptoms developed on the left side of her brain. Since that time, Christina has lived with epilepsy.

Now Christina is 11 years old. She attends a special education class at Gage Elementary School. She functions on the cognitive level of an 18-month-old child. Her family hopes and prays that a cure for epilepsy will be found someday.

Like most other families with special needs children, Christina's parents face daily challenges in caring for their child. Identifying high quality child care is among the most difficult challenges her parents face.

Finding a child care provider—whether it be a commercial day care center or an in-home care giver—is becoming more and more difficult. This point was made by a witness who recently testified before the Finance Committee about the challenges of finding child care for a child with disabilities.

Most child care providers tend not to enroll special needs children because often the child needs one-on-one care. And, the fear of the unknown presents an added risk to an already demanding job.

In Christina's case, a state funded agency has helped her family locate an in-home care giver that cares for Christina while her parents are at work.

But, Mr. President, access is only the first hurdle in finding child care. Quality is equally important. Unfortunately, in Christina's case, her child care providers have not been adequately trained to handle or even recognize when Christina has an epileptic attack.

At one time, Mr. President, the agency that placed the providers with Christina called her parent's to warn them of an employee and told them to call the police if she came to their home.

This raises a question Mr. President. Who is watching the watchers?

Mr. President, in the national debate about child care it seems to me that

not enough is being said about the challenges facing families with children who have disabilities.

Child care policies must address issues of access and quality as it relates to special needs children. Many of the bills introduced this year do not address special needs issues. In fact, Senate bill 1610 asks for more than 20 billion dollars through fiscal year 2003 to improve the affordability of child care and an additional three billion dollars through fiscal year 2003 for enhancing the quality of child care and early childhood development. However, there are no provisions regarding an increase of availability, affordability, and quality of child care for children with special needs.

It is our duty, Mr. President, to make sure that these special needs children and their parents have the same opportunities as other children and families. Today I urge my colleagues on both sides of the aisle to make sure that children with special needs are not left out or forgotten in any legislation regarding child care that comes before this Congress.

Mr. President, I ask that the article from the Rochester Post Bulletin be printed in the RECORD.

The article follows.

SPECIAL NEEDS CHILD CARE IS "ACCIDENT WAITING TO HAPPEN"

(By Mary Divine)

Julie Sauer's daughter was only 6 months old when she began shaking and quivering uncontrollably. No reason, no explanation.

For the next two years of her life, little Christina Barth experienced almost constant seizures, said Sauer, a lab technician at Mayo Clinic. Finally, when she was 2½, Christina underwent a partial lobotomy at UCLA's Medical Center.

Christina, now 11 and a student at Gage Elementary School, is mentally disabled and has an intractable seizure disorder. She functions at the level of an 18-month old child, Sauer said.

Because of her special needs Christina needs specialized child care, child care that Julie Sauer said isn't available in Rochester.

"Our dilemma is finding child care for her before school, for non-school days and for the upcoming summer vacation," Julie Sauer said.

Sauer and her husband, Bob Sauer, the owner of Rochester Drain-Rite, have been in touch with the School-Age Child Care program. Child Care Resource and Referral, Arc Olmsted County, Hiawatha Homes and a home day care provider. Child Care Resource and Referral found that area day care centers and School-Age Child Care did not have enough staff to provide the one-to-one care Christina requires, Julie Sauer said.

"If only there were a place that was capable of taking care of her, like a day care center," Julie Sauer muses as she strokes her daughter's hair.

UNSATISFACTORY CARE

Since the beginning of the school year, the Sauers have relied on before and after school care provided by a personal care attendant. But the Sauers say the care isn't satisfactory.

"We had five new people in one week," Bob Sauer said "We have people who never even showed up."

The turnover in staff is confusing to Christina, Julie Sauer said. "She doesn't want to

get off the bus because she doesn't know them."

If a snow day is called, the Sauers panic.

But they panic on other days as well. Once, they came home to find blood on the carpet and a shower rod in the upstairs bathroom ripped from the wall. Christina was fine, but the personal care attendant on duty that day was never allowed back into their home.

Often, they have Bob Sauer's daughter from a previous marriage watch the personal care attendant who is supposed to be caring for Christina.

"Sometimes I think that it's Christina who should be watching them," he said.

One attendant didn't realize Christina was having a seizure until Sauer's son told her, Sauer said.

"We have strangers coming into the house who just don't have a clue," he said. "There have been people in this house that we have never met. Once, they called and warned us about one of the PCAs. They said, 'If she comes to the door, don't let her in. And if she will not leave, call 911.' It's an accident waiting to happen."

Julie Sauer has written area legislators about the lack of child care for special needs children.

Hiawatha Homes provides respite care, but the children must stay overnight to be reimbursed by the state, she said.

"I want to take care of my daughter for as long as I can," Julie Sauer said. "I am not looking for money to pay for someone to take care of my daughter, only help in finding a place that will be equipped for special needs children in our community."

SHORTAGE OF EMPLOYEES

Tom Davie, director of Community Education, oversees the School-Age Child Care program, which serve some special-needs children.

"Our challenge becomes one of having adequate staffing" he said. "We have taken children who have not required one-to-one care. Many times, because of our numbers, School-Age Child Care is not the best choice for a child with special needs."

Arc Olmsted County used to provide a day care program for children with special needs, but the organization discontinued it, said Buff Hennessey, Arc's executive director.

About 3 percent of the population is identified as having a developmental disability, she said.

"There are home health care agencies that provide PCA services, although a couple are no longer providing services to families with young people," she said. "There are reimbursement problems and then with the way the labor market is. Our industry as a whole has a crisis shortage of employees. There have been efforts to train additional providers, but the numbers have been pretty limited."

Hennessey said some families have given up employment opportunities to have one parent stay home with the special-needs child.

That's not an option for the Sauers, both of whom work full-time, they say.

"We want to raise her as much as we can," Bob Sauer said, "but our options are to put up with this or give her up completely."•

TRIBUTE TO RICHARD C. MARBES

• Mr. KOHL. Mr. President, I rise today to recognize Richard (Dick) Marbes, who is retiring from the full time position of Wisconsin State Adjutant of the Disabled American Veterans (DAV). As Mr. Marbes retires, it seems an appropriate time to acknowledge his distinguished career and ex-

traordinary contributions and service to veterans and the DAV.

During the 1950's, Dick served his country proudly in the Air Force. He is a long time active member of DAV chapter 3 in Green Bay and he has served as Wisconsin State Adjutant for over ten years. In 1993-1994, Dick was elected and served as the National Commander of the DAV where he spearheaded an effort to change some pre-existing policies, helping to reestablish the DAV as one on the strongest and most influential Veterans groups. Dick was recognized as the DAV's National Amputee of the year, and is also a member of the Wisconsin Board of Veterans affairs.

Mr. President, I hope all of my colleagues will join me in offering our congratulations to Dick Marbes and his wife Mary Jane and four children, Pam, Susan, Amy, and Tim. Dick has dedicated his time, talents and energy to serving Veterans and we are indeed indebted to him for his efforts. I am proud to salute Dick for a job well done, and I send him my best wishes for the future. •

FIGHTING BACK AGAINST THE PAPARAZZI

• Mr. HATCH. Mr. President, I am pleased to join with my distinguished colleague, Senator FEINSTEIN, in introducing this legislation to combat the efforts of a few overzealous individuals to improperly intrude upon other's privacy rights. I am cosponsoring this legislation, in large measure, as a tribute to the efforts of Congressman Sonny Bono, who brought this issue to the fore. As we all know, long before he was elected to Congress, Representative Bono achieved celebrity status in the music business and on television. He was thus acutely aware, from an early age, of the costs of fame. A cost that some, such as rising television star Rebecca Schaeffer, had to pay in blood, and others, such as Arnold Schwarzenegger, Steven Spielberg, Jodie Foster, David Letterman, and Elizabeth Taylor, to name but a few, have had to pay with a loss of privacy and an inability to freely mingle in public.

Unfortunately, certain individuals within the generally responsible media corps have forced many of these well-known figures to hide behind a veil of high-priced security systems and bodyguards. I know that some so-called celebrities have openly questioned whether their fame is worth the price of sacrificing their privacy and their ability to live normal lives.

I know, too, that my colleague, Senator FEINSTEIN, was herself once the target of a stalker. So I know that this legislation means a great deal to her on a personal level. As public figures, whether as actors or musicians or yes, even Senators, we must expect a certain amount of media attention. Indeed, most of my colleagues on the Hill relish such attention—particularly in

election years! Press coverage—some of it favorable, some of it not so favorable—is all a part of the system. Indeed, it is an important part of our democratic system. So important that the Constitution's framers bestowed upon us the First Amendment protections of free speech and press. And lest we condemn those who have followed recent infamous criminal trials too closely, I would note that the Sixth Amendment guarantees the right to a public trial. The glare of the spotlight is an unavoidable, and in most cases, laudable, feature of a free democratic-republic.

Unfortunately, just as the right to swing one's fist may end at another man's nose, the right to aim one's camera at another person's face may end where that person has a reasonable expectation of privacy. Undoubtedly, the privacy expectations of public figures are considerably different from that of private individuals. That is a reality that all who walk in the glare of the camera come to expect and learn, for the most part, to deal with. But when the media become too intrusive, or cross lines of general decency or responsibility, something must be done.

It is one thing for the media to attend a press conference where I introduce this legislation—it is quite another thing, however, for the media to follow me home and train their cameras on my windows. I know, for example, that Arnold Schwarzenegger and Maria Shriver did not appreciate the attempts of some in the media, shortly after Mr. Schwarzenegger had been released from the hospital after undergoing open heart surgery, to stop their van on the street as they were taking their children to school, in an attempt to get photographs. I don't think any of us here would appreciate it if someone tried to harass our spouses or fathers or mothers as they left the hospital after having had major surgery. Public figure or not, some things simply cross the bounds of responsible journalism or media coverage.

I think the recent death of Princess Diana focused efforts to deal with an overly intrusive media—even if it is unclear whether the media had anything to do with that tragedy. In fact, some people overreacted to that horrible event, pointing fingers at the press before the facts were established. Regardless of the media's role in that accident, the mere fact that people recognized that she had long been harassed by an overly aggressive media, and that it was not such a stretch to believe that the paparazzi could have played a role in her tragic death, demonstrates the seriousness of this problem.

In the wake of Princess Diana's death, Representative Bono and Senator FEINSTEIN began a tireless crusade to see Federal legislation enacted to protect people from the so-called stalkarazzi. We are now witnessing the fruits of their efforts—I only wish that Representative Bono had been here to see this legislation introduced.