

EXTENSIONS OF REMARKS

YEAR 2000 ACT

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. BARCIA. Mr. Speaker, I rise today to introduce the Year 2000 Act. Everyone in this House is aware of the Year 2000 computer problem and the federal government's effort to fix its computer systems. The Subcommittee on Technology, of which I am the Ranking Member, has taken the lead in holding hearings on the Y2K issue. We have spent a lot of time reviewing Federal efforts and promoting companies sharing information on the Y2K problem. However, there are several gaps in our Y2K efforts, the intent of this legislation is to fill in these gaps. This bill has six very specific goals: (1) to raise consumer awareness and to create a consumer Y2K checklist; (2) to raise small and medium-sized businesses Y2K awareness and create a Y2K self-assessment checklist for the Nation's small and medium-sized companies; (3) to ensure that Federal agencies have worked with outside entities to ensure that all date sensitive data exchanges are Year 2000 compliant; (4) require a report to Congress on the economic implications to the United States of the global Y2K problem; (5) raise Y2K awareness in the health care sector and disseminate a list of Y2K compliant biomedical devices and other health care equipment that could lead to life threatening situations due to a Y2K related failure; and (6) raise Y2K awareness in the water utility sector and disseminate a list of Y2K compliant products and equipment used in key elements of the water utility sector.

With this information in hand, I believe that the public and Congress will be able to make the right decisions and avoid the panic which is so often predicted in articles about the Y2K computer crisis.

During the Subcommittee on Technology's hearing on the Y2K issue, I have constantly been struck by the lack of specific information on the exact nature and magnitude of the problem. Other than federal agencies, witnesses have been able to provide little more than anecdotal evidence and generalities. However, there is agreement that computer hardware and software, as well as embedded microchips found in many consumer products could possibly fail as a result of the Year 2000 computer problem. In talking with my constituents, I find that they are generally aware of the problem, but do not know how it impacts them nor do they know what specific actions they can take to minimize the impact of the Y2K problem in their lives. This bill requires the Undersecretary for Technology at the Department of Commerce to develop a Year 2000 self-assessment checklist for consumers; provide a resource center for consumers of all federal government Year 2000 computer problem resources; a listing of all GSA approved Year 2000 compliant products; and conduct a series of public awareness announcements

and seminars on the impact of the Y2K problem on consumer products and services. These goals are consistent with the recommendations made by witnesses who have appeared before the Subcommittee on Technology.

The situation facing small and medium-sized businesses mirrors that of consumers. The Nation's more than 381,000 small- and medium-sized manufacturers contribute more than half of the country's total value in manufacturing. However, as of 1998, 75 percent of all companies with fewer than 2000 employees had not yet started Year 2000 remediation projects.

Small and medium-sized companies are an integral part of the business supply chain. Increasingly, they rely on computers for their manufacturing operations, for accounting and billing practices, and to meet just-in-time order and delivery concepts. To assist our small- and medium-sized manufacturers meet the Y2K challenge, this bill requires that the National Institute of Standards and Technology and highly successful Manufacturing Extension Partnership program to work with the Small Business Administration to define the Year 2000 problem and develop best practices to attack the problem, develop a Year 2000 self-assessment checklist, and list all federal government Y2K resources including the General Services listing of approved Y2K compliant products.

Federal agencies make thousands of date sensitive data exchanges on a daily basis. These data exchanges include social security information, Medicare, information related to the air traffic control system, financial transactions, and the list goes on and on. Consequently, as federal computer systems are converted to process year 2000 dates, the associated data exchanges must also be made Year 2000 compliant. The testing and implementation of Year 2000 compliant data exchanges must be closely coordinated with exchange partners. Agencies must not only test its own software, but effective testing includes end-to-end testing, and agreed upon date formats with all exchange partners. If these Year 2000 data exchanges do not function properly, data will not be exchanged between systems or invalid data could cause receiving computer systems to malfunction. In other words, regardless of federal efforts to fix its own computer systems, unless their data exchange partners have Y2K compliant systems the computer network as a whole will fail. A recent GAO report "Year 2000 Computing Crisis: Actions Needed on Electronic Data Exchanges" found that federal agencies had made little progress in addressing this data exchange issue. The GAO made specific recommendations for federal government actions. This legislation is based on the GAO's recommendations and would help ensure that federal agencies address the data exchange issue fully. The legislation requires agencies to establish a test schedule with data exchange partners, notify exchange partners of the implications and consequences of non-compliance, de-

velop contingency plans and report to Congress quarterly on their progress.

The bill also requires Secretary of Commerce to report to Congress on the international implications of the Y2K problem and its potential impact on the U.S. economy. Again, we lack specific information on how other countries are addressing the Y2K issue. However, the international implications are profound, disruptions in international financial services, international air travel, international telecommunications, and international commercial transactions to name a few. However, it is nearly impossible to make contingency plans in the face of little and inadequate information. And as I mentioned earlier, it is the lack of information that leads to panic and uncertainty. I believe that such an international assessment could be a guide post for federal and private sector actions.

The Senate Committee on the Year 2000 recently released their report on the extent of the Y2K problem. In that report was a sectoral analysis that specifically recognized the significant potential for Y2K problems within the health care and water utility sectors. In an effort to address these findings, this legislation requires the development of a Y2K self-assessment checklist, an explanation of the problem and identification of best practices for resolution, and a list of Federal Government Y2K computer problem information resources for each sector.

Additionally, this bill requires the Food and Drug Administration, in consultation with the Veterans' Administration, to develop a list of biomedical devices and other products used by health care providers that are both Y2K compliant and or could lead to life-threatening situations due to a Y2K related failure. Also included will be an indication of whether the Year 2000 compliance of such equipment has been independently verified. Similarly, the Environmental Protection Agency is required to list the Y2K compliant products and equipment used in key elements of the water utility sector, including whether the Y2K compliance of these products has been independently verified.

In closing, this legislation is one of many important issues that need to be addressed. Nevertheless, I believe the most important element of any Y2K strategy is informing consumers and medium-sized businesses on how the Year 2000 computer problem could affect them. The public, as well as those sectors particularly sensitive to Y2K problems, need to know what questions to ask and how to determine their Y2K readiness. I am confident this legislation provides the necessary framework to accomplish this and I urge its swift passage.

• 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.

A TRIBUTE TO PARK SLOPE
NEIGHBORHOOD FAMILY CENTER

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. WEINER. Mr. Speaker, I rise today to invite my colleagues to pay tribute to the Park Slope Neighborhood Family Center on the occasion of its Annual Dinner Dance.

This event is not only a festive happening, it is a chance for all of us to celebrate and pay tribute to a group of individuals who embody the spirit of community service. This year's honorees truly represent the best of what our community has to offer.

The Park Slope Neighborhood Family Center (PSNFC) is home to five community organizations serving thousands of south Brooklyn residents. PSNFC was founded in 1983 by a small group of neighborhood residents in response to the need for safe, affordable space shared by local community organizations. By placing a variety of social service programs under one roof, PSNFC encourages the creation of innovative intergovernmental and multicultural programming while answering the interrelated needs of many agency clients.

Martin Gomez serves as the Executive Director of the Brooklyn Public Library, the nation's fifth-largest library system. He is an elected member of the American Library Association Executive Board and a board member of the Metropolitan New York Library Council. He established the Library's first foundation board to raise private funds for library programs and was instrumental in creating an online wide-area network providing free public access to the Internet at Brooklyn's 60 public libraries. With a lifelong commitment to encouraging diversity in libraries, Martin has designed programs for the California Literacy Campaign and its Minority Services Recruitment and Scholarship program.

Tupper Thomas serves as the administrator of Prospect Park where she is responsible for the ongoing operation of the park. In addition to overseeing the ongoing restoration of Prospect Park, Tupper Thomas has been instrumental in increasing the park's usership through special events, public information and outreach programs. Tupper Thomas also serves as the president of the Prospect Park Alliance, an organization dedicated to funding activities and services for park visitors, landscape projects, and selected capital projects.

Judith D. Zuk serves as the president and chief executive officer of the Brooklyn Botanic Garden. An horticulturist with experience as an educator, researcher, and administrator, she heads one of America's preeminent public gardens. With members in every State and 52 foreign countries, the Brooklyn Botanic Garden attracts 800,000 visitors annually. She is active in a number of professional and civic organizations and serves as the chairman of the Cultural Institutions Group. Judith also serves on the boards of the Brooklyn Chamber of Commerce, Chase Manhattan Regional Advisory Board, Greenwood Cemetery, New York City Street Tree Consortium, and the New York City Water Conservation District.

All of today's honorees have long been known as innovators and beacons of good will to all those with whom they come into contact. Through their dedicated efforts, they have

each helped to improve my constituents' quality of life. In recognition of their many accomplishments on behalf of my constituents, I offer my congratulations on their being honored by the Park Slope Neighborhood Family Center.

PARTIAL HOSPITALIZATION SERVICES IN INTEGRITY ACT OF 1999

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. STARK. Mr. Speaker, my colleagues and I are proud to introduce the "Partial Hospitalization Services Integrity Act of 1999" that will enact much-needed reforms to Medicare's partial hospitalization benefit.

Partial hospitalization is an important component of Medicare. In-patient hospitalization for psychiatric treatment is expensive and disruptive to the person's life. Therefore, Congress created partial hospitalization as a cost-effective alternative for treating seniors with acute psychological disorders. The program allows them to live at home and receive intensive treatment.

Unfortunately, many dishonest individuals have abused the partial hospitalization program and defrauded the government of millions of dollars. On October 5, 1998, the Department of Health and Human Services Office of Inspector General issued a report that exposed egregious waste, fraud, and abuse by many partial hospitalization providers. The report quickly gained national attention. Later that evening, NBC News featured the report in their "Fleeing of America" segment.

The results of that audit represent a clear case of greed and fraud committed by dishonest mental health care providers. For example, the total program costs increased by approximately 482 percent between 1993 and 1997, from \$15 to \$349 million per year! More distressing is the fact that much of this was squandered on unreasonable and unnecessary services, given to people who were not eligible, and provided by organization that were not certified to provide the services.

The bill that I am introducing will correct the conditions that lead to the abuse of the program. The Partial Hospitalization Services Integrity Act of 1999 clarifies the current definition of the organizations that can provide partial hospitalization services and includes clear civil monetary penalties for fraudulent claims. The legislation represents a broad consensus of interested parties that include the Administration, representatives of qualified partial hospitalization providers, and patient advocates.

It is time to act quickly and decisively to preserve a valuable service and to stop the waste, fraud, and abuse perpetrated by unscrupulous operators.

HONORING ALL THE PEOPLE WHO OFFERED ASSISTANCE DURING THE AMTRAK TRAIN TRAGEDY IN BOURBONNAIS

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. WELLER. Mr. Speaker, I rise today to honor Kankakee County Sheriff Tim Bukowski;

Bourbonnais Mayor, Grover Brooks; Bourbonnais Police Chief, Joseph Beard, Bourbonnais Fire Chief, Mike Harshbarger; employees of Riverside Medical Center; employees of Provena St. Mary's Hospital; paid and volunteer firefighters and emergency personnel; employees of Birmingham Steel; employees of Farm & Fleet; all policemen and firemen in Kankakee County; as well as all those who reside in the Kankakee River Valley for their acts of heroism during the recent Amtrak train tragedy in Bourbonnais.

The Village of Bourbonnais is known as the "Village of Friendship". The Village as well as the entire Kankakee River Valley has proven worthy of the title. Both local and national news accounts were filled with stories of heroism and acts of kindness. The world was watching and Bourbonnais arose to the occasion. People of all ages rose to the occasion. Half a million pennies collected by Kankakee County school children during the past year even helped save lives. The pennies were recently used to purchase a night vision camera which was used to help see in the night through the fumes and smoke from the wreckage.

I have been told of small acts of kindness throughout the Kankakee River Valley. Anyone who took part in the rescue effort would not be allowed to pay for their own meals in any area restaurant. Food, clothing, and toy donations poured into the local hospitals for over 8 hours. Offers of assistance came from all surrounding communities and counties. Even local teenagers donated blood to the Red Cross.

The Village of Bourbonnais was incorporated in 1875, nearly two centuries after French explorer Cavalier de La Salle established contact with the Potawatomi Indians who lived there. According to Village history, the town takes its name for an early pioneer, Francois Bourbonnais, Sr., a French-Canadian Fur trapper who set up a trading post in 1830. Today, Bourbonnais is a growing community and was named by Reader's Digest as one of the best communities in the United States in which to raise a family.

Mr. Speaker, I urge this body to identify and recognize other towns and villages in their own districts whose actions have so greatly proven to be a community which works together during both good and bad times.

AND THE WINNER IS, ANGELIN BASKARIN

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. LAMPSON. Mr. Speaker, while our nation continues to grieve over the school tragedy in Littleton, Colo., I'd like to turn our attention for a moment to a middle school student from Galveston, Texas, who is already making contributions toward advancing our understanding of the aging process at age 13.

All too often we only hear about the problem children in our society. As a former high school teacher, I know that there are hundreds of kind, intelligent, and productive students, like Angelin Baskarin, who are working hard to become the next generation of scientists, professors, and even Members of Congress.

I'd like to congratulate Angelin, who has won awards at the Galveston County Science and Engineering Fair, the Houston Science and Engineering Fair, the state of Texas Science and Engineering Fair, for her research project, entitled "Math Semantics." She has been selected to present her research findings, which looked at how age, gender, and profession affect math proficiency, at a national science fair here in Washington, D.C., in June.

It is the bright future and promise of students like Angelin, who make teaching worthwhile and rewarding experience. Good luck at the national competition, Angelin!

84TH COMMEMORATION OF
ARMENIAN GENOCIDE

SPEECH OF

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 1999

Mr. HOYER. Mr. Speaker, April 24 marks the commemoration of the massacre of the Armenian people in Turkey during and after the First World War. More than 1.5 million people were expelled from their homes and marched to their deaths in what is recorded as the first of this century's state-ordered genocides against a minority group. Tragically, at the close of the century we again bear witness to the universality of human cruelty and fanaticism as the Kosovar Albanians are ethnically cleansed from their homeland.

We must remember, we must reflect and we must learn. One of the great thinkers and advocates of our time—indeed, the conscience of this century—Elie Wiesel, has said that "indifference makes humans inhuman; indifference is always the friend of the enemy; indifference is not only a sin, it is a punishment." We must not be indifferent, Mr. Speaker, we must also act.

We remember the Armenians and their suffering, the incomprehensible magnitude of their loss. We honor those who perished. Yet, Mr. Speaker, we also remember the survivors and are inspired by their sacrifice, their strength and their creativity in building a future for the Armenian people. Today, independent Armenia guarantees the security and future of the nation and is a beacon of hope to Armenian people everywhere. Its people work tirelessly to strengthen democratic institutions and build a flourishing market economy to ensure peace and prosperity for generations to come. It is my hope, Mr. Speaker, that those to come will not have to sacrifice as their ancestors have. It is also my hope that the parties to the conflict in Nagorno-Karabakh will renew and redouble their efforts to reach a negotiated settlement and to help bring peace and prosperity to the entire region.

Mr. Speaker, the Armenian people did not "disappear," as their persecutors intended. They survived and they flourished. Their strength of spirit, endurance and prosperity of the Armenian people give hope for the future to all of us—especially those who suffer now.

CHILD ABUSE PREVENTION MONTH

HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. KUYKENDALL. Mr. Speaker, I rise today to speak in support of Child Abuse Prevention Month. There is nothing more important than the safety and protection of our children. To highlight the seriousness of this issue, the month of April was declared Child Abuse Prevention Month by President Reagan in 1982.

In 1997, nearly one million children were victims of either neglect, physical, emotional or sexual abuse. In many cases, the children experienced all of these abuses. What is even more shocking is that in 1996, a little more than three children died each day as a result of child abuse or neglect. These numbers are startling and in my opinion are unacceptable. Our children deserve to grow up in an atmosphere that is not filled with fear and violence.

The good news is that child abuse is preventable. Through the proper assistance we can put an end to this monstrous action. Children represent the most vulnerable and precious part of our society and we must do what we can to protect them.

I urge all of my colleagues to join me in acknowledging the seriousness of this issue and supporting actions to prevent this problem from getting bigger.

IN HONOR OF THE SHERWIN-
WILLIAMS CO.

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to recognize the Sherwin-Williams Co., and its charitable arm, the Sherwin-Williams foundation, as one of Cleveland's most charitable corporate partners.

The company not only employs thousands of people in the greater Cleveland area, but also contributes significant funds and strong support for some of the region's most deserving organizations. The CEO of Sherwin-Williams, Jack Breen, has just completed his twentieth year with the company. Mr. Breen has been the recipient of a number of awards, including top honors from the Wall Street Transcript in the Building Materials Industry. In 1996, he was inducted into the Business Hall of Fame sponsored by Cleveland Magazine's Inside Business. This award is presented to individuals who not only have achieved business success, but who generously shared that success with the community. Mr. Breen is a native Clevelander, and during his time with the Sherwin-Williams Co., the stock price has increased about 50 times and earnings per share have increased dramatically.

Beginning on April 26, 1999, Sherwin-Williams will again demonstrate its commitment to the Northeast Ohio community through a week-long "Spruce Up Our Parks" program which will benefit Cleveland's Lakeshore State Park. Working in conjunction with Keep America Beautiful, Inc., Sherwin-Williams will underwrite the cost of paints and supplies that will

be used to beautify various structures throughout Edgewater, Gordon, Euclid Beach, Villa Angela, Wildwood, and Mentor Headlands parks.

Sherwin-Williams will also coordinate with Keep America Beautiful to oversee the work of more than 500 students from area high schools who are serving as volunteer painters for the event. The participating high schools include: Lakewood, St. Edward, St. Ignatius, Glenville, John Hay, Collinwood, Benedictine, Villa Angela-St. Joseph, Harvey, Riverside, Kirkland, and Mentor High Schools.

My fellow colleagues, please join me in honoring the good work the Sherwin-Williams Company is doing to help beautify the Cleveland area and parks across the country.

ROUND TOP, TX, DEDICATES A
NEW POST OFFICE

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. PAUL. Mr. Speaker, dedication ceremonies will soon be held in Texas to mark the completion of a new postal facility in Round Top, TX. This is the first new post office in this city since the 1968 dedication of the old one.

The route this new post office took from blue print to completion expresses the basis of being a Texan and an American. The U.S. Postal Service approached Round Top with a pre-designed post office building that had apparently been designed in Washington without the input of the people of Round Top. In true Texas fashion the people of this city stood up to say this new building would be in their town for their use and therefore insisted that it reflect the city in which it would be built. As a result, they now have a beautiful new building that reflects their history as a community and as Texans. Since Round Top has had a post office since the days of the Republic of Texas, it is only fitting that this new building points to the proud heritage of our great state.

Our Founding Fathers intended for decisions to be made as close to the people as possible. By rejecting plans that had no connection to their city, the people of Round Top continue to live up to this great tradition.

Mr. Speaker, Postmaster Carol Oritz and her community are deservedly proud of their new post office and the history behind it. As our great state continues to grow and our major cities get even larger, we would be wise to remember the people of Round Top and other such communities.

It is fitting that the new post office in the Texas town of Round Top today flies an American flag that very recently flew over our nation's capitol building.

TRIBUTE TO THE ANCIENT ORDER
OF HIBERNIANS DIVISION 21 AND
LADIES ANCIENT ORDER OF HI-
BERNIANS DIVISION 22

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. WEINER. Mr. Speaker, I rise today to invite my colleagues to pay tribute to the Ancient Order of Hibernians Division 21 and Ladies Ancient Order of Hibernians Division 22 on the occasion of its Annual Hibernian Dance.

This event is not only a festive happening, it is a chance for all of us to celebrate and pay tribute to Mary Anne Kirby and Patrick (Pat) M. Moynihan who have been named as "Hibernians of the Year" by the Ancient Order of Hibernians Division 21 and Ladies Ancient Order of Hibernians Division 22. This year's honorees truly represent the best of what our community has to offer.

Mary Anne Kirby, an active member of the Ladies Ancient Order of the Hibernians Division since 1980, was born in Lyrecompane, County Kerry, Ireland. After attending Renagown National School in County Kerry, Mary Anne immigrated to the Middle Village section of Queens and relocated to Rckaway Beach in 1962. Mary Anne was married on June 28, 1958 at the Resurrection Ascension Church in Rego Park to her late husband, Timothy Kirby, who was a member of the men's Ancient Order of Hibernians Division 21. With her loving husband, Mary Anne raised four wonderful children and currently takes great joy in the accomplishments of her four grandchildren.

Patrick (Pat) M. Moynihan was born in Dublin, Ireland in 1937 and is the second eldest of a family of nine. After immigrating to New York in 1957, Pat was inducted into the Army where he served with honor and distinction in the Armed Forces Medical Corps until his discharge in 1963.

Since his arrival in New York, Pat has been active in the Irish-American community. He is a member of the Ancient Order of Hibernians Division 21 and has served as the group's financial secretary, treasurer, historian and president. Pat has also served the Queens County Board of Hibernians as their organizer, historian, chairman of the grievance committee, chairman of the publicity committee, recording secretary, and vice president. He has also served as the chairman of by-laws and resolution committees at several biennial convention of the Queens County Board and has been a delegate to numerous state and national Hibernian conventions.

Both of today's honorees have long been known as innovators and beacons of good will to all those with whom they come into contact. Through their dedicated efforts, they have each helped to improve my constituents' quality of life. In recognition of their many accomplishments on behalf of my constituents, I offer my congratulations on their being honored by the Ancient Order of Hibernians Division 21 and Ladies Ancient Order of Hibernians Division 22.

A TRIBUTE TO RON WOHLWEND
UPON HIS RETIREMENT

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. WELLER. Mr. Speaker, I rise today to honor Mr. Ron Wohlwend of Morris, Illinois, as he retires from his duties as President of the Grundy County National Bank.

In 1981, Mr. Wohlwend was elected as President of the Grundy County National Bank and has maintained that position for 18 years. Mr. Wohlwend joined the Bank in 1966 where he began his career. His integral role in the Bank's activity has contributed to its reputation in the community.

Mr. Wohlwend has served the banking industry well. He has been a member of the American Bankers Association's Community Banker's Council, the Illinois Bankers Association's Board of Directors and Executive Committee. Mr. Wohlwend also was the Chairman of the Association's Federal Legislative Committee and chaired the Banker's Advisory Committee at the Graduate School of Banking at the University of Wisconsin.

Outside of the banking industry, Mr. Wohlwend has been a pillar of the city of Morris and Grundy County communities. Among the organizations Mr. Wohlwend has served are the Grundy County United Fund and the Morris Cemetery Association. He was President of the Grundy County Chamber of Commerce and served as Treasurer of Morris Community High School District #101, Saratoga Grade School District #60C, the Grundy Area Vocational Center, the Morris Cemetery Association, and the Grundy Economic Development Council. He is currently a member of the Grundy County Farm Bureau and serves on the Board of Directors of Illinois Valley Industries, the Morris Hospital Foundation, the Morris Downtown Development Partnership, Breaking Away, and the Joliet Junior College Foundation.

Mr. Speaker, I believe it is fitting and appropriate to honor the achievements and years of service of Mr. Wohlwend. I wish Mr. Wohlwend's wife Jackie; his children Mary, Laura, and David; and his grandchildren Reilly and Taylor good will in the future. Also, I wish Mr. Wohlwend continued success with any future endeavors and hope he continues his leadership roles in the Morris and Grundy County communities.

IN CELEBRATION OF EARTH DAY
1999

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. STARK. Mr. Speaker, I rise today and ask my colleagues to join me in a commitment to the preservation of our environment as we celebrate Earth Day 1999.

We have made great strides in the conservation of our dwindling wilderness resources. I would like to thank Forest Service Chief Michael Dombek for his decision to halt new road construction in roadless forest areas across the United States, and for his contin-

ued leadership in the preservation of these irreplaceable resources.

As someone who cares about protecting our environment, it has been frustrating to watch my colleagues in the majority pepper appropriations bills with language which would never pass Congress on its own merits. These special interest riders historically benefit only a few wealthy landowners and private interests; they do nothing for the good of our environment.

I ask my colleagues to join me and vote against any bill that will do damage to our environment. Our policies should help us to leave a legacy of clean air and water to our children and teach them the value of leaving that legacy to their children. I would sincerely hope that my colleagues share in my concern. Otherwise, they will take their place in history as the party that allowed the destruction of our nation's greatest resources.

Let's work together to ensure an environment in which our children can thrive.

IF IT WORKS, DON'T BREAK IT

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. SCHAFFER. Mr. Speaker, if it isn't broken, don't fix it. If it works, don't break it.

I'm speaking in reference to the Social Security debate. Currently, some in Congress are looking at proposals to prevent the program's anticipated bankruptcy 32 years from now. In order to buy the system a couple more years of financial solvency, some of our colleagues are considering levying a new tax on state and local government employees who are currently covered by their own pension plans. They want to force newly-hired state and local government employees who would otherwise enjoy independent pension and disability programs with good returns to participate in Social Security which offers neither security nor a good investment opportunity.

If that isn't bad enough, by mandating new state and local employees into Social Security, they will short-circuit state and local programs by shutting down the capital stream necessary to maintain current benefit levels. Mandating Social Security will, in essence, break what isn't broken while failing to fix what is.

Mr. Speaker, five million state and local employees and two million retirees are covered by alternative plans. In Ohio, Colorado, California, Massachusetts, Nevada, Maine, Alaska, and Louisiana, over half of all state employees are covered by their own plans. In Texas and Illinois over one million employees are covered under state and local plans. Every state is impacted because about 75 percent of all public safety employees are not covered under Social Security. In Colorado there are more than 200,000 state, education, and local government employees who are outside of the federal retirement system.

These state and local disability and pension systems were developed because the original Social Security Act of 1937 excluded state and local governments from Social Security coverage. This was to avoid raising a possible Constitutional question of whether the federal government could tax state and local governments. Congress later amended the law to

make state and local government employee participation in Social Security voluntary in 1950. In 1983, those already participating in Social Security were required to remain in the federal system.

In the absence of Social Security, Colorado state and local employees developed public retirement plans which have been able to provide solid, secure benefits at a reasonable cost. The plans earn better investment returns, through private sector investments, than are available through the current pay-as-you-go Social Security system. With a diversified investment fund, the state's largest public plan has earned an average annual investment return of over 11 percent during the last 25 years.

Furthermore, the plans are designed to meet the specific needs of public employees. Fire fighter pension plans, for example, are designed to take into account early retirement ages, high rates of disability and the need for extensive health care characteristic of this profession.

The one-size-fits-all approach of universal Social Security coverage would provide inadequate flexibility for safety workers' needs. Mandatory coverage will have additional consequences. Even on a new-hire basis, mandatory coverage will reduce the capital stream necessary for investment. In many plans around the country this will cause benefit cut-backs including reduced credit for future service, cuts in retiree health care coverage and cost of living adjustments.

Further, mandatory coverage represents a new tax and an unfunded federal mandate on states which would require state and local tax increases or a reduction in services for taxpayers. Health benefits for retirees would also be affected in many states.

Private sector workers would also be affected. Most states do not receive any income tax revenue from Social Security payments and the lost state revenue resulting from mandatory coverage would likely be made up from increased state taxes or budget cuts.

In Colorado, the public pension systems will be seriously compromised because most of the funding of benefit comes from investment income which would be severely cut by the transfer of significant contributions to Social Security. State retirement funds support Colorado's economy and the nation unlike Social Security funds which simply support other government programs. Reduced state pension investment means reduced Colorado capital investment. A decline in contributions translates into less investment in Colorado-based companies and real estate. Furthermore, when Colorado retirees receive fewer benefits they will pay fewer state income taxes.

The potential loss of revenue to the state is significant, but the loss of retirement contributions and security for Colorado state and local workers is even more troubling. Our state's Public Employees' Retirement Association (PERA) anticipates an end to plan improvements for current participants and retirees. New hires would receive a combined Social Security and PERA benefit that would be slightly less than three-fourths of the current PERA benefit.

To put it plainly, under mandatory Social Security state and local workers will lose out. New hires will lose the opportunity to participate in financially strong, high-earning retirement plans and they will be forced to partake

in an inefficient system and receive far less or possibly nothing at all. Those already participating in state and local government retirement plans will experience a reduction in benefits when new hire funds are redirected to Social Security. In order to make contributions to both pension and Social Security plans, state and local governments will have to raise taxes or reduce services, in which case everyone loses.

The only advantage Congress would realize in this scheme would be to buy two extra years for Social Security.

Over the past year, I led our delegation to protect state and local government pension and disability plans. Letters I wrote expressing our united opposition to mandatory Social Security have reached your desk. Do not disregard them or underestimate our resolve.

Congress must preserve the freedom of states, school districts, and local governments to maintain plans which best meet their needs, independent of Social Security. Social Security can and must be fixed without destroying plans upon which our constituents depend for their retirement.

Mr. Speaker, if it works, don't break it.

THE MORTGAGE INTEREST DEDUCTION: A POWERFUL TOOL OF UPWARD MOBILITY

HON. KEN LUCAS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. LUCAS of Kentucky. Mr. Speaker, to so many Americans, owning a home means living the American dream. And the mortgage interest deduction has allowed so many Americans to fulfill this dream. The mortgage interest deduction and the property tax deduction have been a part of the Internal Revenue Code since its inception in 1913. It is a broad-based deduction, widely available to all taxpayers.

In 1995, of the 28 million taxpayers who used the mortgage interest deduction, 71 percent had incomes below \$75,000 and 42 percent had income below \$50,000. Sixty-seven percent of American households own their own home. Most of this growth is among minorities and first-time homebuyers. We must ensure that we protect and preserve the mortgage interest deduction, a powerful tool of upward mobility.

PERSONAL EXPLANATION

HON. JIM NUSSLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. NUSSLE. Mr. Speaker, on Tuesday, Wednesday, and Thursday (April 20–22), I missed a series of roll call votes (Roll Call Votes No. 92–96). I had been granted a leave of absence by the House of Representatives to travel to and from, and to attend, the funeral of my grandmother. Had I been present during those votes, I would have cast my vote in the following manner:

Rollcall vote No. 92 (To suspend the rules and pass H.R. 573) 'aye' yea;

Rollcall vote No. 93 (To suspend the rules and pass H. Res. 128) 'aye' yea;

Rollcall vote No. 94 (To agree to the Conference Report to H.R. 800) 'aye' yea;

Rollcall vote No. 95 (On passage of H.R. 1184) 'aye' yea; and

Rollcall vote No. 96 (On motion to instruct conferees on H.R. 1141) 'aye' yea.

WOMEN OF THE YEAR

HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. KUYKENDALL. Mr. Speaker, I rise today to pay tribute to some outstanding women from my congressional district being honored tomorrow as the South Bay Women of the Year. The honorees are Ms. Patricia Harik, Mrs. Sandra Jacobs, Ms. Carole Keen, Mrs. Fran Limbird, Mrs. Inez Van Lingen, Mrs. Aruna Roy, Dr. Patricia Sacks, and Dr. Janet Switzer. A special recognition award, called the Switzer Star, is being bestowed upon Mrs. Angie Papadakis.

This honor is given to outstanding women each year by the Switzer Center School and Clinical Services located in the city of Torrance, which serves children with learning, emotional, or social challenges. The theme of the 1999 award is Women Who Make a Difference: those who impact the lives of others, or better their communities, their businesses or simply fulfill a need. This type of philanthropic duty is truly outstanding and I am glad the Center takes time to honor these truly extraordinary individuals within our community.

This year, the Switzer Star Recipient is award-winning humorist, lecturer, and author, Mrs. Angie Papadakis. Mrs. Papadakis is a pillar in the South Bay. Currently, she is the Commissioner of the Little Hoover Commission, Commissioner of the California Nevada Super Speed Train Commission, Founder and Director of Gang Alternative Program, on the Executive Board of the Los Angeles Area Council Boy Scouts of America, Member of the Los Angeles Area Chamber of Commerce, and Director of the Rancho Los Alamitos Foundation Board. Mrs. Papadakis has received numerous awards from a variety of organizations like the Lions Club, the Salvation Army, the United Way, and the Y.M.C.A. Despite her many career accomplishments, Mrs. Papadakis is most proud of herself as a mother of three children and a grandmother to 10 grandchildren.

For her lengthy service to the South Bay, the Switzer Center has chosen to honor this outstanding individual and I am honored to add my own congratulations. I would also like to commend the other outstanding women being recognized by the Switzer Center.

ALDERMAN JOHN J. BUCHANAN'S ACTIONS HAVE BENEFITED WARD 10 IN THE CITY OF CHICAGO

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. WELLER. Mr. Speaker, I rise today to honor the work and dedication of Alderman

John J. Buchanan who is retiring after serving as Alderman for the 10th Ward in the City of Chicago for over 20 years.

Alderman Buchanan is a life-long resident and public servant of the 10th Ward. Alderman Buchanan attended St. Patrick's Grammar School and St. Francis de Sales High School, where he graduated as class Valedictorian. The only time Alderman Buchanan left the community was during his service in the U.S. Navy. After his service to our country, Alderman Buchanan returned to the 10th Ward and married his high school sweetheart, Lorraine Halbe. Alderman Buchanan and his wife have two children and five grandchildren.

Alderman Buchanan's knowledge of business and industry comes from his richly diverse work background. At the age of 13, he was already working after school at Gassman's, a well-known men's store on Commerical Avenue. His work experiences include positions at the Aluminum Company of America, the U.S. Post Office and the Chicago Board of Education. Alderman Buchanan is also a licensed Stationary Engineer and has both a real estate broker's license and an insurance broker's license. It is probably Alderman Buchanan's experience as an insurance salesman that opened doors to his deeper understanding of the needs of the community. This path eventually led the Alderman to a life in the public arena.

Alderman Buchanan was first elected to office in 1963 and served the community until 1971. From 1972 until 1977, he served as a Coordinator of Economic Development for the Chicago Mayor's Office. While in this position, he successfully instituted programs for the retention and attraction of new business and industry. In 1991, Alderman Buchanan was once again elected to serve as Alderman of the 10th Ward in the City of Chicago. His City Council Committee memberships included Aviation; Budget and Government Relations; Rules and Ethics; Economic and Capital Development; Finance, Human Relations; Police and Fire.

In honor of Alderman Buchanan's distinguished career, I have introduced federal legislation to change the name of the Hegewish Post Office to John J. Buchanan U.S. Post Office. I am also pleased to report that at my request, every member of the Illinois Congressional Delegation has agreed to support this legislation.

My Speaker, I urge this body to identify and recognize others in their own districts whose careers and actions have so greatly benefited and strengthened America's communities.

A TRIBUTE TO BROOKLYN PRIDE

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. WEINER. Mr. Speaker, I rise today to invite my colleagues to pay tribute to Brooklyn Pride on the occasion of its Spring Gala.

This event is not only a festive happening, it is a chance for all of us to celebrate and pay tribute to a group of individuals who embody the spirit of independence and community activism. This year's honorees truly represent the best of what our community has to offer.

Joo-Hyun Kang is the Executive Director of the Audre Lorde Project. Before coming to the

Audre Lorde Project, Joo-Hyun was the Program Coordinator for Women's Rights at the Women's Environment and Development Organization, an international women's organization founded by the late Bella Abzug. She has been active in various struggles for justice, particularly those addressing concerns related to women of color and to the gay and lesbian community.

Regina Shavers is the Program Director and founding Board member of the Griot Circle, the only Senior Center committed to affirming the lives of seniors in the gay and lesbian community. She is currently employed by the New York City Department of Health's HIV Training Institute as a training supervisor and serves as a Literacy Tutor at the Bedford Learning Center.

Continuing her family's tradition of community activism, Regina became an advocate for workers' rights while working for the New York City Police Department as a supervisor in their Communications Division Training Unit. Regina has also served as the Co-Chair of DC 37's Lesbian and Gay Issues Committee and served on the American Federation of State, County, and Municipal Employees (AFSCME) Lesbian and Gay Rights National Advisory Board. An active member of Brooklyn Pride, Regina was an integral member of the city-wide coalition that negotiated with the City of New York to insure Domestic Partner benefits for all New York City employees.

Alan Fleishman is a lifelong Brooklyn resident who has lived in Park Slope for the last fifteen years. He has been an organizer in the lesbian and gay community and has served as the President of the Lambda Independent Democrats and the Gay Friends and Neighbors. Alan currently advises New York City Comptroller Hevesi on matters concerning the lesbian and gay community as well as on HIV/AIDS issues and concerns. Mr. Fleishman has been honored by the Central Brooklyn Independent Democrats, the Paul Robeson Independent Democrats and the Brooklyn AIDS Task Force for his organizing work in Brooklyn.

All of today's honorees have long been known as innovators and beacons of good will to all those with whom they come into contact. Through their dedicated efforts, they have each helped to improve my constituents' quality of life. In recognition of their many accomplishments on behalf of my constituents, I offer my congratulations on their being honored by Brooklyn Pride.

INTRODUCTION OF THE PATIENT EMPOWERMENT ACT OF 1999

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. STARK. Mr. Speaker, I am pleased to introduce the Patient Empowerment Act of 1999, the second in a series of Medicare modernization bills designed to improve program administration and the quality of health care for Medicare beneficiaries.

Mr. Speaker, Medicare beneficiaries currently have little or no control over their health care decisions. Instead of choosing the most appropriate course of treatment for their particular circumstance, some patients are being

told what they should do based on an oversupply of hospital resources or physician specialists in their area. Many diseases have several treatment options available. In most cases, there is no evidence to suggest that one course of treatment is better than another.

Dr. John Wennberg, one of the world's most renowned health policy researchers, talks about this issue in the 1998 Dartmouth Atlas: "The greater the per capita supply of hospital resources, the greater will be their per capita use, and the greater the per capita expenditures." The Atlas provides overwhelming statistical proof that in the economics of health care, supply often drives demand.

Dr. Wennberg estimates that if Medicare spending for all hospital referral regions with higher rates were brought down to the level of spending in the Minneapolis region (considered a very high quality of care region), Medicare's financial problems would be solved.

Many costly hospital stays could be averted entirely if Medicare beneficiaries were fully informed about their treatment alternatives. Not surprisingly, when presented with the range of available options, patients will often choose less invasive treatments.

For example, treatment of benign prostatic hyperplasia, a common condition affecting the majority of men over the age of 65, ranges from surgical removal to watchful waiting. Each of the options raises a number of trade-offs: while surgery is the most effective way to deal with symptoms, undergoing surgery presents certain risks. In Wennberg's analysis, most men with mild symptoms choose watchful waiting when educated about the full range of options, and watchful waiting is clearly the least expensive of all the options.

Patients have long deferred their medical decisions to their physicians. But medical care is becoming increasingly complex, and improvements in health technology have led to a multitude of available treatments. The treatment they choose should reflect the personal values and lifestyles of the patient and their family.

Therefore, I am introducing a demonstration bill to give patients more power over their health decisions. The findings from these demonstrations could lead to ways to greatly reduce the cost of the Medicare program, without jeopardizing health outcomes. I strongly urge members to support this legislation.

EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999

SPEECH OF

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 1999

Mr. KUCINICH. Mr. Speaker, I support the concept of flexibility in the way that our federal education programs are implemented at the state and local level. Local Educational Agencies and individual schools need flexibility to ensure that our programs are conducted in a manner that is responsive and relevant to local conditions and the divergent needs of all students. However, educational flexibility needs to be viewed in its proper context—specifically in terms of the reauthorization of the Elementary and Secondary Education Act. In this context the Conference Report on H.R.

800, the Ed-Flex legislation, falls short and I rise to oppose the Conference Report.

I am a member of the House Education and Workforce Committee, and this Committee has just begun to take up the numerous important issues that are involved in the Elementary and Secondary Education Act. It is folly, Mr. Speaker, for this final version of the Ed-Flex bill to come up before the ESEA has even been considered. How can we justify creating a system in which all states can have the option to waive federal education requirements when those federal education programs have not even been reauthorized? It is inappropriate and unjustified for the Congress to be granting across-the-board waiver authority to states before the House Education and Workforce Committee has reconsidered the ESEA.

In fact, the Conference Report on H.R. 800 is actually weaker than the version that was passed by the House of Representatives. At least our House version of the bill contained a sunset provision that mandated that Ed-Flex be taken up during the ESEA reauthorization process. The Conference Report eliminates this provision.

Furthermore, Mr. Speaker, accountability must not be sacrificed for the sake of flexibility. If the Congress grants greater flexibility to the states, the states must be held responsible to use these new powers in a way that improves educational quality and student performance. The Conference Report is weak on accountability provisions. We tried to strengthen these accountability provisions in Committee, but were not successful. Now the Congress has placed itself in a position that will grant huge loopholes to states and localities when it comes to measuring and enforcing accountability. This is another reason why I urge my colleagues to oppose the Ed-Flex Conference Report.

Finally, Mr. Speaker, I am concerned that the long-term effect of Ed-Flex will be to shift valuable federal resources away from schools in high-poverty neighborhoods towards schools in more wealthy districts. It is a hallmark of national education policy that federal funds be used to benefit schools and school districts that are most in need of outside resources. Federal programs need to be targeted to the disadvantaged. It is very possible that this bill will open the way for states to redirect ESEA Title I funds away from the disadvantaged. This trend dilutes the essential purposes of Title I. For these reasons, Mr. Speaker, I urge my colleagues to vote "no" on the Ed-Flex Conference Report.

AUTHORIZING AWARDING OF GOLD MEDAL TO ROSA PARKS

SPEECH OF

HON. ROBERT C. SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 20, 1999

Mr. SCOTT. Mr. Speaker, I rise today in support of H.R. 573, a bill to bestow a Congressional gold medal to Rosa Parks for her contributions to civil rights in the United States of America.

Rosa Parks and her contribution to the current American way of life, by today's standard involved a very simple act. However, that simple act, Mr. Speaker, proved to have some very extraordinary consequences.

In 1955, Jim Crow segregation was the law of the land. African Americans by law were not allowed to share public accommodations with Whites. We couldn't eat in the same restaurants, couldn't live in the same neighborhoods and we were relegated to sit in the back seats of a public bus. If the white only section of the bus became full, we had to give up our seats when told to do so.

Nevertheless, in 1955, on December 1st in Montgomery, Alabama, Mrs. Parks with one very simple act of civil defiance changed that practice and the course of American History. On that day Mrs. Parks refused to give her seat to a White patron when told to do so by a Montgomery Bus driver. In spite of that bus driver's insistence, and knowing the certain consequences of her actions, she chose not to give up her seat. The police took her off the bus, arrested and jailed her. Mrs. Parks was later released on a one hundred-dollar bond.

Mr. Speaker, I suspect the city fathers of Montgomery initially never thought twice about that one simple act on that day in December. In response to Mrs. Parks' arrest, the black citizens of Montgomery began a bus boycott that lasted for 381 days. Led by a young local minister named Dr. Martin Luther King, Jr., the Montgomery bus boycott helped to unravel the fabric of the South's social, economic and political culture of "Jim Crow" segregation.

This occasion has personal relevance to me also, Mr. Speaker. More than 40 years ago, during her brief tenure at Hampton University, I met Mrs. Parks. She worked there with my grandmother and I can well remember being struck by how unassuming and graceful she was, particularly in light of her role as a courageous civil rights pioneer.

Throughout the history of our nation, simple acts such as refusing to give up a seat on a bus as Rosa Parks did, often touch off a national movement that changes the course of history. This, Mr. Speaker, was one of those occasions and for this simple act, this House has taken the first step towards commemorating this demonstration of courage by Mrs. Parks and celebrating its tremendous impact.

I look forward, as many of my colleagues do, to the swift enactment of this resolution so that Mrs. Parks can receive the recognition she deserves from Congress.

ENVIRONMENTAL REGULATORY ISSUES

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. PAUL. Mr. Speaker, I rise to commend the insight added to the policy debate on critical environmental regulatory issues by John McClaughry in an article he authored in yesterday's Washington Times. Mr. McClaughry succinctly highlights the danger which occurs when, as happened in the United States in the late 1800's and early 1900's, property rights are ignored in the name of "progress."

Mr. McClaughry, president of Vermont's Ethan Allen Institute, correctly explains that technological innovation is stunted when the legal system allows polluters to externalize their costs without allowing legal recourse by those whose property is polluted.

I commend the research of Mr. McClaughry and thank him for his important contribution to

the policy debate regarding environmental regulation and recommend a careful reading of his article by everyone genuinely interested in both the proper moral and economic resolution of these issues.

CELEBRATING THE RESOURCEFUL EARTH

Tomorrow, many Americans will celebrate the 30th anniversary of Earth Day. The event was created in 1970 to call attention to humankind's despoliation of our planet. It's a good time to see what 30 years of Earth Day enthusiasm has given us.

The environmental awareness stimulated by the first Earth Day has had many beneficial results. Thanks to citizen awareness and ensuing state and national legislation, today the air is much cleaner, the water far purer, and risk from toxic and hazardous wastes sharply reduced. Polluters have been made to pay for disposal costs previously imposed on the public. Private groups like the Nature Conservancy have purchased and conserved millions of acres of land and natural resources.

But—and it always seems there is a but—like every promising new movement, the people who became leaders of the environmental movement stimulated by Earth Day soon found they could increase their political power (and staff salaries) by constantly demanding more command and control regulation. That heavyhanded government response has increasingly surpassed the boundaries of science and reason and severely strained the good will of millions of Americans who had eagerly responded to the initial call to clean up and protect our planet.

Here are just some of the "achievements" of an environmental movement that has flourished by promoting fantastic enviroscares, sending out millions of pieces of semihysterical direct mail fundraising letters, peddling junk science, and making ever-more-collusive legal deals.

A failed Endangered Species Act which, by substituting "ecosystem" control for species protection incentives, has caused thousands of landowners to drive off or exterminate the very species that were supposed to be protected.

A wetlands protection program that has gone from controlling real wetlands to regulating buffer zones around tiny "vernal pools" of spring snow melt, and even lands that have no water on them at all, but feature "hydric soils."

An air quality program that denies permits to dry cleaning plants unless they can prove that their emissions will not cause 300,001 instead of the normal 300,000 cancer deaths among 1 million people who will live for 70 consecutive years next door to the plant.

A "superfund" bill which has sucked billions of dollars out of taxpayers to pay lawyers to pursue "potentially responsible parties" instead of actually cleaning up toxic waste sites.

An ozone depletion scare whose purported effect—increasing incidence of dangerous ultraviolet B at ground level—turned out to be unsupported by evidence.

A global warming hysteria, based on speculative computer models instead of actual temperature data, to justify a treaty to impose federal and international taxes, rationing and prohibitions on all U.S. carbon-based energy sources.

Ludicrous requirements imposed on the nuclear energy industry, such as requiring massive concrete vaults for the storage of old coveralls and air filters whose radioactivity level a few feet from the container is less than the background radiation produced by ordinary Vermont granite.

Enforcing many of these unsupportable policies is a federal and state bureaucracy

eager to deny defendants any semblance of fair play, secure sweetheart consent agreements, and measure their success by fines and jail time imposed—for example, on the Pennsylvania landowner who removed car bodies and old tires from a seasonal stream bed on his land without a federal permit (fined \$300,000).

As Roger Marzulla, a former assistant U.S. attorney general for land and resources, recently put it, "Like the enchanted broomsticks in the story of 'The Sorcerer's Apprentice,' the environmental enforcement program has gotten completely out of control."

Fortunately, a common-sense, fair play, rights-respecting alternative environmental movement has begun to appear. On Earth Day 1999, its member groups—as many as a hundred state and national organizations—are celebrating "Resourceful Earth Day." Their alternative is based on a remark made by Henry David Thoreau, who said, "I know of no more encouraging fact than the unquestionable ability of man to elevate his life by conscious endeavor."

The astonishing growth of science and technology in the past 30 years has proven over and over again that human ingenuity can and will rise to overcome every environmental challenge. Today's energy sources are far cleaner and more efficient than those of 1970, and even more pollution-free new energy devices are emerging from laboratories. New cars today, fueled with improved gasoline, produce 2 percent of the pollution of 1970 cars. Cost-effective resource recovery of everything from aluminum to methane, has made giant strides. Microsensors, global positioning satellites, and tiny computers allow farmers to dispense just the right concentration of fertilizer on every square yard of a field.

The friends of the "Resourceful Earth" believe in progress, not just to make and consume more stuff, but to protect our Earth as well. The tide is with them, and as their creative optimism prevails the better off Mother Earth—and its people—will be.

84TH COMMEMORATION OF ARMENIAN GENOCIDE

SPEECH OF

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 1999

Mr. RUSH. Mr. Speaker, today I rise to remember a sad day in the world's history. Many of you may not remember this, but this year marks the eighty fourth anniversary of the Armenian genocide. During World War I, at least one million Armenians were killed in the Ottoman Empire between 1915 to 1923.

The brutal treatment that the Armenian people have suffered must never be repeated or forgotten. As a nation, we must never again allow a madman to exterminate an entire race of people to further his political ambitions. Every person and every race has a right to be free and safe in his own home. Those who commit these atrocities are criminals and must be tried for crimes against humanity.

Today as we remember the Armenian genocide, it is with sadness that we again witness a genocide of another race, the Albanian Kosovars. Unlike the Armenian genocide, I am proud to say that the United States and its NATO allies have learned from the past and are taking strong actions to halt the inhuman actions of Slobodan Milosevic and his minions

who so eagerly engage in these atrocious crimes against humanity.

Through the blood of their ancestors, the Armenian people have struggled for their independence. In 1991, Armenia became a sovereign state. I know that the Armenian people and the Armenian-Americans are proud of their state and will forever remember the hardships that they, as a people, have endured to gain their freedom and independence.

On this very somber day, I feel very strongly that we can perform no greater act of remembrance than to express our strong conviction to never again allow genocide to go unchecked in this world and to state unequivocally that the U.S. and its NATO allies will stop at nothing to end the slaughter in Kosovo. We owe at least this much to the memory of the Armenian victims of the Turkish genocide of the First World War.

MEDICARE COVERAGE OF DIABETIC RETINAL EXAMS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. STARK. Mr. Speaker, on Monday, April 19, the Washington Post ran a story about the failure of Medicare beneficiaries to get adequate preventive care. The article was based on a recent study by Dr. John Wennberg of the Dartmouth Medical School. Dr. Wennberg found that the level of retinal eye exams for Medicare beneficiaries with diabetes—so very important for helping prevent blindness in diabetics—was abysmally low. Only 43–45 percent of Medicare beneficiaries with diabetes received this critical service.

One reason this important test is not provided more frequently is that, unfortunately, Medicare does not cover this service or pay doctors to do it.

We should.

Today, I am introducing legislation to rectify this omission and add this service to the list of preventive care benefits covered by Medicare—the "Medicare Diabetic Eye Exam Act of 1999."

Diabetes affects over 16 million Americans, and over 150,000 die from diabetes and its complications each year. Individuals of African, Asian, and American Indian descent are particularly vulnerable to this disease. Most of the morbidity and mortality of diabetes is due to the complications associated with the disease, including blindness, kidney failure, nerve damage, and cardiovascular disease.

Diabetic retinopathy is the leading cause of blindness in the United States. Studies show that many of the complications of diabetes can be slowed or even prevented by better management of the disease, including regular eye examinations. Studies show that a periodic dilated eye exam is cost-effective in reducing the burden of diabetic retinopathy and blindness.

The Diabetes Quality Improvement Project (DQIP) is an effort to recommend a set of diabetes-specific performance and outcome measures that health plans and providers can use in treating patients with diabetes. DQIP began under the sponsorship of the American Diabetes Association, Foundation for Accountability, Health Care Financing Administration,

National Committee for Quality Assurance, and joined by the American Academy of Family Physicians, American College of Physicians, and Veterans Administration. HCFA is asking Medicare+Choice plans to use the DQIP measures this year in improving their care of diabetic Medicare beneficiaries enrolled in the plans.

One of the measures contained in DQIP is retinal eye exams. DQIP recognizes that the dilated eye exam may not be necessary for everyone every year, and has developed a risk stratification scheme to guide plans and providers in determining frequency of providing the test.

It is inexcusable that Medicare does not provide coverage and payment for this test that is so critical in preventing blindness. If we expect Medicare+Choice plans to provide this test, we should also provide payment for it. And we should provide payment for it in traditional fee-for-service Medicare, as well.

Following is a copy of my bill. I urge that we add this provision to whatever Medicare bill is enacted by this Congress.

THE EARTHQUAKE HAZARDS REDUCTION AUTHORIZATION ACT OF 1999

SPEECH OF

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 1999

Mr. GARY MILLER of California. Mr. Chairman, yesterday afternoon, I was unavoidably detained and was unable to make it to the House floor to vote in favor of H.R. 1184, The Earthquake Hazards Reduction Authorization Act of 1999 (rollcall vote No. 95). That is why I rise today to publicly submit my support for this important piece of legislation.

H.R. 1184 will do volumes to help prevent property damage and save lives that result from future earthquakes in the United States—with the ultimate goal of actually predicting seismic activity. The more we understand this natural phenomena, the more we can structure safety mechanisms to keep our communities safe during earthquakes.

I am very pleased that H.R. 1184 passed by such a large margin yesterday. Once again, I regret that I could not be here to lend my additional support. I look forward to witnessing the many scientific advances and future successes which will result from this legislation.

OREGON SCHOOL KIDS StRUT THEIR STUFF

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. WU. Mr. Speaker, Students Recycling Used Technology (StRUT) started in June 1995 with the goal of giving Oregon students the technical and business management skills they need for the next century. Over the next two years, four schools in my district: Forest Grove, Hillsboro, Tigard and Sherwood High School, refurbished 1,200 computers and donated them to local schools. This gave the students a working knowledge of computers and

also provided their fellow students with better access to the Internet.

What started as a partnership between the Northwest Regional Education Services District and Intel was encouraged to grow by our governor and State legislature. The success of the program spread quickly, and the consortium of organizations expanded to include the Oregon Department of Education, Portland General Electric, and US West. There are now 94 StRUT programs around Oregon with 1,500 students involved, and over 22,000 computers have been placed by this program in our K-12 system.

This Friday, I will be meeting with teachers from around Oregon who will be trained in this exciting new program. I look forward to hearing their advice on how Congress can implement these kinds of programs at the Federal level. In fact, StRUT is already being replicated in Washington, California, New Mexico, Arizona, and Congresswoman JOHNSON's home state of Texas.

By allowing students access to these essential technical and business skills, and by providing their fellow students with improved access to the Internet, we can help prepare our children to be successful citizens in the information age.

CLEAN WATER TRUST FUND ACT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. VISCLOSKY. Mr. Speaker, today I am proud to introduce a measure which I have supported since the 103rd Congress. This bill, the Clean Water Trust Fund Act, would put all funds collected through Clean Water Act fines and penalties into a trust fund to be used specifically for cleaning up polluted waters. This common sense measure links environmental penalties with environmental remedies, and ensures that money collected for environmental violations will not be lost in Washington.

In Northwest Indiana, one of the most unique and naturally beautiful coastlines in the world has been the site of a major industrial center for over a century. With the advent of environmental regulation in the last fifty years, the companies which had before polluted the waters with impunity had to reform their manufacturing processes and begin paying fines and penalties if their new procedures did not decrease their pollution emissions to an acceptable level. The residents of my hometown were comforted by the understanding that these new rules would protect our environment—our coastline and groundwater and potable water supply—and keep us from being poisoned by the very industries on which we relied for work. But it just has not worked the way it should. Instead of working together, the hand that fines and the hand that cleans are attached to different bodies. Money collected for polluting drinking water can be used for anything from mohair subsidies to McDonalds' overseas advertising. This is clearly not the heroic role of environmental regulation envisioned by my friends and neighbors when we first supported the Environmental Protection Agency's control over how much and what an industry could dump into our nation's waters.

My bill would begin to repair this disconnect. Under the Clean Water Trust Fund Act, residents of Northwest Indiana who read about millions being paid by a local company in Clean Water Act fines will know that money will come back to the region and be used to repair the environmental damage. It is as simple as that. The measure instructs the EPA Administrator to work with the states and turn the funds collected in fines and penalties into environmental remediation for the areas affected.

We can have no higher priority than creating a society where our citizens have the opportunity to live safely and healthily. Making sure that everyone has access to safe, clean water is one of the most basic requirements of civilization. This measure, which would reconnect penalties to relief, is an important first step. Mr. Speaker, with the support of over thirty of my colleagues from both sides of the aisle, I am pleased to introduce the Clean Water Trust Fund Act.

CHILDREN'S MEMORIAL DAY

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mrs. TAUSCHER. Mr. Speaker, I rise today in support of the Children's Memorial Flag Project and hope that my colleagues will join me in supporting the establishment of a National Children's Memorial Day where we remember all children who die by violence in our country.

The Children's Memorial Flag Project originated in Alameda County, CA, part of which falls in my Congressional district. This project is dedicated to remembering the children who die as a result of abuse, neglect, and homicide. Each time a child dies as a result of violence, the Children's Memorial Flag is flown at half-staff and a young oak tree is planted in the Children's Memorial Grove. This county effort has become a national effort and I would like to acknowledge the efforts of my dear friend, Alameda County Supervisor, Gail Steele, who created the project. Last year, 25 states flew the Children's Memorial flag over their state capitol on the fourth Friday in April which they designated as Children's Memorial Day. I am working with several Bay Area colleagues to introduce legislation that would adopt the Children's Memorial Flag and establish the fourth Friday in April as a national Children's Memorial Day.

Tragedies such as the school shooting which occurred recently in Littleton, Colorado, remind us of how precious our children are. We cannot let these children, nor the thousands of other children who die of violence, be forgotten. I urge my colleagues to join me honoring the memory of children lost to violence this Friday, April 23rd and to adopt this day as National Children's Memorial Day. I hope honoring and remembering these children will be the driving impetus for us to work together as a nation to keep America's children safe from violent crime.

NATIONAL FAMILY CAREGIVER SUPPORT ACT

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. WAXMAN. Mr. Speaker, I rise today to encourage my colleagues to sponsor H.R. 1341, "The National Family Caregiver Support Act of 1999." Last month, I joined my colleague, MATTHEW MARTINEZ, in sponsoring this important piece of legislation.

Every American family is doing more with less time—but none more so than the families who must care for an older relative with chronic illnesses like Alzheimer's or with mental or physical disabilities. Growing numbers of families are choosing to care for their own at home over placing sick relatives in institutionalized care settings.

This is what the New York Times calls "a fundamental shift in health care." Today, dutiful children and caring spouses provide the staggering equivalent of \$200 billion in direct care to their elderly or ailing relatives. At least 21 million Americans provide such free care—and the number is growing very quickly. In fact, one in four Americans currently provides care to a person with a chronic medical condition.

Perhaps the best way to understand this tremendous demand on our families is to think of the time required of them. All of us are familiar with the 40 hour work week. Setting aside the expense, the emotional demands and the need for training of family caregivers, we know today that four million American households offer at least 40 hours of unpaid family care to an older relative every week. Family caregivers of Alzheimer's patients spent an average 69 to 100 hours per week providing such care.

We must also bear in mind that these families are juggling multiple responsibilities. More than 40 percent of family caregivers also care for children under 18—and two-thirds are full-time or part-time workers. You may have heard the term, "the sandwich generation" applied to the many Baby Boomers who are struggling to balance work, children and care for their parents. This is having an important impact on the workplace as well; according to corporate executives surveyed last year by the Conference Board, elder care will soon top child care as a major concern by employees.

There is every indication that these demands on family caregivers will grow. Americans are living longer and the need for long-term care is growing quickly. Cost pressures in our health care system are reducing hospital stays and increasing outpatient care. These trends virtually assure that family caregivers will play an increasingly indispensable role in our health care delivery system.

That is why we introduced H.R. 1341. These families need help. Modest, targeted initiatives like H.R. 1341 can do the most to help them by building on existing, successful efforts to provide assistance. Let me give a few examples.

According to experts, "the greatest need for most caregivers is rest." H.R. 1341 would provide them with quality respite care. States like California and Pennsylvania are leaders in providing assistance at "one-stop shops." H.R.

1341 would expand these efforts through Federal-State partnerships. Local agencies, nonprofits and community groups currently provide family caregivers with training, counseling, referrals and crucial respite care. H.R. 1341 would reward outstanding, innovative programs and identify those of national significance.

1999 is the International Year of Older Persons. In recognition of this important milestone, I encourage my colleagues to demonstrate their commitment to securing the dignity and health of older Americans and their families by cosponsoring H.R. 1434, "The National Family Caregiver Support Act of 1999."

IN RECOGNITION OF CHILDREN'S
MEMORIAL DAY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. STARK. Mr. Speaker, I rise today to introduce a House Resolution supporting the establishment of the fourth Friday in April as "Children's Memorial Day."

We are all saddened by the tragic shootings at Columbine High School in Littleton, Colorado. Unfortunately, violent acts against children are occurring with increasing frequency—destroying innocent lives and devastating families and communities. In the United States each day, five infants and children die from abuse and neglect, and seven teens are murdered. In fact, more children lose their lives to criminal violence in the United States than in any of the 26 industrialized nations of the world. This is unacceptable.

In Alameda County, California, which I represent, the County Board with the hard work and strong dedication of Alameda County Supervisor Gail Steele, adopted in 1996 the Children's Memorial Flag Project and established a National Children's Memorial Day on the fourth Friday in the month of April to remember all of the children who have died by violence in our country. The Child Welfare League of America has adopted Alameda County's Children's Memorial Flag and promotes it nationally. This year we anticipate 20 State Capitol Buildings will fly the flag at half-mast, with 13 others memorializing these children by other means this Friday, April 23rd.

We have lost far too many children in violent, preventable deaths, through gun violence, fire, automobile accidents, suicide, and physical abuse and neglect. From this moment forward, let us approach our work in Congress with renewed resolve. It is our responsibility and the responsibility of adults everywhere to protect children and to ensure that they have a full opportunity to become healthy and productive adults. Even one child lost is one child too many.

I urge my colleagues to cosponsor this resolution and to honor the memory of children lost to violence in this country. Let us condemn acts of violence committed against the children of our communities and pledge to safeguard the welfare of the children in our nation.

AGENTS WHO SERVED AMERICA
SHOULD HAVE THEIR DAY IN
COURT

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation to mandate the establishment of a special federal judicial panel to determine whether cases involving breach of contract disputes between the U.S. Government and U.S. intelligence operatives should go to trial. The bill is identical to legislation I introduced in the last Congress.

The legislation directs the Chief Justice of the U.S. Supreme Court to assign three federal circuit court judges, senior federal judges, or retired justices to a division of the U.S. Court of Appeals for the District of Columbia for the purpose of determining whether an action brought by a person, including a foreign national, in an appropriate U.S. court for compensation for services performed for the U.S. pursuant to a secret government contract may be tried in court. The bill provides that the panel may not determine that the case cannot be heard solely on the basis of the nature of the services provided under the contract.

Currently, the Totten doctrine bars these types of cases from even going to trial. The Totten doctrine is based on the 1876 Supreme Court case of *Totten versus United States*. The case involved the estate of an individual who performed secret services for President Lincoln during the Civil War. The court dismissed the plaintiff's postwar suit for breach of contract, stating, in part:

The service stipulated by the contract was a secret service; the information sought was to be obtained clandestinely, and was to be communicated privately; the employment and the service were to be equally concealed. Bathe employer and agent must have understood that the lips of the other were to be forever sealed respecting the relation of either to the matter . . . It may be stated as a general principle, that public policy forbids the maintenance of any suit in a court of justice, the trial of which would inevitably lead to the disclosure of matters which the law itself regards as confidential, and respecting which it will not allow the confidence to be violated.

Other court rulings over the past 120 years have affirmed the Totten doctrine as it applies to breach of contract disputes arising from espionage services performed pursuant to a secret contract. Mr. Speaker, as a matter of policy, the Totten doctrine is unfair, unjust and un-American.

For the most part, U.S. intelligence agencies do a good job of fulfilling commitments made to U.S. intelligence operatives. However, there have been some disturbing lapses.

During the Vietnam War the Pentagon and the CIA jointly ran an operation over a seven-year period in which some 450 South Vietnamese commandos were sent into North Vietnam on various espionage and spy missions. The CIA promised each commando that, in the event they were captured, they would be rescued and their families would receive lifetime stipends. Due to intelligence penetrations by the North Vietnamese, most of the commandos were captured. No rescue attempts were ever made. Many of the com-

mandos were tortured and some were killed by the North Vietnamese. Beginning in 1962, CIA officers began crossing the names of captured commandos off the pay rosters and telling their family members that they were dead. Many of the commandos survived the war. After varying periods of time they were set free by the Vietnamese government. Two hundred of the commandos now living in the U.S. filed a lawsuit last year asking that all living commandos be paid \$2,000 a year for every year they served in prison—an estimated \$11 million. In 1996 the CIA decided to provide compensation to the commandos. Unfortunately, even after this decision was made, the CIA continued to invoke the Totten doctrine to avoid payment.

I have encountered numerous cases in which the CIA has reneged on commitments CIA agents made to foreign nationals who put their lives on the line to provide valuable intelligence to the United States. Absent Congressional action, the Totten doctrine allows the CIA and other intelligence agencies to ignore legitimate cases, and have these cases summarily dismissed without a trial.

In a paper published in the Spring, 1990 issue of the *Suffolk Transnational Law Journal*, Theodore Francis Riordan noted that "when a court invokes Totten to dismiss a lawsuit, it is merely enforcing the contract's implied covenant of secrecy, rather than invoking some national security ground." The bottom line: the U.S. government can, and has, invoked the Totten doctrine to avoid solemn commitments made to U.S. intelligence operatives.

Existing federal statutes give the Director of Central Intelligence the authority to protect intelligence sources and methods from unauthorized disclosure. I understand the importance to national security of preventing unauthorized leaks of information that could compromise U.S. intelligence sources and methods. That is why my bill directs the special judicial panel to take into consideration whether the information that would be disclosed in adjudicating an action would do serious damage to national security or would compromise the safety and security of U.S. intelligence sources. In addition, the bill provides that if the panel determines that a particular case can go to trial, it may prescribe steps that the court in which the case is to be heard shall take to protect national security and intelligence sources and methods, including holding the proceedings "in camera."

Supporters of the U.S. intelligence community have criticized court involvement in intelligence cases by noting that most federal judges do not have the expertise, knowledge and background to effectively adjudicate intelligence cases. In fact, in the United States versus Marchetti, the Fourth Circuit took the position that judges are too ill-informed and inexperienced to appraise the magnitude of national security harm that could occur should certain classified information be publicized. I must respectfully and strenuously disagree with this type of reasoning. Federal judges routinely adjudicate highly complex tax cases, as well as other tort cases involving highly technical issues, such as environmental damage caused by toxic chemicals. It's absurd to assert that judges can master the complexities of the tax code and environmental law, but somehow be unable to understand and rule on intelligence matters.

The U.S. intelligence community has become too insulated from the regulations and laws that apply to all other federal agencies. Mr. Speaker, the Totten doctrine has outlived its usefulness. There is no legitimate national security reason why U.S. intelligence operatives should not be able to file a claim for beach of contract, and have the claim objectively reviewed.

I urge all Members to support my legislation. It's the right thing to do; it's the American thing to do.

HONORING FERNANDA BENNETT

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. ACKERMAN. Mr. Speaker, I rise today to honor Fernanda Bennett, whose dedication and perseverance has made the fifth district Annual Congressional High School Art Competition a resounding success year after year. This year marked the sixth year that the Nassau County Museum of Art generously hosted this noteworthy event, displaying the pieces entered into competition. As the Assistant Director and Registrar, Ms. Bennett directs the smooth installation and public display of these works.

Her enormous contribution to the art competition is indicative of her successful career at the museum. Fernanda Bennett started as an intern in 1983, and has since worked her way up through the staff. Over the years, she has helped plan, organize, and install over fifty exhibitions, ranging from Tiffany lamps to Picasso canvases. As the Registrar, Ms. Bennett handles the details on insurance, transport, and display of numerous, invaluable pieces of art. She also helps maintain records of all borrowed items by collecting photos and documenting their exhibition histories.

As Assistant Director, Ms. Bennett oversees the day to day operations at the museum. She ensures that the building is kept clean and that the gallery environment is properly maintained. In addition, she inspects the artwork to ensure that it is cared for in a manner benefiting its valuable status. Because of its location on a 145 acre preserve, The Nassau County Museum of Art exhibits a collection of monumental outdoor sculptures. Ms. Bennett oversees the preparation of the sites for sculpture installation, handles the removal and placement of these magnificent pieces, and administers the care needed to display the works at their finest.

Her commitment to the museum and years of service to the community have enabled the fifth district art competition to be one of the biggest and best in the country. Six years ago, only fifty students participated in this event. Due largely to Ms. Bennett's extraordinary dedication, over one hundred students took part in this year's competition. Therefore, I ask all of my colleagues to join me in honoring this remarkable individual, Fernanda Bennett.

TREATMENT OF FOREIGN VISITORS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. SMITH of New Jersey. Mr. Speaker, I have been disturbed by the stories which have come to my attention from family and friends of constituents and from travelers from abroad, who have complained about the standard process for obtaining U.S. non-immigrant visas. I certainly understand the challenge faced by our consulates around the globe in considering and processing the immense number of visa applications, and I recognize that dedicated consular officers serve as the vanguard for orderly and legal transit across our borders. Coupled with the responsibilities of customs officers posted at ports of entry, these are the public servants who are often the first to offer words of welcome to foreign visitors. Some personal accounts that have been shared with me, as chairman of the Subcommittee on International Operations and Human Rights, paint a different picture. Rather than words of welcome, the messages are for some ones of harassment and seemingly prejudicial treatment.

One particular collection of incidents is that experienced by my friend and fellow parliamentarian, Romanian Member of Parliament Peter Dugulescu, who travels with a Diplomatic Passport. When we last met in person, I asked that he prepare a written explanation of the difficulties which he has faced. The track record of this one man's treatment at a combination of ports of entry represents a sad commentary on the soiled welcome mat which is sometimes laid out for our visitors. I would hope that greater attention would be given to treating our foreign visitors with respect and the dignity deserved by each.

For the record, I would ask that the recent appeal to the President made by the Honorable Peter Dugulescu be printed in the RECORD.

To: Mr. William Jefferson Clinton—United States President, United States Congress, United States Department of State.

From: Petru Dugulescu, MP, Committee on Foreign Affairs.

Honorable Ladies and Gentlemen, I am grateful for the opportunity I have been given to take part in the 1999 National Prayer Breakfast. My colleagues and I want to express our gratitude for the relations established between your country and ours, and for continuing to build on this foundation.

In the spirit that has made United States of America a model country for the world, for its democracy and for the opportunities it gives to its citizens and non-citizens living here, I come before you with my sincere appeal in matters that pertain to further advance the relationship between your country and ours, between your people and the people of Romania. Saddened by the situation, I kindly ask for your attention to this letter and take it in adequate consideration with measures that only you can decide to take as you may see fit.

Prior to the Romanian Revolution of 1989, because of my admiration for your country, for its social-political system and the religious freedom, for my religious and political beliefs, I have suffered persecution, mistreatment, and was subjected to mockery many times in Romania. Only God kept me and my

family alive through the hard times. (Aspects of my persecution have been made known in United States by reputable author Charles Colson in his book "The Body") Numerous leaders, such as US representatives; Frank Wolf (VA), Tony Hall (OH), Christopher Smith (NJ), have showed their support and intervened in different ways to the Romanian authorities. Former US Ambassador to Romania, Mr. David Funderburk, has visited our church and my family several times, and continuously showed his support, thus alleviating some of the pain.

Following the 1989 Romanian Revolution, I have been blessed with an invitation to take part in the 1990 National Prayer Breakfast, as a pastor, together with a Romanian delegation. I have been part of this magnificent event every year. Since 1990, I have visited the United States several times for meetings with diplomats and/or social-cultural and religious organizations. My colleagues are looking at me as at someone who truly supports relations with the United States by proven activity. However, I am saddened to say that not all of my visits have been pleasant. This last arrival in your country has been most uncomfortable, to say the least.

On January 7th 1999, I arrived in the United States with a Visitor's Visa and Diplomatic Passport, on board flight no. 120 (Route: Bucharest-Zurich-Atlanta) of Swissair, at Atlanta's International Airport, around 2:00 p.m. Upon the U.S. Immigration inspection service, I was asked by a female officer of the U.S. Customs if I was from Romania. As a result of my positive answer, she asked me to open my luggage and they started taking my personal belongings out in the open while laughing. When I saw the scene caused by this incident, I asked kindly to see what they were looking for. "Food", they replied. I told them I didn't have any. However, they continued to do the same thing. When they were done emptying my luggage, I started collecting my pajamas and other belongings attempting to pack as people were looking at me as to a criminal who just got caught smuggling something illegal into the United States. I can't explain my hurt and embarrassment caused by these officers who continued to joke. When they asked me what I was coming to the States for, I told them that I was invited to attend the National Prayer Breakfast with their President. They laughed again. I showed them the Diplomatic Passport and the invitation, which prompted them to laugh even harder and said: "Send our greetings to Bill Clinton from us, Tom & Jerry". . . . I was shocked by their arrogance.

Of all the custom inspection services in the world, this should have been the most painless and most comfortable, especially since I did not break the law in any way. If a U.S. citizen travelling to Romania would be subjected to such humiliation and mockery, would probably say that Romanians are barbarians and the country is still communist. I honestly hope that you can imagine my frustration.

The fact is that this incident with the opening and emptying of luggages in customs was not a first. In September 1996, at the International Airport in Portland, Oregon, I had another similar experience. Other colleagues and acquaintances have told me their experiences as well, leading me to the conclusion that some measures must be taken.

What is the conception or the mentality of the U.S. Customs Officers pertaining to us Romanians who come in the United States as visitors? Why are we treated as 2nd class citizens (or even worse)? Why can't we feel welcomed into this great democratic country? Why are we Romanians different than other travellers? Or, if not considered different, then why are we treated differently?

As a representative of Romanian people both in the Romanian Government and abroad in foreign relations, it is my duty to ask these questions and kindly appeal for your intervention to the proper departments in order to insure that the image United States is portraying to the Romanian tourists is a better one.

Another great concern that I have pertaining to travelling in the United States is the procedure that the U.S. Department of State has established for Romanian applicants for visitor's visas. I have raised this issue in conversations with U.S. Ambassador to Romania James Rosapepe and the U.S. Consul, Mr. Patterson, and was told that my concern was not uncommon but unfortunately procedures are set in Washington DC.

An application for a visitor's visa, which is, in fact, an interview tax, costs \$45. Apart from the fact that the applicant must demonstrate "strong ties" to the origin country and, therefore, for the U.S. Embassy to avoid the danger of a new immigrant, (demonstration that is not always taken into consideration on a consistent criteria basis), the applicant has to pay for the visa, for the travel to Bucharest in order to give an interview with the Consul, interview which occurs only 1 or 2 out of 10 applications, the rest being just useless conversations with some desk officer at the U.S. Consulate. A simple arithmetic shows that the applicant pays sometimes his or her monthly salary (an average salary in Romania is about \$120/month) just to learn that he or she has been rejected and thus is not allowed to travel to the U.S.

Should I mention to you also that rejected applicants never get back their money? Or is there a way to make money out of the sincere and legitimate desire of Romanians to travel to the U.S.? And when taking into consideration the original if not strange technique of the "visa lottery", one could picture a very commercial way to observe the universal right to free travel and circulation of any citizen of the world. I strongly believe that principles are to be observed not only by declarations, but also by facts. And people can feel the difference. I remember a demonstration in front of the U.S. Embassy when people were carrying slogans like: "The Berlin's walls were moved to the U.S. Embassy".

Few years ago, talking to the U.S. consul in Bucharest about visa issues, I told him that the U.S. Government was accusing Ceausescu about restraining the Romanian's right to travel free and he replied that "traveling to America is not a right, but a privilege".

U.S. citizens come to Romania without applying for a visa, nor paying for one (unless they stay longer than 30 days). I strongly believe that in the spirit of democracy, The United States Department should take measures to waive discriminating treatment and to envisage a reciprocal one.

As an advocate for the democratic system of United States who has not given up under the pressure of communism, I come before you urging you to take this appeal in consideration. People of Romania are not 2nd class citizens, they are not beggars, nor criminals. We have our dignity and would like to be treated accordingly. We look up to the United States, to Americans, to anything that carries a label "made in America" with open heart. Romanians want to be part of NATO and part of the Western culture, however, aspects of life such as ones mentioned here are making us believe that we are not welcomed. We are treated sometimes as we are not good enough to be worth a chance.

I close this appeal by saying that I will continue to believe and to preach the model of democracy that United States offers to the world, while believing that these things are going to be dealt with properly.

I thank you all for listening or reading this letter, for understanding our feelings and for taking action.

Respectfully yours.

SALUTE TO NEWT

HON. JENNIFER DUNN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Ms. DUNN. Mr. Speaker, at the "Salute to Newt" last Wednesday, our former Speaker of the House again proved that, in the words of TIME Magazine, he "belongs in the category of the exceptional." Newt Gingrich is a man who thinks both with a vision for our country and with compassion in his heart, and I bring his remarks from that special evening to your attention.

Joined by the Gingrich family and friends, the event was a wonderful tribute to Newt. Mary Tyler Moore, International Chair of the Juvenile Diabetes Foundation, said it best in her introduction of Speaker Gingrich. Moore said, "Newt Gingrich may be many things to many people, but to us he is a champion and a hero—and his leadership in Congress will be sorely missed." A portion of the proceeds from this event were donated to the Juvenile Diabetes Foundation.

As the man who led us in capturing and holding a Republican majority in Congress for the first time since 1928, his comments continue to offer each of us insight for the future.

In a very real way, I hope tonight does symbolize what America is all about. Jonathan as a person, not just a symbol for a cause. Mary Tyler Moore as a person, not just a symbol of a cause. But the fact that America is about 260 million real people of remarkable diversity, each of them with extraordinary God given talents, and each of them needing the help of their fellow American to use all those talents.

We were able, for a five-year period, to do a great job because of each of you. Because of those of you who are members, those of you who are on my staff, those of you who were supporters, donors, volunteers, friends; it was team effort.

Time magazine named me "Man of the Year" in 1995, but in fact, it should have been the "Team of the Year," because it was a very remarkable, collective effort, by an extraordinary range of people.

My daughters talked about me as a father, but the truth is, they're pretty good daughters. And they spent a lot of time on the phone with me, and now we're all into email so it's gotten even more chaotic, {laughter} and they and Marianne track me as much as I track them because I think life, in that sense, is a team effort.

Marianne recognized, and I was so grateful that she did so, and we talked about it earlier, but she recognized the Capitol Police. I think all of you, particularly those of you who go to the Capitol fairly often, who, as I often do, take them for granted, all of us were brought up short when Officer J.J. Chestnut and Detective John Gibson were killed. I think it was a reminder, a wake up call if you will, that these men and women literally risk their lives for their country, and in that case, two of them paid to protect the Capitol with their lives, and I want to repeat what Marianne said and just say to all of you who are here tonight, thank you for four years of wonderful service and protection and I am very grateful to each and

every one of you, and I regard you as my friends, and I know from the fact that you participated in so many trips with me and on occasion laughed at various and sundry dumb things I was saying, that you are my friends.

You see different pictures, we talk about, one of the pictures was about mental health parity, and my mother has had challenges for over twenty years involving bi-polar disease. I walk every year in the breast cancer effort, and my sister Robbie, who is here, is a survivor of breast cancer and we know first hand how serious and how real it is.

I think at every level, my brother and my sisters are here tonight, my daughters, Marianne, all of us felt it personally, but I think for many of you, those in office and those out of office, those in Washington and those around the country, I think you know that you were as much a part of our extended family, and that it was very, very real, and that together, we accomplished a lot.

I think it's a very important thing that this city doesn't do a very good job of giving us credit for it, because it would make the establishment of this city very uncomfortable, but I think we ought to recognize that together, we ended, as that one video shows so lovingly, 40 years of Democrat control.

Together, for the first time in 68 years, we re-elected a Republican majority. Together, for the first time since 1926 we ended up keeping that majority for the third time. And it is with enormous pride that we have here tonight, my dear friend Speaker Denny Hastert.

As I told the House Republican Conference in a rather exciting meeting one afternoon just before we went on home for Christmas, I thought that in the context we were in that Denny was absolutely the only person who could hold the party together, and I called him today to congratulate him as the budget passed, something which I had not been able to accomplish for all of last year.

And to get it through, on time, and to pass it, even with a couple of Democratic votes helping add the margin, was a great achievement. I think this is part of what the human experience is about.

It's important to understand that I left the Capitol with an extraordinary sense of happiness because for 20 years I had been allowed to serve the people of Georgia, because for 5 years I was allowed to lead the House Republican party, one of those years in all honesty, with Bob Michel's total support because he was still the leader, but in every way he supported my effort for us to be a majority.

For four years, with your help, I was allowed to serve as the Speaker of the House, and I felt that as a visionary and a strategist and a teacher that I had carried us as far as I could, and that frankly we needed a legislative leader who would focus on leading the House Republican party as a legislative body, and I am extremely proud of Denny, and I think he is going to end up being a very effective Speaker, and I think when he is re-elected two or three more times he will be a very, very powerful Speaker, and I will be back at that point to visit you occasionally and chat with you about ideas that I'm developing, that I hope you will schedule.

It's important to remember that not only did we achieve a lot in power, because it was a decisive transition in power in this city, but we achieved a lot in policy.

We passed welfare reform. We passed it three times—twice it was vetoed, the third time the president announced he had invented it and signed it with great glee.

But frankly that's less important than the fact that today there are 43% fewer people on welfare and 43% more Americans out there earning a living, having a chance to pursue

happiness, showing their children that the work ethic matters, and that's good for America, and it's good for individual Americans.

The pictures that Charlton Heston talked about, that he narrated, that showed John Kasich and Pete Domenici signing the budget deal which was in fact an extraordinary achievement.

People tend to forget, we were projected, when I became Speaker, we were projected to have over the next decade a three trillion, one hundred billion dollar deficit. I believe it was announced yesterday that the surplus for this year is one hundred and eleven billion on a unified basis and even if you discount all the Social Security revenue, we have reduced the deficit for the operating budget to 16 billion. Numbers which I would venture to say in the summer of 1994, you could have gotten a 50 million to one bet against that particular possibility.

We have now created, by balancing the budget, the lower interest rates that are fueling the economy. We also have a chance to save Social Security, and we are in a position where we can cut taxes and return to the American people the money that belongs to them.

And let me remind you that when we balanced the budget, we did so in a bill which cut taxes for the first time in seventeen years, and part of this prosperity is the fact that we cut the capital gains tax and, once again, lowering the cost of job creation paid off, as more and more people got in the business of creating jobs.

We also saved Medicare for what now looks like it will be a 15 or 20 year period, without having raised the FICA tax, and we began strengthening defense and intelligence, and I am particularly proud that Porter Goss, who is here tonight, is continuing to lead as the Chair of the Intelligence Committee and to give us a chance to really reshape our intelligence.

Now, I spent the last four months with Marianne studying, thinking, trying to learn a few things and get a chance to be outside the daily business of this city. And for just a few minutes, I'd like to share with you sort of my initial reflections. This has been my first chance to come back and to have a chance to share with you.

And let me say, I want to pick up on what Connie Mack said. I believe that we are the party of freedom, and we only make sense as the party of freedom. I believe that we represent the cause of freedom, which is even bigger than our party.

And I believe that America is the country of freedom. I believe that as you go around this town, from the Washington Monument built to a man who led the Continental Army, presided over the Constitutional Convention, and literally served as father of his country for eight years, a man without whom we could not be the country we are.

To the Jefferson Memorial, a man who wrote the Declaration of Independence, who was Governor of Virginia during the Revolutionary War, who helped us create the Bill of Rights, who founded the Democratic party to have legitimate dissent without treason, a new concept in the late eighteenth century, and then presided as president.

To the Lincoln Memorial, a man who by sheer will insisted that we would be a union, and a memorial which can never be visited without profit by any who would understand both what has made America, and how deeply God is a part of our experience.

To the opposite end of the mall, where General Grant's statue stands below the Capitol that he defended, and we are reminded that this nation was, in the end, created in blood at Valley Forge and elsewhere, and stained in blood at Antietam and Gettysburg.

To the FDR monument. To the greatest president of the twentieth century, a man who presided over the defeat, and led in the effort to defeat, Nazi Germany, Fascist Italy and Imperial Japan.

Again and again, from monuments to the First and Second World Wars, to monuments to the Koran War, to the Vietnam Memorial, we are reminded that freedom is expensive, that it requires constant effort, and that we have a duty in our generation to take the freedom our parents gave us and to strengthen it, improve it, and give our children, and grandchildren as my daughter pointed out, even more freedom. These are monuments to the sacrifices that lay at the very heart of freedom.

I believe that in the next two decades, we have an opportunity to decisively extend freedom. And I believe there are five key steps to greater freedom in the next decade or two.

Some of them are domestic, some of them international. Many of them will be controversial. Let me tell you what the five key steps to freedom are in the next few years.

The first is here at home. It is the freedom to save for your own retirement, without politicians controlling your money.

It will be controversial. There will be a fight. People will flinch from it at times. But it is an objective fact that the Social Security actuaries will report that being allowed to have a Social Security Plus account that you invest will save Social Security permanently, without a tax increase or a benefit cut, will do so with such enormous economic repercussions, that the Social Security actuaries believe that our children will have to cut the FICA tax, because the surpluses in the trust fund will simply grow too large to be managed.

Now, that is a future which the surplus of the budget gives us a window now to take advantage of, and I think we should have the moral courage to say to the American people, 'the president was half right.'

He was right in saying let's invest it, he was wrong in saying let the politicians invest it, and we believe enough in the American people to find a way to get them some kind of tax credit out of that surplus so that every American, when they go to work and they start to pay a FICA tax, they have the right, and the duty, to save for their own retirement, with them, not the politicians, in control of that saving.

And that will end class warfare in America in a half generation as every worker in America comes to own part of the American dream, and every worker in America sees their account, and their savings. And, in the process, the economy will grow faster, Social Security will be saved, and we will have moved power out of Washington, and back to the American people.

Second: We ought to have the freedom to work for ourselves, for our families, for our communities, for our religious institutions. And I believe, in peace time, that means that we should establish a cap on all taxation, state, federal and local combined, at 25% of income, and no American should pay more than 25%.

One of the purposes of this political action committee will be to write every Republican county, and district, and state organization as they have their conventions next year, and urge them to adopt a platform plank that calls for a 25% cap.

We're not going to get there overnight. We're not going to get there in three or four years. But as someone who did preside, after all, over reforming welfare, balancing the budget, cutting taxes and saving Medicare, I think I can say that I have some sense of what's doable.

And the fact is, in 1970, Governor Ronald Reagan went to the Governor's Association

and proposed welfare reform. He was defeated forty-nine to one. Twenty-six years later, standing on his shoulders, we passed that welfare reform.

Government grew big because of the Depression and the Second World War. It has no justification for being this big except our lack of cleverness at applying privatization, setting priorities, and modernizing the system to make it smaller.

And I think as a party, we should adopt the principle that over the next 15 years we will shrink government until we get it down to no more than 25% of your income. Because, after all, if there was a big war, you would have to raise taxes, and if you are already at 45 or 50%, you have no margin to raise taxes without threatening freedom.

And if you believe in the Tocqueville vision of volunteerism, and Marvin Olasky's great book *The Tragedy of Human Compassion*, which I think was the key explanation—and I thank Bill Bennett, who is here tonight, for having originally asked me to read it—it was the key explanation that volunteerism, charities, and a willingness to go out and be involved in your community is vastly more effective at changing the human condition than is larger government.

And in that process, I believe, we can eliminate the death tax, cut the capital gains tax to 10%, and put ourselves in a position as a country to teach the rest of the world that we want big active citizens, not big active bureaucracies, because that's what makes freedom truly strong.

Third, and I'm going to step on virtually every interest group in the country with this next one. It comes directly out of Adam Smith's point about the modernization of the Middle Ages. We should have the freedom to use all the aspects of the information age to improve our lives.

We, as patients, ought to have all the knowledge about our health records. We should have all the knowledge about our own disease. We should have all the knowledge about all the different possible cures.

We, as citizens, should have access to every expert system we can to apply the law to ourselves, with minimum payments to attorneys rather than maximum payments.

We should have a common-sense approach to the environment. We should have a 24-hour a day, seven-day-a-week, year-round learning system where teachers get paid based on results rather than on tenure, and where, in fact, students have a chance to be learners all their lives, not just from 9 until 3 when it is convenient.

But that requires the courage, every morning, to get up and look at the technology and say, "how can I strengthen the consumer-slash-citizen's rights," rather than "how can I protect the guild the interest group, or whoever it is that is currently protecting their rice bowl."

Fourth, and this is particularly important for Republicans, but it is crucial to all Americans. We need freedom for all Americans to pursue happiness.

It really struck me about 2 weeks after the election. The democrats had run racist ads, and they were terrible, and it was a despicable campaign, and it was deliberate. But it was tragically our failure over the preceding four years to so behave that in every black and Hispanic community local people didn't automatically say, "That ad is baloney."

We have to decide that we truly mean that every American is endowed by their creator.

Every American with disabilities, and Jonathan is here tonight. Every American who has a long-term disease. The young people who were up here tonight who will spend a lifetime without hour help having to inject, having to monitor carefully, having to experience everything Mary shared with us.

Young Americans who are black, or Hispanic, or Native American. And we have to decide that we, as a party, and we as individuals mean it enough that we are going to break through the baloney, break through the bureaucracy, insist on results, and we're going to reach out in every neighborhood.

Some work has been done in this direction, but frankly it is far too little, we are far too timid, we don't challenge ourselves enough, and we should recognize that if God has truly endowed, as I believe he has, every single child in this country, in every single neighborhood, then we have an obligation to make that endowment real.

And if we are seen as being truly serious, and we are truly serious, I believe that for more than a generation, the vast overwhelming majority of Americans will give us the chance to implement that seriousness in creating a better future for all of us.

An example I thought about, these are U.S. Representative JIM ROGAN's twins that are in this picture right up here. They are wonderful young girls. JIM loves them deeply. And all I would say to each of you is, we ought to be able to put the face of every child their age, of every single background, in every single neighborhood, in that picture. And they should have just as great a change to be happy, to be healthy, and to know that they are going to have a good future. And we should just force ourselves to do the hard work of freedom until that happens.

And finally, and this is going to sound a little daring, and I don't quite know how to say it, I lack U.S. Senate Chaplain, Rev. Lloyd Ogilvie's brilliance with interpreting God's will and language that the Senate will actually listen to. Not always obey, but at least listen, and that's a major achievement.

I think, and I want to say this as clearly as I can because it's so important. I think we ought to stand for freedom for the entire human race.

For fifty years, we led an anti-Communist coalition. And we won. We are now the pre-eminent power on the planet, and the time has come to ask of ourselves, "for what purpose has God given us this level of pre-eminence?"

And I believe the answer is exactly what Jefferson, Washington and Lincoln would have said: That we owe to every citizen.

Remember that the Declaration of Independence begins by saying, "We hold these truths to be self-evident. That all men are created equal, and that they are endowed by their Creator with certain unalienable rights, among which are life, liberty and the pursuit of happiness."

Notice that phrase, that entire phrase, is universal. It doesn't say they are American truths. It doesn't say they apply to white males. It doesn't say they are Western European. All are created equal. Endowed by their Creator.

I think the United States has to lead. I think we need a great debate, that's very straightforward. If you think the world will be safer if the United States hides, join that side. If you think the world will be safer if we lead, join this side. Let's divide up. Let's have a fight over it. I think overwhelmingly the country will choose that we have to lead.

When we start to lead, I think the goal of our leadership should be simple: We want every single citizen on the planet to be free, safe and prosperous.

And we are prepared to provide moral leadership, we are prepared to encourage missionary activities, both religious and secular, we are prepared to support commercial activity, we are prepared when necessary to support diplomatic, police and, if necessary, military activity. But we truly believe the time has come for the planet to be free, because our children will never be free if there

are large pockets of dictatorship, tyranny and terrorism on this planet.

That requires us, and this is not a comment on the Clinton administration, it requires us as Americans to rethink our strategies and to rethink our systems.

We can't just bully the planet into following us. We could when it was the Soviet Union, because the alternative was so horrible that, in fact, people would follow us even when mad at us.

We're going to have to learn to listen a lot. We're going to have to learn to learn a lot. We're going to have to learn that leadership doesn't mean that you've got to fix breakfast for everybody every morning. And leadership doesn't mean that the 'cleanup campaign' is you cleaning out the garage of every one of your neighbors. But it does mean building teams, being patient, being persistent.

It does mean telling the truth. You can't have prosperity in Russia without the rule of law, and free enterprise, and private property. You can't have honesty and prosperity in Indonesia if you have corruption. You can't tolerate, in the long run, a government like North Korea because it is literally killing the people of North Korea. And you can't ignore Rwanda just because it is too difficult for CNN to get a reporter to cover the butchery.

We have an obligation to systematically, calmly and methodically lead across this planet everywhere, and we can't avoid it.

Now, I think that does mean we're going to have to learn to build institutions, better systems.

I think it means we've got to have a defense budget and a 'policing' budget. They are not the same thing. And for the last seven years, the 'policing' budget has eaten up the defense budget.

I think it means a larger total expenditure on national security, a total overhaul of the State Department, a total overhaul of the intelligence capabilities. If you knew the numbers, and I don't know if they are declassified or not, but if you knew the numbers of people we have in our security apparatus who can speak fluent Chinese, or can speak fluent Serbia, you would be humiliated at the inability of the richest, most powerful nation in the world to get its act together.

This is not a commentary just on this administration. This is going to take serious thought, serious work, and whoever the next president is, they're going to need leadership from the Congress based on a lot of hearings, and a lot of hard work.

Having said that, those are five large long-term goals. Let me very briefly talk about three immediate challenges.

One: I believe the Republican party should adamantly, at every level, adopt the 11th Commandment that Ronald Reagan used. And I think we ought to say, 'let's have a great presidential nominating process, with no negative ads. Let's get together and find who is the best person with the best ideas.'

But the idea that we should have eight, or nine, or ten of our candidates destroy each other, I think is absolutely ludicrous. And I think every serious leader of this party ought to say to every single candidate, 'go out there and tell everybody your best ideas in a positive way,' and let's have the person with the best ideas win the nomination, and then let's all get together behind them.

But I do think if we don't do that, you're going to have a bloodbath for three or four months next year, and out of that bloodbath you're going to have an incumbent administration with an incumbent president, with the media bias, prepared to spend six months taking our nominee apart. And I think we owe it to America to have a positive, unified Republican party offering a candidate with good ideas.

Second: Because it is so currently topical, let me just say briefly; I strongly urge that we end the Independent Counsel process, dead. Not modified, not improved, not partial. Kill it. Get rid of it. Go back to the system we had before 1972. It has been a monstrosity. It has served no one well, and it criminalizes and undermines the process of American government in a way which is tragic.

And I would also urge all of you to thoroughly reexamine the process by which the Executive Branch now gets appointees, because we stop many of the best people in this country from even thinking about applying, and there ought to be some way to appoint some kind of commission of honorable people on a bipartisan basis, so that the next administration will not find that two-thirds or half of the people it wants can't even consider trying to meet the ludicrous standards we now set, and trying to fill out the materials we now provide.

Lastly, I could hardly come back in lieu of Kosovo, and not comment for a minute. Kosovo is very, very serious. Much more serious than the evening news understands.

The President of the United States has compared Milosevic to Hitler. Has suggested that this is the worst process since Nazi Germany. Has announced that the United States and all the power of NATO is being brought to bear on a tiny, limited country, called Serbia.

The Germans yesterday floated an idea which would be a disaster. A papered-over, negotiated settlement, with a dictator who would have won.

Let me be very clear at two levels here. First, Serbia is important because the world is watching.

If the Chinese decide that we are an irresolute, finicky, confused, timid nation, they will try to take Taiwan. And we could stumble into a war of extraordinary proportions, because they are serious people.

If the Iranians decide that they could take out Tel Aviv, and we would do nothing—I don't want to bet that the Iranians wouldn't try it.

If the Iraqis decide that after all of our eight years of bluffing, they could use bacteriological or chemical weapons against their neighbors and we would do nothing.

Remember, the danger may not be that we would actually do nothing, the danger is that their confusion would lead to a war.

1914, the First World War was an accident. Nobody thought they'd fight. 1939, Hitler promised his generals that Chamberlain would never fight, and Britain would stay out of the war. 1950, the American Secretary of State publicly announced, "Korea is outside our defense zone," and the North Koreans believed him.

Wars occur more often because democracies are confused, than because people are deliberately risk-taking. And this president has now set a very high standard for the United States.

And I believe there is a simple responsibility. First, the president should go to the nation and outline unequivocally, in clear, simple language what are our goals. If Milosevic is this evil, how can he stay in power? If his government has been this horrible, how can it be tolerated? If the Albanians are to go back home, how can they do so while being disarmed, as the Germans suggested?

So what are our goals? Against what should we measure America two years from now? What should have happened? How will we know we were successful? And then the president and the Congress should debate those goals.

If they are the right goals, if that requires declaring war on Serbia, then we should declare war on Serbia. If it requires sending a

military force of enormous proportions, we should send such a force.

But that should not be a politician's decision. Nor a presidential candidate's decision. The reason we call General Shelton "Chairman of the Joint Chiefs" is because he is assigned the duty of designing the campaign plan to execute the will of the American people.

And his assignment should be simple. With minimum American casualties, in the shortest possible time, deliver victory, as defined by the president.

Having finished with Serbia, we should return briefly to Iraq, and the world will be safe for at least twenty years, because the world will have learned that when the American nation is serious, it is un-opposable.

But if we are irresolute in Serbia, if we accept a papered-over, phony victory, not all the press conferences and all the spinning in the world will convince the North Koreans, the Chinese, the Indians, the Iranians, the Iraqis, the Russians and others, that we are a nation to be dealt with seriously.

This president has put his stamp in the middle of the table. He has said the American nation is now committed, and NATO, which is essentially the American nation and its European allies, is now engaged, and we have to insist, for our children's safety, that we succeed.

Let me close, by first of all thanking all of you. As was mentioned several times, part of this resource is going to go to Juvenile Diabetes research. The rest is going to go to help launch our political efforts, to continue with vision and strategies and education.

Let me also close at a very personal level. In 1958, as many of you have heard me say, my step-father took me to the battlefield at Verdun. He was serving in the United States Army, as he did for 27 years. And he convinced me, at the end of my freshman year of high school, that civilizations die, that wars are real, that freedom is precious.

It has been for 40 years, 41 years this coming August, my privilege, as a citizen, to be a part of this extraordinary process by which the ethnically most diverse nation in the world governs itself, and seeks to provide opportunity for all of its citizens.

In that time, I've watched Barry Goldwater launch a movement that was considered a little nutty, and went down in glorious defeat in 1964, and created modern conservatism.

I watched Ronald Reagan give wonderful speeches, retire as Governor, emerge briefly to be defeated for the nomination, do a radio show from the ranch, and then emerge, in a magic moment, as America lost its way, as malaise took over, as the economy decayed, as the Russians invaded Afghanistan, and with Margaret Thatcher gave us a dual performance of the power of human leadership that changed the future. And in eight brief years he defeated the Soviet Empire, reestablished the American economy, reestablished American morale, and reminded us of the difference between evil empires and bastions of freedom.

I was privileged to serve with President Bush at a decisive moment, which is often forgotten by our friends, when every member of the Democratic elected leadership in the Congress voted against Desert Storm. We tend to forget after victory how rapidly they are forgotten. And yet President Bush had the courage, from day one, to insist that Kuwait would be taken, that Saddam's army would be destroyed, and that we would do what was necessary.

With your help, with your hard work, with your contributions and your tireless effort, we broke a 40 year monopoly, transferred power in the legislative branch, and truly changed the lives for millions of Americans.

As Mary said earlier so generously, all of us working together saved people with diabetes, we saved people with breast cancer, we put massively more money into medical research, we began a process of preventive disease approaches that I think are going to lead to wellness and major changes.

We saved hundreds of thousands of Americans from poverty by moving them into work and education, we taught their children that there is a better future than waiting on the check and sitting in public housing.

We created opportunities for our parents to have better choices in Medicare, and we began the slow, laborious process of rebuilding and rethinking our defense and our intelligence capabilities.

From that tiny country, on the fringe of the Atlantic Ocean, to a nation which stands astride the world, it has been an amazing process of two hundred and twenty-three years this July 4th. Our generation has a chance to extend that freedom, that prosperity, and that safety to every person in America, and to every person in the world.

It is, in Franklin Delano Roosevelt's words, our generation's rendezvous with destiny.

To each of you in public office I wish you God-speed. As Marianne pointed out the night we announced we would step down, we will be around in public life, and we will work with you in every way we can to give our children, and now my grandchildren, a better future. Thank you, good luck, and God Bless you.

MISSISSIPPI VALLEY NATIONAL HISTORICAL PARK ACT OF 1999

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. BERRY. Mr. Speaker, I rise today to introduce the Mississippi Valley National Historical Park Act of 1999. This legislation will establish a Historical Park on the former Eaker Air Force Base in Blytheville, Arkansas.

The former Eaker Air Force Base, which is located just outside of Blytheville in the Mississippi Valley region, is the site of 14 archaeological sites associated with Native Americans. The central and lower Mississippi Valley region contained the highest population levels and the most complex Native American societies north of Mexico before the arrival of European peoples in the 16th century. It has also hosted Spanish, French, English, and ultimately American societies at different times in the last 450 years.

Because of its value in illustrating and interpreting the heritage of the United States, these sites have been recognized by the National Park Service in numerous ways, such as designation as being placed on the National Register of Historic Places in 1984, and as a National Historic Landmark in 1996.

Archaeological sites such as these benefit, educate, and inspire present and future generations of Americans, but no unified heritage park for the central Mississippi Valley region exists within the National Park Service. This legislation will protect the archaeological sites located on the former Eaker Air Force Base, and preserve, maintain, and interpret the natural, seismic, cultural, and recreational heritage of the central Mississippi Valley region.

A TRIBUTE TO ARLO PETERSON

HON. BILL LUTHER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. LUTHER. Mr. Speaker, today, I would like to recognize the important achievements of Arlo Peterson, a Minnesotan who was a pioneer and visionary leader in bringing affordable energy and electricity to thousands of rural and later suburban Minnesota residents. Arlo is retiring from his position on the board of Connexus Energy after 34 years of service to his state. Arlo served 25 of those years as Chairman of the Board of Directors. He took on this leadership position for one of the country's leading electric cooperatives upon the death of his father Ed Peterson in 1964, who had been a board member for 17 years. Together, these two men gave their state more than a century of service to help bring affordable electricity to their fellow residents.

A farmer from the small town of St. Francis, Minnesota, Arlo has been a model of stewardship for rural cooperative growth, ensuring that Minnesotans in his vast service area would have the energy and electricity they needed at rates they could afford. He has embodied a spirit of dedication and commitment to service for more than 34 years. Arlo took time from his primary endeavor as a family farmer to improve the lives of others in his own and neighboring communities, and helped to provide a national model of a successful electric cooperative. We are grateful for his tremendous contributions.

INTRODUCTION OF THE CROP INSURANCE IMPROVEMENT ACT OF 1999

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. POMEROY. Mr. Speaker, I rise today to introduce the Crop Insurance Improvement Act of 1999. I am honored to have Representative THUNE, Representative MINGE, and Representative BOSWELL joining me as original cosponsors of this comprehensive crop insurance reform proposal.

The basis for this legislation is quite simple. Frankly, the current federal crop insurance program is broken and needs serious repair. Too many of our nation's farmers—especially in North Dakota—have suffered from severe weather disasters in recent years only to fall victim to a federal crop insurance program that does not protect them adequately. With so many producers being driven off the land because of uncontrolled circumstances caused by Mother Nature, the federal government must act quickly and thoroughly in enacting comprehensive crop insurance to allow our nation's farmers the opportunity to manage their risk. However, I caution that even though crop insurance reform is desperately needed, it is only the first step in reforming a safety net in American agriculture.

The Crop Insurance Improvement Act of 1999 reforms the current program by encouraging the broadest possible participation of producers in the program and to ensure greater affordability of the program for producers. It

reforms the current program by increasing the subsidy levels to encourage higher participation at the buy-up coverage levels, alleviating the impact of natural disasters on producers' actual production history (APH), assigning 100 percent transitional yields (T-yield) for the newly acquired acreage and new crops, creates cost of production, rating methodologies, and livestock revenue insurance pilot projects, and restructuring the Federal Crop Insurance Corporation (FCIC) Board of Directors to better represent producers' interests.

During the 106th Congress, I am hopeful that the crop insurance reform will occur. Both Congress and the Administration, have made crop insurance their number one priority in agriculture. In fact, Secretary Glickman coined 1999 as the "year of the safety net." I look forward to working in a bipartisan manner with my colleagues in Congress to pass a comprehensive crop insurance reform bill. The Crop Insurance Improvement Act of 1999 is a step in that direction.

THE EDUCATIONAL
OPPORTUNITIES ACT OF 1999

HON. JAMES E. ROGAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. ROGAN. Mr. Speaker, it is for our impoverished urban communities that I am introducing the Educational Opportunities Act of 1999. This bill will empower low-income parents living in poverty-stricken areas to provide the best education possible for their children.

I am honored to introduce this education plan for our urban communities, which is embraced and co-authored by the Congressional Renewal Alliance. The Renewal Alliance is a coalition of representatives and senators committed to working with community leaders to find legislative proposals which facilitate local solutions in impoverished regions. This will lead to individual empowerment.

I have worked closely with my colleagues in the Renewal Alliance to craft a bill that provides educational alternatives in our inner cities, and provides relief for those parents who invest in their children.

The Educational Opportunities Act of 1999 adopts the principles of another bill I have introduced, H.R. 600, which provides up to a \$1,000 per-child tax credit for educational expenses. In the Educational Opportunities Act of 1999, this tax credit is extended to parents in Enterprise Zones and Enterprise Communities to cover the cost of textbooks, tuition, tutors, computer software, and other needs that will increase a child's learning opportunities. Thanks to the education tax credit included in this bill, low income parents will have far more resources to educate their children from kindergarten through high school.

Another important component of this bill grants Opportunity Scholarships to children of the most needy parents. Under this Opportunity Scholarship Program, states and localities would be able to use existing federal funds to run a low-income public and private school choice program. Scholarships would be directed to students whose families are at or below 185 percent of the poverty rate. The scholarships would be used to cover the cost of tuition at any public or private school lo-

cated in an Enterprise Zone or Enterprise Community. At least \$310 million will be used for this scholarship program.

It is time to give children in the poorest communities a meaningful chance to learn and excel. Bureaucrats in Washington cannot meet this need; those who make a real difference in the lives of these kids are parents and local community leaders. With the Educational Opportunities Act of 1999, we will provide poor parents the resources and choices to educate their children. Furthermore, we will liberate low-income communities to create schools where children have a true chance to learn and rise up from their challenges before them.

I urge all Members who are interested in lifting children up from poverty to join me in supporting the Educational Opportunities Act of 1999.

COLONEL THOMAS S. LAMPLEY,
USAF—A CAREER OF SERVICE

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. BEREUTER. Mr. Speaker, this Member rises today to recognize Colonel Tom Lampley, USAF, who will retire tomorrow from the U.S. Air Force after 29 years of service. This Member has had the pleasure of working and traveling with Col. Lampley in this Member's capacity as Chairman of the NATO Parliamentary Assembly (formerly the North Atlantic Assembly). Col. Lampley has been serving as the Chief, Congressional Action Division, Air Force Legislative Liaison, Office of the Secretary of the Air Force, directly supporting the interaction between the Air Force's senior leaders and Members of Congress. In recognition of Col. Lampley's exemplary record of service, this Member would like to congratulate him upon his retirement and take this opportunity to acknowledge Col. Lampley's credibility and good will for which the Air Force and the Department of Defense will long reap the benefits of his tenure.

Colonel Thomas S. Lampley was born in Washington, DC on 31 August 1947. He attended the U.S. Military Academy at West Point, NY, where he received a Bachelor of Science degree in engineering and received his commission upon graduation in 1970. Col. Lampley also received a Master of Science degree in business management from Troy State University in Alabama.

As a master navigator with over 2,200 flying hours, Col. Lampley has served in numerous flying positions including 225 combat sorties in the F-4 Phantom as a forward air controller in Southeast Asia. Out of the cockpit, he has served in staff positions at Headquarters U.S. Air Forces in Europe, the Pentagon and Headquarters Tactical Air Command. Col. Lampley is an experienced commander, having commanded a flying training squadron at the U.S. Air Force Academy, and the 14th Support Group at Columbus Air Force Base, Mississippi. Prior to moving to his present position, Col. Lampley also commanded the 42nd Support Group, Maxwell Air Force Base, Alabama, and subsequently became the Vice Commander, 42nd Air Base Wing, Maxwell Air Force Base, Alabama. In addition, Col. Lampley has received the following major awards and decorations:

Legion of Merit;
Distinguished Flying Cross with one oak leaf cluster;
Defense Meritorious Service Medal;
Meritorious Service Medal with five oak leaf clusters;
Air Medal with 23 oak leaf clusters; and
Air Force Commendation Medal.

Again, this Member wants to offer his congratulations to Col. Tom Lampley for his fine record of service to the Air Force, to the Department of Defense, to the Members of the U.S. House of Representatives, and to our country.

Colonel Lampley, you have performed your duties as an officer in the United States armed forces in a manner which reflects the best traditions and principles of the U.S. Air Force and our nation.

TRIBUTE TO AN UNCOMMON LEGACY FOUNDATION'S FIFTH ANNUAL CELEBRATION OF WOMEN

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Ms. NORTON. Mr. Speaker, I rise today to ask my colleagues in the House of Representatives to join me in a special tribute to An Uncommon Legacy Foundation, Inc. ("Legacy"). On Saturday, April 24, 1999, Legacy will host its Fifth Annual Celebration of Women at the home of Hilary Rosen and Elizabeth Birch. At the event, Legacy will honor Sheila Alexander-Reid, founder of Women in the Life, Inc. and publisher of Women in the Life Magazine. Legacy will also present grants to the Lesbian Health and Wellness Network ("LHWN") and After Stonewall and scholarships to three outstanding students: Katie Batza, Amanda M. Gunn, and Suzanne Degges White.

An Uncommon Legacy Foundation, Inc. is a nonprofit foundation dedicated to enhancing the visibility, strength, and vitality of the lesbian community. Legacy invests in the community by awarding scholarships to students with leadership potential and by awarding grants to fund projects and organizations that contribute to the lesbian community's health, education, and culture.

This year, Legacy will honor Sheila Alexander-Reid, who has made it her mission to empower lesbians of all colors. Women in the Life, Inc. is an events management company based in Washington, D.C., and it was honored last year with a prestigious grant from Avon and the Mautner Project to promote breast cancer awareness in the black lesbian community. Legacy will also award grants to the Lesbian Health and Wellness Network, a multi-disciplinary coalition of over 125 lesbian and lesbian competent providers serving the Baltimore-Washington, D.C. area. This grant will enable LHWN to improve access to health care for women in the lesbian, bisexual, and transgender communities. Legacy will also award a grant to After Stonewall, a 90-minute documentary airing nationally on PBS on June 23, 1999. This important documentary chronicles the lesbian and gay experience since the 1969 Stonewall riots—the historic moment 30 years ago which gave birth to the modern gay and lesbian civil rights movement. Finally, Legacy will award scholarships to three outstanding students: Katie Batza, who attends

Johns Hopkins University as an undergraduate; Amanda M. Gunn who is pursuing her doctorate at the University of North Carolina at Greensboro; and, Suzanne Degges White who is pursuing her masters also at the University of North Carolina at Greensboro.

An Uncommon Legacy Foundation 1999 scholarship recipients are as follows:

Katie Batza is pursuing a bachelor's degree in history at John Hopkins University. At the age of 15, Katie helped start YouthPride, an Atlanta-based support group for gay, lesbian, bisexual, and transgender youth, which has, in less than five years, served over one thousand people.

Amanda M. Gunn is pursuing her doctorate in cultural studies through the Department of Education at the University of North Carolina/Greensboro (UNCG). She will be presenting her thesis, *Lesbian Passing: Identity Construction as a Strategy for Survival in a Perceived Hostile Work Environment*, at the Eastern Communication Association and UNCG Women's Studies luncheon.

Suzanne Degges White is a first-year masters student in the Counseling and Counselor Education program at the University of North Carolina/Greensboro (UNCG). She is enrolled in the MS/PHD track in community counseling at UNCG. Suzanne was instrumental in obtaining a state charter for the North Carolina Association for Gay, Lesbian, Bisexual Issues in Counseling, a division of the North Carolina Counseling Association.

Mr. Speaker, the Annual Celebration of Women in one of Legacy's most important and widely attended events. The generous contributions of the women in this community who actively support An Uncommon Legacy Foundation make the work vital to the lesbian community possible and represents a true investment in the future leaders of our great country. I ask the House to join me in expressing our gratitude to An Uncommon Legacy Foundation, its national co-chair, Andrea Sharrin, Board member, Mary Snider—both of whom I am proud to say are members of our D.C. family; and the entire national Board for their leadership and support to women across this nation.

EARTH DAY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. GILMAN. Mr. Speaker, Earth Day reminds us all that environmental issues know no political bounds and affects all of the people, plants, and animals of the world community. It is essential that the policies our Government enacts, and the personal activities we undertake reflect our profound concern for safeguarding the Earth.

From combating global climate change to protecting threatened species to providing clean water, we have a duty to act locally and globally to protect the environment for present and future generations.

Saving the planet may seem to be an insurmountable task, but in order for our children to have a brighter future we must commit ourselves to an environmental policy which seeks to establish a clean, safe, and productive environment.

The 106th Congress is working to preserve and protect our Nation's open spaces by reinvigorating the Land and Water Conservation Fund. Designed to protect our Nation's natural heritage, the Land and Water Conservation Fund is a vital program which has saved thousands of acres of forest, miles of river, and many of America's mountain ranges. However, this Congress has seen the importance of this program and the unfinished work which still lies ahead. In the face of issues of pollution and urban sprawl, the 106th Congress has responded by looking to preserve our Nation's greenways.

Moreover, we must not forget the air we breathe, our most precious resource. Americans can clearly see, smell, and feel the difference that pollution has made in their lives. As a strong supporter of the Clean Air Act, I recognize the need for clean air standards. By encouraging innovation, cooperation, and the development of new technologies for pollution reduction, these standards build upon the spirit of ingenuity that is the foundation of America's leadership in the world.

As chairman of the House International Relations Committee, I understand the importance of using our leadership in the United States to assist other countries in developing and maintain successful environmental programs. I personally have led efforts to protect whales from commercial hunting and to protect African elephants from the deadly effect of the international ivory trade. I have also been in the forefront in bringing greater awareness to the linkages between refugees, world hunger and national security to environmental degradation. In addition, if we do not assist in the survival of indigenous and tribal people, their wealth of traditional knowledge and their important habitats will no longer be available for the rest of mankind.

Earth Day is a successful incentive for ongoing environmental education, action, and change. Earth Day activities address worldwide environmental concerns and offer opportunities for individuals and communities to focus on their local environmental problems. I have requested funding for the Hudson Valley national heritage area, which would help preserve the history, culture, and traditions of this beautiful region. I am also proud to note that my 20th District of New York is home to the Lamont-Doherty Earth Observatory, one of the country's leading climate study institutions.

Earth Day is a powerful catalyst for people to make a difference toward a clean, healthy, prosperous future. We cannot continue with the attitude that someone else will clean up after us. We need to take care of our world today. I cannot think of a better day to commit to this worthy goal than today, Earth Day. I salute the people who observe Earth Day in all ways large and small.

HONORING THE 1999 BEST OF RESTON AWARD WINNERS

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. DAVIS of Virginia. Mr. Speaker, it gives me great pleasure to rise today to pay tribute to the individuals and businesses who are this year's winners of the "Best of Reston"

Awards. These awards are made annually by the Reston Chamber of Commerce and Reston Interfaith. The "Best of Reston" Community Service Award was created to recognize companies, organizations, and individuals who have made outstanding contributions to community service, and/or who have improved the lives of the people of Reston, Virginia.

HCI Technologies, Inc. for their community outreach and leadership in Reston. HCI has been involved in a number of church activities with Faith Mission Church, Christ Fellowship, St. John Neumann, and Heritage Fellowship. HCI has sponsored intern programs associated with George Mason University and South Lakes High School, and is a major sponsor of youth programs that include Reston Youth Baseball and Softball, Basketball, and a newly created Tennis program for disadvantaged community children. HCI sponsors a monthly food drive to support those less fortunate, and has been a sponsor of the Chamber's Ethics Day for the senior class of South Lakes High School.

Karl Ingebritsen for being an outstanding pillar of our community. He served as the 1st president of the Greater Reston Chamber of Commerce and was the first employee and Executive Director of the Reston Association. He was instrumental in bringing Reston Hospital to our community and served on the Hospital's board of trustees until 1992. In his role as Director of LINK, Karl has worked tirelessly to improve the area's transportation by becoming a strong voice on behalf of the Reston community. Karl is steadfast in his belief that improving the area's transportation is a benefit to all citizens in the region.

Basil Jeffers for his inner drive to make Reston the best possible place to live and to raise a family. Basil has been classified as a "one man moving company." He's first to volunteer his hands and station wagon to anyone needing assistance as they move into a new home. A member of the Heritage Fellowship Church, Basil often brings community needs to the attention of the church. If he is unable to assist a given need, he sees that the church is aware of the situation and that they are able to provide the necessary support. Basil currently serves as the president of the PTA at South Lakes High School and served on the nominating committee for the College Partnership Program, a Fairfax County sponsored motivational program encouraging minority students to attend college. He is also involved with a Boy Scout and Cub Scout Troop.

Susan (Suzi) Jones for her tireless efforts to improve the community. From serving as a board member and President of the Reston Association to Presidency of the Greater Reston Arts Center to her Community Services Board work, people throughout Fairfax County have benefited from her volunteer services. Drawing upon her human resources skills and expertise, Suzi has generously and frequently contributed her time and skills for the development of a pool of community leaders and the identification and resolution of community issues. Her contributions to the Reston community have been, and continue to be, made through her active service to a number of community organizations and institutions, including St. Anne's Episcopal Church.

Alvarez LeCesne for the impact he has had on the lives of many students he's had contact with during his years in volunteer service. He is active in many area associations, including

the Optimist Club, Character Counts! Coalition, St. Anne's Episcopal Church, Heritage Fellowship Church, the Medical Care for Children Partnership, and Reston Community Coalition, a community/school partnership promoting drug and alcohol use prevention. During January 1999, LeCesne chaired Reston's Martin Luther King Jr. Planning Committee for the celebration of Dr. King's birthday.

Patricia Macintyre for her steadfast efforts as a community volunteer. A renowned artist, she has spent more than 30 years volunteering her talent and love of art in many forums and spaces, including art galleries, government buildings, schools, preschools, festivals and celebrations. She spent 17 years as host of "You've Gotta Have Art," a weekly children's television program directed toward teaching Reston youth to appreciate art. Macintyre has spent her life working to preserve and promote the arts in Reston. Every Saturday morning she leads free family workshops in art and culture at the Reston Historic Trust Museum.

USAA for its commitment to a strong work ethic, customer service, and the value of its employees' personal, professional, and family needs. USAA supports efforts to improve the quality of life in its employees' communities, affording them many volunteer opportunities. Through USAA's involvement in the community, research funds have been raised to benefit the American Heart Association, the American Cancer Society, the American Arthritis Foundation, and others. USAA helps meet the material needs of our community through ongoing collection of food, clothing, books, and school supplies. USAA volunteers support education by giving their time as tutors, mentors, and speakers. A commitment to community involvement is so basic to USAA's corporate culture, that "Public Outreach" is a corporate "Key Result Area."

Jane Gilmer Wilhelm's mission in Reston and her entire career has been to be a vital, clear, caring resource for all people. She has given innumerable gifts of time and passionate presence to all our community's members from her early years in Reston as Director of Community Relations to the speeches she makes to this day, to save buses, libraries, and funding for the neediest. From infants to the elderly, from the homeless and needy, from young students to senior citizens in learning, from our various community organizations, to nature areas preserved by our founders, her caring has permeated her days. Not to mention her frequent visits with many on Lake Anne benches and her tireless volunteer work for our citizens' many concerns.

Mr. Speaker, I know my colleagues join me in honoring the "Best of Reston" Award winners for their dedicated commitment to making Reston, Virginia an exceptional place to live and work. This year's award recipients deserve recognition and gratitude from a very grateful community.

EARTH DAY CELEBRATION

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mrs. MORELLA. Mr. Speaker, I rise today to recognize and celebrate the twenty-ninth an-

nual Earth Day. This spring observation provides the people of our nation and across the globe the opportunity to renew our dedication to environmental protection. We as a nation have a shared responsibility to preserve our vast and diverse natural resources. I have a longstanding commitment to conservation and environmental protection, and I am pleased to join in today's celebration.

While we have made significant progress since the first Earth Day celebration in 1970, we must continue our efforts to improve environmental quality. It is my belief that Earth Day activities heighten awareness about actions that we can take to improve our environment, both locally and globally. Today's observation offers us the opportunity to acclaim our progress, but more importantly, it allows us to renew our commitment to the challenges facing our planet.

Earth Day festivities take place all across the country. I would like to pay special tribute to my constituents in Montgomery County, Maryland who are so active in their support of environmental causes. This is especially true during this month, with activities and programs like the Earth Day Fair in Bethesda, the various stream cleanups across the county, and the Arbor Day celebration in Derwood.

I consider environmental protection to be national priority. I pledge to work with my colleagues to ensure the preservation of our natural resources and the protection of the public's health. And this Earth Week, as we also celebrate the 435th birthday of William Shakespeare, we remember his words, "to nature none more bound." Today, as we observe Earth Day, let us reaffirm our commitment to a cleaner world.

TRIBUTE TO THE LATE HENRY ATKINSON

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. GREEN of Wisconsin. Mr. Speaker, I would like to offer my sincere condolences to everyone whose life was touched by Mr. Henry Atkinson, who passed away earlier this week.

Henry Atkinson was one of the most dedicated men I've ever had the pleasure of knowing—dedicated to his friends, dedicated to his community, and dedicated to the students and schools he spent his career serving.

Among Henry's many achievements in 20 years on the Green Bay School Board were his oversight of the transition of junior high schools into middle schools and his work to create a drug and alcohol abuse program for the Green Bay Schools.

Henry was a small businessman who also served on the Green Bay Water Commission, the Brown County Bicentennial Committee and the Northeast Wisconsin Vocational, Technical and Adult Education District Board.

But he is most remembered by the generations of students and educators who witnessed his day-to-day efforts to make Green Bay education a rewarding and memorable experience.

Green Bay lost one of its finest community leaders this week, but he will surely live on in the memories of those who gained so much from knowing him.

THE RICKY RAY RELIEF ACT

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. TALENT. Mr. Speaker, today, I rise in strong support of funding for the Ricky Ray Relief Act. The time has come for the federal government to accept its share of the responsibility for failing to protect the nation's blood supply and failing to properly regulate the sale of blood-clotting products used by sufferers of hemophilia. As a result of the government's failure more than 8,000 people with hemophilia have been devastated by HIV/AIDS.

Mr. Speaker, the financial burden of hemophilia and HIV is overwhelming. The average cost of hemophilia therapy is nearly \$100,000 per year. If a person has an inhibitor, a condition that requires extensive treatment, therapy can exceed \$1,000,000 in a year. These costs are further compounded by the costs of HIV/AIDS care which was estimated to be \$10,000–\$50,000 annually in 1995. These staggering cost are far beyond the financial capacities of most hard working American families.

The Ricky Ray Relief Act was named for a young Florida boy who came to symbolize the tragedy that is hemophilia-associated AIDS. This legislation establishes a \$750 million trust fund from which victims of this tragedy can claim \$100,000 each as partial compensation for their physical, emotional, and financial suffering. This legislation is not about charity, but about acknowledging the government's responsibility for this tragedy.

It has taken almost 5 years for members of the hemophilia community who are living with HIV/AIDS to reach this point. The Ricky Ray Relief Act was first introduced in 1995 and was reintroduced in 1997. When it passed both the House and the Senate by unanimous consent, this bill had the support of 270 bipartisan cosponsors in the House and 61 bipartisan cosponsors in the Senate. On November 12, 1998, the President signed the Ricky Ray Relief Act into law.

I was proud to be both a cosponsor and advocate of this legislature. Mr. Speaker, the time has come for the government to admit responsibility for failure to protect our nation's blood supply. We must fund the Ricky Ray Relief Act. The funding of this legislation will make a tremendous difference in the lives of many members of the hemophilia community who have faced and continue to face living with hemophilia and HIV/AIDS.

PERSONAL EXPLANATION

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. SAXTON. Mr. Speaker, on rollcall 92: To Authorize the President to Award a Gold Medal on Behalf of the Congress to Rosa Parks; rollcall 93: Condemning the Murder of Human Rights Lawyer Rosemary Nelson; rollcall 94: Education Flexibility Partnership Act Conference Report; and rollcall 95: Earthquake Hazards Reduction Authorization Act; I was unavoidably detained and unable to cast

my votes. Had I been present, I would have voted "yea" on rollcall 92, "yea" on rollcall 93, "yea" on rollcall 94 and "yea" on rollcall 95.

**DR. CARIDAD PEREZ COMPLETES
THIRTY YEARS OF ACADEMIC
EXCELLENCE**

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Ms. ROS-LEHTINEN. Mr. Speaker, today I am honored to pay tribute to Dr. Caridad Perez, a dear friend and an outstanding educator who had completed thirty years of excellent academic achievements.

As Principal of Edison Private School, Dr. Caridad Perez has been a positive influence in the lives of the many students with whom she actively interacts, as well as with the teachers and faculty members who seek her wisdom and experience for guidance.

It is through Dr. Caridad's leadership, hard work and dedication to improving the lives of youth that she has helped scores of students acquire not only an exceptional, solid education, but a strong sense of values and morals that will help carry each student through a lifetime of success.

On Sunday, April 25th, at the Tropicana Fountainbleu Hilton in Miami Beach, many of Dr. Caridad's grateful students and highly appreciative staff will gather for a festive luncheon accompanied by music to honor the loyal and beloved principal of Edison Private School for the praise and honor that she so earnestly deserves.

I ask that my Congressional colleagues join me in celebrating Dr. Caridad's thirty years in educational excellence.

**84TH COMMEMORATION OF
ARMENIAN GENOCIDE**

SPEECH OF

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 1999

Mr. CAPUANO. Mr. Speaker, I rise today to commemorate the 84th anniversary of the Armenian Genocide. On April 24, 1915, a group of Armenian religious, political, and intellectual leaders were summarily arrested, taken to Turkey and murdered, commencing a dark and solemn period in the history of Armenians. From 1915 to 1923, the Ottoman Empire launched a systematic campaign to exterminate Armenians. In eight short years, more than 1.5 million Armenians suffered through atrocities such as deportation, forced slavery, and torture. Most were ultimately slaughtered.

And yet, despite irrefutable evidence, Turkey has refused to admit the Armenian Genocide occurred, and continues to harbor hatred towards its neighbors. In addition to denying the crimes committed against the Armenian people, Turkey continues to block the flow of humanitarian aid and commerce to Armenia.

In the face of this tragedy, children and grandchildren of the survivors of the Armenian Genocide have gone on to positively impact society, while at the same time preserving

their heritage and unique identity. Over 60,000 Armenian-Americans live in the greater Boston area. Within Massachusetts, many of these Armenians have formed public outreach groups seeking to educate society about Armenia's culture. One particular group, Project Save, operates out of Watertown, Massachusetts. "Project Save collects photographs of Armenian people and places in the homeland and the world-wide diaspora." This remarkable organization preserves the Armenian culture and history through restoration of photographs from all over the world. Some of these photographs date back as early as 1893.

Last year, the world, once again, united to condemn atrocities committed towards fellow human beings. Both the United Nations Human Rights Commission and the General Assembly adopted a resolution, introduced by Armenian Ambassador Rouben Shugarian, to commemorate the 50th anniversary of the UN Genocide Convention. By adopting the resolution, member nations recognized that "the crime of genocide [was] an odious scourge which had inflicted great losses on humanity and was convinced that international cooperation was required to facilitate the speedy prevention and punishment of the crime of genocide." Here in the United States Congress, I am a proud cosponsor of a resolution honoring the memory of the victims of the Armenian genocide and calling for the United States to encourage the Republic of Turkey to acknowledge and commemorate the atrocity committed against the Armenian population by the Ottoman Empire.

It is sad and frustrating that at the beginning of this century, Armenians were murdered en masse, and now at the end of the 20th century the same type of brutal killing of innocent people continues. Since 1988, the Nagorno-Karabakh conflict has cost thousands of lives and produced over 1.4 million refugees.

Let me say, that as a member of the Congressional Armenian caucus, I will continue to work with my colleagues and with the Armenian-Americans in my district. Together we will demand more accountability from Azerbaijan and Turkey for their persistent bullying of their neighbor and search for a way to end the Armenian people's suffering. We must continue to be vigilant, we must preserve the cultural history of Armenians, and we must work towards ending crimes against all humanity.

EARTH DAY 1999

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. DAVIS of Illinois. Mr. Speaker, as a member of this body, I would like to take this opportunity to acknowledge Earth Day. We have made great strides in elevating the protection and knowledge of our treasured natural resources.

Mr. Speaker, Earth Day matters. It raises the awareness of Americans and is a catalyst for positive change. Since the first Earth Day in 1970, Americans have gathered to celebrate the preservation of our environment and to focus on the work that is left to be done. Earth Day has always been a day to celebrate the environment and our natural heritage. It has also served to mark the importance of environmental protection and responsible living.

Earth Day has been a catalyst for the enactment of some of our nation's most important laws. Laws such as the Clean Air Act of 1970; The Clean Water and Safe Drinking Water Act and the Community Right-to-Know laws. These laws have enabled regulatory agencies to better understand what, where, and when pollutants enter our environment.

I am proud of my strong environmental voting record. I strongly support H.R. 525, the Defense of the Environments Act. I challenge my colleagues to work towards its passage. I can think of no better way to commemorate the importance of Earth Day than to pass this comprehensive bill.

I am also proud to support H.R. 960, Endangered Species Recovery Act of 1999. If passed, this bill would ensure the recovery of our Nation's declining biological diversity; reaffirm and strengthen this Nation's commitment to protect wildlife; safeguard our children's economic and ecological future; and provide assurances to local governments, communities, and individuals in their planning and economic development efforts.

Earth Day must also serve as a reminder that even today, we still have a need for improvement. People in our poorest communities are struggling for environmental justice. They continue to struggle for their civil and human rights here and abroad. From Louisiana's "Cancer Alley" to Native American reservations' nuclear problems, and from the plight of the people living along the border in the Maquilidora region to Chicago's West and South Side, millions of Americans live in housing and surrounded by physical environments that are over-burdened with environmental problems from hazardous waste, toxins and dioxins, incinerators, petrochemical plants, lead contamination, polluted air and unsafe water. These factors continue to pose a real and grave threat to our nation's public health.

Environmental Justice matters. We must begin to eliminate the mentality that our nation's poorest communities can be used as dumping grounds for our industrial achievements. We must begin to look at the issues of unequal distribution and disproportional impacts on minorities, as well as the problems of green space and living standards. Low income communities must not bear the brunt of selective environmental standards. Today we must mark a new dedication towards bringing a more proper balance to the widening gap between rich and poor community standards.

I also want to speak briefly about our commitments to the international community. It is clear today, maybe more so than in 1970, that there is a global connection through the environment. Since the formation of the International Whaling Commission (IWC) in 1949 and the more recent meeting of the Kyoto convention, we have begun the needed international monitoring and protection of our environment on a global scale. We now must begin to realize the responsibility we have in providing under developed nation with the environmental technology that will allow them to grow as they move towards a more industrialized society.

So today as we mark the 29th anniversary of the first Earth Day, I am reminded that although we in the United States have made major improvements in the last 20 years, we have a way to go and look forward toward this improvement. We must also strive as global citizens toward safer drinking water and cleaner air at home and abroad.

In closing, I leave you with this thought, it is not a question of whether we can afford to protect the environment, rather it is a question of whether we can afford not to.

EXPOSING RACISM

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. THOMPSON of Mississippi. Mr. Speaker, in my continuing efforts to document and expose racism in America, I submit the following articles into the CONGRESSIONAL RECORD.

[From the New York Times, Feb. 24, 1999]

47 PERCENT IN POLL VIEW LEGAL SYSTEM AS UNFAIR TO POOR AND MINORITIES

(By Linda Greenhouse)

WASHINGTON—Despite having only a minimal knowledge of the legal system, nearly half of the public thinks it treats minorities and the poor unfairly, a survey conducted for the American Bar Association indicates.

In the months before William H. Rehnquist raised his public profile by presiding over the Senate impeachment trial, only 17 percent could identify him as Chief Justice of the United States. More than one-third of those responding held the mistaken belief that in a criminal trial, it is up to the defendant to prove his innocence.

But a surprising 96 percent knew that a criminal defendant who is found not guilty can still be sued in a civil trial. The survey report, made public by the bar association today, speculated that widespread knowledge of this "relatively obscure concept" might be attributed to the intense coverage of O.J. Simpson's consecutive criminal and civil trials.

While most people believe that "the justice system needs a complete overhaul" and that "we would be better off with fewer lawyers," the public still agrees by a strong majority, 8 out of 10, that "in spite of its problems, the American justice system is still the best in the world," according to the survey.

But of the 1,000 adults polled by telephone in August, 47 percent said they believed that the courts did not "treat all ethnic and racial groups the same." Thirty-nine percent said there was equitable treatment of minorities and 14 percent had no opinion. Also, 90 percent of respondents said affluent people and corporations had an unfair advantage in court.

The bar group's president, Philip S. Anderson, who commissioned the survey, said in a statement that while he was cheered by the results showing public confidence in the system, he was disturbed by the indication that substantial numbers of people discerned racial unfairness in the behavior of courts and law-enforcement authorities.

"We are concerned that the current perception of bias will eventually erode confidence in our system of justice," Anderson said in remarks prepared for delivery on Wednesday at the National Press Club.

The results of the nationwide telephone survey are to be presented and discussed at a bar association symposium here later this week on "public understanding and perceptions of the American justice system."

An independent research firm in Chicago, M/A/R/C Research, conducted the survey, which had a margin of sampling error of plus or minus three percentage points.

The news media fared badly in public confidence, in fact worse than any other institu-

tion. Eight percent of the people had strong confidence in the news media, while 60 percent expressed slight or no confidence. The Supreme Court, by contrast, was at the top of the list, with 50 percent of the people expressing strong confidence in it. Compared with a similar survey conducted in 1978, public confidence in all levels of the judicial system has increased, while confidence in doctors, organized religion, public schools and Congress, as well as the news media, has declined. A majority rejected the statement that "the courts are just puppets of the political system."

Anderson, the bar group's president, urged the Supreme Court to enhance public understanding of the law by allowing television cameras into its argument sessions.

"One television camera in the Supreme court will educate more people more effectively in one morning than the traditional methods can reach in one year," he said.

Some of the survey's results appeared certain to warm the hearts of the American Bar Association's 400,000 members. Of people who had used a lawyer within the past five years, three-quarters were very satisfied or somewhat satisfied with the quality of service, with 53 percent in the "very satisfied" category.

Most people agreed that "it would be easy to get a lawyer if I needed one," while at the same time expressing the view that "it costs too much to go to court" and "it takes courts too long" to do their job.

THOMPSON DOESN'T CONDONE COUNCILMAN'S ACTIONS

JACKSON, MS.—U.S. Congressman Bennie Thompson, D-Miss., says he doesn't condone the actions of former City Council President Louis Armstrong, but he warns people not to condemn his longtime friend.

Armstrong pleaded guilty last week in U.S. District Court to charges of conspiracy to commit extortion and accepting part of a \$25,000 bribe to influence a council vote on rezoning a topless bar. He is scheduled to be sentenced May 7.

Artie Armstrong, 30, his eldest son, faces trial March 1 on bribery, extortion and conspiracy charges in the same case.

"Nobody really supports individuals doing wrong. As long as the pursuit of the wrongdoers is within the confines of the laws and on balance, then the general public will support it. And I don't know any people that I talk to who support people doing wrong," Thompson said.

"People sympathize with people who make mistakes. And those people who are Christian hope that the people who do wrong will see the error of their ways and seek some opportunities for redemption."

Former state senator Henry J. Kirksey says FBI investigations into alleged corruption by black Jackson City officials and business leaders, like Armstrong and his son, are not based on race.

The veteran lawmaker who has been active in state and local politics criticized those who are labeling recent FBI investigations as selective prosecution of minorities.

Kirksey says last week's guilty plea by Armstrong, who is black, to bribery and extortion charges reflects the mentality of some politicians who have risen to power and subsequently abused it in search of the dollar.

"They are teaching that to their children—'You get it anyway you can'—and that's why the jails and detention centers are loaded with blacks," Kirksey said. "The problem is there is something wrong at City Hall, and it's not all just Louis Armstrong, either."

Councilmen Kenneth Stokes and Robert Williams testified during the December trial

of two businessmen charged in the FBI cable investigation that they were never offered any money in exchange for their votes.

The councilmen have not been charged with wrongdoing. Car salesman Robert Williams, 50, and snack food distributor Roy Dixon, 56, were convicted Dec. 11 of conspiring to extort \$150,000 from Time Warner Cable in an attempt to influence the city council's vote on the franchise renewal.

On Friday, U.S. District Judge Tom S. Lee gave Williams 21 months in prison and two years supervised probation.

U.S. Attorney Brad Pigott said the FBI's investigations centered only on criminal actions of suspects, not their race. He pointed to the guilty pleas of Armstrong and Clinton Moses Jr., a confessed bank robber who on Friday admitted he firebombed the Jackson Advocate and accused Armstrong of hiring him.

"From the fact that both of them have every reason to expect to go to prison for having confessed under oath for their criminal conduct, I certainly don't see where the room is to see that they're both just lying so that they can have the chance to go prison," Pigott said.

Moses, who worked in Armstrong's 1997 reelection campaign, told authorities that Armstrong paid him \$500 to burn the black weekly newspaper.

Pigott won't say whether Armstrong will be charged in the Advocate's firebombing.

SCHOOL OFFICIALS SAY RACIAL TENSION A PROBLEM AMONG STUDENTS

FARMINGTON HILLS, MI.—School officials in several Detroit area schools find themselves investigating incidents linked to racial tension—and they're searching for ways to head off violence within school walls.

Kim Kennedy, who is black, never thought her son, Jeffrey, would have to face the kind of racial attacks she felt growing up in Detroit. Her son attends Walled Lake Western High School, where in January he was involved in a racially motivated fight.

"I never thought my children would have to experience what happened to us in the 1960s," Ms. Kennedy, 38, of Farmington Hills told The Detroit News for a Thursday story. "Sometimes, I question whether we made the right decision moving here."

Other recent racial incidents in area schools include: Dearborn Edsel Ford High School. On Dec. 2, an altercation between several Arab and non-Arab students escalated into a food fight.

West Bloomfield High School. Last week, tempers flared between groups of Chaldean-American and African-American students in the school's cafeteria.

Saline High School. Three white students were charged with felony ethnic intimidation in connection with a Dec. 17, 1998, hallway fight with two black students. A preliminary examination is scheduled for March 23.

Experts say schools can and should take responsibility for helping to solve ethnic and racial tensions—even though the conflict usually begins outside the schools.

"Schools must be on top of what is creating the tension, and be proactive, rather than waiting for something to happen," University of Michigan education professor Percy Bates said.

In Walled Lake, about 25 parents attended a "racial summit" for parents a week after the Jan. 21 incident involving Kennedy, 14, and several other students. Many of the students—including Kennedy—were suspended and one was expelled.

"We promised parents that the administration would meet with them to discuss their concerns and to invite them to participate in

our initiatives," Walled Lake Western High Principal Gary Bredahl told the News.

"I hope the African-American students here can sense that we are reaching out to them to create a comfort zone to get them involved in school activities."

Experts say students often pick up their parents' feelings about other races, said Juanetta Guthrie of Wayne State University's Center for Peace and Conflict Studies.

"We are not born with the mechanism to hate. It's learned, and it can be unlearned," Ms. Guthrie said.

West Bloomfield senior Brad Fayer agrees that parents play a big role in raising their children to be free of biases and bigotry.

"If you have open-minded parents they can teach their kids to also be open-minded and fair," he said. "They can also teach equality."

So school districts are taking up the challenge to help combat conflicts.

In Dearborn, fights between Arab and non-Arab students have led to the creation of the Dearborn Community Alliance to establish clearer communication between members of the community.

"I see more dialogue," Edsel Ford Principal Jeremy Hughes said. "At one time, the Arab students all sat along one wall in the cafeteria, but now I see more interaction."

But Alex Shami, the only Arab American on the Dearborn public school board, said the district still has a long way to go.

"I've lived in Dearborn for 24 years," Shami said. "There was tension between Arabs and non-Arabs in the late 1970s and then it went down in the 1980s, but it is worse than ever now. I don't like what I see because people seem to be investing more on their prejudices than ever and I am frustrated."

In West Bloomfield, school officials say implementing ethnic diversity programs is the key to heading off potential problems.

"We have ongoing programs that get several kids from different backgrounds in dialogue," said Sharkey Haddad, the district's multicultural program director. "If you don't already have a program in place, then it's merely a reaction to the problem."

MISSISSIPPIANS TO GET CHANCE TO TELL HISTORY

(By Gina Holland)

JACKSON, MISS. (AP)—Mississippi history will be told through personal accounts of everyday residents as part of a project approved by the Legislature just in time for the turn of the century.

A bill passed by the House Wednesday would put \$150,000 into a pilot project to collect interviews from residents in five areas of the state. The Senate has already approved the funding.

The University of Southern Mississippi, which has an oral history department, and the Mississippi Humanities Council would team up with community leaders on the work.

Residents will be interviewed about stories of their communities, government and civic life, and historical events.

Still pending in the Legislature is a request for \$30,000 in continuation funding for an oral history program focusing on the civil rights era.

Elbert Hilliard, executive director of the Department of Archives and History, said the project will fill gaps in historical archives.

"Most of the existing oral history collections are interviews with prominent persons, political leaders, people who have been involved in significant events," he said. "It will expand the scope of these interviews to have a comprehensive approach."

Hilliard, who expect some of the interviews to involve civil rights events, said he is hopeful the Legislature will also provide money for the civil rights project at USM.

Under the proposal approved Wednesday, one site will be chosen in each of Mississippi's congressional districts for a pilot program. People will be taught how to conduct interviews. The material will be archived and be made available on the Internet and it could be displayed in the communities.

Rep. Leonard Morris, D-Batesville, said his two teen-age children. "have no knowledge of what happened in the 1960s and 1970s."

"You don't want to dwell too much upon the negative part of it, but you also want to be able to do research on what happened and have an accurate documented source," said Morris. "How can you know where you're going if you don't have a good idea of the past?"

Sen John Horhn, D-Jackson, said he would like to see more work on the civil rights history.

"A number of the people who were involved in the movement have passed away, many of them are getting older. It's important we capture their stories," said Horhn.

The funding bill goes to the governor.

84TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

SPEECH OF

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 1999

Mr. LARSON. Mr. Speaker, today I rise to honor the lives of 1.5 million Armenians who perished during the brutal genocide that took place on April 24, 1915. However, I also rise to celebrate the lives of those who have survived. We honor their spirit and the legacy they have provided. For it is this legacy that encourages their children and grandchildren, friends and neighbors, to remind people throughout the world of this horrific action. An action that tragically marked the century's first genocide.

According to the Archives of the Nuremberg Proceedings, Hitler instructed his SS units at a meeting in 1939 "to kill, without pity, men, women, and children" in their march against Poland, as such activities would have no long term repercussions. Who, he said, "remember now the massacres of the Armenians?"

As a Member of Congress I say with force and I say with compassion: We remember. We remember horrible violence that sent 1.5 million Armenian leaders, intellectuals, and clergy to their deaths and forever changed the lives of generations of families.

Tomorrow I will carry that same message from the floor of the House of Representatives to the Connecticut State Capitol where I will address a group of survivors and children of survivors of the Armenian genocide. Every year these Connecticut residents make a commitment to come to Hartford to remind their friends, their community leaders, and their neighbors of the solemn anniversary that is marked throughout the country on April 24.

The most disturbing part of this anniversary is that 84 years later genocide remains a part of our vocabulary. From Rwanda to Bosnia to the present day horrors of Kosovo, entire populations are being killed simply because of

their ethnicity. It has been said that we can best plan for the future by learning from the lessons of the past. Unfortunately, it appears that too many nations are trying to find their path to the future by ignoring the past.

As we commemorate this 84th anniversary of the Armenian genocide, I urge my House and Senate colleagues to work toward this goal: that an entire generation never experiences the horrors of genocide, either by living through it or by feeling the pain of people half way around the world.

I send my deepest prayers and thoughts to this country's Armenian-American community.

INTRODUCTION OF THE NATIONAL GEOLOGIC MAPPING ACT

HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mrs. CUBIN. Mr. Speaker, I rise today, on Earth Day, to introduce a bill to reauthorize the National Geologic Mapping Act, a cooperative program between the states and the federal government to prioritize efforts to delineate the bedrock and surficial geology of the country on a broad scale, sufficient for land-use planning, natural hazards abatement and mitigation, and mineral resource endowment estimates. This bill's antecedents are the National Geologic Mapping Act of 1992, and its reauthorization and amendment in 1997.

Mr. Speaker, my home state of Wyoming is rich in geologic wonders, thus I am well aware of the importance of having accurate geologic information in order to manage and appreciate the land around us. Geologic information in the form of maps, both as traditional hard copies as well as digital data for manipulation by computer, aid society in prudent land-use planning, waste disposal, mitigation of geologic hazards, and management of natural resources. Funding for the program is incorporated in the budget of the U.S. Geological Survey as a subset of its annual appropriation.

The main components of this bill remain the same as its precursors—with a State geologic mapping component, whose objectives are to determine the geologic framework of areas that the State geological surveys determine to be vital to the economic, social, or scientific welfare of individual States. Mapping priorities will be determined by multi-representational State panels, and shall be integrated with national priorities. Federal funding for the State components shall be matched on a one-to-one basis with non-Federal funds.

An educational component of the act is designed to train the next generation of geologic mappers—by providing for broad education in geologic mapping and field analysis through support of field studies; and to develop the academic programs that teach earth-science students the fundamental principles of geologic mapping and field analysis, and knowledge of the solid earth. These mapping investigations will be integrated into the other State geologic mapping components of the program. The reauthorization of the National Geologic Mapping Act shines as a sterling example of a cooperative partnership between the Federal government and the individual states for the benefit of society.

Mr. Speaker, geologists like to say that for them "every day is Earth Day." What better

day than today to introduce the bill to keep the benefits of this important cooperative program flowing?

A TRIBUTE TO HIS HIGHNESS
SHAIKH ESSA BIN SALMAN AL-
KHALIFA, THE LATE AMIR OF
THE STATE OF BAHRAIN

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. SPENCE. Mr. Speaker, I rise today to pay tribute to His Highness Shaikh Essa Bin Salman Al-Khalifa, the late Amir of the State of Bahrain. On April 14th, 1999, the people of Bahrain commemorated the 40th day of mourning for the passing of the Amir.

His Highness Shaikh Essa Bin Salman Al-Khalifa will be missed by his friends all over the world. I had the honor of meeting Shaikh Essa in the 1970's in a tent under the desert sky of Bahrain. Our friendship deepened over the years as we had the opportunity to meet and work together to foster a relationship of warmth and cooperation between our countries.

Under his leadership, Bahrain diversified its economy and currently Bahrain is ranked as having the highest standard of living among the Arab countries according to the 1998 Human Development Report published by the United Nations Development Program.

According to The Wall Street Journal and the 1999 Index of Economic Freedom published by the Heritage Foundation, Bahrain has held the status of third freest economy in the world.

This year Bahrain is celebrating the 50th Anniversary of the strong relationship it has with the United States and the United States Navy. Bahrain is a key ally of the United States and the 5th Fleet of the United States Navy is located in Bahrain.

His Highness Shaikh Essa Bin Salman Al-Khalifa supported the Middle East peace efforts, and I am confident that his son, His Highness Shaikh Hamad Bin Essa Al-Khalifa, who has succeeded his father, will continue his father's legacy of promoting peace and prosperity for the people of Bahrain.

Mr. Speaker, I ask that the attached eulogy of the late Amir, given by His Highness Shaikh Khalifa Bin Salman Al-Khalifa, the Prime Minister of Bahrain, be inserted in the RECORD.

HIS HIGHNESS SHAIKH KHALIFA BIN SALMAN
AL-KHALIFA, THE PRIME MINISTER OF THE
STATE OF BAHRAIN

"It is a most sad occasion to stand here today over the loss of the dearest and most cherished of men, the late Amir H.H. Shaikh Essa Bin Salman Al-Khalifa, leader, father, and dear brother. May his soul rest in eternal peace and may God Almighty grant him mercy.

With the passing of H.H. Shaikh Essa Bin Salman Al-Khalifa, Bahrain and the Arab and Islamic world have lost a unique leader, who pledged himself and devoted his entire life to building and developing his country in all fields. He was tireless in his endeavors to achieve peace and security in the region and in the world. He was also a kind and gentle leader, full of love and devotion for his people. He set himself as an example that is hard to follow. As a leader and a father, he combined wisdom with a loving heart and

high moral standards of decency. In dealing with his people and other nations, he relied on justice and honesty. His ultimate goal was cooperation and peace for all relations among nations.

H.H. Shaikh Essa's reign was an era of peace, a time of building and progress, a time of development and national unity. During his reign, Bahrain achieved regional and international recognition in all fields—an achievement that makes us all very proud. Bahrain made progress and development in health, education, and housing. Our nation reached a higher economic status, as well as an excellent reputation of credibility abroad. Bahrain played a prominent role in establishing and strengthening the Gulf Cooperation Council. Under his leadership, our nation had a very positive role in all Arab issues, calling for solidarity, urging the removal of all matters of discord, and defending Arab rights and issues. Internationally, Bahrain attained a distinguished status due to the respect, trust, and friendship he personally developed with leaders of the world. Those leaders appreciated his great contributions in promoting world peace, security, and stability and in strengthening international cohesion and cooperation, as well as supporting humane values and issues.

No words can really give adequate credit to the late Amir H.H. Shaikh Essa Bin Salman Al-Khalifa for his love for his country and his kindness to his people. He was a sincere Amir—a wise leader, an idealist in his devotion with concern and care for all Arab, Islamic, and world issues. H.H. Shaikh Essa shall remain a giant among men in the history of this nation for his great achievements and his high morals and ethics. His memory shall forever remain alive in the minds and hearts of this country and his loving people.

In this time of great sorrow for H.H. Shaikh Essa we take solace in his son and successor, H.H. Shaikh Hamad Bin Essa Al-Khalifa, with every confidence that he will be a fit and able successor to his father. We are confident that his reign shall witness further development, progress, and prosperity due to his wisdom, excellent leadership capabilities, and strong administrative abilities. It is our pride to exert the utmost dedication in supporting H.H. Shaikh Hamad to continue the path of development which was established by the beloved, great leader nationally, regionally, and internationally.

We would also like to extend our best wishes to our dear son H.H. Shaikh Salman Bin Hamad Bin Essa Al-Khalifa on his appointment as Crown Prince—an appointment that has received the full consideration and support of all.

The proper transfer of leadership in this nation has a positive impact on all, since it reflects the solidity of the rule of law and all its institutions that the late Amir had established. In this sad time, we would like to express our sincere pride for the show of support displayed by the Bahraini people, symbolizing the spirit of a single family that the late leader was keen to develop. This spirit reflects the cohesion between the people of Bahrain and their leadership, as the late leader had wished.

We wish to extend our deepest gratitude and appreciation to the leaders, governments, and peoples of all brotherly and friendly states for their true sentiments and their generous participation with Bahrain on the sad demise of the late great leader, the father, and beloved brother H.H. Shaikh Essa.

May God Almighty grant our beloved leader mercy and rest in heaven. Peace and God's mercy be upon you all."

INTRODUCTION OF "THE CHIP
DATA AND EVALUATION IM-
PROVEMENT ACT OF 1999"

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. STUPAK. Mr. Speaker, today I am introducing the CHIP Data and Evaluation Improvement Act of 1999. This legislation was introduced by Senator MOYNIHAN and Senator CHAFEE in the Senate earlier this year. I want to thank them for their hard work and their leadership on this legislation. I look forward to working with them, as well as Members of this body to ensure swift passage of this legislation.

This legislation would ensure comparable data and an adequate evaluation of children's health coverage under the new Children's Health Insurance Program (CHIP) and Medicaid.

In 1997, CHIP was established to provide health coverage for low-income uninsured children. The Balanced Budget Act of 1997 provided \$48 billion over 10 years, mostly in the form of a block grant, for States to develop children's health insurance programs.

With new Federal CHIP funding, more States are beginning to develop their own programs. To date, 48 States have CHIP plans that have been approved by the Health Care Financing Administration, with most just beginning to implement their programs. In my home State of Michigan, reports have been mixed about the effectiveness of the program. All Members want to ensure that the program we instituted is carried out in an appropriate manner. We await reports on the effectiveness of their efforts to cover the Nation's uninsured children and I believe this bill will go along way in developing information on its effectiveness.

Implementing their programs is the first challenge the States must confront. For the Federal Government, the first challenge clearly will be to track the experience of children and of the CHIP programs. We will need data to answer some basic questions: Is the number of uninsured children being reduced over time, and how effective are the State CHIP programs at serving them? What are the best practices and initiatives for finding and enrolling the Nation's uninsured children?

The CHIP Data and Evaluation Improvement Act of 1999 calls for a detailed Federal CHIP evaluation by the Secretary of Health and Human Services. Current law requires a CHIP report from the Secretary to Congress; however, no funds were authorized. This bill would provide the necessary funds to conduct an evaluation. The evaluation would focus, in part, on outreach and enrollment and on coordinating the existing Medicaid program and the new CHIP program. In this era of devolution of social programs, the Federal Government has an increasingly critical responsibility to ensure adequate and comparable national data. This bill would ensure that standardized CHIP data is provided. At the very least, the Federal Government should provide, on a national level, estimates of the number of children below the poverty level who are covered by CHIP and by Medicaid.

The CHIP Data and Evaluation Improvement Act would provide funding so that existing national surveys would provide reliable and

comparable State-by-State data. The most fundamental question we, as policy makers, will be asking is whether the number of uninsured children is going down. With an increasing percent of uninsured, a stable rate might be considered a success! This bill would provide additional funding to the Census Bureau for its Current Population Survey—a national data source of the uninsured—to improve upon the reliability of its State-by-State estimates of uninsured children.

In addition, the proposal would provide funding for another national survey to provide reliable State-by-State data on health care access and utilization for low-income children. Although this survey may also provide data on the number of uninsured, the CPS would be the primary source for such figures.

Also, to develop more efficient and centralized statistics, this bill would coordinate a Federal clearinghouse for all data bases and reports on children's health. Centralized and complete information is the key to sound policy and programs.

We need this information, not only to determine whether the States are properly instituting their CHIP programs, but to ensure that we continue our commitment to ensure that no children in this country are left without health care coverage.

I have included a summary of the bill prepared by Senator MOYNIHAN's staff to be included in the RECORD.

SUMMARY OF THE CHIP DATA AND
EVALUATION IMPROVEMENT ACT OF 1999
PURPOSE

In 1997, 10.7 million children were uninsured. The new State Children's Health Insurance Program (CHIP) and existing state Medicaid programs are intended to provide coverage for low-income children. The crucial question is whether the number of uninsured children has been reduced. Improved state-specific data is needed to provide that information. In addition, the Federal government should evaluate the effectiveness of these programs in finding and enrolling children in health insurance.

PROPOSAL

State-by-state Uninsured Counts and Children's Health Care Access and Utilization. (1) Provide funds (\$10 million annually) to the Census Bureau to make appropriate adjustments to the Current Population Survey (CPS) so that the CPS can provide reliable state-by-state data on uninsured children. (2) Provide funds (\$9 million annually) to the National Center for Health Statistics to conduct the Children's Health portion of the State and Local Area Integrated Telephone Survey (SLAITS) in order to produce reliable state-by-state data on the health care access and utilization for low-income children covered by various insurance programs such as Medicaid and CHIP.

Federal Evaluation. With funding (\$10 million), the Secretary of Health and Human Services would submit to Congress a Federal evaluation report that would include 10 states representing varying geographic, rural/urban, with various program designs. The evaluation would include more specific and comparable evaluation elements than are already included under Title XXI, such as including surveys of the target population (enrollees and other eligibles). The study would evaluate outreach and enrollment practices (for both CHIP and Medicaid), identify barriers to enrollment, assess states' Medicaid and CHIP program coordination, assess the effect of cost sharing on enrollment and coverage retention, and identify the reasons for disenrollment/retention.

Standardized Reporting. States would submit standardized data to the Secretary, including enrollee counts disaggregated by income (below 100%), race/ethnicity, and age. If income could not be submitted in a standard form, the state would submit a detailed description of eligibility methodologies that outline relevant income disregards. States would also submit percentages of individuals screened that are enrolled in CHIP and in Medicaid, and the percent screened eligible for Medicaid but not enrolled.

Administrative Spending Reports for Title XXI. States would submit standardized spending reports for the following administrative costs: data systems, outreach efforts and program operation (eligibility/enrollment, etc.).

Coordinate CHIP Data with Title V Data Requirements. Existing reporting requirements for the Maternal and Child Health Block Grant provide data based on children's health insurance, including Medicaid. This bill would include the CHIP program in its reporting. IG Audit and GAO Report. The Inspector General for the Department of Health and Human Services would audit CHIP enrollee data to identify children who are actually eligible for Medicaid. The General Accounting Office will report the results to Congress. Coordination of all Children Data and Reports. The Assistant Secretary of Planning and Evaluation in the Department of Health and Human Services would consolidate all federal data base information and reports on children's health in a clearinghouse.

THE INDEPENDENT CONTRACTOR
CLARIFICATION ACT OF 1999

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1999

Mr. KLECZKA. Mr. Speaker, Congressman AMO HOUGHTON and I today are introducing the Independent Contractor Clarification Act of 1999. This bipartisan legislation attempts to solve one of the more troublesome aspects of the tax code—the proper classification of workers. I am pleased that Representatives STARK (CA), JOHNSON (CT), MATSUI (CA), ENGLISH (PA), LEVIN (MI), WELLER (IL), COYNE (PA), FOLEY (FL), MCDERMOTT (WA), LEWIS (GA), BOEHLERT (NY), EVANS (IL), KING (NY), BARRETT (WI), QUINN (NY), and FORBES (NY) are original cosponsors of the bill.

The bipartisan spirit of this legislation cannot be underestimated. Congress has struggled with this issue since 1978. Unfortunately, legislation introduced in recent years has tended to favor employers and only served to polarize the debate on this issue. Congressman HOUGHTON and I have worked with groups representing both employers and employees for most of the past year to develop the legislation we are introducing today.

The current 20 point test used to determine an individual's employment classification and the section 530 safe harbor are burdensome and unworkable. The 20 point test is a series of tests that provide employers with a general guideline as to how they are supposed to classify their workers. However, these tests do not provide employers with a clear definition of who is an independent contractor and who is an employee. This lack of clarity has led to countless workers being misclassified.

For example, one of the criteria used in the 20 point test is the level of training of the

worker. Some have interpreted a level of training to be a college degree while others would argue it is a person's general work experience. Another criteria is furnishing significant tools and assets. For a computer programmer, significant equipment and assets might be an expensive computer system whereas in the case of a laborer an employer might deem a significant investment to be some basic tools.

With the increased enforcement of the employment tax laws beginning in the late 1960s, controversies developed between the IRS and businesses as to whether the businesses were properly classifying certain workers as independent contractors. As a result, Congress included section 530 in the 1978 tax bill, which created a safe harbor by which employers could treat a worker as an independent contractor for employment tax purposes regardless of the true employment status of the worker. To be eligible for the section 530 safe harbor, an employer simply had to have a "reasonable basis" such as a prior audit by the IRS, a private letter ruling from the IRS, or have relied on a long-standing recognized industry practice. Although it was intended to be a temporary solution, section 530 was permanently extended by Congress in 1982.

Furthermore, section 530 has prohibited the IRS from issuing regulations and guidance to employers to bring about the proper classification of workers. The inability of the IRS to issue rulings on employment status has prevented the IRS from clarifying the 20 point test.

As a result of the lack of clear direction, many businesses have misclassified their workers as independent contractors. Such misclassifications have resulted in workers being denied essential benefits such as health coverage, a retirement plan, or the employer's share of FICA taxes. Workers who are actual employees and who work at the direction of and under the supervision of a superior are entitled to these benefits as part of their employment.

The Independent Contractor Clarification Act would replace the current 20 point test with a simple, easy to understand 3 point test. An individual would be classified as an independent contractor if the employer does not control the manner in which the individual completes his or her assigned tasks; the individual is able to solicit and undertake other business opportunities; and the individual encounters entrepreneurial risk. The last point would include the ability of the independent contractor to generate a profit or bear the risk of financial loss.

However, any person that has a statutory exemption would maintain that exemption under this legislation. For example, current law says that real estate agents and direct sellers such as newspaper delivery persons are independent contractors, and they would maintain that status under the Independent Contractor Clarification Act.

The Independent Contractor Clarification Act would also repeal section 530 thereby allowing the Department of Treasury to issue guidance to employers so they can properly classify their workers.

However, businesses that are currently eligible for the Section 530 safe harbor will be covered by a transitional rule which would continue the current safe harbor protections until 2003 or until the IRS issues additional guidance. In addition, if the IRS requests a reclassification of any section 530 worker after

the date of bill's enactment but before 2003, the employer must make the change prospectively but will not be held liable for back taxes.

The single largest hurdle to employers reclassifying their workers as employees is the fear the IRS is going to take the reclassification as an admission of wrongdoing and, as a result, assess retroactive employment taxes. Under this legislation, the IRS would be prohibited from collecting back taxes if an employer meets the following criteria: The business had consistently treated the individual, and all other persons in similar positions, as an independent contractor; the tax returns filed by the employers are consistent with the treatment of the workers as independent contractors; and the employer has a reasonable basis for the classification of the worker such as a prior audit or a letter ruling from the IRS.

The effective date of this legislation is January 1, 2001. This is designed to give businesses a reasonable amount of time to implement the changes in the independent contractor statutes. Furthermore, any business that is told to reclassify its workers would have 60 days after final notification from the IRS to implement the change.

Mr. Speaker, this legislation is a bipartisan solution to a difficult and longstanding problem. The Independent Contractor Clarification Act attempts to balance the interests of employers and their workers. If enacted, this legislation will provide employers the guidance they need to properly classify their workers. It will also serve the interests of hard-working Americans and their families. It is for these reasons I urge the adoption of this legislation.

H.R.—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Independent Contractor Clarification Act of 1999".

SEC. 2. DETERMINATION OF EMPLOYEE AND EMPLOYER STATUS.

(a) IN GENERAL.—Subsection (c) of section 7701 of the Internal Revenue Code of 1986 is amended to read as follows:

“(c) EMPLOYEE AND EMPLOYER.—

“(1) IN GENERAL.—For purposes of this title, except as otherwise expressly provided in this title—

“(A) an individual (hereinafter in this subsection referred to as the ‘service provider’) performing services for another person (hereinafter in this subsection referred to as the ‘service recipient’) shall be treated as an employee of the service recipient, and

“(B) the service recipient shall be treated as the employer of such service provider, unless the requirements of each of the subparagraphs of paragraph (3) have been satisfied.

“(2) REPEAL OF COMMON LAW TESTS.—The rules of this subsection shall apply in lieu of any common law rules which would otherwise apply.

“(3) REQUIREMENTS.—

“(A) LACK OF CONTROL BY SERVICE RECIPIENT.—The requirements of this subparagraph are met only if the service provider has the right, to the exclusion of the service recipient, to control and direct the manner of, and the means used in, the service provider's performance of services for the service recipient.

“(B) AVAILABILITY OF SERVICE TO OTHERS.—The requirements of this subparagraph are met only if the service provider—

“(i) makes substantially similar services available to others, and

“(ii) is not precluded by the service recipient from soliciting business opportunities

that involve providing substantially similar services for other persons during the period that the service provider is providing services for the service recipient.

“(C) ENTREPRENEURIAL RISK.—The requirements of this subparagraph are met only if—

“(i) in the service provider's overall business activities, the service provider has the potential to generate profit and bears risk of loss and the extent to which profit is generated or loss is sustained depends on the service provider's efforts and decisions other than as to the amount of work performed, and

“(ii) in the event the service provider fails to perform the work in accordance with the service recipient's requirements, the service provider is either subject to liability to the service recipient for damages arising from claims sounding in contract or would be subject to such liability but for a waiver by the service recipient.

“(4) PERSON.—For purposes of this subsection, the term ‘person’ includes any governmental unit (and any agency or instrumentality thereof).”

(b) REPEAL OF SECTION 530 OF REVENUE ACT OF 1978.—Section 530 of the Revenue Act of 1978 is hereby repealed.

(c) CONFORMING AMENDMENTS.—

(1) Paragraph (2) of section 3121(d) of such Code is amended to read as follows:

“(2) any individual who is treated as an employee under section 7701(c); or”.

(2) Paragraph (2) of section 210(j) of the Social Security Act is amended to read as follows:

“(2) any individual who is treated as an employee under section 7701(c) of the Internal Revenue Code of 1986; or”.

(3) Subsection (a) of section 7701 of such Code is amended by inserting after paragraph (33) the following new paragraph:

“(34) INCLUDES AND INCLUDING.—The terms ‘includes’ and ‘including’ when used in a definition contained in this title shall not be deemed to exclude other things otherwise within the meaning of the term defined.”

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to services performed after December 31, 2000.

(2) REPEAL OF LIMITATIONS ON REGULATIONS AND RULINGS.—The repeal made by subsection (b), insofar as it relates to section 530(b) of the Revenue Act of 1978, shall take effect on the date of the enactment of this Act; except that regulations and Revenue Rulings permitted to be issued by reason of such repeal may not apply to services performed before January 1, 2001.

SEC. 3. LIMITATIONS ON RETROACTIVE EMPLOYMENT TAX RECLASSIFICATIONS.

(a) GENERAL RULE.—Chapter 25 of the Internal Revenue Code of 1986 (relating to general provisions applicable to employment taxes) is amended by adding at the end the following new section:

“SEC. 3511. LIMITATIONS ON RETROACTIVE EMPLOYMENT TAX RECLASSIFICATIONS.

“(a) GENERAL RULE.—If—

“(1) for purposes of employment taxes, the taxpayer treats an individual as not being an employee for any period after December 31, 2000, and

“(2) for such period, the taxpayer meets—

“(A) the consistency requirements of subsection (b),

“(B) the return filing requirements of subsection (c), and

“(C) the safe harbor requirement of subsection (d),

for purposes of applying this subtitle for such period, the individual shall be deemed not to be an employee of the taxpayer for

such period. The preceding sentence shall cease to apply to periods beginning more than 60 days after the date that the Secretary notifies the taxpayer in writing of a final administration determination that the taxpayer should treat such individual (or any individual holding a substantially similar position) as an employee.

“(b) CONSISTENCY REQUIREMENTS.—A taxpayer meets the consistency requirements of this subsection with respect to any individual for any period if the taxpayer treats such individual (and all other individuals holding substantially similar positions) as not being an employee for purposes of the employment taxes for such period and all prior periods after December 31, 1978.

“(c) RETURN FILING REQUIREMENTS.—The taxpayer meets the return filing requirements of this subsection with respect to any individual for any period if all Federal tax returns (including information returns) required to be filed by the taxpayer for such period with respect to such individual are filed on a basis consistent with the taxpayer's treatment of such individual as not being an employee.

“(d) SAFE HARBORS.—

“(1) IN GENERAL.—The taxpayer meets the safe harbor requirement of this subsection with respect to any individual for any period if the taxpayer establishes that its treatment of such individual as not being an employee for such period was—

“(A) in reasonable reliance on a written determination (as defined in section 6110(b)(1)) issued to the taxpayer that addressed the employment status of the individual or an individual holding a substantially similar position with the taxpayer;

“(B) in reasonable reliance on a concluded Internal Revenue Service audit of the taxpayer in which the employment status of the individual or any individual holding a substantially similar position with the taxpayer was examined and the taxpayer was notified in writing that no change would be made to such individual's employment status; or

“(C) supported by substantial authority.

For purposes of subparagraph (C), the term ‘substantial authority’ has the same meaning as when used in section 6662(d)(2)(B)(i); except that such term shall not include (i) any private letter ruling issued to a person other than the taxpayer, and (ii) any authority that does not address the employment status of individuals holding positions substantially similar to that of the individual.

“(2) SPECIAL RULES.—

“(A) APPLICATIONS TO PRE-2001 DETERMINATIONS, ETC.—Paragraph (1) shall apply without regard to whether the determination, audit, or the authority referred to therein was before January 1, 2001.

“(B) SUBSEQUENT AUTHORITY.—The taxpayer shall not be considered to meet the safe harbor requirement of paragraph (1) with respect to any individual for any period if the treatment of such individual as not being an employee is inconsistent with any regulation, Revenue Ruling, Revenue Procedure, or other authority—

“(i) which is published by the Secretary at least 60 days before the beginning of such period and after the date of the determination, the conclusion of the audit, or the substantial authority referred to in paragraph (1), and

“(ii) which applies to the type of services performed by such individual or the industry or business in which such services are preformed.

“(3) TRANSITIONAL RULE.—Except as provided in paragraph (2)(B), the taxpayer shall be considered to meet the safe harbor requirement of paragraph (1) with respect to services performed by an individual during

2001 or 2002 if the taxpayer would be treated under section 530 of the Revenue Act of 1978 (as in effect on the day before the date of the enactment of this section) as having a reasonable basis for not treating such individual as an employee.

“(e) OTHER SPECIAL RULES.—

“(1) NOTICE.—An officer or employee of the Internal Revenue Service shall, before or at the commencement of any audit inquiry relating to the employment status of one or more individuals who perform services for the taxpayer, provide the taxpayer with a written notice of the provisions of this section.

“(2) AVAILABILITY OF SAFE HARBORS.—Nothing in this section shall be construed to provide that this section only applies where the individual involved is otherwise an employee of the taxpayer.

“(f) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

“(1) EMPLOYMENT TAX.—The term ‘employment tax’ means any tax imposed by this subtitle.

“(2) EMPLOYMENT STATUS.—The term ‘employment status’ means the status of an individual as an employee or as an independent

contractor (or other individual who is not an employee).

“(3) TAXPAYER.—The term ‘taxpayer’ includes any person or entity (including a governmental entity) which is (or would be but for this section) liable for any employment tax. Such term includes any predecessor or successor to the taxpayer.

“(4) SUBSTANTIALLY SIMILAR POSITION.—The determination as to whether an individual holds a position substantially similar to a position held by another individual shall include consideration of the relationship between the taxpayer and such individuals.

“(g) REGULATIONS.—The Secretary shall prescribe such regulations as may be appropriate to carry out the purposes of this section.”

(b) CLERICAL AMENDMENT.—The table of sections for chapter 25 of such Code is amended by adding at the end the following new item:

“Sec. 3511. Limitations on retroactive employment tax reclassifications.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to all periods beginning after December 31, 2000.

SEC. 4. STATUTE OF LIMITATIONS ON ASSESSMENT OF EMPLOYMENT TAXES TO RUN BEGINNING ON DATE CERTAIN INFORMATION RETURNS FILED.

(a) IN GENERAL.—Subsection (b) of section 6501 of the Internal Revenue Code of 1986 (relating to limitations on assessment and collection) is amended by adding at the end the following new paragraph:

“(5) CERTAIN INFORMATION RETURNS TO BEGIN LIMITATION PERIODS ON EMPLOYMENT TAXES.—For purposes of this section, if—

“(A) a return is filed under section 6041 or 6041A which specifies an amount of payments made to any individual for services performed by such individual, and

“(B) such payments are not taken into account in determining the taxes imposed by chapters 21 and 24,

then, notwithstanding the last sentence of subsection (a), such return shall be treated as the return referred to in subsection (a) for purposes of determining the period of limitations with respect to such taxes on such services.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made after December 31, 2000.